INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

PROJECT INFORMATION

1. Project Title: MJ Shelton Holdings LLC/Mike & Julie Jackson (TSM20-0003 Rowdy Estates Subdivision)

2. Lead Agency Name and Address: Butte County – Department of Development Services
Planning Division
7 County Center Drive
Oroville, CA 95965

3. Contact Person and Phone Number: Mark Michelena, Senior Planner
530.552.3683
mmichelena@buttecounty.net

4. Project Location: The project site encompasses two parcel totaling 9.56 acres, located on the east side of Garner Lane, at the intersection of Kittyhawk Drive, north and west of Chico. Township 23N, Section 32, Range 01E; MDB&M. Latitude 39°48'5.535"N, Longitude 121°53'23.791"W. APNs 047-710-008 & 047-710-009.

5. Project Sponsor's Name and Address: MJ Shelton Holdings, LLC
13 Jordans Place
Chico, CA 95973

Mike and Julie Jackson
13728 Garner Lane
Chico, CA 95973

6. General Plan Designation: Very Low Density Residential (VLDR)

7. Zoning: VLDR/AO-C & D (Very Low Density Residential – 1-acre minimum/Airport Overlay – C & D Compatibility Zones)

8. North Chico Specific Plan: SR-1 (Suburban Residential – 1-acre minimum)

9. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

   The project is a Tentative Subdivision Map to divide two parcels totaling 9.56 acres into eight parcels (ranging in size from 1-acre to 1.6 acres). The parcels will have access by a proposed cul-de-sac off Garner Lane. Domestic water for each parcel would be provided by a well. Wastewater will be provided by onsite individual waste water systems (septic tank and leachfield). The project includes a pressurized water system that with a dedicated well site (Lot A) and a fire hydrant. The well and hydrant will be maintained part of a newly formed County Service Area. Lot A will dedicated to Butte County for the benefit of the CSA. The project proposes stormwater retention/infiltration

basin and drainage retention swale/leach trenches to retain stormwater runoff on site. Based on the preliminary proposed plan, stormater runoff will be designed to be retained onsite in underground stormwater facilities, and discharge events under the 100-year recurrence interval are not planned to be discharged to any existing or planned public stormwater facilities or channels. The retention of stormwater on-site effectively reduces transport of surface stormwater pollution in the developed condition. During construction, stormwater erosion and sediment pollution prevention measures will be required and permitted by State Water Board to reduce potential for stormwater pollution. The project includes a right-of-way dedication for the future extension of Kittyhawk Drive along the northern portion of the project site.

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

Surrounding uses include primarily residential and undeveloped lots ranging in size from 0.47 to 60 acres. There is residential development to the west, north and south. The Chico Municipal Airport is located approximately 1.3 miles to the east.

Direction	General Plan Designation	Zoning	NCSP Overlay	Airport Overlay	Existing Land Use(s)
North	Very Low Density Residential (VLDR)	VLDR	SR-1/P	C Compatibility Zone	Residential/Undeveloped
South	VLDR	VLDR	SR-1	C & D	Residential
East	VLDR	VLDR	SR-1/OS	C	Residential/Undeveloped
West	VLDR	VLDR	SR-1	C & D	Residential

The project parcel is developed with a residential dwelling. The remainder of the site is primarily grassland. Some of the site has been disturbed, including for access drives. The topography of the project site area and project parcel is generally flat at an elevation of approximately 190 feet above sea level. There are no waterways located on the project parcel. The nearest waterways are Keefer Slough, which is located approximately 1,100 feet north and Mud Creek, which is located approximately 1,950 feet southeast, of the project site.

The project parcel is located north and west of the City of Chico. State Highway 99 is located approximately 0.6 miles to the west and southwest.

Zoning

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

The minimum parcel size for the subject parcel is one (1) acre.

North Chico Specific Plan Overlay

The project site is zoned Suburban Residential 1-acre minimum (SR-1). The NCSP accommodates a broad spectrum of housing types and densities through five residential zones/land uses. The majority of residential acreage will be single-family detached homes on one acre lots located northwest of Mud Creek.

Airport Overlay Zone

The project site is located within the C & D Compatibility Zone for the Chico Municipal Airport. The C & D Compatibility Zone contains areas commonly overflown by aircraft as they enter or depart the traffic pattern. The C Compatibility Zone with parcel zoned VLDR, west of the airport, allow a consistent parcel size of 1 acre. The D Compatibility Zone has no residential density restrictions or lot size requirements.

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

- Butte County Department Development Services: Building Permits (Future Construction)
- Butte County Public Health Environmental Health Division (Wastewater and Water)
- Butte County Public Works Department: Road and Grading Improvement Plans
- Caltrans: Traffic

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

See Discussion 1.18

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project could not have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the proposed project COULD have a significant effect on the environment, there WILL NOT be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Mark Michelena — 8/27/2021

