



Department of Development Services

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NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION **MUP21-0004 (Comsites West, LLC)**

NOTICE IS HEREBY GIVEN that Butte County has prepared an Initial Study (IS) and is considering the adoption of a Mitigated Negative Declaration (MND) for the project listed below. The County has prepared this Notice of Intent to Adopt a MND to provide an opportunity for input from public agencies, organizations, and interested parties on the environmental analysis addressing the potential effects of the proposed project.

PROJECT TITLE: Minor Use Permit for Comesites West, LLC (MUP21-0004).

PROJECT LOCATION: The parcel is located approximately 1,700 feet east of Highway 70, at Timtam Lane, Concow. Assessor Parcel Number: 058-200-028.

PROJECT DESCRIPTION: A Minor Use Permit to construct a wireless telecommunication facility consisting of 180-foot lattice telecommunications tower, including 2 high-band and 2 low band antennas, four future collocations (with up to 12 antennas each), up to four future microwave dishes, and up to five proposed equipment shelters with associated back-up generators within a 10,000 square foot fenced leased area. The lease area will be enclosed with a 6-foot chain link fence with barbed wire. Access to the site will be off of Highway 70 via an existing 50-foot easement. Power to serve the communication facility will be underground (on site) and above ground offsite to the existing power pole approximately 1,200 feet southwest of the project site in a proposed 20-foot easement. The IS/MND is on file for public review and comment starting **August 17** through **September 15, 2022**. All comments on the IS/MND must be submitted in writing to the address or email provided below and received no later than **5:00 pm Thursday, September 15, 2022**. The IS/MND is available for review at: <http://www.buttecounty.net/dds/Planning/CEQA.aspx>. For information or to submit comments, please contact Senior Planner Mark Michelena, Butte County Department of Development Services, Planning Division, 7 County Center Drive, Oroville, CA 95965. Phone: 530.552.3683 or email: mmichelena@buttecounty.net.

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

PROJECT INFORMATION

1. Project Title: Minor Use Permit (MUP21-0004)
2. Lead Agency Name and Address: Butte County – Department of Development Services
Planning Division
7 County Center Drive
Oroville, CA 95965
3. Contact Person and Phone Number: Mark Michelena, Senior Planner
[530.552-3683](tel:530.552-3683); mmichelena@buttecounty.net
4. Project Location: The project site encompasses 10,000 square feet in the northwest quarter of the 40-acre parcel. The parcel is located approximately 1,700 feet east of Highway 70, at Timtam Lane, Concow. Township 22N, Section 26, Range 04E; MDB&M. Latitude 39°44'9.385"N, Longitude 121°29'20.523"W. APNs 058-200-028.
5. Project Sponsor's Name and Address: Comsites West LLC
2555 Third Street
Sacramento, CA 95818
6. General Plan Designation: Timber Mountain
7. Zoning: TPZ (Timber Production Zone)
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The proposed project includes the installing a new telecommunication facility consisting of a 180-foot lattice telecommunications tower, including 2 high-band and 2 low band antennas, four future collocations (with up to 12 antennas each), up to four future microwave dishes, and up to five proposed equipment shelters with associated back-up generators within a 10,000 square foot fenced leased area. The lease area will be enclosed with a 6-foot chain link fence with barbed wire. Access to the site will be off of Highway 70 via an existing 50-foot easement. Power to serve the communication facility will be underground (on site) and above ground offsite to the existing power pole approximately 1,200 feet southwest of the project site in a proposed 20-foot easement. The additional 80 feet in height is needed to provide the ability to allow for collocations, microwave dishes to improve connectivity to existing communication facilities that serve landline services and to allow the best coverage to the area and get a clear line of site for connectivity, due to the natural topography.

The primary purpose of the communication facility to provide both public and private radio service needs, including Federal, State and local safety radio systems and broadband. The tower will provide future for wireless networks and/or local wireless internet service providers or public safety service entities demand. The tower design will allow for multiple users to serve this portion of HWY 70 and the surrounding areas with state of the art wireless services as well as increasing public safety. In order to maximize tower space the separation space

between the wireless network arrays can be used for local high speed wireless internet service providers, public safety service providers and/or small microwave dishes.

The height of the proposed tower is based on the following:

1. The tower space from approximately 100' to 80' would be designed for public safety use whip antennas.
2. At this time there are no telephone and/or fiber services in the immediate area surrounding the CSW project location, therefore all connectivity to landline telecommunication services must be done by microwave. CSW proposes to use the tower space from approximately 133' to 107' for the installation of microwave dishes (likely 4' to 6' in diameter) to provide microwave connectivity to existing telecommunication facilities that have access to landline services. They need to be at this height to get clear line of site for connectivity. Subject to change depending on the donor dish location some microwave shots may require additional height.
3. From approximately 180' up to 137' on the proposed tower would be antenna array locations for the four major wireless networks. The proposed antenna arrays of up to twelve (12) panel antennas are designed with 8' panel antennas, typically the largest size antenna in use by the wireless networks. Each of the antenna array locations has a 5' vertical separation to eliminate possible interference between networks. They are at this height to allow the best coverage to the populated areas due to the natural landscape.

Operation of the communication facility will occur 12 months a year, 7 days a week, 24 hours a day. The facility is "unmanned" and is visited on an "as needed" basis only. No more than two technicians will ever attend the facility. Their schedule will be on a 24-hour basis. No more than two service vehicles, being either a van or a four-wheel vehicle, will visit the facility. There will be no supplies or materials stored on the site.

This facility will enhance and expand the wireless network coverage and landline coverage in order to improve communications service for its existing and prospective customers. This project is designed to provide additional capacity offload and to fix ROOT issues in the area. This site is located in hilly and semi-mountainous area that is primarily undeveloped, except for a weather station. The height of the structure will allow wireless radio and wireless communication coverage to the surrounding area and along Highway 70.

Section 24-181(A.) of the Zoning Ordinance requires new telecommunication facilities to be located on a parcel so that the distance from the base of the facility to the parcel boundary is equal to or greater than the height (180 feet) of the facility. The proposed lattice tower is located approximately 400 feet from the north property line, 800 feet from the south property line, 750 feet from the east property line and 500 feet from the west property line. The proposed tower meets the required setback.

Aesthetics

Surrounding parcels to the north, east and southeast are undeveloped. Parcels to the northwest, west and southwest are developed with residential dwellings. The project site was impacted by the 2018 Camp Fire, which did burn much of the vegetation. Some of the surrounding trees remain, but most all grasses and shrubs were burned in the fire. The vegetation has begun to grown back.

Co-Location

The proposed facility is designed in a manner that will structurally accommodate additional antennas and/or future collocation. Additional ground space is available within the lease area, but may require additional lease area for multiple collocations.

Site Selection Process

The selection of a location for a wireless telecommunication facility that is needed to improve service and provide reliable coverage is dependent upon many factors, such as: topography, zoning regulations, existing structures, collocation opportunities, available utilities, access, and the existence of a willing landlord. Wireless communication utilizes line-of-sight technology that requires facilities to be in relative close proximity to the wireless handsets to be served. Each proposed site is unique and must be investigated and evaluated on its own terms.

The proposed coverage area includes a rural area in the eastern area of the County along State Highway 70. ComSites West strives to minimize visual and acoustic impacts for each facility and seeks to incorporate ways to preserve the rural character to the greatest extent feasible at all stages of site selection and design. The proposed location best serves the interest of area because it is the least intrusive means available to improve the service needed to the area.

RF Emissions

It was identified that based on the distance of the tower from the property lines and to the nearest residential dwellings, the RF Emissions will below the FCC allowable emissions, for the proposed used of this Minor Use Permit. Future collocations will submit in RF Emission Reports at time of building permit for the collocation installation.

Maintenance and Standby Generator Testing

Back-up generators and batteries play a vital role in emergency and disaster preparedness plan. In the event of a power outage, communication equipment will first transition to the back-up batteries. The batteries can run the site for a few hours depending on the demand placed on the equipment. Should the power outage extend beyond the capacity of the batteries, the standby generator will be utilized. Standby generators typically operate for approximately 15 minutes per week for maintenance purposes, during the daytime. Backup batteries and generators allow communication sites to continue providing valuable communication services in the event of power outage, natural disaster or other emergency.

Construction Schedule

The construction of the facility will comply with all local rules and regulations. The crew size will range from two to ten individuals. The construction phase of the project will last approximately two months and will not exceed acceptable construction noise levels.

Lighting

Since the tower is less than 200 feet in height, no lighting is required. The applicant is not proposing lighting.

Compliance with FCC standards

The proposed project will not interfere with any TV, radio, telephone, satellite, or other signals. Any interference would be against federal law and a violation of FCC licenses.

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

The project area primarily consists of rural residential and vacant parcels, on parcel sizes that range in size from 5 to 190 acres.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	Timber Mountain (TM)	Timber Production (TPZ)	Vacant
South	Timber Mountain (TM)	Timber Production (TPZ)	Vacant
East	Timber Mountain (TM)	Timber Production (TPZ)	Vacant
West	Timber Mountain (TM)	Timber Production (TPZ)	Vacant

Zoning

The project site is zoned Timber Production (TPZ). The adjacent surrounding area is also zoned TPZ. The purpose of the TPZ zone is to preserve and protect land where timber is actively being grown and harvested, as well as

minimize impacts to neighboring uses from active timber operations. Permitted uses include logging, timber processing, crop cultivation, the management of forest lands for timber operations and animal grazing, and compatible uses, which are uses that are determined to not significantly detract from the use of the property for, or inhibit, growing and harvesting timber. Extractive uses that are generally compatible with forestry operations, including mining and oil and gas extraction, are conditionally permitted in the TPZ zone. The TPZ zone implements the Timber Mountain land use designation in the General Plan.