Prepared by: Mark Michelena, Senior Planner — Date

Dan Breedon — 8/27/2021

Reviewed by: Dan Breedon, Planning Manager — Date

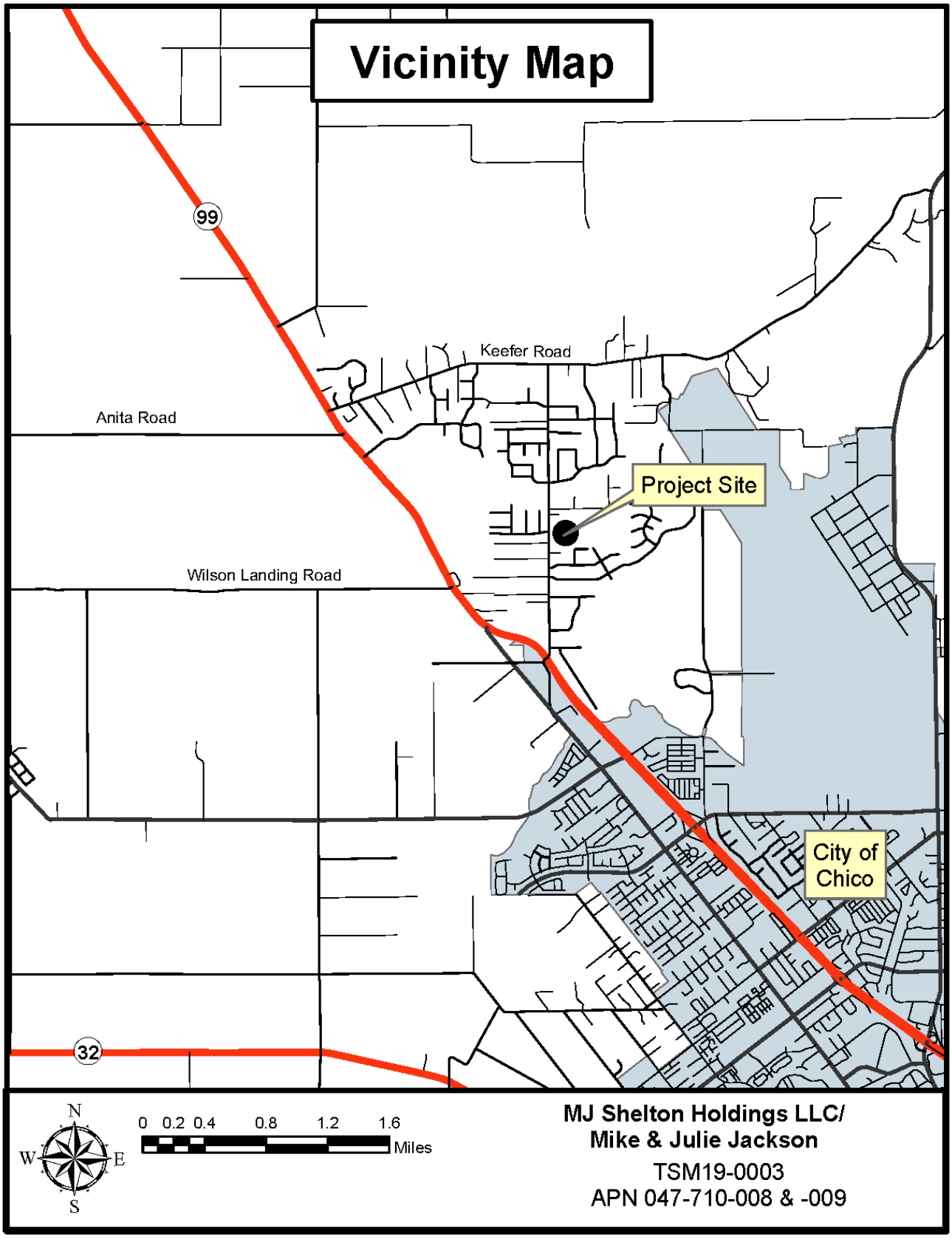

Figure 1 - Project Vicinity Map

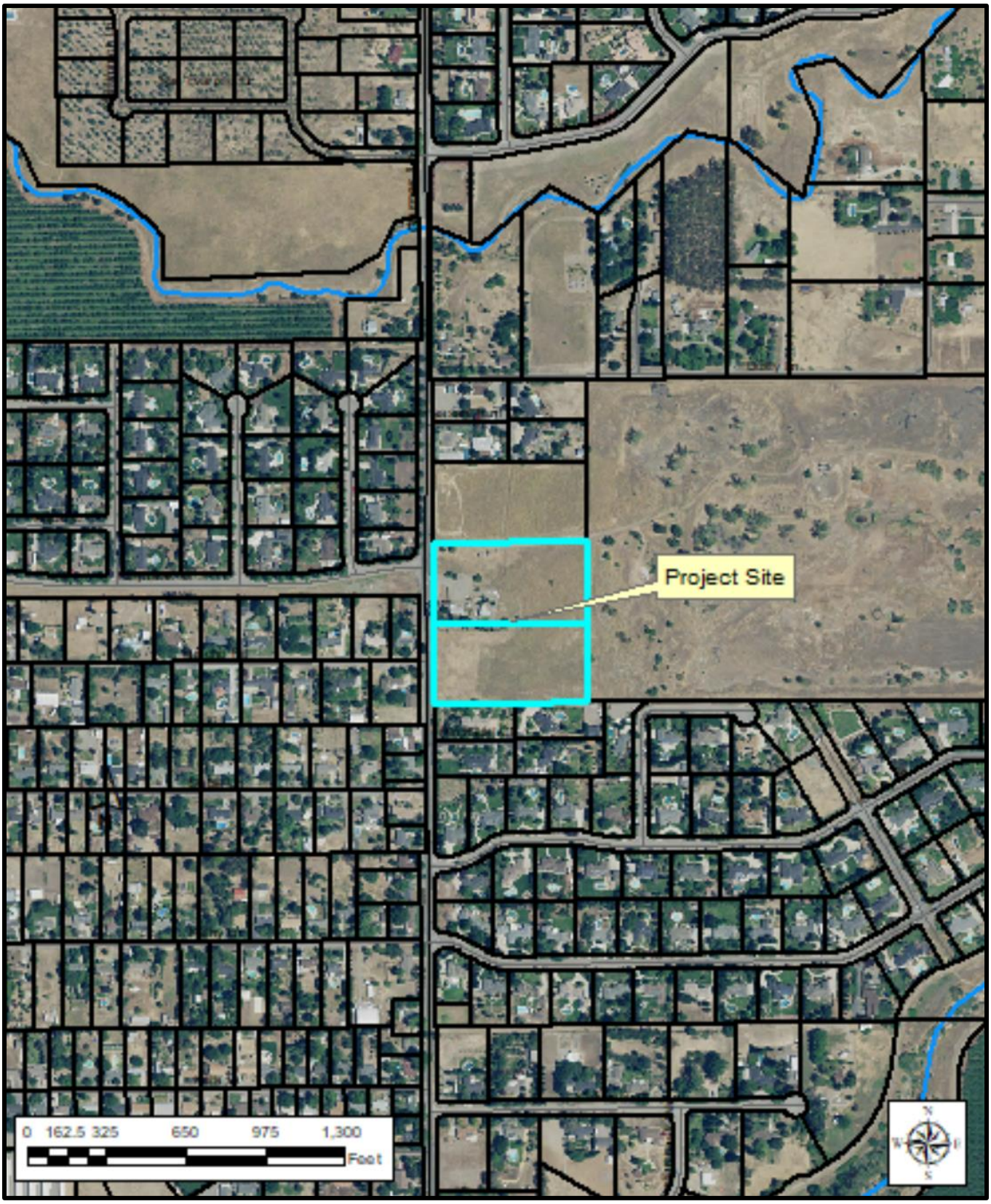

Figure 2 - Aerial

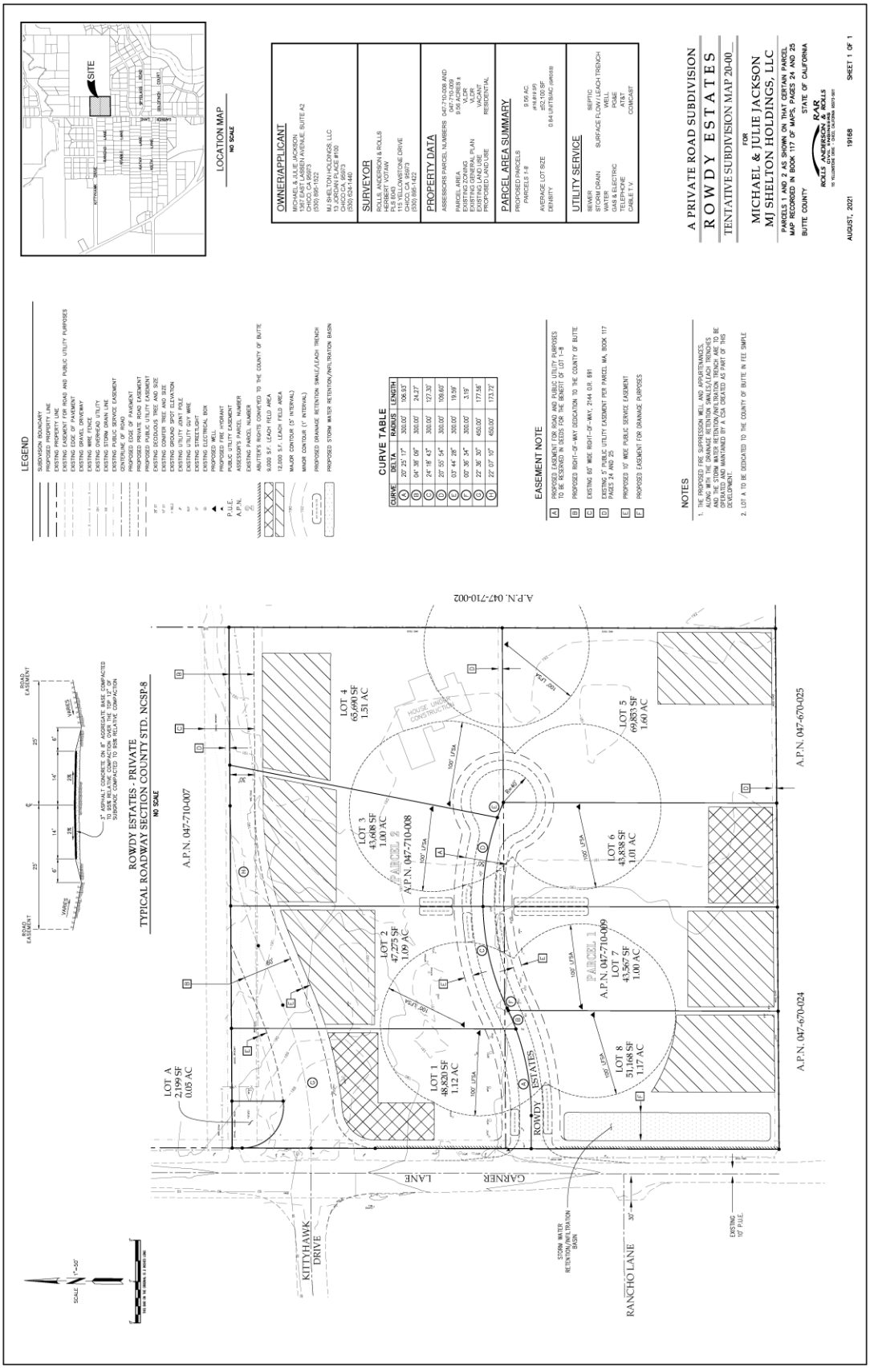

Figure 3 – Proposed Tentative Subdivision Map

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:
   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

1.1 AESTHETICS

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

Setting

The project site area is characterized as residential lands situated in the valley region of Butte County, north and west of Chico, east of State Highway 99. Surrounding uses include residential on lots ranging from 0.47 to 5 acres.

The topography of the project site is generally level, with elevation of approximately 190 feet above sea level. Natural vegetation in the area consists of annual grasslands. The most prominent human-made features are the residences, accessory structures, roads, utility lines.

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

Discussion

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

Less than significant impact. Future development of the proposed parcels includes single-family residential units, which would be consistent with the established visual character and planned future use of the surrounding area. Due to the low-density of the project, placement of additional residences will not significantly interfere with the views of scenic vistas from adjacent residences and public right-of-ways. Therefore, the project would not significantly affect a scenic vista nor have a demonstrable negative aesthetic effect.

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

Less than significant impact. No improvements are proposed that could result in the damage or degradation of existing features on or near the project site. Subsequent development of the resultant parcels is anticipated to be consistent with the character of the surrounding area. Additionally, the project site is not located along a designated State or County scenic highway.

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

Less than significant impact. The project site and surrounding lands are in an urban zone (Very Low Density Residential). Future development of the resultant parcels would consist of single-family residences and accessory structures. The type of housing and the one-acre parcel sizes proposed would be consistent with the character and quality of the project site and surrounding area.

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

Less than significant impact. Outdoor lighting for safety and security could potentially be added to existing and future structures on the resultant parcels. However, the proposed very low-density development would minimize ordinary nighttime lighting impacts to adjacent areas. Any new outdoor lighting in residential zones are subject to *Article 14, Section 24-67 of Butte County Zoning Code*, which requires that all outdoor lighting in residential areas be located, adequately shielded, and directed such that no direct light falls outside the property perimeter, or into the public right-of-way. With implementation of outdoor lighting regulations, the proposed project would not create new sources of substantial lighting or glare that would generate a significant impact.

1.2 AGRICULTURE AND FOREST RESOURCES

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

Regulatory Setting

Williamson Act/Land Conservation Act (LCA) Contracts

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

Farmland Mapping and Monitoring Program

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

California Public Resources Code Section 4526

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

California Public Resources Code Section 12220(g)

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

Butte County Right to Farm Ordinance

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

Agricultural Buffer Policy

Pursuant to Policy AG-P5.3 from the General Plan 2030, Butte County has adopted Article 17 of the Butte County Zoning Ordinance which requires a 300-foot buffer between lands zoned agriculture and new residential development. This ordinance applies to parcels where residential structures are to be developed in the following areas of the county: (1) all lands zoned Agriculture; (2) in other zones within 300 feet of the boundary of Agriculture zones; (3) areas inside and within 300 feet of sphere of influence boundaries for incorporated cities, where the boundary abuts parcels zoned Agriculture; and, (4) areas within 300 feet of a Williamson Act Contract. Exceptions to the 300-foot agricultural buffer setback requirement may be requested by the project applicant through an Unusual Circumstances Review application process.

California Public Resources Code Section 4526

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

California Public Resources Code Section 12220(g)

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

Butte County Right to Farm Ordinance

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

Discussion

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

No impact. The project site is designated as *Other Land* by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). Areas surrounding the project site include *Urban and Built-up Land* to north, south and west; and, *Other Land* to the north and east. Neither the project site, nor surrounding area, is designated *Prime Farmland*, *Unique Farmland* or *Farmland of Statewide Importance*.

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

No impact. The project site is not under a Williamson Act Contract. No surrounding parcels are currently under agricultural production or in a Williamson Act Contract.

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

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

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

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

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

No impact. The project site is designated as *Other Land* by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). Areas surrounding the project site include *Urban and Built-up Land* to north, south and west; and, *Other Land* to the north and east. Neither the project site, nor surrounding area, is designated *Prime Farmland*, *Unique Farmland* or *Farmland of Statewide Importance*. No surrounding parcels are currently under agricultural production

1.3 AIR QUALITY

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

Environmental Setting

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

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

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

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

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

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

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

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

Air Quality Attainment Status

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

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

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

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

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

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

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

Source: Butte County AQMD, 2018

Sensitive Receptors

Sensitive receptors are frequently occupied locations where people who might be especially sensitive to air pollution are expected to live, work, or recreate. These types of receptors include residences, schools, churches, health care facilities, convalescent homes, and daycare centers. The project site is located in a rural/suburban area with residential uses on parcel sizes between 0.61 and 234 acres. Table 1.3-2 lists sensitive receptors that were identified in the project vicinity and the distances from the project site.

Table 1.3-2. Sensitive Receptors in the Project Vicinity

SENSITIVE RECEPTORS	DISTANCE FROM PROJECT SITE TO RECEPTOR
Residence (25 Porchlight Court)	35 feet south
Residence (29 Porchlight Court)	60 feet south
Residence (4208 Rancho Road)	95 feet west
Residence (4211 Rancho Road)	150 feet west
Residence (13818 Comice Court)	170 feet west
Residence (13676 Sawgrass Court)	185 feet southeast
Residence (13828 Comice Court)	240 feet northwest
Residence (22 Pheasant Run Court)	375 feet north
Residence (12 Pheasant Run Court)	390 feet north
Source: Butte County Geographical Information System/Google Earth imagery	

Butte County Air Quality Management District

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

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

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

Table 1.3-4. Screening Criteria for Criteria Air Pollutants

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

Discussion

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

Less than significant impact. The applicable air quality plan for the project area is the *Northern Sacramento Valley Planning Area 2015 Triennial Air Quality Attainment Plan*. In adopting this plan, BCAQMD assumes that growth within its jurisdiction will be in accordance with city and county general plans, for which air quality effects associated with build-out have been analyzed.