10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)
 - Butte County Department Development Services: Building Permits (Future Construction)
 - Butte County Public Works Department: Road and Grading Improvement Plans
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

See Discussion 1.18

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Mark Michelena

Mark Michelena, Senior Planner

8/12/2022

Date

Dan Breedon

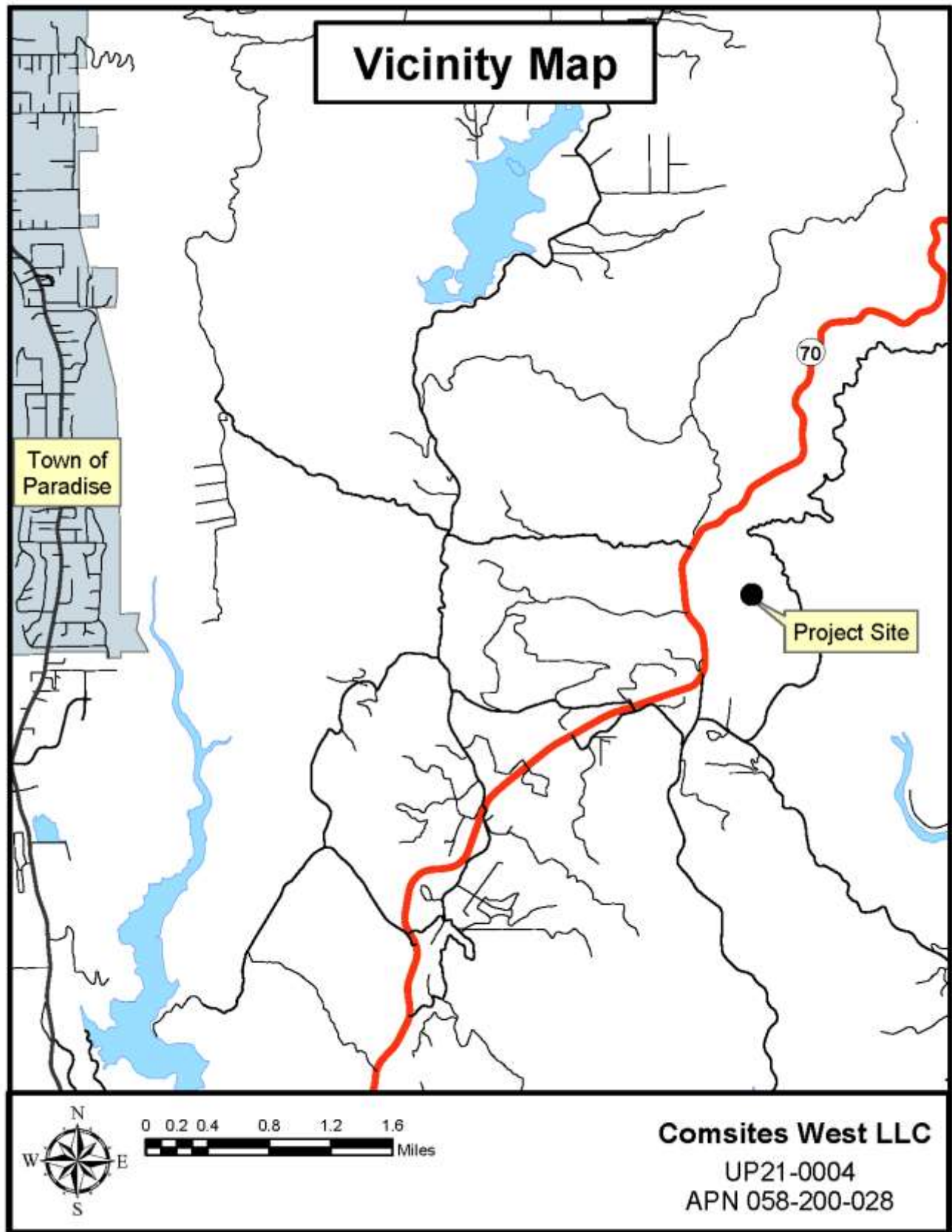
Dan Breedon, Planning Manager

8/12/2022

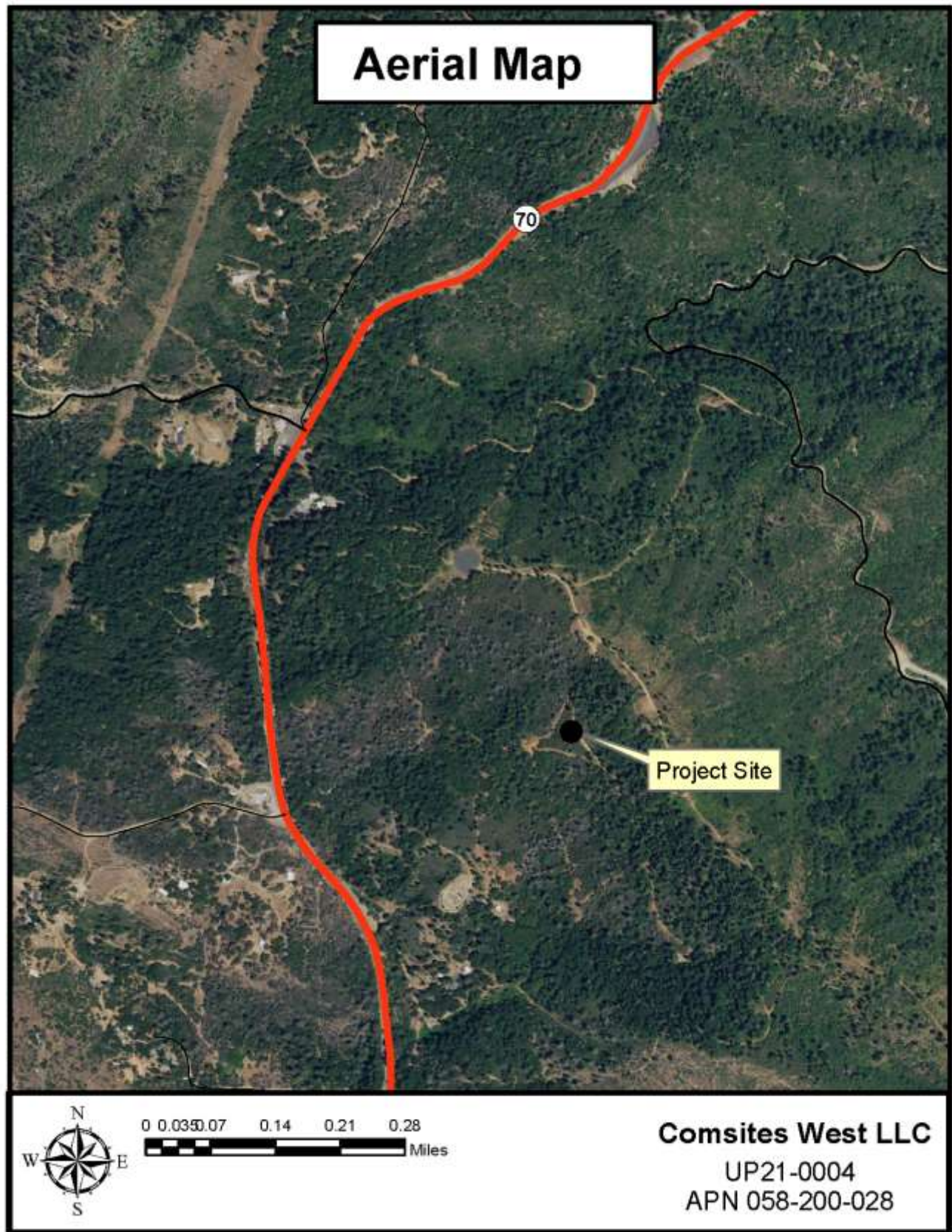
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

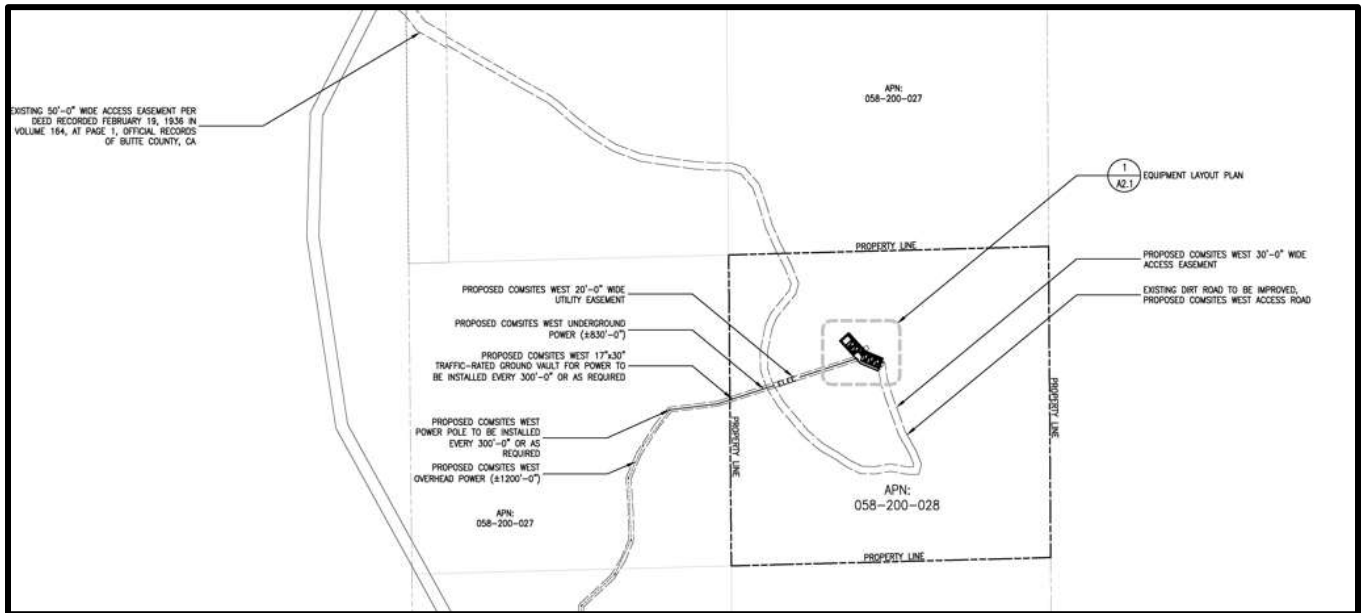
1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact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