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

The proposed project could result in minor population growth in the County with build-out of the resultant parcels. However, the proposed development density is consistent with the established zoning, and population growth to the area has already been anticipated for under Butte County General Plan 2030. Additionally, the total number of single-family residential units generated by the project are below the maximum screening criteria established in Table 1.3-3. Therefore, the project is not anticipated to cause significant impacts to regional air quality, or otherwise conflict with the basin's air quality management plan, provided that best management practices for the control of fugitive dust during construction activities are employed.

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

Less than significant impact with mitigation incorporated. The proposed project has the potential to impact air quality primarily in two ways: (1) the project would generate mobile source emissions (i.e., added vehicle trips, energy use) associated with future development on the resultant parcels, and (2) construction activities associated with the development of the resultant parcels would generate fugitive dust (PM10) from grading activities, construction exhaust emissions (PM10, NOx), and evaporative emissions of reactive organic gases (ROG or VOC) from paving activities and architectural coatings.

Mobile source emissions are produced from motor vehicles, and include tailpipe and evaporative emissions. Energy use associated with future development also generate emission from heating and cooling systems, lighting, applicant, water use and wastewater. Future development of the resultant parcels have the potential to generate these direct and indirect emissions. Emissions generated during at build-out of the resultant parcels are not expected to be substantial, and would not significantly violate existing air quality standards, because only a limited amount development would occur over the project site. The limited amount of

development to occur with the proposed project was compared to the screening criteria of Table 1.3-3, and deemed to have a less than significant impact to the environment.

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

c) Expose sensitive receptors to substantial pollutant concentrations?

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

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

Less than significant impact. Future permitted uses on the resultant parcels would not create objectionable odors. However, future construction activities could include objectionable odors from tailpipe diesel emissions and from solvents in adhesives, paints, caulking materials, and new asphalt. Since odor impacts would be temporary and limited to the area adjacent to the construction operations, and because the project site is located in a rural area of the county, odors would not impact a substantial number of people for an extended period of time.

Mitigation Measures

Mitigation Measure AIR-1

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

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

- All on- and off-road equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the five-minute idling limit.
- Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors is prohibited.
- All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked by a certified mechanic and determined to be running in proper condition before the start of work.
- Install diesel particulate filters or implement other CARB-verified diesel emission control strategies.

- Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted areas.
- To the extent feasible, truck trips shall be scheduled during non-peak hours to reduce perk hour emissions.

Operational TAC Emissions

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

Fugitive Dust

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

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

All fugitive dust mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased

watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend period when work may not be in progress. The name and telephone number of such persons shall be provided to the District prior to land use clearance for map recordation and finished grading of the area.

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

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

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

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

1.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources.				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Environmental Setting

The project site and surrounding land to the south and west are developed with single-family dwellings on parcel sizes of 1-acre sizes. Parcels to the north are larger in size and developed with single-family dwellings. The parcel to the east is approximately 60 acres and is undeveloped. A review of the California Natural Diversity Database identified the following plant and animal species that are identified as federally or state endangered, threatened, rare, species of special concern or listed by the California Native Plant Society as rare, threatened or endangered.

Table 4.4-1 Federal and State Listed Species in the vicinity of the project site						
Scientific Name	Common Name	FEDLIST	CALLIST	CNPS List	CDFW Status	Habitat
Fritillaria pluriflora	adobe-lily	None	None	1B.2		Chaparral, Valley Grassland, Foothill Woodland
Limnanthes floccosa ssp. californica	Butte County meadowfoam	Endangered	Endangered	1B.1		Chaparral, Valley Grassland, Foothill Woodland, Freshwater Wetlands, wetland-riparian
Tuctoria greenei	Greene's tuctoria	Endangered	Rare	1B.1		vernal-pools, wetlands
Athene cunicularia	burrowing owl	None	None		SSC	grasslands, rangelands, agricultural
Branchinecta conservation	Conservancy fairy shrimp	Endangered	None			vernal-pools
Branchinecta lynchi	vernal pool fairy shrimp	Endangered	None			vernal-pools
Lepidurus packardi	vernal pool tadpole shrimp	Endangered	None			Vernal Pools and other freshwater aquatic habits including ponds, ditches, road ruts
Source: California Native Diversity Database Version 5, February 2021						

Endangered, Threatened and Rare Plants

Adobe-lily (*Fritillaria pluriflora*)

Adobe-lily is ranked as a 1B.2 plant under the CNPS. It is not a federally or state listed species. It occurs in chaparral, valley grassland and foothill woodland habitats. Current threats to this species include loss of habitat due to residential development and fire suppression activities. Due to the existing development and disturbance on the project site, there is no identified adobe-lily on site.

Butte County meadowfoam (*Limnanthes floccosa ssp. Californica*)

Butte County meadowfoam is federally and state listed endangered species. It is ranked as a 1B.1 plant under the CNPS. It is a dicot and is an annual herb. It occurs in chaparral, valley grassland, foothill woodland, freshwater wetlands and wetland-riparian habitats. The site has been developed with two existing structures and surrounding improvements. The undeveloped area is primarily grassland. No identified wetlands or riparian areas are located on site. Current threats to this species include loss of habitat due to development and fire suppression activities.

Green's tuctoria (*Tuctoria greenei)*

Green's tuctoria is a federally listed as endangered and state listed as rare. It is a monocot and is an annual grasslike herb. The undeveloped area is primarily grassland. No identified wetlands or riparian areas are located on site. Current threats to this species include loss of habitat due to development and fire suppression activities.

Endangered, Threatened and Special Status Wildlife

Burrowing owl (*Athene cunicularia*)

Burrowing oil is not federally or state listed species. It is identified as a species of special concern by the United States and California Departments of Fish & Wildlife. They are found in grasslands, rangelands, agricultural areas. The project site does have the habitat to support Burrowing owls.

Conservancy fairy shrimp (*Branchinecta conservation*)

Conservancy fairy shrimp is federally listed as endangered, but is not listed by the state. Conservancy fairy shrimp habit includes vernal-pools and wetlands. The project site area, due to the existing agriculture use and surrounding residential development, does not have any vernal-pools or wetlands.

Vernal pool fairy shrimp (*Branchinecta lynchi*)

Vernal pool fairy shrimp is federally listed as endangered, but is not listed by the state. Vernal pool fairy shrimp habit includes vernal-pools and wetlands. The project site area, due to the existing agriculture use and surrounding residential development, does not have any vernal-pools or wetlands.

Vernal pool tadpole shrimp (*Lepidurus packardi*)

Vernal pool tadpole shrimp is federally listed as endangered, but is not listed by the state. Vernal pool fairy shrimp habit includes vernal-pools and other freshwater aquatic habits including ponds, ditches, road ruts. The project site

area, due to the existing agriculture use and surrounding residential development, does not include any of those habitat types.

Discussion

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

Less than significant impact with mitigation incorporated. The California Natural Diversity Database (CNDDB Rarefind 5, Government Version, February 2021) was reviewed to determine if any special status animal species or habitats occur on the project site or in the project area. Due to the existing development and site disturbance, no special status plant species were not considered to have a potential to be present within the proposed project area.

Due to the residential uses on the project site and surrounding area, it has resulted in habitat fragmentation, degradation of natural hydrology, and the introduction of non-native species, which have diminished the habitat value of the vegetative communities on the project site, and its ability to support special-status species. As a result, the limited amount of development potential enabled by the proposed project would not significantly degrade or reduce the existing habitat values on the project site that would cause significant impacts to sensitive species.

Based on the habitat of site and adjacent, undisturbed parcels, there is potential for burrowing owls to be located in the area. In order to address that potential of burrowing owls, a mitigation measure (BIO-1) has been included that will requires surveys to be conducted prior to any land disturbance.

The project site and surrounding area does contain several immature trees and shrubs that provide suitable nesting habitat for avian species protected under the MBTA. To avoid potential impacts to avian species protected under the MBTA and California Fish and Game Code (CFGC), Mitigation measure (BIO-2) is recommended prior to development on Parcel 2. Adherence to recommended mitigation measures would reduce potential impacts to a less than significant level.

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

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

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No impact. The project site based on the existing topography and ongoing uses and site disturbance, the site does not have any wetlands that would be impacted by future development and use on the proposed parcels.

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

Less than significant impact with mitigation incorporated. Although no major migratory routes have been designated through the project site, the site may facilitate home range and dispersal movement of resident wildlife species, but does not serve as a designated wildlife movement corridor. The project site and

surrounding area does contain several immature trees and shrubs that provide suitable nesting habitat for avian species protected under the MBTA. To avoid potential impacts to avian species protected under the MBTA and California Fish and Game Code (CFGC), Mitigation measure (BIO-2) is recommended prior to development on Parcel 2. Adherence to recommended mitigation measures would reduce potential impacts to a less than significant level.

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

Less than significant impact. The project would not conflict with any local policies or ordinances protecting biological resources and is consistent with goals and policies identified in Butte County General Plan 2030. The project parcel is developed with a residential use and the site has been disturbed for previous development and access drive. No existing biological resources will be impacted by the proposed project.

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

No impact. The Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) that is currently being prepared for the western half of the Butte County. In the event the BRCP is adopted, individual projects and development that occur in the BRCP planning area would need to be coordinated with the Butte County Association of Governments to ensure that the project does not conflict with the BRCP. As the plan has not been adopted, the proposed project will not conflict, nor interfere with, the attainment of the goals of the proposed plan.

Mitigation Measures

Mitigation Measure BIO-1

Prior to any land disturbance or construction, a qualified biologist shall complete four surveys for burrowing owl prior to the start of construction. The biologist should conduct 4 survey visits: 1) at least one site visit between 15 February and 15 April, and 2) a minimum of three survey visits, at least three weeks apart, between 15 April and 15 July, with at least one visit after 15 June. Surveys should be conducted on the project site and within 150 meters of areas that will be directly or indirectly impacted by the project, where feasible. Surveys should not be conducted during inclement weather, when burrowing owls are typically less active and visible. A report summarizing the survey including the qualifications of the biologist who performed the survey, methods, and results should be provided to CDFW prior to the start of construction. If burrowing owls or evidence of burrowing owls (e.g., whitewash or pellets) are not observed during surveys, no additional mitigation is necessary. If the birds are present, then there is potential for impacts to occur and CDFW is available to assist with the development of potential measures to offset impacts.

Plan Requirements: Perform surveys for burrowing owls. The note shall be placed on all building and site development plans.

Timing: Requirements of the condition shall be adhered to prior to any land disturbance or construction activities.

Monitoring: The Butte County Department of Development Services shall ensure the condition is met prior to any land disturbance or construction activities.

Mitigation Measure BIO-2

If project construction activities, including ground disturbance or vegetation removal occur during the nesting season for birds protected under the Migratory Bird Treaty Act (MBTA) and California Department Fish & Game Code (CDFC) (approximately February 1 – August 31), the project proponent shall retain a qualified biologist to perform preconstruction surveys for nesting bird species. Surveys to identify active bird nests shall be conducted within and 250 feet around the footprint of proposed construction site. The survey shall be conducted within 7 days prior to the

initiation of construction activities. In the event that an active nest is observed, a species protection buffer shall be established. The species protection buffer will be defined by the qualified biologist based on the species, nest type and tolerance to disturbance. Construction activity shall be prohibited within the buffer zones until the young have fledged or the nest fails. Nests shall be monitored by a qualified biologist once per week and a report submitted to the Butte County Department of Development Services.

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

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

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

1.5 CULTURAL RESOURCES

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

Environmental Setting

Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, water ditches and flumes, and cemeteries; and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates our past. Often such sites are found in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or near bodies of water. The project site is located in the lower foothills and does contain physical characteristics where cultural resources would be likely to be encountered.

Discussion

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

Less than significant impact with mitigation incorporated. Native American populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, and seasonal game. Historically, Euro-Americans utilized the region for mining farming, and cattle ranching. With historic use of the project area by prehistoric and historic populations, unanticipated and accidental archaeological discoveries may be encountered during ground-disturbing activities, resulting in potentially significant impacts. To avoid potential impacts to undiscovered prehistoric resources, historic resources, and human remains that may be uncovered during development activities on the project site, Mitigation Measure CUL-1, below, is recommended.

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

Less than significant impact with mitigation incorporated. The possibility exists that buried archaeological resources that may meet the criteria of a unique archaeological resource is present on the project site. If any buried resources are encountered and damaged during project implementation, the destruction of the archaeological resources would be a potentially significant impact. Implementation of Mitigation Measure CUL-1 would reduce this impact to a less-than-significant level.

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

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

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

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

Implementation of the Mitigation Measure CUL-1 would ensure that all construction activities that inadvertently discover human remains implements state required consultation methods to determine the disposition and historical significance of any discovered human remains. Mitigation Measure CUL-1 would reduce this impact to a less than significant level.

Mitigation Measures

Mitigation Measure CUL-1

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

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

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

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

1.6 ENERGY

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

Discussion

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

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

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

Long-term energy consumption would occur after residential build-out of the resultant parcels on the project site. Residential uses would consume electricity and/or propane gas for space heating, water heating, and cooking. Whereas, electricity would primarily be used for lighting, appliances, water conveyance and other activities within the home. The project would also generate additional vehicle trips by residents commuting to and from work or to access services, which would result in the consumption of transportation fuel.

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

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

Less than significant impact. Many of the state and federal regulations regarding energy efficiency are focused on increasing building efficiency and renewable energy generation, as well as reducing water consumption and Vehicles Miles Traveled. The proposed project includes energy conservation measures to meet and exceed the regulatory requirements, including reducing idling time of heavy equipment during construction activities (see Mitigation Measure AIR-1 and GHG-1) and the addition of exterior outlets in residential buildings for recharging electric cars and other household equipment. Additionally, future residential uses on the resultant parcels would also be in compliance with the most recent Title 24 and CalGreen building code standards at the time of project construction. Therefore, the proposed project would implement energy reduction design features and comply with the most recent energy building standards and would not result in wasteful or inefficient use of nonrenewable energy sources.

1.7 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils.				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion

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

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

Less than significant impact. There are no known active faults underlying, or adjacent to, the project site. The Cleveland Hill fault is the only active fault zone in Butte County identified in the most recent Alquist-Priolo Earthquake Fault Zoning Map. The Cleveland Hill fault is located east of Dunstone Drive and Miners Ranch Road, between North Honcut Creek and Mt. Ida Road, approximately 31.5± miles southeast of the project site. Because the nearest active fault is located a considerable distance from the project site, the likelihood of a surface rupture at the project site is very low, and would not be a design consideration for future development.

ii) Strong seismic ground shaking?

Less than significant impact. Ground shaking at the project site could occur due to the earthquake potential of the regions active faults. However, active faults are relatively distant from the project site, and would result in low to moderate intensity ground shaking during seismic events. Future residential development on the resultant parcels would be subject to the California Building Code (CBC). The CBC would provide minimum standards to safeguard life or limb, health, property and public welfare by regulating the design, construction, quality of materials, use and occupancy, location, and maintenance of buildings and structures within Butte County. Adherence to the CBC during building construction would ensure that potential impacts are less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less than significant impact. According to Butte County General Plan 2030, areas that are at risk for liquefaction can be found on the valley floor, especially near the Sacramento and Feather Rivers, and their tributaries, which have a higher potential to contain sandy and silty soils. The California Building Code (CBC) regulates the construction of structures, which may be constructed with approval of the proposed project. Adherence to CBC standards at the time of development of the resultant parcels would ensure that new structures are adequately sited and engineered to reduce impacts related to seismic ground failure, including liquefaction (generally low potential), are less than significant.

iv) Landslides?

Less than significant impact. The project area is generally flat, with a gentle slope from northeast to south west. According to Figure HS-6, Landside Potential, of Butte County General Plan 2030, the project site has a low to no potential of landslides.

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

Less than significant impact. According to Figure HS-7, Erosion Hazard Potential, of Butte County General Plan 2030, the project site has a slight potential of soil erosion. Surface soil erosion and loss of topsoil has the potential to occur in any area of the county from disturbances associated with the construction-related activities. Construction activities could also result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at the construction site and staging areas.

During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation.

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

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

Less than significant impact. According to Butte County General Plan 2030, the project site is located in an area prone to low to moderate for landslides, subsidence or liquefaction. However, destabilization of natural or constructed slopes could occur as a result of future construction activities. Excavations, grading, and fill operations associated with parcel development could alter existing slope profiles making them unstable as a result of over-excavation of slope material, steepening of the slope, or increased loading. Standard engineering design features and construction procedures would be implemented to maintain stable slopes and excavations during construction, reducing impacts of unstable slopes to a less than significant level.

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

Less than significant impact. According to Figure HS-8, Expansive Soil Potential, of Butte County General Plan 2030, the project site is located in an area with very low expansive soils. Expansive soils can cause structural damage particularly when concrete structures are in direct contact with the soils. Appropriate design features to address expansive soils may include excavation of potentially problematic soils during construction and replacement with engineered backfill, ground-treatment processes, direction of surface water and drainage away from foundation soils, and the use of deep foundations such as piers or piles. Implementation of these standard engineering methods and adherence to California Building Code (CBC) standards at the time of development of the resultant parcels would ensure that any impacts associated with expansive soils would remain less than significant.

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

Less than significant impact. The proposed development will result in residential parcels that utilize onsite sewage disposal systems built in accordance with regulation found in the Butte County Local Agency Management Program (LAMP). This regulation was established in accordance with the 2012 California Onsite Wastewater Treatment System Policy and approved by the State Regional Water Quality Control Board in 2016. General Plan 2030 includes a number of policies in the Water Resources Element and the Public Facilities

Services Element both to address existing septic systems in areas with poor soils and to ensure the safety of future septic systems. To ensure the safety of new septic systems, Policy PUB-P13.2 requires new development to demonstrate the availability of a safe, sanitary, and environmentally sound wastewater system. Similarly, Policy PUB-P13.3 requires applicants of projects that will rely on on-site wastewater systems to provide detailed plans demonstrating that the system will be adequate to serve the project (Butte County General Plan 2030 EIR).

The applicant completed a pre-application review with Butte County Department of Environmental Health, in accordance with Chapter 19 of Butte County Code (On-Site Wastewater Systems). The project area is flat with 0.68 to 68 acre size parcels with single-family development to the north, south and west of the project site. Soil profiles were conducted by a certified designer with Butte County Environmental Health staff present during the site evaluation. Soils were evaluated in the areas proposed for leach field and replacement.

The soil profiles indicated effective soil depths in excess of 60 inches and were found to vary widely in consistency as follows: clay loam, silty clay loam, sandy clay loam, sandy loam and loamy sand. Proposed lot 1 had an application rate of .8 gallons per day per square foot (gpd/sq. ft.) with gravity distribution and a 9,000 square foot Minimum Usable Waste Water Area (MUWA) or pressure distribution with a 6,000 square foot MUWA. Proposed lots 2, 3 and 4 had an application rate of .3 gpd/sq.ft with pressure distribution and a 15,000 square foot MUWA. Proposed lot 5 had an application rate of .7 gpd/sq.ft. with standard gravity and a 12,000 square foot MUWA or 8,000 square foot MUWA with pressure distribution. Proposed lots 6, 7 had an application rate of .8 gpd/sq.ft. with standard gravity and a 12,000 square foot MUWA or 8,000 square foot MUWA with pressure distribution. Proposed lot 8 had an application rate of .3 gpd/sq.ft. and a 15,000 square foot MUWA.

Using the combination of soils classification along with the certified designer's suggestion and findings, Butte County Department of Environmental Health agrees that per BCC Chapter 19-10 C., the Minimal Usable Wastewater Area (MUWA) requirements have been met.

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

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

Sediments associated with the Riverbank Formation are typically devoid of significant vertebrate fossils, and no previously recorded fossil sites has been identified on the project site or the surrounding area. Therefore, it is not likely that unique paleontological resources would be found in local sediments. Further, the discovery of fossils, and the subsequent opportunity for data collection and study, is a rare event that could occur from construction grading activities associated with development. As a result, the probability of encountering fossils on the project site is low, and would have a less than significant impact on previously unknown paleontological resources.

1.8 GREENHOUSE GAS EMISSIONS

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

Environmental Setting

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

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

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

Discussion

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

Less Than Significant Impact with Mitigation Incorporated. The project is a subdivision that would contribute greenhouse gas emissions during parcel development, and by the subsequent uses on the resultant parcels. Construction-related emissions during parcel development may be generated from construction equipment exhaust, construction employee vehicle trips to and from the work site, architectural coatings and asphalt paving. The project's construction GHG emissions would occur over a short duration and would consist primarily of emissions from equipment exhaust. The long-term regional emissions associated with the project would primarily occur from the creation of new vehicular trips and indirect source emissions, such as electricity usage for lighting.

The proposed project would be required to implement Mitigation Measure GHG-1, which reduces project emissions of heavy-duty diesel-powered equipment during construction and long-term GHG emissions associated with future uses on the resultant parcels. Implementation of this measure would minimize project-related GHG emissions to the extent feasible, consistent with AB 32 GHG reduction goals, and would therefore result in a less than significant impact.

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

Less Than Significant Impact with Mitigation Incorporated. The project is subject to compliance with AB 32 greenhouse gas emission reduction goals, which are to reduce statewide GHG emissions to 1990 levels by 2020. Additionally, development on the resultant parcels would be subject to Title 24, California Building Code, which includes CalGreen standards. These standards include mandatory measures that addresses planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. Implementation of Mitigation Measure GHG-1 would mitigated project-generated GHG emissions through programmatic-level measures established through the Butte County CAP. The project's compliance with the applicable policies and measures in the CAP would in turn meet the statewide GHG emission reduction goals.