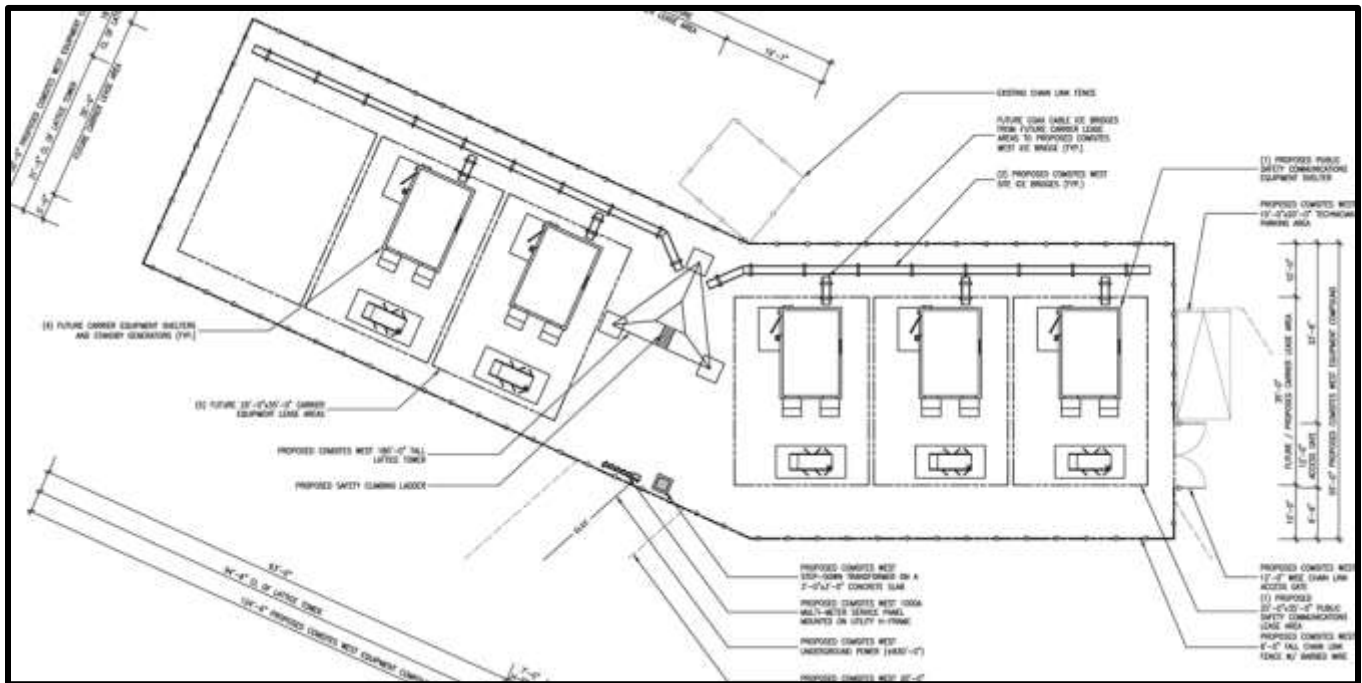
Vicinity Map



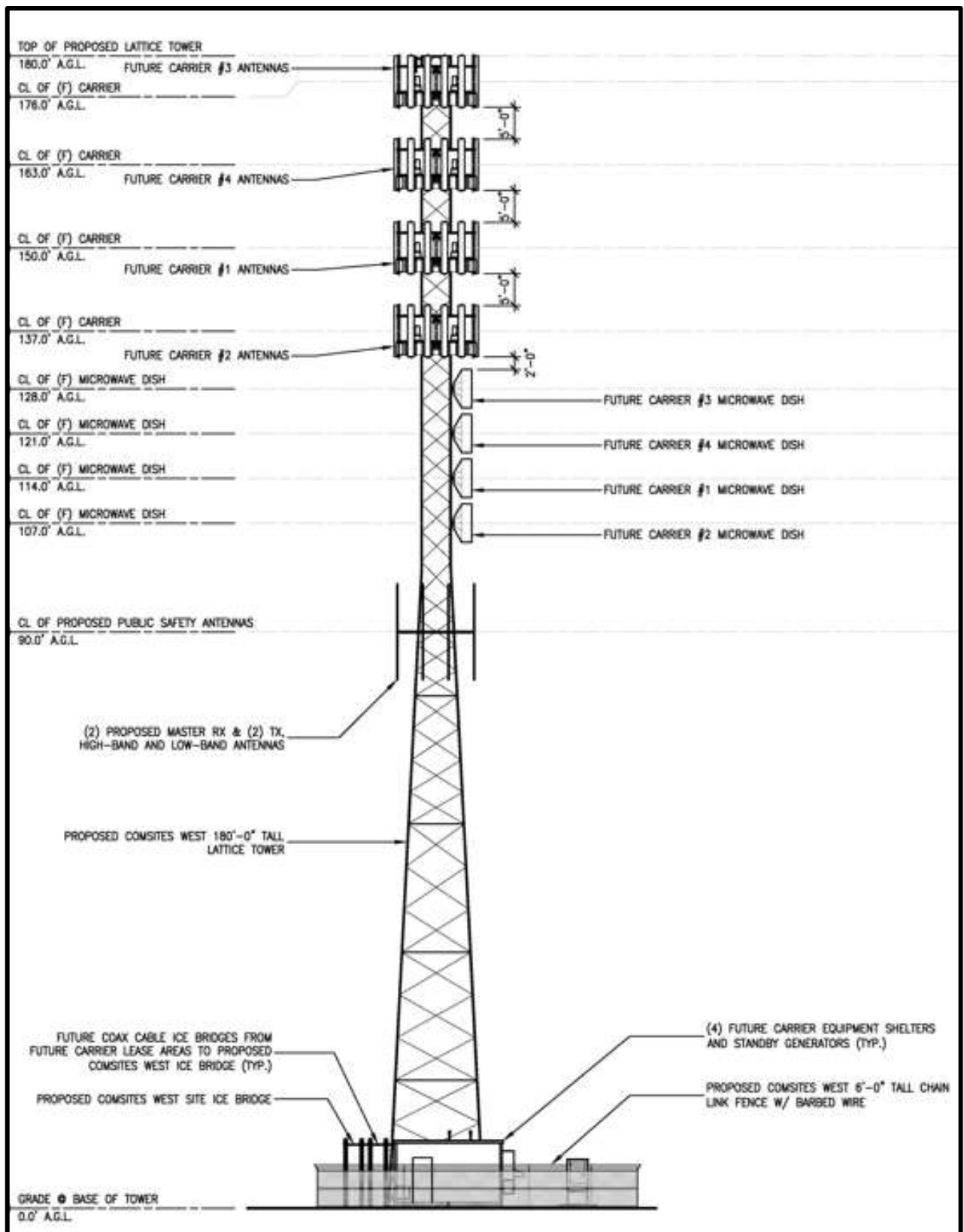
Aerial



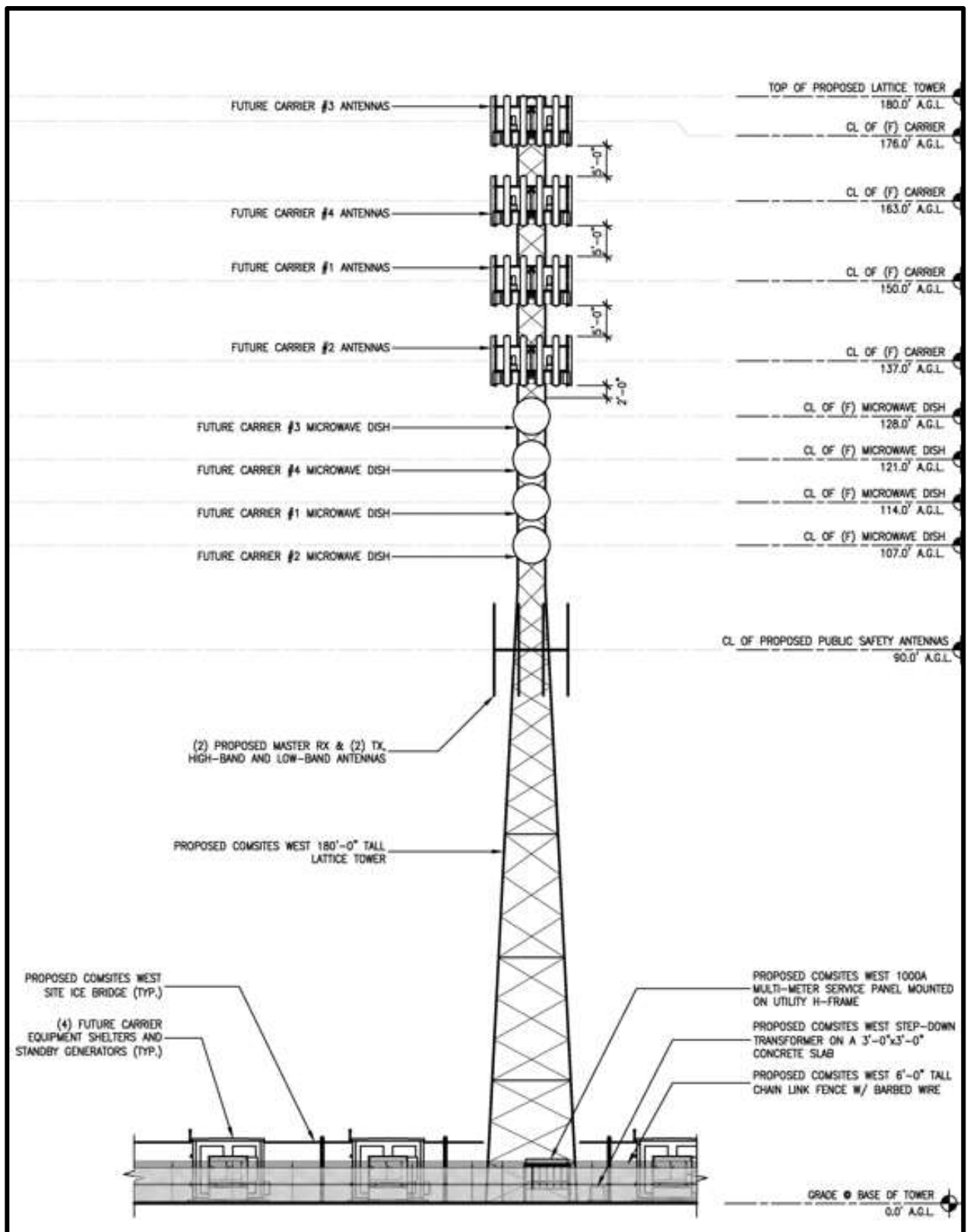
Site Plan



Lease Area



Northwest Elevation



Southeast Elevation

1.1 AESTHETICS

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

Setting

The project site area is characterized as rural, hilly terrain, in the mountain area of Concow. The project area primarily consists of rural residential to the west and southwest and vacant parcels to the north, east and southeast. Surrounding parcel range in size from 5 to 190 acres.

The topography of the project area generally flat, with an elevation of approximately 2,500 feet above sea level. Natural vegetation in the area was primarily burned during the Camp Fire, but what is growing back consists of annual grasslands and forbs. The most prominent human-made features are the rural residential dwellings and State Highway 70.

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). The project site area is approximately 1,950 to 3,000 feet from State Highway 70, which is identified as a County Scenic Highway (Butte County General Plan, Figure COS-8). Based on the distance, and terrain, the communication facility will not have a significant impact on the scenic views from State Highway 70.

Discussion

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

Less than significant impact. The project parcel is located in a rural area with large undeveloped parcels surrounding the project site. Based on the distance from the nearest residences and from State Highway 70, which is identified as a County Scenic Highway, the tower will not have significant impact on a scenic vista.

The nearest off-site residential uses from the proposed communication facility are approximately as follows:

<u>Distance (feet)</u>	<u>Direction</u>	<u>Address</u>
1,750	SW	11826 Hwy 70
2,170	W	4174 Timtam Lane

The applicant supplied photo simulations of the proposed lattice tower as seen from four different locations along State Highway 70 (Appendix A to this study). As shown in the photo simulations, based on the distance from the highway and some existing vegetation, the lattice tower and ground equipment, are not expected to result in a significant impact to scenic vistas and to the area's visual aesthetics for the purpose of CEQA.

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 scenic resources have been identified on the project site or in the project vicinity. The project site area is approximately 1,950 to 3,000 feet from State Highway 70, which is identified as a County Scenic Highway (Butte County General Plan, Figure COS-8). Based on the distance, and terrain, the communication facility will not have a significant impact on the scenic views from State Highway 70.

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 is in a non-urbanized area. Due to the remoteness of the site and distance from the nearest residences and State Highway 70, the lattice tower and associated ground equipment will not substantially degrade the existing visual quality or character from public views.

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

No impact. No lighting is proposed as part of the project.

1.2 AGRICULTURE AND FOREST RESOURCES

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

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.

Discussion

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

No impact. The California Farmland Mapping and Monitoring Program designates the project parcel and surrounding area as "Other Land". "Other Land" is land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

The proposed project is not located on lands designated as Important Farmland in the Farmland Mapping and Monitoring Program, and would not result in the conversion of Important Farmland to a non-agricultural use.

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. There are no adjacent parcels under a Williamson Act Contract, or within 300 feet of the project site. The nearest parcel under a Williamson Act Contract is located approximately 3.2 miles to the south.

The project site and surrounding area is zoned TPZ (Timber Production Zone). The proposed communication facility is located approximately 2.1 miles from the nearest agriculturally designated and zoned parcel.

- 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))?**

Less than significant impact. The project site, and adjacent parcels, are located in a timber resource zoning category of Timber Production (TPZ). Based on the area being impacted by the Camp Fire and minimal land disturbance to develop the communication facility, the project not impact the use of the project parcel or surrounding area for timber production.

- 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 in an area of forest land, but due to the Camp Fire in 2018, the timber in the area has been drastically impacted. Also, based on the minimal land disturbance (10,000 square feet) to develop the communication facility, the project not impact the use of the project parcel or surrounding area for future timber production. 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 and surrounding area is designated as "Other Land" under the California Farmland Mapping and Monitoring Program. There is no prime, unique or farmland of statewide importance near the project vicinity. Therefore, the project would not result in the conversion of Farmland to a non-agricultural use.

1.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. Air Quality.</p> <p>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.</p> <p>Are significance criteria established by the applicable air district available to rely on for significance determinations?</p> <p style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Would the project:</p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

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

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

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

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

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

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

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

As a result, high levels of particulate matter (primarily fine particulates or PM_{2.5}) and ground-level ozone are the pollutants of most concern to the NSVAB Districts. Ground-level ozone, the principal component of smog, forms when reactive organic gases (ROG) and nitrogen oxides (NO_x) – together known as ozone precursor pollutants – react in strong sunlight. Ozone levels tend to be highest in Butte County during late spring through early fall, when sunlight is strong and constant, and emissions of the precursor pollutants are highest (Butte County CEQA Air Quality Handbook 2014).

Air Quality Attainment Status

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

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

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

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

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

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

POLLUTANT	STATE DESIGNATION	FEDERAL DESIGNATION
1-hour ozone	Nonattainment	-
8-hour ozone	Nonattainment	Nonattainment
Carbon monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
24-Hour PM ₁₀	Nonattainment	Attainment
24-Hour PM _{2.5}	No Standard	Attainment
Annual PM ₁₀	Attainment	No Standard
Annual PM _{2.5}	Nonattainment	Attainment
Source: Butte County AQMD, 2018		

Butte County Air Quality Management District

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

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

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

Table 1.3-2. Screening Criteria for Criteria Air Pollutants

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

Discussion

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

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 primary purpose of the communication facility is to provide both public and private radio service needs, including Federal, State and local safety radio systems and broadband. The tower will provide future for wireless networks and/or local wireless internet service providers or public safety service entities demand. The tower design will allow for multiple users to serve this portion of HWY 70 and the surrounding areas with state of the art wireless services as well as increasing public safety. In order to maximize tower space the separation space between the wireless network arrays can be used for local high speed wireless internet service providers, public safety service providers and/or small microwave dishes. The applicant, Comsites West, is proposing a back-up generator as part of the project and backup generators with future collocations. The standby generator is for emergency use only, therefore the project would not create on-going emissions. The ongoing project is not expected to generate any significant amounts of fugitive dust because the only soil disturbance would be some very minor excavation for the concrete slabs that the equipment cabinets, ground cables and electrical service.

Construction dust would affect local air quality at various times during construction of the proposed project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed. Clearing, grading and earthmoving activities have a high potential to generate dust whenever soil moisture is low and particularly when the wind is blowing.

The effects of construction activities would be increased dustfall and locally elevated levels of particulates downwind of construction activity. Construction dust has the potential to create a nuisance at nearby properties or at previously completed portions of the proposed project. In addition to nuisance effects, excess dustfall can increase maintenance and cleaning requirements and could adversely affect sensitive electronic devices.

Due to its limited construction and operational scope, the project would not conflict with or obstruct implementation of the applicable air quality plan.

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. Due to its limited construction and operational scope, the project would not conflict with or obstruct implementation of the applicable air quality plan.

Negligible amounts of emissions would be generated by construction equipment during site development activities, because of the limited amount of construction equipment and time needed to install the extension, antennas, and equipment cabinets.

The limited scope of the project's construction and operational phases will have no impact upon any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

The project may create fugitive dust emissions during site development activities, such as grading, excavation for trenching and utilities, and other soil work. The Butte County Air Quality Management District (BCAQMD) recommends incorporating measures to control fugitive dust emission for all road and other construction activities during project development, using such methods as site and driveway watering and/or use of other acceptable soil palliatives. 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. Sensitive receptors in the project area include residential dwellings. Due to the distance of the communication facility to the residential dwellings, the sensitive receptors will not be exposed

to substantial pollutant concentrations. 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.

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

No impact. Potential standby generators are for emergency use only and will not result in objectionable odors affecting a substantial number of people. Otherwise, the proposed 180-foot lattice tower and ground related equipment will not use anything that will generate objectionable odors to the surrounding properties or area.

Mitigation Measures

Mitigation Measure AIR-1

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

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

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

Operational TAC Emissions

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

Fugitive Dust

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

- Reduce the amount of the disturbed area where possible.
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.

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

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

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

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

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

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

1.4 BIOLOGICAL RESOURCES

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

Environmental Setting

The proposed 10,000 square foot leased area is located in the north-central portion of the 40-acre parcel. The project site is developed with a weather station. Surrounding parcels are primarily large undeveloped timber parcels that were impacted by the Camp Fire. The location of the communication facility is a relatively level area with mostly dead trees and grasses. Surrounding uses included vacant parcels and rural residential on parcels sizes ranging from 5 to 190 acres.

Jurisdictional Waters of the United States, including Wetlands

Waters of the United States (U.S.), including wetlands, are broadly defined to include navigable waterways, and tributaries of navigable waterways, and adjacent wetlands. Although definitions vary to some degree, wetlands are

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

No discernable drainages or other wetland features were identified on, or within close proximity to, the project site. The nearest identified body of water is an unnamed small stream, which is located approximately 13,900 feet to the north. The North Fork Feather River is located approximately 4,600 feet to the east.