Mitigation Measures

Mitigation Measure GHG-1

Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "To the extent feasible, the project proponent shall implement the following measures during construction-related activities and at the time of development to offset the anticipated contribution of greenhouse gas emissions:

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

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

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

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the final map or on an additional map sheet. Planning Division will ensure that future residential development includes the applicable measures during Building Permit review. Building inspectors shall spot check and shall ensure compliance on-site.

1.9 HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials.				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Discussion

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

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

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

It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. However, if large quantities are stored at the project site, the owner would be required to obtain a Hazardous Materials Business Plan. It is more likely that only small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies) may be routinely used within the project site for residential or agricultural maintenance and cleaning. However, these materials would not be used in sufficient strength or quantity to create a substantial risk of fire or explosion, or otherwise pose a substantial risk to human or environmental health.

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

Less than significant impact. It's not anticipated that construction or operation of future residential development would create a significant hazard to the environment or to the public due to the accidental release of hazardous materials into the environment. Accidental release of hazardous materials routinely used during construction activities are addressed in section a.), above.

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

No impact. No existing or proposed elementary schools have been identified within one-quarter mile of the project site.

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

No impact. A review of regulatory agency databases, which included lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify any active sites within 2 miles of the project site, nor any sites on or adjacent to the project site that have used, stored, disposed of, or released hazardous materials. The project does not involve the use of hazardous materials and would not create any hazardous materials.

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

Less than significant impact. The project is located 1.3 miles west of the Chico Municipal Airport's nearest runway. The project site is within the C & D Compatibility Zones for the Chico Municipal Airport. The C & D Compatibility Zone contains areas commonly overflown by aircraft as they enter or depart the traffic pattern. The C Compatibility Zone with parcel zoned VLDR, west of the airport, allow a consistent parcel size of 1 acre. The D Compatibility Zone has no residential density restrictions.

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

No impact. The proposed project would design, construct, and maintain roadways in accordance with applicable standards associated with vehicular access, resulting in the roadways that provide for adequate emergency access and evacuation. The project does not include any actions that physically interfere with any aemergency response or emergency evacuation plans. Development of the resultant parcels would add a small

amount of trips onto the area roadways; however, area roadways and intersections would continue to operate at an acceptable level of service. Future construction activities would be limited to extensions of county-maintained roads adjacent to the project site.

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

Less than significant impact. The project site is not located in a Fire Hazard Severity Zone or in a State Responsibility Area. It is in a Local Responsibility Area. Subsequent development on the resultant parcels is not expected to expose structures or residents on the project site to a significant wildland fire risk. As an added protection, Butte County Fire Department/CalFire requires construction of an all-weather access road at the time of development. The road will be at least 10 feet wide with a vertical clearance of 15 feet to allow for ingress and egress of a 40,000-pound fire apparatus to within 150 feet of all structures on the resultant parcels. The project includes a pressurized water system that includes a dedicated well site (Lot A) and a fire hydrant. The well and hydrant will be maintained part of a newly formed County Service Area.

1.10 HYDROLOGY AND WATER QUALITY

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

Discussion

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

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

groundwater from Nitrate contamination. One is the minimum vertical separation distance of 36 inches between the bottom of a standard leachtrench and the highest extent of seasonal groundwater. Another is that a standard leachtrench cannot be constructed deeper than 36 inches into native soil. The proposed development is conditioned on designer specifications that the leachfield trenches will be shallower than this standard found in the LAMP, at a maximum depth of 24 inches. This shallow leachtrench design is considered a further protective measure against groundwater contamination. In addition, this proposed development conforms to onsite wastewater system standards prescribed in a building moratorium imposed by the State Water Board in 1990 for the area south of this development known for high Nitrate groundwater contamination. This 1990 State Prohibition Order, now associated with the Chico Urban Area Nitrate Compliance Program (CUANCP), requires a minimum one acre size for residential parcels that will be developed with onsite wastewater systems. This one acre standard was deemed protective by the State for groundwater that was already burdened with high nitrate levels caused from past agricultural practices or onsite wastewater system use. The proposed development is in conformity with this standard despite the fact that it is not associated with the CUANCP.

Butte County Environmental Health Division (BCEH) has received sample results for Nitrate from concerned residents in the North Chico area East of Highway 99; two of the three samples were collected from the same well between the years 2004 and 2019, the other sample was collected in 2008. All three sample results were reviewed by BCEH and were found to be below the maximum contaminant level (MCL) for Nitrate in groundwater as per the California Code of Regulations, Title 22. Additionally, BCEH reviewed sample results for Nitrate in the groundwater taken for TSM18-0002 in 2020 as well as reviewed a historical sample result from 2013. Both sample results were below the MCL for Nitrate in groundwater and did not demonstrate an increasing trend in Nitrate levels. BCEH has also reviewed sample results for Nitrate in the groundwater submitted by regulated small public water systems (less than 200 service connections) in the North Chico area East of Highway 99 from 2012 to present. Sample results do not demonstrate an increasing trend in Nitrate levels during this time period.

For these reasons the Butte County Environmental Health Division does not recognize that substantive evidence exists that onsite wastewater systems as proposed in this development will result in an increase of Nitrate levels above levels deemed harmful for human consumption in groundwater aquifers used for domestic purposes.

Butte County General Plan 2030 identifies the soil conditions of the project site has a moderate to high potential to erode. Site development and future build-out of the resultant parcels would require grading, excavation and general site preparation activities, which could result in erosion of on-site soils and sedimentation during storm or high wind events. Erosion of on-site soils may temporarily impact surface water quality and water quality within nearby waterways. Downstream impacts from erosion may include increased turbidity and suspended sediment concentrations in waterways. Eroded soils also contains nitrogen, phosphorous and other nutrients, that when deposited in water bodies, can trigger algal blooms that reduce water clarity, deplete oxygen, and create odors.

During construction-related activities, specific and sediment erosion control methods will be implemented for each construction activity would be implemented on the project site by construction personnel to reduce potential for surface water pollution. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation.

Future construction activities are expected to be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program, administered by the State Water Quality Control Board, if one acre or more of land is disturbed as part of the larger common plan of development. This program requires implementation of erosion and sediment control measures during and immediately after construction that are designed to avoid significant surface stormwater pollution during the construction period. Project operations that are under an MS4 permit would also be subject to the preparation, implementation

and maintenance of permanent measures to reduce stormwater runoff from the project site. A condition of approval reflecting the requirement of the applicant to obtain coverage under statewide Construction Permit prior to grading activities, will be included with project approval.

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

Less than significant impact. Domestic water to existing and planned uses on the resultant parcels would be provided by groundwater extraction via individual wells. Section 12.0 of the Butte County Improvement Standards outline the requirements of water supplies for proposed subdivisions and parcel maps. Proposed subdivisions located outside an urban area and more than a 1,000 feet from an existing public water system, or subdivisions consisting of four new lots or less, a domestic water for the proposed lots supply may be supplied by individual wells. The quantity and quality of the groundwater for the proposed development is reviewed by the Butte County Environmental Health Division by either a test well, a review of existing wells in the area, or a statement from a licensed well driller together with a report by an engineering geologist or hydrologist verifying that minimum well production for domestic purposes are achieved.

General Plan 2030 and the associated Environmental Impact Report included several actions and policies to address groundwater supplies and sustain groundwater resources. Butte County also has adopted the Butte County Integrated Water Resources Plan and Butte County Groundwater Management Plan, and has performed an analysis of long-term water usage and supplies with the 2001 Butte County Water Inventory and Analysis. The findings contained in these reports, together with the application of these existing policies and plans, led Butte County to conclude that the growth anticipated with General Plan 2030 would have a less than significant impact to groundwater supplies.

The proposed project would have a minimal net increase in impervious surfaces added to the project site from the development of new residences or other structures such as from concrete foundations. The projected increase would not cause a minimal reduction in surface infiltration or a decrease in deep percolation to the underlying aquifers because density of the development would continue to provide open areas to allow for runoff infiltration.

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

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

Less than significant impact. Minimal vegetation removal and soil disturbance would occur during clearing of building sites and for the access road (less than one acre). During construction-related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site by construction personnel. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Application of BMPs administrated through the construction process would minimize the potential increase of surface runoff from erosion.

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

Less than significant impact. The proposed improvements will increase stormwater runoff (volume and peak discharge) from the home sites due to an increase in impervious surface area. Consistent with current development standards, and the North Chico Specific Plan environmental document, this

project will be required to mitigate the post-development stormwater peak flow runoff leaving the property to no more than 90% of the pre-development peak flow for all storm events, including 100-year storm events. The drainage plan and design will need approval from Department of Public Works. The applicant has preliminarily proposed stormwater retention/infiltration basin and drainage retention swale/leach trenches to retain stormwater runoff on site. Based on the preliminary proposed plan, stormater runoff will be designed to be retained onsite in underground stormwater facilities, and discharge events under the 100-year recurrence interval are not planned to be discharged to any existing or planned public stormwater facilities or channels. The retention of stormwater on-site effectively reduces transport of surface stormwater pollution in the developed condition. During construction, stormwater erosion and sediment pollution prevention measures will be required and permitted by State Water Board to reduce potential for stormwater pollution.

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

Less than significant impact. The proposed project includes additional impervious surfaces that will generate additional runoff compared to pre-developed/existing conditions due to this modified hydrologic condition. To mitigate this impact, the applicant has proposed stormwater retention/infiltration basin and drainage retention swale/leach trenches to retain stormwater runoff on site. Based on the preliminary proposed plan, stormwater runoff will not be discharged to any existing or planned public stormwater facilities or channels, with the 100-year exceedance probability storm event peak discharges being attenuated on-site. The attenuation volumes serve to capture and retain the volume of runoff that will yield a runoff discharge from the site that is 10% less than the pre-developed condition. The underground design accounts for saturated soils conditions. The retention of stormwater on-site dramatically reduces the potential of off-site surface water pollution in the developed condition. During construction, erosion and sediment control prevention measures will be required to reduce potential for stormwater pollution.

iv) Impede or redirect flood flows?

Less than significant impact. . It is not anticipated that the proposed project would impede or redirect flood flows. The site straddles the hydrologic basin between the Rock Creek/ Keefer Slough and Mud Creek basins. The topography of the site and regions is relatively flat and the basins are not obvious, but the site is located a relatively high location. Keefer Slough has a recent history of overbank flooding to the northwest of the project site. Keefer Slough is located approximately 1,000 feet to the north and theoverbank flooding in recent years has not been observed in the project site area. Previous FEMA flood zone mapping has not shown this area as subject to flooding and is currently designated as FEMA zone X (Unshaded). It is unclear if this area will be included in future 100-year flood zone delineations. Due to distance from Keefer Slough and relatively higher elevation, the risk is less than other areas. Due to the potential for this area to be included in future updated Special Flood Hazard Areas (FEMA Flood Zone), a condition has been placed on the map to elevate structures at least two feet above the highest adjacent grade

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

Less than significant impact. The existing floodplain mapping of the project area identifies the project site being located within the X (shaded) zone. The X (shaded) zone is defined by FEMA as areas between the limits of the 100-year base flood and the 0.2-percent-annual-chance (or 500-year) flood. Future site improvements

would be reviewed by Butte County Public Works to ensure that surface flows would be adequately directed to planned and existing stormwater drainage facilities.