Special-Status Species

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

Various direct and indirect impacts to biological resources may result from the small amount of development enabled by the project, including the loss and/or alteration of existing undeveloped open space that may serve as habitat. California Environmental Quality Act Guidelines Section 15065 requires a mandatory finding of significance for projects that have the potential to substantially degrade or reduce the habitat of a threatened or endangered species, and to fully disclose and mitigate impacts to special status resources. For the purposes of this Initial Study, the California Environmental Quality Act (Sections 21083 and 21087, Public Resources Code) defines mitigation as measure(s) that:

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

Endangered, Threatened and Rare Plants and Wildlife

Table 4.4-1 Federal and State Listed Species in the vicinity of the project site						
Scientific Name	Common Name	FEDLIST	CALLIST	CNPS List	CDFW Status	Habitat
<i>Allium jepsonii</i>	Jepson's onion	None	None	1B.2		Chaparral, Lower montane coniferous forest, Cismontane woodland
<i>Clarkia gracilis ssp. albicaulis</i>	white-stemmed clarkia	None	None	1B.2		Chaparral, Cismontane woodland
<i>Clarkia mildrediae ssp. mildrediae</i>	Mildred's clarkia	None	None	1B.3		Lower montane coniferous forest, Cismontane woodland
<i>Clarkia mosquinii</i>	Mosquin's clarkia	None	None	1B.1		Lower montane coniferous forest, Cismontane woodland
<i>Packera eurycephala var. lewisrosei</i>	Lewis Rose's ragwort	None	None	1B.2		Yellow Pine Forest, Foothill Woodland, Chaparral
<i>Haliaeetus leucocephalus</i>	bald eagle	Delisted	Endangered		FP	Old growth and mature strands of conifers and hardwoods near lakes and reservoirs
<i>Rana boylei</i>	foothill yellow-legged frog	None	Candidate Threatened		SSC	flowing streams and rivers with rocky substrate or sunny banks.
Source: California Native Diversity Database Version 5						

Jepson's onion (*Allium jepsonii*)

Jepson's onion is not a federally or state listed species. It is ranked as a 1B.2 plant under the CNPS. It occurs in chaparral, lower montane coniferous forest and cismontane woodland habitats. Current threats to this species include loss of habitat due to residential development and fire suppression activities. Due to the impacts of the Camp Fire, the project and surrounding area does not contain the necessary habitat.

White-stemmed clarkia (*Clarkia gracilis ssp. albicaulis*)

White-stemmed clarkia is not a federally or state listed species. It is ranked as a 1B.2 plant under the CNPS. It occurs in Chaparral and cismontane woodland habitats. Current threats to this species include loss of habitat due to residential development and fire suppression activities. Due to the impacts of the Camp Fire, the project and surrounding area does not contain the necessary habitat.

Mildred's clarkia (*Clarkia mildrediae ssp. Mildrediae*)

Mildred's clarkia is not a federally or state listed species. It is ranked as a 1B.3 plant under the CNPS. It occurs in lower montane coniferous forest and cismontane woodland. Due to the impacts of the Camp Fire, the project and surrounding area does not contain the necessary habitat.

Mosquin's clarkia (*Clarkia mosquinii*)

Mosquin's clarkia is not a federally or state listed species. It is ranked as a 1B.1 plant under the CNPS. It occurs in lower montane coniferous forest and cismontane woodland. Due to the impacts of the Camp Fire, the project and surrounding area does not contain the necessary habitat.

Lewis Rose's ragwort (*Packera eurycephala var. lewisrosei*)

Lewis Rose's ragwort is not a federally or state listed species. It is ranked as a 1B.2 plant under the CNPS. It occurs in Yellow Pine Forests, foothill woodland and chaparral habitats. The undeveloped portion of the project parcel does not contain necessary habitat.

Bald eagle (*Haliaeetus leucocephalus*)

Bald eagles are no longer a federally listed species, but the state has it listed as an endangered species. Habitat for bald eagles includes old growth and mature strands of conifers and hardwoods near lakes and reservoirs. The project site

and surrounding area was heavily impacted by the Camp Fire. Based on the impact to habitat type trees and the distance from the nearest lake or reservoir, 1.4 and 2.5 miles, the site does not provide the appropriate habitat.

Foothill yellow-legged frog (*Rana boylei*)

Foothill yellow-legged frog not a federally or state listed species, but is identified as threatened candidate by the state. It is also listed as a species of special concern by the California Department of Fish & Wildlife. Their habitat includes flowing streams and rivers with rocky substrate or sunny banks. The project site does not contain the necessary habitat for the Foothill yellow-legged frog.

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. The California Natural Diversity Database (CNDDB Rarefind 5, Government Version, May 2022) 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 small size of the lease area (10,000 sq. ft.) and access drive, and that the project site area was heavy impacted by the Camp Fire, no special status plant species were not considered to have a potential to be present within the proposed project area.

- 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. No discernable drainages or other wetland features were identified on, or within close proximity to, 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 is located in an area where no federally protected wetlands as defined by Section 404 of the Clean Water Act exists, or within proximity to the project site. The project site does not contain any discernible drainage courses, inundated areas, wetland vegetation, or hydric soils and thus does not include United States Army Corps of Engineers jurisdictional drainages or wetlands.

- 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. The proposed ground equipment of the communication facility will be located within a 10,000 square foot fenced area and include an access drive off of State Highway 70.

The project site and surrounding area is located with the Critical Winter Deer Herd Migratory area, as identified on Deer Herd Migratory Area Overlay Exhibit LU-4 in the Butte County General Plan. Based on the limited develop square footage area, 10,000 square feet (approximately 0.6 percent of the project parcel), there will be minimal impact to the deer migratory area.

The construction of new communication tower creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. Communications towers are estimated to kill 4-5 million birds per year, which violates the spirit and the intent of the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712) and related Code of Federal Regulations designed to implement the MBTA. Some of the species affected are also protected under the Endangered Species Act and Bald and Golden Eagle Act. Interim guidelines were developed by Fish and Wildlife Service personnel from research conducted in several eastern, midwestern, and southern states, and have been refined through Regional review. They are based on the best information available at this time, and are the most prudent and effective measures for avoiding bird strikes at monopoles. Some of the guidelines are:

- New facilities should be collocated on existing towers or other existing structures.
- Towers should be less than 200 feet above ground level
- Towers should be freestanding (i.e., no guy wires)
- Towers and attendant facilities should be sited, designed and constructed to avoid or minimize habitat loss within and adjacent to the monopole "footprint".
- New towers should be designed structurally and electrically to accommodate the applicant/licensee's antennas and antennas for at least two additional users (minimum of three users for each monopole structure).
- Security lighting for on-ground facilities and equipment should be down-shielded to keep light within the boundaries of the site.
- Monopoles no longer in use or determined to be obsolete should be removed within 12 months of cessation of use.

The project is consistent with the U.S. Fish and Wildlife Service interim guidelines because the proposed 180-foot lattice tower is less than 200 feet in height and no guy wires are necessary. The footprint of the proposed lease area would not encroach onto any environmentally sensitive habitat.

Although the proposed project will be in a relatively small area of the project site, there is the potential for impact to the nesting of migratory birds and raptors in the project area. A mitigation measure (BIO-2) is included that requires a nesting bird survey and preconstruction survey for raptors prior to project construction.

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. It is consistent with goals and policies identified in Butte County General Plan 2030. The Camp Fire severely impacted the habitat in the project site and surrounding area. 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

If project construction activities, including site grubbing and 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. The note shall be placed on all building and site development plans.

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

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

1.4 CULTURAL RESOURCES

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

Environmental Setting

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

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

Discussion

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

Less than significant impact with mitigation incorporated. Cultural resources include prehistoric and historic period archaeological sites; historical features, such as rock walls, water ditches and flumes, and cemeteries; and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates our past. According to Butte County constraints mapping, the project site is located in an area considered to have a low archeological sensitivity. Prehistoric resources sites are found in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or above bodies of water. The project site area is in the Concow area. All of the structures on the project site are of modern construction and are not considered historic or unique. 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. 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 also be placed on all building and site development plans.

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

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

1.6 Energy

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

Discussion

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

Less than significant impact. The proposed project would consume energy primarily in two ways: (1) construction and routine maintenance activities would consume energy through the operation of heavy off-road equipment, trucks, and worker traffic, and (2) future 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.

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 will not require any water usage and other than during construction, vehicle trips to the site will be limited to a couple times a month for routine maintenance.

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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

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

Less than significant impact. There are no known active faults underlying, or adjacent to, the project site. The Cleveland Hill fault is the only active fault zone in Butte County identified in the most recent Alquist-Priolo Earthquake Fault Zoning Map. The Cleveland Hill fault is located east of Dunstone Drive and Miners Ranch Road, between North Honcut Creek and Mt. Ida Road, approximately 17 miles south 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. Like most of north central California, the site can be expected to be subjected to strong seismic ground shaking at some future time. Accordingly, the proposed wireless communications facility extension would be designed and installed in accordance with the California Building Code (CBC) requirements. Because the project appears to be located in an area such that the probability of significant ground shaking is low, the active faults are relatively distant from the project site and because the structure being built will be designed and installed in accordance with CBC standards for the appropriate Seismic Hazard Zone, potential geologic impacts would be 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. Liquefaction is a phenomenon where loose, saturated, granular soils lose their inherent shear strength due to excess water pressure that builds up during repeated movement from seismic activity. Factors that contribute to the potential for liquefaction include a low relative density of granular materials, a shallow groundwater table, and a long duration and high acceleration of seismic shaking. Liquefaction usually results in horizontal and vertical movements from lateral spreading of liquefied materials and post-earthquake settlement of liquefied materials. Liquefaction potential is greatest where the groundwater level is shallow, and submerged loose, fine sands occur within a depth of approximately 50 feet or less. The Butte County Health and Safety Element's Liquefaction Potential Map indicates that the site has a generally low potential for liquefaction. The California Building Code (CBC) regulates the construction of structures, which may be constructed with approval of the proposed project. Adherence to CBC standards at the time of development would ensure that new structures are adequately sited and engineered to reduce impacts related to seismic ground failure, including liquefaction, are less than significant.

iv) **Landslides?**

Less than significant impact. The project area is primarily level with 0-2% slopes. As a result, the landslide potential for the project site and surrounding area is low. The Landslide Potential Map of the Health and Safety Element of the Butte County General Plan (Figure HS-4 of the General Plan) indicates

that there is a low to no potential for landslides in this area. Due to the relatively level proposed project area, the minimum disturbance of existing vegetation on the site, and the fact no grading is proposed, the potential for a landslide is unlikely.

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

Less than significant impact. According to Figure 4.6-4 of Butte County General Plan 2030, the project site area has a moderate potential of soil erosion. The project parcel itself has both moderate and severe potential of soil erosion. The project site topography drains in a northwest to northeast and east to west direction. Also, the project does not involve large amounts of soil disturbance that could result in significant soil erosion impacts. Very limited grading is proposed. The project site area is approximately 10,000 square feet and generally level. The construction activities would result in a land disturbance of less than one acre and therefore are not expected to require a Stormwater Pollution Prevention Permit (SWPPP) from State Water Resources Control Board prior to construction. Due to the relatively small amount of soils disturbance required for construction, erosion potential will be minimal.

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

Less than significant impact. The Butte County Seismic Safety Element's Maps indicates that the site has a generally low potential for liquefaction and high potential for landslide. The project does not involve large amounts of soil disturbance that could result in significant soil erosion impacts. Very limited grading is proposed. The project site area is approximately 10,000 square feet and generally 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. The Health and Safety Element's Expansive Soils Map (Figure HS-6) indicates that the project site area has a moderate expansive soil potential. The project would be required to comply with applicable portions of the International Building Code as adopted by Butte County, which would offset potential impacts resulting from expansive soils.

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

No impact. The project does not require the use of septic systems.

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

Less than significant impact. The proposed project area includes a 10,000 square foot leased area, an access drive and underground utilities on the project site. Based on the small amount of disturbance, it is unlikely that communication facility would disturb or destroy unique paleontological resource or site or a unique geological feature.

1.8 GREENHOUSE GAS EMISSIONS

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

Environmental Setting

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

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

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

Discussion

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

Less than significant Impact with mitigation incorporated. The proposed project is a communication tower that would not significantly contribute to the existing greenhouse gas inventory for Butte County. Short-term construction GHG emissions will occur during installation of the tower and ground equipment. Standby generators will only be used during power outages and for short duration during testing. Vehicle trips will be associated with construction and routine maintenance. GHG emissions generated by the development and vehicle trips would be of a limited scope and duration, but would be cumulatively considerable, which was addressed through the Supplemental EIR for the Climate Action Plan. With incorporation of the other construction practices identified in Mitigation Measure AIR-1, above, impacts will be less than significant.

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

No Impact. The Butte County General Plan and Butte County Climate Action Plan establish numerous policies relative to greenhouse gases. The everyday operation of the proposed communication facility would not generate greenhouse gas emissions. Due to the short-term construction, limited vehicle trips to the site and monthly testing of the standby generators, the anticipated increase in emissions would not conflict with the applicable with policies adopted for the purpose of reducing GHG emissions.

1.9 HAZARDS AND HAZARDOUS MATERIALS

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

Discussion

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

Less than significant impact. The project is proposed to utilize a standby backup diesel generator for back-up power. The project site also identifies back-up generators for future collocations for communication providers. The storage of diesel is required only for emergency purposes during power outages and will not be routinely used or transported. Storage and handling of other chemicals or hazardous materials would be subject to a Hazardous Materials Business Plan, administered by the Butte County Public Health Department at the time of

development of the project. The plan would include an inventory of hazardous materials and chemicals handled or stored on the site, an emergency response plan, and a training program in safety procedures.

Construction activities associated with the development of the proposed project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. In the event of an accidental release, construction personnel who are experienced in containing accidental releases of hazardous materials will likely be present to contain and treat affected areas in the event a spill occurs. If a larger spill were to occur, construction personnel would generally be on-hand to contact the appropriate agencies. Hazardous materials used during construction would ultimately be disposed of by a licensed hazardous waste transporter at an authorized and licensed disposal facility or recycling facility.

Radiofrequency (RF) Emissions

Radiofrequency (RF) radiation emanates from antennas on cellular towers and is generated by the movement of electrical charges in the antenna. The energy levels it generates are not great enough to ionize, or break down, atoms and molecules, so it is known as "non-ionizing" radiation.

The Federal Communications Commission (FCC) is the government agency responsible for the authorization and licensing of facilities such as cellular towers that generate RF radiation. For guidance in health and safety issues related to RF radiation, the FCC relies on other agencies and organizations for guidance, including the EPA, FDA, the National Institute for Occupational Safety and Health (NIOSH) and OSHA, which have all been involved in monitoring and investigating issues related to RF exposure. The FCC has developed and adopted guidelines for human exposure to RF radiation using the recommendations of the National Council on Radiation Protection and Measurements (NCRP) and the Institute of Electrical and Electronics Engineers (IEEE), with the support of the EPA, FDA, OSHA and NIOSH. According to the FCC, both the NCRP exposure criteria and the IEEE standard were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects. The exposure guidelines are based on thresholds for known adverse effects, and they incorporate wide safety margins. In addition, under the National Environmental Policy Act (NEPA) the FCC is required to evaluate transmitters and facilities for significant impacts on the environment, including human exposure to RF radiation. When an application is submitted to the FCC for construction or modification of a transmitting facility or renewal of a license, the FCC evaluates it for compliance with the RF exposure guidelines, which were previously evaluated under NEPA. Failure to show compliance with the FCC's RF exposure guidelines in the application process could lead to the additional environmental review and eventual rejection of an application. The proposed telecommunication facility is subject to the FCC exposure guidelines, and must fall under the FCC's American National Standards Institute (ANSI) public limit standard of .58 mW/cm².

Finally, it should be noted that Section 704 of the Telecommunication Act of 1996 states that "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." Because the proposed facility would operate under federally mandated limits on RF radiation for cellular towers and is regulated by the FCC in this respect, the County may not regulate the placement or construction of this facility based on the RF emissions.

This project involves the proposed installation of 2 high-band and 2 low band antennas at the 90 foot level. The tower height is designed to allow for four future collocations (with up to 12 antennas each) and up to four future microwave dishes. The additional height allows for the project to reduce the number of potential towers in the area.

It was identified that based on the distance of the tower from the property lines and to the nearest residential dwellings, the RF Emissions will be below the FCC allowable emissions, for the proposed use of this Minor Use Permit. Future collocations will submit in RF Emission Reports at time of building permit for the collocation installation.

Additional standards in regards to RF emissions are established in Butte County Code. Under Section 24-181 (R), the owner or operator of the facility shall annually submit written verification that the radio frequency radiation/electromagnetic frequency (RF/EMF) emitted by a facility conforms to safety standards in FCC OET 65, and that these reports demonstrate that the facility conform to the reporting requirements set by the FCC. Under Section 24-186 (A), the owner or operator is required to post a performance security that is sufficient to cover the cost of a one-time test by a radio frequency consultant selected by the County to determine whether the facility RF/EMF emissions comply with FCC standards. Should the facility's emissions exceed FCC standards, the applicant would be responsible for the cost of additional tests and corrective measures to establish compliance with FCC standards. These County development standards would be reflected as conditions of approval in the use permit.

At the time of development of the proposed project, the applicant will provide a Hazardous Materials and Emissions Questionnaire to the County if the siting of any chemicals and/or hazardous materials at the project site will occur. If materials exceed applicable thresholds outlined in the Hazardous Materials Release Response Plans and Inventory Law of 1985 (The Business Plan Act), a Hazardous Materials Business Plan would need to be obtained. The plan, when implemented, would address potential impacts associated with the accidental spill or release of chemicals and/or hazardous materials used during operations.

- 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. See discussion under 1.7 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?**

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

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

No impact. A review of regulatory agency databases, which included lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify a contamination site within, or in the vicinity of, the project site.

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

No impact. The project site is located not located within 2 miles of a public airport or public use airport. The proposed communication facility is unmanned and therefore no impacts due to the distance (approximately 7 miles) to the nearest airport (Paradise-Skypark).

The project site is located within the Military Airspace Overlay (Butte County General Plan Figure LU-5) for military review of structures over 500 feet tall. The communication facility is proposed to be 180 feet in height, which is well below the review requirement of structures over 500 feet.

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

No impact. The proposed project is an unmanned facility, so no evacuation and/or emergency response plans are necessary. The proposed project does not include any actions that physically interfere with any emergency response or emergency evacuation plans. Development of the proposed project 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. In the event future construction activities require work to be performed in the roadway, appropriate traffic control plans would be prepared in conjunction with a Butte County Encroachment Permit.

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 has been designated as a very high fire hazard by the State Department of Forestry and Fire Protection. The project site is also within a designated State Responsibility Area (SRA), which means that the State has fiscal responsibility for preventing and suppressing wildfires. The project would not increase the level of fire protection service needed on the site because wireless communication facilities do not normally require such services.

1.10 HYDROLOGY AND WATER QUALITY

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

Discussion

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

No impact. The project does not require the use of water and would not create any water discharges.

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

No impact. The project does not require the use of water.

- 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 site (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 administered 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 minor increase in impervious surface area from build-out of the communication facility is not anticipated to be enough to alter existing drainage patterns or cause offsite flooding. While an increase in stormwater runoff may be expected due to the reduced absorption rate created from new impervious surfaces added to the site, such as from structures, future development would be reviewed by the Butte County Public Works Department to ensure any potential drainage concerns are addressed, and to ensure no net increase in stormwater runoff leaves the project site.