The primary risk to this site would be extreme flood event as opposed to tsunami. The expected land use is residential with one-acre lots, and the potential for large quantities or concentrations of harmful pollutants is relatively low as compared to other land uses.

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

Less than significant impact. The project site is located within the Vina subbasin of the Sacramento Valley groundwater basin bounded on the north at the Tehama County line, to the west by the Sacramento River, to the south at the border of Western Canal Water District, and to the east by the edge of the alluvial basin as defined by Bulletin 118. The Groundwater Sustainability Agencies in the Vina subbasin include Butte County, the City of Chico, Durham Irrigation District and Rock Creek Reclamation District. Butte County, The City of Chico and Durham Irrigation District are in the process of entering into a Joint Powers Agreement in order to create a Groundwater Sustainability Agency in order to implement the requirements of the Sustainable Groundwater Management Act including adoption of a basin management plan. As a basin management plan has not been adopted for the Vina subbasin, the proposed project will not conflict, nor interfere with, the attainment of the goals of the proposed plan.

1.11 LAND USE AND PLANNING

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

Environmental Setting

Butte County General Plan

The General Plan represents the community's values, ideals and aspirations with respect to land use, development, transportation, public services, and conservation policy that will govern Butte County through 2030. The Land Use Element of the General Plan designates the land use of areas within the County, and includes a description of the characteristics and intensity of each land use category. The land use designation for the proposed project site is as follows:

Very Low Density Residential

This designation allows single-family dwellings at densities up to 1 dwelling unit per acre.

Butte County Zoning Ordinance

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

VLDR (Very Low Density Residential – 1-acre minimum parcel size)/RC (Resource Conservation)/AO-C & D (Airport Overlay – C & D Compatibility Zones)

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

Butte County Airport Land Use Compatibility Plan

The basic function of the BCALUCP is to promote compatibility between the airports in Butte County and the land uses that surround them. As adopted by the Butte County Airport Land Use Commission (BCALUC), the BCALUCP serves as a tool for use by the BCALUC in fulfilling its duty under the California Public Utilities Code to review airport and adjacent land use development proposals. Additionally, the BCALUCP sets compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances and

to land owners in their design of new development. The project site is located within Compatibility Zone D of the Chico Municipal Airport.

Compatibility Zones C & D

The project site is located within the C & D Compatibility Zone for the Chico Municipal Airport. The C & D Compatibility Zone contains areas commonly overflown by aircraft as they enter or depart the traffic pattern. The C Compatibility Zone with parcel zoned VLDR, west of the airport, allow a consistent parcel size of 1 acre. The D Compatibility Zone has no residential density restrictions or lot size requirements.

North Chico Specific Plan

The North Chico Specific Plan was adopted in January 1995. The Plan area encompasses 3,590 acres bounded by Sycamore Creek to the south, State Route 99 to the west, Rock Creek to the north and Chico Municipal Airport to the east. The purpose of the North Chico Specific Plan is to comprehensively respond to development proposals and incorporate them into a concept for land use for the area, while evaluating and providing for area-wide solutions to drainage, circulation, and public services. Although development impact fees have been adopted to help fund various improvements within the North Chico Specific Plan area, the funding mechanisms necessary to pay for all the needed infrastructure have yet to be established.

Suburban Residential (SR-1 – 1-acre minimum parcel size)

The purpose of the SR-1 zone is to allow for single-family homes and related uses in residential neighborhoods within the county. Standards for the SR-1 zone are intended to preserve and protect the character of existing neighborhoods and to ensure that new residential neighborhoods provide an appropriate transition from rural to more developed areas. Permitted residential uses in the SR-1 zones include single-family homes, accessory dwelling units, accessory structures and agricultural uses, including keeping of animals. The SR-1 zone also allows conditionally permitted uses, such as public and quasi-public uses, including churches, firehouses and public utility buildings. The minimum permitted parcel size in the SR-1 zone is 1 acre. The SR-1 zone implements the Very Low Density Residential land use designation in the General Plan.

Discussion

a) Physically divide an established community?

Less than significant impact. The project site area is characterized as residential land situated in the valley region of Butte County, north and west of Chico, and on the east side of State Highway 99. The proposed project of eight, one-acre plus, lots is consistent with the adjacent and surrounding residential development.

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

Less than significant impact. The proposed project including future uses on the resultant parcels are consistent with density and uses permitted under the General Plan land use, zoning designations and the North Chico Specific Plan, for the project site. In addition, all impacts to the environment resulting from the proposed project are subject to applicable mitigation and local, State and/or federal regulations, which would reduce those impacts to less than significant levels. Therefore, impacts related to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to General Plan 2030 or County ordinances) adopted for the purpose of avoiding or mitigating an environmental effect are less than significant.

1.12 MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Mineral Resources.				
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion

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

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

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

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

1.13 NOISE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII.Noise.				
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Environmental Setting

The project site is located in the valley part of the County. The nearest noise sources to the project site are State Highway 99, Chico Municipal Airport, agricultural operations and surrounding residential uses.

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

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

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

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

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

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

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

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

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

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

Notes:

1. "Non-Urban designations" are Agriculture, Timber Mountain, Resource Conservation, Foothill Residential and Rural Residential. All other designations are considered "urban designations" for the purposes of regulating noise exposure.

2. Each of the noise levels specified above shall be lowered by 5 dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g. caretaker dwellings).

3. The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

4. In urban areas, the exterior noise level standard shall be applied to the property line of the receiving property. In rural areas, the exterior noise level standard shall be applied at a point 100 feet away from the residence. The above standards shall be measured only on property containing a noise sensitive land use. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all affected property owners and approved by the County.

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

Butte County Noise Ordinance

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

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

Chapter 41A-9 Exemptions

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

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

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

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

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

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

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

Chapter 41A-8 Butte County Interior Noise Standards

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

Table 1.13-3. Maximum Allowable Interior Noise Standards

NOISE LEVEL DESCRIPTION	Daytime 7 am - 7 pm	Evening 7 pm - 10 pm	Nighttime 10 pm - 7 am
Hourly L_{eq} (dB)	45	40	35
Maximum Level (dB)	60	55	50
Source: Butte County Code Chapter 41A-8, Interior Noise Standards			

Discussion

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

Less than significant impact. No significant existing noise generating sources have been identified in the project area. Noise levels contributed by the proposed project would include construction noise during future build-out of the resultant parcels, occupancy of the single-family residences, and from agricultural-related activities allowed in the zone. Construction noises associated with development of the resultant parcel would primarily be from the use of heavy equipment, generators, employee vehicle trips and power tools. Construction-related noises would be temporary and intermittent, and would not result in long-term noise impacts. Compliance with Butte County Code provisions that exempt construction noise would ensure construction activities occur during daytime hours, making potential impacts less than significant.

Typical noises contributed by residential and agricultural uses include landscaping equipment, automobile traffic, power tools, domestic animals and heating and cooling systems. The noises generated by these activities are not atypical or unusual for residentially zoned properties in the project area. These noises also would be intermittent and separated from noise sensitive receptors, and would unlikely exceed County standards. In the event noise levels exceed applicable noise standards, the County will review complaints in accordance with Butte County Code Chapter 41A.

The nearest noise sources to the project site are State Highway 99, Chico Municipal Airport, agricultural operations and surrounding residential uses. According to the Butte County General Plan Appendix C, Noise Contour Map For 2030 Conditions, State Highway generates noise levels of 60 to 70 Ldn along and adjacent to the highway. Due to the distance from State Highway 99 to the proposed lots, approximately 0.6 miles, the future residential dwellings will be well outside the 60 Ldn area. The project site is located within the C & D Compatibility Zone of Chico Municipal Airport. According to Exhibit 5-4, Compatibility Factors Map: Noise, Chico Municipal Airport, the future residential dwellings will be approximately 0.7 miles west of the 55 dB CNEL levels.

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

Less than significant impact. The proposed project may involve temporary sources of groundborne vibration and groundborne noise from the operation of heavy equipment during build-out of the proposed project and resultant parcels. The type of heavy equipment typically used during residential construction would only generate localized groundborne vibration and groundborne noise that could be perceptible at residences or other sensitive uses in the immediate vicinity of the construction site. However, since the duration of impact would be infrequent and would occur during less sensitive daytime hours (i.e., between 7:00 a.m. and 7:00 p.m.), the impact from construction-related groundborne vibration and groundborne noise would be less than significant.

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

Less than significant impact. The project is located 1.3 miles west of the Chico Municipal Airport's nearest runway. The project site is within the C & D Compatibility Zones for the Chico Municipal Airport. The C & D Compatibility Zones contain areas commonly overflown by aircraft as they enter or depart the traffic pattern. The D Compatibility Zone has no residential density restrictions. According to Exhibit 5-4, Compatibility Factors Map: Noise, Chico Municipal Airport, the future residential dwellings will be approximately 0.7 miles west of the 55 dB CNEL levels.

1.14 POPULATION AND HOUSING

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

Setting

The proposed project would result in the creation of eight parcels (one of which would be developed) that could potentially be developed with a single-family residence, accessory structures and potential second dwelling units. According to the United States Census Bureau, the average household size of an owner-occupied housing unit for Butte County is 2.43. Based on the average household size within the county, and the potential number of housing units that could be constructed on the parcel, the proposed project could add 17 to 36 new residents to the local population.

Discussion

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

Less than significant impact. Subdividing of the project site would facilitate the potential addition of seven single-family residential units, which would directly result in growth in available housing and, if occupied, to the local population. However, housing and population growth with this project would not be significant due to the limited amount, and would not indirectly induce growth by creating new opportunities for local industry or commerce. Construction activities associated with development of the residential units would not result in any direct or indirect growth-inducing impacts to the county because construction activities would be temporary, and construction workers would likely be drawn from the local work force. Growth in the project area resulting from the project is planned, and is consistent with the applicable planning policies and zoning ordinance.

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

No impact. The project site is currently is undeveloped. The proposed project would not result in the loss of existing housing, or cause a significant increase in the local population that would displace existing residents, necessitating the construction of additional housing.

1.15 PUBLIC SERVICES

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

Setting

The General Plan reflects Butte County's commitment to provide needed public services, infrastructure and facilities that are accessible to and benefit all county residents. Applicants pay adopted fee(s) at the time of building permit to pay a proportionate share of fire, police, school, parks, and other governmental services.