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 ground equipment are proposed within the 10,000 square foot fenced lease area. The proposed area to be developed, including the 180-foot tall lattice tower location and the ground equipment area in a disturbed area of dirt and grasses that was also impacted by the Camp Fire. The access drive will not create any significant impact to drainage patterns or create significant amount of runoff. The minor increase runoff would not exceed the capacity of the existing stormwater drainage systems or substantially increase polluted runoff.

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

Less than significant impact. The floodplain mapping of the project area identifies the project site being located within the X (unshaded) zone. The X (unshaded) zone is defined by FEMA as an area of minimal flood hazards outside 0.2 percent annual-chance floodplain.

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

No impact. The floodplain mapping of the project area identifies the project site being located within the X (shaded) zone. The X (shaded) zone is defined by FEMA as areas between the limits of the 100-year base flood and the 0.2-percent-annual-chance (or 500-year) flood. The project site is not located in an area that would be impacted by a seiche, tsunami, or mudflows.

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

No impact. The project does not require the use of water.

1.11 LAND USE AND PLANNING

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

Discussion

The proposed project includes the installing a new telecommunication facility consisting of a 180-foot lattice telecommunications tower, including 2 high-band and 2 low band antennas, four future collocations (with up to 12 antennas each), up to four future microwave dishes, and up to five proposed equipment shelters with associated back-up generators within a 10,000 square foot fenced leased area. The lease area will be enclosed with a 6-foot chain link fence with barbed wire. Access to the site will be off of Highway 70 via an existing 50-foot easement. Power to serve the communication facility will be underground (on site) and above ground offsite to the existing power pole approximately 1,200 feet southwest of the project site in a proposed 20-foot easement. The additional 80 feet in height is needed to provide the ability to allow for collocations, microwave dishes to improve connectivity to existing communication facilities that serve landline services and to allow the best coverage to the area and get a clear line of site for connectivity, due to the natural topography.

The primary purpose of the communication facility to provide both public and private radio service needs, including Federal, State and local safety radio systems and broadband. The tower will provide future for wireless networks and/or local wireless internet service providers or public safety service entities demand. The tower design will allow for multiple users to serve this portion of HWY 70 and the surrounding areas with state of the art wireless services as well as increasing public safety. In order to maximize tower space the separation space between the wireless network arrays can be used for local high speed wireless internet service providers, public safety service providers and/or small microwave dishes. The tower will also allow wireless communication facility to collocate to improve service coverage without installing another tower in the area.

This project site is located in an area that rural area that is primarily surround by large undeveloped parcels. There are existing residence and commercial use located to the south and west, near State Highway 70.

The project parcel is designated by the General Plan as Timber Mountain and is zoned Timber Production (TPZ). Section 24-181(A.) of the Zoning Ordinance requires new telecommunication facilities to be located on a parcel so that the distance from the base of the facility to the parcel boundary is equal to or greater than the height (180 feet) of the facility. The proposed lattice tower is located approximately 400 feet from the north property line, 800 feet from the south property line, 750 feet from the east property line and 500 feet from the west property line. The proposed tower meets the required setbacks.

a) Physically divide an established community?

Less than significant impact. No new parcels or substantial development would result from this project. The project would not divide any established community. The communication facility to provide both public and private radio service needs, including Federal, State and local safety radio systems and broadband. The tower will provide future for wireless networks and/or local wireless internet service providers or public safety service

entities demand. The tower design will allow for multiple users to serve this portion of HWY 70 and the surrounding areas with state of the art wireless services as well as increasing public safety. In order to maximize tower space the separation space between the wireless network arrays can be used for local high speed wireless internet service providers, public safety service providers and/or small microwave dishes. The tower will also allow wireless communication facility to collocate to improve service coverage without installing another tower in the area.

Additionally, this site will serve as a backup to the existing landline service in the area and will provide improved wireless communication, which is essential to first responders, community safety, local businesses and area residents. As a backup system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes

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 was reviewed for constancy with the zoning code. Wireless Communication Facilities are regulated by Article 26 of the Butte County Code. The Purpose (Section 24-176) of the Telecommunication Facilities is to:

- A. Allow reasonable opportunities for wireless communication providers to provide such services to the community in a safe effective and efficient manner.
- B. Encourage the location of new monopoles, towers and antennas in non-residential areas, thereby discouraging the need for such facilities in residential areas.
- C. Minimize the total number of antennas through the county.
- D. Encourage co-location of facilities at appropriate new and existing monopoles, towers and antenna sites.
- E. Encourage wireless communication providers to locate new monopoles, towers and antennas in areas that minimize adverse impact on agricultural and air navigation.
- F. Require wireless communication providers to design and configure wireless communication facilities in a way that minimizes visual impacts.

The proposed is located within a natural resources zone. The communication facility to provide both public and private radio service needs, including Federal, State and local safety radio systems and broadband. The tower will provide future for wireless networks and/or local wireless internet service providers or public safety service entities demand. The tower design will allow for multiple users to serve this portion of HWY 70 and the surrounding areas with state of the art wireless services as well as increasing public safety. In order to maximize tower space the separation space between the wireless network arrays can be used for local high speed wireless internet service providers, public safety service providers and/or small microwave dishes. The tower will also allow wireless communication facility to collocate to improve service coverage without installing another tower in the area.

Section 24-180

- A. Applications for approval for a telecommunication facility shall include all materials and information required for the permit (e.g., Conditional Use Permit) plus the following information:
 - 11. For facilities within a residential zone, within 1,000 feet of a residential zone, or within the AIR zone, a discussion of and supporting information regarding the alternative site selection of at least three alternative sites, if available, including co-location opportunities, and a statement as to why these alternative sites or co-location opportunities were rejected.

The project site is not within 1,000 feet of a residential zone or within the AIR zone.

Section 24-181 (General Requirements):

- A. Setbacks.

1. Except when specifically allowed, all new telecommunication facilities shall be located on a parcel so that the distance from the base of facility to the parcel boundary is equal to or greater than the height of the facility.

The proposed lattice tower is located approximately 400 feet from the north property line, 800 feet from the south property line, 750 feet from the east property line and 500 feet from the west property line. The proposed tower meets the required setbacks.

B. Height.

1. The maximum height for telecommunication facilities in all zones shall be 100 feet, except in Commercial and Industrial zones where it shall be 150 feet. The review authority may approve additional height based on justifiable need. No structures shall exceed the maximum permitted height in areas as specified in Section 24-50. *(Section 24-50 refers to Section 24-51, which refers to Section 24-51, which refers Telecommunication Facilities back to Article 26 – Telecommunication Facilities)*

The tower design should be considered dynamic, as the design may change given the demand by the wireless networks and/or local wireless internet service providers or public safety service entities demand. The tower design will allow for multiple users to serve this portion of HWY 70 and the surrounding areas with state of the art wireless services as well as increasing public safety.

1. The tower space from approximately 100' to 80' would be designed for public safety use whip antennas.
2. In order to maximum tower space the separation between the wireless network arrays can be used for local high speed wireless internet providers, public safety service providers and/or small microwave dishes.
3. ComeSites West proposes to use the very top for public safety service whip antennas, which will allow installation of typical 10 to 20-foot whip antennas without taking up valuable tower space and leading to interference issues.
4. At this time there are no telephone and/or fiber services in the immediate area surrounding the CSW project location, therefore all connectivity to landline telecommunication services must be done by microwave. CSW proposes to use the tower space from approximately 133' to 107' for the installation of microwave dishes (likely 4' to 6' in diameter) to provide microwave connectivity to existing telecommunication facilities that have access to landline services. They need to be at this height to get clear line of site for connectivity. Subject to change depending on the donor dish location some microwave shots may require additional height.
5. From approximately 137 to 180 feet on the proposed tower would be antenna array locations for the four major wireless networks. The proposed antenna arrays of up to twelve (12) panel antennas are designed with 8' panel antennas, typically the largest size antenna in use by the wireless networks. Each of the antenna array locations has a 5' vertical separation to eliminate possible interference between networks. They are at this height to allow the best coverage to the populated areas due to the natural landscape.

Section 24-183 (Standards for Types of Facilities):

C. Monopoles or Towers.

1. New monopoles or towers proposed in or within 1,000 feet of agriculture and residential zones require written notice, in a manner approved by the Zoning Administrator, to be given to owners of parcels located within a minimum radius of 1,000 feet of the parcel on which the proposed monopole or tower will be located.

The proposed communication facility is not within 1,000 feet of an agricultural or residential zone. Notices were sent out to a minimum of 10 property owners, which are within 300 feet of the project parcel. Property owners were notified of the review of the draft environmental document and public hearing for the project.

1.12 MINERAL RESOURCES

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

Discussion

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

No impact. There are no known economically viable sources of rock materials in the immediate vicinity of the project site. No mining operations have occurred on the project site or surrounding area and the project would not preclude future extraction of available mineral resources. Mineral resource extraction is not proposed with this project.

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

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

1.13 NOISE

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

Environmental Setting

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

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

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

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

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

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

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

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

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

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

Notes:

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

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

Butte County Noise Ordinance

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

The Butte County Noise Ordinance provides the County with a means of assessing complaints of alleged noise violations and to address noise level violations from stationary sources. The ordinance includes a list of activities that are exempt from the provisions of the ordinance; however, some noise-generating activities associated with future residential uses would not be considered 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. The project site is located in area that rural with scattered residential development on lots ranging from 3 to 190 acres. Noise levels vary in the project area. Noise is expected to be limited to construction of the proposed facility and occasional testing and possible use of the emergency generators. The proposed wireless communications facility is unmanned and would not expose people at the facility to noise levels. The potential use of onsite emergency standby generator would provide power until normal power is restored. The use of standby generators will be short term in duration and will not create significant impacts. Construction activity is exempt from the Noise Control Ordinance, but as identified above, hours of construction are limited per the Noise Control Ordinance

- 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 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?**

No impact. The project site is not located within the vicinity of public airport, private airstrip or with in an airport compatibility zone.

1.14 POPULATION AND HOUSING

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

Discussion

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

No impact. The project would not affect the population of the area because no new parcels would be created and no additional dwellings would be placed on the project site as a result of this project.

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

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

1.15 PUBLIC SERVICES

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

Discussion

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

Fire protection?

Less than significant impact. The project site is within a State Responsibility Area (SRA), which means that Cal Fire has responsibility for preventing and suppressing fires. The project would not increase the level of fire protection service needed on the site because wireless communication facilities do not normally require such services.

Police protection?

Less than significant impact. The future use is not expected to result in an increase in demand for police services because wireless communication facilities do not normally require such services.

Schools?

No impact. The communication facility is an unmanned facility and therefore will not result in an increase in demand for school facilities in the area.

Parks?

No impact. The communication facility is an unmanned facility and therefore will not create an increase in park usage.

Other public facilities?

Less than significant impact. The communication facility is an unmanned facility and therefore will not require other public services

1.16 RECREATION

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

Discussion

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

No impact. The project is located in the Paradise Recreation and Park District. The communication facility is an unmanned facility and therefore will not create an increase in park usage

- 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. No recreational facilities are proposed under this proposal and none are located on the project site. No impacts on existing or future recreational facilities would occur

1.17 TRANSPORTATION

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

Discussion

The proposed project is a telecommunication facility to help provide improved emergency service transmission and also allow for future collocations to provide improved service for wireless customers in the surrounding area and along State Highway 70. Access to the facility will be provided by the extension of existing private access drive/easement off of State Highway 70. Power lines will be underground on the project parcel, and above ground off site to the existing utility pole. Once construction is completed, the proposed facility would generate approximately one to two vehicle trips per month for ongoing maintenance. The collocation of additional facilities would generate an average of one additional vehicle trip per facility.

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

No impact. The project site is located in rural area north of the City of Oroville and east of the Town of Paradise. Traffic in the project area is generally light. The proposed wireless communication facility would temporarily generate additional vehicle traffic in the project area during construction activities. This would be minor and would not have a significant impact on vehicular circulation in the project area. Once construction has been completed, traffic will return to pre-construction levels. After construction activities have been completed, the project would require only one to two site visits per month. Future additional collocations may increase traffic by one vehicle trip per month for each facility collocated at this site. This very low number of vehicle trips would not have any impact on vehicular circulation in the project area.

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

Less than significant impact. The project proposes the construction of a telecommunication facility. Construction traffic is temporary. Routine maintenance will occur 1 to 2 times a month, which will generate a less than significant impact in relation to 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)?

No impact. The project design does not involve any modifications to State Highway 70, nor create any additional hazards of safety concerns.

d) Result in inadequate emergency access?

No impact. Since the project is an unmanned facility and does not involve a substantial number of vehicle trips, the project will not result in inadequate emergency access.

1.18 TRIBAL CULTURAL RESOURCES

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

Environmental Setting

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

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

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

Per AB 52 Notification Request, Public Resources Code Section 21080.3(b), the County received three letters for notification. One from the Torres Martinez Cahuilla Indians, located in southern California near the Salton Sea, the other second from United Auburn Indian Community, located near the City of Auburn and the third from the Mechoopda Tribe, in the Chico are of the County. 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 project site is not located within the area requested for review, Chico Area, for the Mechoopda Tribe.

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, one from the United Auburn Indian Community, located near the City of Auburn, and the third from the Mechoopda Tribe, located in the Chico area. 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 project site area is also not in the Mechoopda area.

Implementation of Mitigation Measure CUL-1, discussed in Section 1.5 – Cultural Resources, would avoid potential impacts to undiscovered prehistoric resources, historic resources, and human remains that may be uncovered during development activities.

- 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 discussion 4.17(a) – *Tribal Cultural Resources*.

1.19 UTILITIES AND SERVICE SYSTEMS

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

Discussion

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

No impact. The project is the development of a new communication facility (cell tower) to provide service to an underserved area. The project site is currently not being served by electric power (PG&E). The project would not result in the relocation or construction of new or expanded infrastructure including water services, wastewater treatment, stormwater drainage or natural gas facilities.

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

No impact. The project does not require water.

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

No impact. The proposed project does not generate any wastewater.

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

No impact. The proposed project does not generate solid waste.

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

No impact. The proposed project does not generate solid waste.

1.20 WILDFIRE

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

Environmental Setting

The project site has been designated as a very high fire hazard by the State Department of Forestry and Fire Protection. The project site is also within a designated State Responsibility Area (SRA), which means that the State has fiscal responsibility for preventing and suppressing wildfires.

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 is located in an area that is susceptible to wildland fires. The project site was impacted by the Camp Fire. No conditions or factors have been identified in the project area that would exacerbate wildfire risks. The proposed project is for an unmanned communication facility. Workers associated with the construction of the facility will only be on site for a short duration. Once the communication

facility is completed, it is anticipated that routine maintenance/service of the facility would occur once or twice a month. No conditions or factors have been identified in the project area that would exacerbate wildfire risks.

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

Less than significant impact. The proposed project includes the communication facility within a 10,000 square foot lease area. The proposed communication facility will have the power lines put underground onsite, and above ground offsite, to the offsite power pole. Once construction is completed, the proposed facility would generate approximately one to two vehicle trips per month for ongoing maintenance/service. The proposed communication facility will not create additional fire risk or create significant 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?**

No impact. The project site is located within eastern portion of the County. The project site area is a high point in the area and is generally level. The project parcel has steeper slopes to the northeast and south west. The project site area is not in a flood area (Flood Zone X – Unshaded) or landslide potential (see discussion Section 1.7.a – Geology Soils). Therefore, no impacts from post-fire instability or drainage changes has been identified.

1.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

Less than significant impact with mitigation incorporated. The proposed project's impacts to biological resources and cultural resources were analyzed in this Initial Study, and all direct, indirect, and cumulative impacts were determined to have no impact, a less than significant impact, or reduced to a less than significant impact with implementation of mitigation. No special status species were identified on the proposed development areas. Development of the proposed project would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species. There is a potential impact to migratory and nesting birds that is would be mitigated to less than significant levels with Mitigation Measure BIO-1.

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.

- 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 residential and agricultural uses. 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.

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, cultural resources and tribal 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.

Environmental Reference Materials

1. Butte County. *Butte County Climate Action Plan*. February 25, 2014. Available at <http://www.buttecap.net/>
2. Butte County. *Butte County General Plan 2030 Final Environmental Impact Report*. April 8, 2010. Available at http://www.buttegeneralplan.net/products/2010-08-30_FEIR/default.asp.
3. Butte County. *Butte County General Plan 2030*. October 26, 2010. Available at <http://www.buttecounty.net/dds/Planning/GeneralPlan/Chapters.aspx>
4. Butte County. *Butte County General Plan 2030 and Zoning Ordinance Amendments – Draft Supplemental Environmental Impact Report*. June 17, 2015. Available at http://www.buttegeneralplan.net/products/2012-05-31_GPA_ZO_SEIR/default.asp
5. Butte County. *Butte County General Plan 2030 Setting and Trends Report Public Draft*. August 2, 2007. Available at <http://www.buttegeneralplan.net/products/SettingandTrends/default.asp>.
6. Butte County. *Butte County Code of Ordinances, Chapters 19, 20, 24 & 41A*. Available at https://www.municode.com/library/ca/butte_county/codes/code_of_ordinances/
7. Butte County. *Butte County Department of Development Services GIS Data*. October 2021.
8. Butte County Air Quality Management District. *CEQA Air Quality Handbook – Guidelines for Assessing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA Review*. October 23, 2014. Available at <https://bcaqmd.org/planning/air-quality-planning-ceqa-and-climate-change/>
9. Butte County Public Works Department, Division of Waste Management. *Joint Technical Document-Neal Road Recycling and Waste Facility, Butte County, California*. November 2017.
10. California Department of Conservation. *Fault-Rupture Hazard Zones in California. Altquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zone Maps*. Special Publication 42. Interim Revision. 2007.
11. California Department of Conservation, Division of Land Resource Protection. *A Guide to the Farmland Mapping and Monitoring Program*. 2004.
12. California Department of Toxic Substance Control. *Envirostor Database*. Accessed April 2022. <http://www.envirostor.dtsc.ca.gov/public>.
13. California Department of Finance. *Population and Housing Estimates for Cities, Counties, and the State, 2011-2018*. March 5, 2019.
14. California Department of Water Resources, Northern Region Office. *Geology of the Northern Sacramento Valley, California*. September 2014.
15. Comsites Propagation Map.
16. Photo Simulations, Comsites West. January 15, 2021

Mitigation Measures and Monitoring Requirements

Comesites West LLC
Minor Use Permit (MUP21-0004)

Mitigation Measure AIR-1

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

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

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

Operational TAC Emissions

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

Fugitive Dust

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

- Reduce the amount of the disturbed area where possible.
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.

Mitigation Measures and Monitoring Requirements

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

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

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

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

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

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

Mitigation Measures and Monitoring Requirements

Comesites West LLC
Minor Use Permit (MUP21-0004)

Mitigation Measure BIO-1

If project construction activities, including site grubbing and 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. The note shall be placed on all building and site development plans.

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

Monitoring: The Butte County Department of Development Services shall ensure the condition is met at the time of development and during 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 also be placed on all building and site development plans.

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

Monitoring: 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 Measures and Monitoring Requirements

Comesites West LLC
Minor Use Permit (MUP21-0004)

Project Sponsor(s) Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study on behalf of Comesites West, LLC Minor Use Permit (MUP21-0004) 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

8/11/2022

Date

Project Sponsor/Project Agent

Date