Fire Protection

The Butte County Fire Department (BCFD) and the California Department of Forestry and Fire Protection (CALFIRE) provide fire and emergency services to the entire unincorporated county population, protecting over 1,600 square miles, with the exceptions of the Cities of Chico and Oroville, the Town of Paradise and the El Medio Fire Protection District. Services include the following; fire control for structural, vegetation, vehicular and other unwanted fires, emergency medical services and rescue response, hazardous materials response, flood control assistance, public safety education, vegetation management, and fire law enforcement/arson investigation.

Sheriff Services

The Butte County Sheriff's Office is responsible for law enforcement, criminal investigation, and crime prevention in the unincorporated areas of Butte County.

Schools/Public Education

The County Office of Education, Butte Community College, California State University, Chico and local school districts provide public education in Butte County. The local school districts provide elementary and secondary education to the municipalities and unincorporated areas of the county, while the Office of Education offers special education programs and other related services to the individual districts within the county. Butte Community College is a two-year junior college and California State University, Chico is a four-year university. School districts can be found on Figure PUB-1 of the General Plan.

Parks

A wide variety of recreational facilities are found in Butte County, offering a variety of recreational opportunities to residents and visitors. Federal, State, and local recreation lands are depicted in Figure PUB-2 of the General Plan.

Solid Waste

The Butte County Public Works Department assumed the daily operational responsibility of the Neal Road Landfill Facility in 2003. The Neal Road Landfill is permitted to accept municipal solid waste, inert industrial waste, demolition materials, and special wastes containing non-friable asbestos and septage. Current projections suggest the landfill has the operational capacity to last through 2034.

The Solid Waste Management Facility Overlay, which is described in the Land Use Element of the General Plan, is applied to the Neal Road Facility and its surrounding area. This Overlay permits uses that are accessory and/or related to solid waste and/or septage disposal, as well as uses that are compatible with landfill operations. Waste diversion programs, such as recycling, reuse and composting, are designed to reduce the environmental impacts and improve the economic efficiency of waste management operations. Recycling, an essential practice for diverting solid waste from landfills, is a fundamental part of the Butte County integrated waste management plan. Existing recycling activities and programs are overseen and operated by the County at the Neal Road Facility and by the private sector at other locations.

General Governmental Services

Butte County provides a wide variety of mandated services to resident of both incorporated and unincorporated areas with the county. Services include behavioral health services, public health services, supportive services, social services, veterans' services, among many more.

Discussion

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

Fire protection?

Less than significant impact. Fire protection services are provided by CalFire/Butte County Fire Department. Build-out of the resultant parcels may incrementally increase the demand for fire protection services. However, the population growth expected with this project is consistent with the planned growth documented in Butte County General Plan 2030. Additionally, Butte County Code requires the payment of fire protection impact fees to help offset the impacts that new residential development has on the fire protection services. Such fees would be used to fund capital costs associated with acquiring land for new fire stations, constructing new fire stations, purchasing fire equipment, and providing for additional staff as needed. Fire protection impact fees would be paid at the time of building permit issuance for a new dwelling unit. The project includes a pressurized water system that with a dedicated well site (Lot A) and a fire hydrant. The well and hydrant will be maintained part of a newly formed County Service Area. Lot A will dedicated to Butte County for the benefit of the CSA.

Police protection?

Less than significant impact. The Butte County Sheriff's Office provides law enforcement service to the site. Implementation of the proposed project could increase service calls if additional residential structures are built. Increased development in rural areas impacts the ability of the Sheriff's Department to adequately provide services to outlying areas. It is anticipated that project implementation would not require any new law enforcement facilities or the

alteration of existing facilities to maintain acceptable performance objectives. The project's increase in demand for law enforcement services would be partially offset through project-related impact fees.

Schools?

Less than significant impact. The project site is located within the Chico Unified School District. Residential development at the site would result in an incremental demand for school facilities in the area. A development impact fee for school facilities will be assessed at the time of residential development on the resultant parcels. Impact fees would partially offset any potential impact to area school facilities. While school districts maintain that these fees do not fully mitigate the impacts of a project, the County is precluded from imposing additional fees or mitigation by State legislation.

Parks?

Less than significant impact. The project site is located within Chico Area Recreation and Park District (CARD). Build-out of the resultant parcels would result in an incremental increase in the use of existing local and regional park facilities. Development impact fees will be assessed at the time of residential development which will offset potential impacts to park facilities.

Other public facilities?

Less than significant impact. The project does require a small extension of two county-maintained roads, but does not require the extension of any water, or sewer systems. The project would result in added need for County services, such as law enforcement, fire protection, libraries, and road maintenance. Butte County collects various types of development impact fees to partially offset the cost and impacts associated with new residential units. These fees vary depending on the dwelling type, and are collected at the time of development.

1.16 RECREATION

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

Environmental Setting

A wide range of recreational facilities and recreational programs are found in Butte County, offering numerous recreational opportunities to local residents and visitors. Federal, State and local recreation lands are displayed in General Plan Figure PUB-2.

Discussion

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

Less than significant impact. The project site is located within the Chico Area Recreation & Park District (CARD). CARD collects impact fees for new residential development, based on square footage. The project's contribution of up to three new residential dwellings would cause a minor increase in the usage of parks and other recreational facilities in the Chico area. The collection of impact fees helps offset the increase in usage of parks and other recreational facilities caused by the project. The project does not include any recreational facilities nor would the project require the construction or expansion of recreational facilities.

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

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

1.17 TRANSPORTATION

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

Discussion

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

Less than significant impact. The project site is located in an area with no existing transit, bicycle or pedestrian facilities located on, or in the vicinity of, the project site. The nearest transit (bus) stop is located on southwest side of State Highway 99 at Garner Lane. The proposed project has the potential to introduce seven (7) new single-family dwellings and accessory uses to the residences that would generate minimal long-term changes in traffic volumes. Vehicle traffic for a single-family residence is estimated to be approximately 9.52 vehicle trips per day (ITE, 1997). Because the scope of the proposed project is relatively minor and would not result in construction of a substantial amount of residential units, the increase in traffic levels would not create substantial impacts to operating conditions of the area road network.

Construction activities associated with the construction of a future single-family residence has the potential to generate short-term changes to traffic volumes on the area road network. Daily vehicle trips would be generated with the arrival and departure of construction workers. Construction activities associated with a single-family residence would be small-scale and of short-duration. As a result, the proposed project would not cause long-term degradation in, or create substantial impacts to, the operating conditions or level of service on any of the roadways in the project area.

The North Chico Specific Plan Circulation Element provides for a comprehensive circulation system that includes streets, paths and trails designed to facilitate safe and efficient movement within and through the Plan area for improved automobile, pedestrian, bicycle, and equestrian travel (Land Use Map, Figure 3-1 and Circulation System, Figure 4-1). The circulation system does show the extension of Kittyhawk Drive along the northern portion of the project site. The project tentative subdivision map includes an easement that will allow the future extension, east from Garner Lane, through the project site, consistent with the North Chico Specific Plan Circulation System (Figure 4-1).

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

Less than significant impact. The project proposes the creation of eight (8) residential lots, one of which is already developed with a residential dwelling, which is less than the threshold of residential lots for the need to analyze vehicle miles traveled for the project.

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

Less than significant impact. The project proposes a single cul-de-sac to serve the eight proposed lots. The cul-de-sac accesses off Garner Lane. The cul-de-sac centerline is 120 feet north of Rancho Road centerline and 270 feet south of Kittyhawk Drive centerline, both distances are consistent with the requirement of Butte County Code subsection 20-138 (Street Intersection Offset). Garner Lane, both north and south of the proposed project cul-de-sac, is straight and provides a clear line of site for future traffic entering or exiting the cul-de-sac. Therefore, the project will not increase hazards due to project access or road design.

The project is conditioned to deed to Butte County roadway right-of-way for future construction of Kittyhawk Drive extension. The right-of-way is located along the northern portions of proposed lots 1 through 4 and align with the existing Kittyhwawk Drive and right-of-way on the west side of Garner Lane. The right-of-way proposed alignment and connectivity to Garner Lane has been reviewed and approved by the Department of Public Works.

d) Result in inadequate emergency access?

Less than significant impact. The project site is located in a Local Responsibility Area (LRA) for fire protection and fronts on Garner Lane. The project proposed a cul-de-sac to serve the eight proposed lots. Future residential development on the resultant parcels would have minor long-term impact on demand for alternative transportation facilities due to the limited population growth to the project area. Construction activities associated with future residential and access road development may generate short-term disruption to area roadways from an anticipated increase in traffic levels. However, construction activities associated with the proposed project would be temporary, and in compliance with a Butte County Encroachment Permit, which would require traffic control implementation, if needed.

1.18 TRIBAL CULTURAL RESOURCES

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

Environmental Setting

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

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

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

Discussion

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

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

Less than significant impact with mitigation incorporated. Per AB 52 Notification Request, Public Resources Code Section 21080.3(b), the County received three letters for notification. One was from the Torres Martinez Cahuilla Indians, located in southern California near the Salton Sea. The second one from the United Auburn Indian Community, located near the City of Auburn. The third was from the Mechoopda Indian Tribe of Chico Rancheria. It was determined through discussion with the Torres Martinez Cahuilla Indians that they do not identify lands within Butte County within their geographic area of traditional and cultural affiliation. The United Auburn Indian Community provided a map of their area of traditional and cultural affiliation, which did not include the project site. The Mechoopda Indian Tribe of Chico Rancheria area did identify lands in the project area.

Implementation of Mitigation Measure TCR-1 would reduce potential impacts to a less than significant level.

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

Less than significant impact with mitigation incorporated. See response in a) above.

Mitigation Measures

Mitigation Measure TCR-1

Place a note on the final map and all building and site development plans for new construction as follows:

> "Prior to commencement of ground disturbing activities on the project site the applicant shall notify the Mechoopda Indian Tribe of Chico Rancheria. The Mechoopda Indian Tribe of Chico Rancheria shall be given the option to have a tribal monitor present during all ground disturbing activities associated with the development of the project."

Plan Requirements: This measure shall in incorporated in the conditions of approval for the project and the note shall be placed on all building and site development plans for new construction.

Timing: This measure shall be implemented during all site development activities.

Monitoring: The Department of Development Services shall work with the applicant/developer and the Mechoopda Indian Tribe of Chico Rancheria to ensure a tribal monitor is given the opportunity to be on site during all ground-disturbing activities.

1.19 UTILITIES AND SERVICE SYSTEMS

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

Environmental Setting

Solid Waste

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

Discussion

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

Less than significant impact. Wastewater disposal for the proposed project would be provided by private, on-site septic systems. The Butte County Environmental Health Division has performed a preliminary review of the proposed project, and has indicated that future placement of an on-site septic system for the proposed parcels would be possible. Soil profiles were conducted by a Certified Designer with Butte County Environmental Health staff present during the site evaluation. Soils were evaluated in the areas proposed for leach field and replacement.

In summary, the soil profiles indicated effective soil depths in excess of 60 inches and were found to vary widely in consistency as follows: clay loam, silty clay loam, sandy clay loam, sandy loam and loamy sand. Proposed lot 1 had an application rate of .8 gallons per day per square foot (gpd/sq. ft.) with gravity distribution and a 9,000 square foot Minimum Usable Waste Water Area (MUWA) or pressure distribution with a 6,000 square foot MUWA. Proposed lots 2, 3 and 4 had an application rate of .3 gpd/sq.ft with pressure distribution and a 15,000 square foot MUWA. Proposed lot 5 had an application rate of .7 gpd/sq.ft. with standard gravity and a 12,000 square foot MUWA or 8,000 square foot MUWA with pressure distribution. Proposed lots 6, 7 had an application rate of .8 gpd/sq.ft. with standard gravity and a 12,000 square foot MUWA or 8,000 square foot MUWA with pressure distribution. Proposed lot 8 had an application rate of .3 gpd/sq.ft. and a 15,000 square foot MUWA.

Using the combination of soils classification along with the certified designer's suggestion and findings, Butte County Department of Environmental Health agrees that per BCC Chapter 19-10 C., the Minimal Usable Wastewater Area (MUWA) requirements have been met. A new on-site wastewater system will require a permit issued by BCEH, but will not require further site evaluation if the proposed design is proposed in the areas which were profiled in this study.

Therefore, the project would not have an impact on any wastewater treatment facilities because septic systems would be utilized. The project site is currently served by electric power (PG&E) and wireless phone service. The project would not result in the relocation or construction of new or expanded infrastructure including water services, wastewater treatment, stormwater drainage, natural gas, or telecommunication facilities.

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

Less than significant impact. Domestic water to existing and planned uses on the resultant parcels would be provided by groundwater extraction via individual wells. Section 12.0 of the *Butte County Improvement Standards* outline the requirements of water supplies for proposed subdivisions and parcel maps. Proposed land divisions located outside an urban area and more than a 1,000 feet from an existing public water system, may have its domestic water supplied by individual wells. The quantity and quality of the groundwater for the proposed development is reviewed by the Butte County Environmental Health Division by either a test well, a review of existing wells in the area, or a statement from a licensed well driller together with a report by an engineering geologist or hydrologist verifying that minimum well production for domestic purposes are achieved. Additionally, a well permit is required by the County to ensure well drilling standards are achieved and health and safety standards are met. Well production from new wells would be tested to determine if sufficient output it available for the anticipated uses to occur on the resultant parcels. Based on these reviews, existing groundwater supplies are anticipated to be available to the serve the proposed project, and no additional or expanded entitlements are required for groundwater extraction and use.

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

Less than significant impact. Wastewater disposal for the proposed project would be provided by private, on-site septic systems. No wastewater treatment provider currently serves the project area. Soils were evaluated in the areas proposed for leach field and replacement.

In summary, the soil profiles indicated effective soil depths in excess of 60 inches and were found to vary widely in consistency as follows: clay loam, silty clay loam, sandy clay loam, sandy loam and loamy sand. Proposed lot 1 had an application rate of .8 gallons per day per square foot (gpd/sq. ft.) with gravity distribution and a 9,000 square foot Minimum Usable Waste Water Area (MUWA) or pressure distribution with a 6,000 square foot MUWA. Proposed lots 2, 3 and 4 had an application rate of .3 gpd/sq.ft with pressure distribution and a 15,000 square foot MUWA. Proposed lot 5 had an application rate of .7 gpd/sq.ft. with standard gravity and a 12,000 square foot MUWA or 8,000 square foot MUWA with pressure distribution. Proposed lots 6, 7 had an application rate of .8 gpd/sq.ft. with standard gravity and a 12,000 square foot MUWA or 8,000 square foot MUWA with pressure distribution. Proposed lot 8 had an application rate of .3 gpd/sq.ft. and a 15,000 square foot MUWA.

Using the combination of soils classification along with the certified designer's suggestion and findings, Butte County Department of Environmental Health agrees that per BCC Chapter 19-10 C., the Minimal Usable Wastewater Area (MUWA) requirements have been met. A new on-site wastewater system will require a permit issued by BCEH, but will not require further site evaluation if the proposed design is proposed in the areas which were profiled in this study.

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

Less than significant impact. Future development of the resultant parcels would result in a minor increase in the stream of household waste being deposited in the Neal Road Recycling and Waste Facility. The California Integrated Waste Management Board estimates that a typical residential household generates approximately 10 to 12 pounds of solid waste per day (4.9 pounds per person per day x average household size in Butte County (2.44)). The Neal Road Facility has a maximum permitted throughput of 1,500 tons per day, and an estimated current daily average throughout of 466 tons per day. Therefore, the facility would have adequate capacity to accommodate solid waste generated by the project.

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

Less than significant impact. The proposed project would comply with statues and regulations related to solid waste. Waste generated by the proposed project would consist only of domestic refuse, which would be collected in approved trash bins and removed from the project site by a waste hauler or by the residents.

1.20 WILDFIRE

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

Environmental Setting

The project site is within a Local Responsibility Area (LRA), which means that the Butte Fire/Cal Fire has responsibility for preventing and suppressing fires. The project site is not near a State Responsibility Area (SRA) or areas designated as a high fire hazard severity zone. The nearest fire station (Cal Fire/Butte County Fire #38) is located at 13871 Highway 99, west of the project site, with an actual driving distance of approximately 2.2 miles.

Discussion

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

No impact. There would be no lane closures involved in the proposed project that would constrict emergency access or interfere with an emergency evacuation plan.

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

Less than significant impact. The project site area is characterized as residential, agricultural and nearby commercial lands situated in the valley region of Butte County, north and west of Chico, and on the east side of State Highway 99. Surrounding uses include residential on lots ranging from 0.47 to 5 acres. It is not in an

area that exposes occupants to wildfires. The entire north valley is subject to pollutant concentrations from wildfire. The concentrations amount and duration are based on the proximity and duration of wildfires. They are temporary and do not create a permanent impact.

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

Less than significant impact. The proposed road to serve the eight (8) lots will not create additional fire risk or create temporary or ongoing impacts to the environment.

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

Less than significant impact. The project area is generally flat, with a gentle slope from northeast to south west. According to Figure HS-6, Landside Potential, of Butte County General Plan 2030, the project site has a low to no potential of landslides.

1.21 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Mandatory Findings of Significance.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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.)	☐	☒	☐	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion

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

Less than significant impact with mitigation incorporated. The proposed project site was previously developed with a residence, but was demoed. A new residence has been built on the project site (proposed lot 4). The remaining area of the site is primarily grassland, weeds and forbs. The project will not substantially impact fish or wildlife or their habitat. The project will not have impacts on biological resources which were analyzed in this Initial Study, and all direct, indirect, and cumulative impacts were determined to have no impact or a less than significant impact. No special status species were identified in the proposed development areas. It was identified that Burrowing owls have been previously identified in the project area, so Mitigation Measure BIO-1 is included to address potential impacts. The development of the proposed project would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species.

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

religious or sacred uses associated with the project site. Mitigation Measure CUL-1 has been identified to confirm the presence or absence of subsurface cultural resources on the project site. Additionally, the project applicant is required to comply with *California Code of Regulations (CCR) Section 15064.5(e)*, *California Health and Safety Code Section 7050.5*, and *Public Resources Code (PRC) Section 5097.98* as a matter of policy in the event human remains are encountered at any time. Adherence to Mitigation Measures CUL-1, as well as regulations governing human remains, would reduce potential impacts to cultural and paleontological resources to less than significant with implementation of mitigation. Mitigation Measure TCR-1 is included to allow the Mechoopda Indian Tribe of Chico Rancheria the opportunity to observe during site disturbance.

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

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

The proposed project site is located within an area has been designated by the County for use. Short-term construction-related air quality impacts that would result from construction of the site improvements and build-out of the resultant parcels will be reduced to less than significant levels with implementation of Mitigation Measure AIR-1. Mitigation Measure GHG-1, identified in this Initial Study, would reduce potential impacts from the generation of greenhouse gas emissions to less than significant levels.

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

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

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

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

Reference: Government Code Sections 65088.4.
Public Resources Code Sections 21080, 21083.5, 21095; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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Mitigation Measure AIR-1

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

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

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

Operational TAC Emissions

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

Fugitive Dust

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

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

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

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

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

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

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

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

Mitigation Measure BIO-1

Prior to any land disturbance or construction, a qualified biologist shall complete four surveys for burrowing owl prior to the start of construction. The biologist should conduct 4 survey visits: 1) at least one site visit between 15 February and 15 April, and 2) a minimum of three survey visits, at least three weeks apart, between 15 April and 15 July, with at least one visit after 15 June. Surveys should be conducted on the project site and within 150 meters of areas that will be directly or indirectly impacted by the project, where feasible. Surveys should not be conducted during inclement weather, when burrowing owls are typically less active and visible. A report summarizing the survey including the qualifications of the biologist who performed the survey, methods, and results should be provided to CDFW prior to the start of construction. If burrowing owls or evidence of burrowing owls (e.g., whitewash or pellets) are not observed during surveys, no additional mitigation is necessary. If the birds are present, then there is potential for impacts to occur and CDFW is available to assist with the development of potential measures to offset impacts.

Plan Requirements: Perform surveys for burrowing owls. The note shall be placed on all building and site development plans.

Timing: Requirements of the condition shall be adhered to prior to any land disturbance or construction activities.

Monitoring: The Butte County Department of Development Services shall ensure the condition is met prior to any land disturbance or construction activities.

Mitigation Measure BIO-2

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

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

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

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

Mitigation Measure CUL-1

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

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

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

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

Mitigation Measure GHG-1

Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "To the extent feasible, the project proponent shall implement the following measures during construction-related activities and at the time of development to offset the anticipated contribution of greenhouse gas emissions:

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

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

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

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

or on an additional map sheet. Planning Division will ensure that future residential development includes the applicable measures during Building Permit review. Building inspectors shall spot check and shall ensure compliance on-site.

Mitigation Measure TCR-1

Place a note on the final map and all building and site development plans for new construction as follows:

> "Prior to commencement of ground disturbing activities on the project site the applicant shall notify the Mechoopda Indian Tribe of Chico Rancheria. The Mechoopda Indian Tribe of Chico Rancheria shall be given the option to have a tribal monitor present during all ground disturbing activities associated with the development of the project."

Plan Requirements: This measure shall in incorporated in the conditions of approval for the project and the note shall be placed on all building and site development plans for new construction.

Timing: This measure shall be implemented during all site development activities.

Monitoring: The Department of Development Services shall work with the applicant/developer and the Mechoopda Indian Tribe of Chico Rancheria to ensure a tribal monitor is given the opportunity to be on site during all ground-disturbing activities.

Project Sponsor(s) Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study for the Shelton/Jackson Tentative Subdivision Map (TSM20-0003) application and particularly the mitigation measures identified herein. I/We hereby modify the applications on file with the Butte County Planning Department to include and incorporate all mitigations set forth in this Initial Study.

Project Sponsor/Project Agent — Date: 8/25/21

Julie Jackson
Project Sponsor/Project Agent — Date: 8/24/2021