



Department of Development Services

Paula Daneluk, Director
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BUTTE COUNTY
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
TENTATIVE PARCEL MAP TPM21-0004

NOTICE IS HEREBY GIVEN that Butte County has prepared an Initial Study in accordance with the California Environmental Quality Act (CEQA) and is considering the adoption of a Mitigated Negative Declaration for the project described below. The Mitigated Negative Declaration establishes that although the proposed project could have a significant effect on the environment, there will not be a significant effect because required mitigation measures will address potential project effects. The County has prepared this Notice of Intent to Adopt a Mitigated Negative Declaration 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. The IS/MND is available for review on the County's website at <http://www.buttecounty.net/dds/Planning/CEQA.aspx>.

Project Information

Project: Susan E. Baker Trust Tentative Parcel Map (TPM21-0004)

Location: The project site encompasses 75.02 acres located northeast of Paradise Lake, on the west side of Coutolenc Road, approximately 600 feet north of the North Lake Road intersection; APN: 065-010-079.

Project Description: Proposed Tentative Parcel Map to subdivide a single 75.02-acre parcel into three (3) lots of 25 acres (Lots 1 and 3) and 25.02 acres (Lot 2). Future development on the new lots will likely include single-family residences consistent with the Foothill Residential, 20-acre (FR-20) zone, the Deer Herd (-DH) overlay zone, and Watershed Protection (-WP) overlay zone. Future development on each new lot will be served by an individual domestic well, an onsite wastewater disposal system, and a driveway with direct access off Coutolenc Road.

The Initial Study/Mitigated Negative Declaration (IS/MND) is on file for public review and comment starting **September 23, 2022**, to **October 22, 2022**. All comments for the IS/MND must be submitted in writing and received no later than **5:00 pm Tuesday, October 22, 2022**. Written comments may be submitted to the project planner Rowland Hickel, Senior Planner, Butte County Development Services Department, Planning Division, 7 County Center Drive, Oroville, CA 95965. Phone: (530) 552-3684 Email: rhickel@buttecounty.net. The Butte County Planning Commission will consider the proposed project at a public hearing on a future date to be determined.

PAULA DANELUK, DIRECTOR OF DEVELOPMENT SERVICES

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST

California Environmental Quality Act (CEQA)

PROJECT INFORMATION

1. Project Title: Susan E. Baker Trust Tentative Parcel Map (TPM21-0004)
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: Rowland Hickel, Senior Planner
530.552.3684; rhickel@buttecounty.net
4. Project Location: The subject property is approximately 75.02 acres and comprised of one existing parcel (APN 065-010-079). The parcel is located northeast of Paradise Lake on the west side of Coutolenc Road, north of the North Lake Road intersection. Portions of Section 7 and 12, Township 23 North, Range 3 East; MDB&M. Latitude 39° 52' 04.74 "N, Longitude 121° 34' 50.52" W (approximate center of site)
5. Project Sponsor's Name and Address: Susan E. Baker Trust
748 South Meadows Parkway #A9 PMB 296
Reno, NV 89521
6. General Plan Designation: Foothill Residential
7. Zoning: FR-20/DH/WP (Foothill Residential 20-acre/Deer Herd Overlay/Watershed Protection Overlay)
8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The project is a Tentative Parcel Map involving one (1) 75.02-acre parcel (APN 065-010-079). The existing parcel would be divided into three parcels. Parcels 1 and 3 would be 25 acres. Parcel 2 would be 25.02 acres. The site is currently vacant and would not be developed as part of the proposed action. If future development is proposed, the development would be served by individual driveways, septic systems and wells to be installed one each parcel at the time the development is approved and issued a permit.

County Improvement Exception Request

The project includes an Exception Request from recommended Butte County Improvements under Butte County Code section 24-193(d), *Exceptions to Butte County Improvement Standards*, and section 20-4, *Exception to Design Requirements*. The request proposes the removal of the recommended condition of approval for road improvements to Coutolenc Road made by the Butte County Department of Public Works in coordination with the Town of Paradise. The condition of approval is stated as follows:

Prior to recordation of the parcel map, construct or provide a performance, labor and material bond for construction of street frontage improvements on Coutolenc Road. Widen the street width to 16 feet from the physical centerline of the Coutolenc Rd. along the entire parcel frontage in conformance with Town of Paradise improvement standard PS-6, 3" Type A Hot Mix Asphalt, 12" Class 2 aggregate base, prime coat, fog seal and 95 % relative compaction. Construction of curb, gutter, and sidewalk is not required. Submit for approval roadway improvement plans to the Land Development Division prior to construction. Submit a Notice of Materials to be Used, materials test results, and mix design in compliance with 2018 Caltrans Standard Specifications, Section 39, to the department of Public Works for approval at least 14 days prior to the start of paving operations. Testing of hot mix asphalt materials shall be performed by a qualified laboratory and test results shall be signed and stamped by a licensed Civil engineer. Conduct material testing during construction and submit the results to Department of Public Works to ensure compliance with Standard Specifications, approved materials, and approved mix design.

9. Surrounding Land Uses and Setting:

Existing land uses adjacent to the subject parcel are rural residential to the west, foothill residential and rural residential to the south, foothill residential to the north and timber production to the west. Much of the surrounding area is undeveloped and used historically for timber production and limited residential development. The project area primarily consists of foothill residential, rural residential (RR) (5-acre minimum) and timber production on parcel sizes that range in size from 5 to 69 acres.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	Foothill Residential	FR-20	Rural Residential
South	Foothill Residential/Rural Residential	FR-20/RR-5	Rural Residential
East	Timber Mountain (TM)	Timber Production Zone (TPZ)	Vacant Land
West	Rural Residential	RR-5	Rural Residential/Vacant Land

The project site is located within unincorporated Butte County north of the Town of Paradise and within the Town of Paradise Sphere of Influence. The project site and surrounding area is zoned RR-5, Foothill Residential with a 20-acre minimum lot size and Timber Production (TPZ). The purpose of the FR zone is to allow for the appropriate development of large-lot single-family home, small farmsteads, and related uses in the foothill areas of the county. Standards for the FR zone are intended to ensure that the development of homes respond sensitively to the foothill setting. Permitted residential uses in the FR zones include a single-family home, small residential care home, and an accessory dwelling unit. The minimum permitted parcel size in the FR zone ranges from one (1) acre to forty (40) acres. The FR zone implements the Foothill Residential land use designation in the General Plan.

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

The purpose of the TPZ 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.

The topography of the subject property is comprised of gentle topography ranging from 2,700 to 2,600 feet above sea level. A seasonal stream corridor generally bisects the western 1/3 of the property. The site is vacant. The most prominent human-made features on adjacent properties are single-family residences, accessory structures, roads, utility lines and ornamental landscaping.

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

See Discussion 1.18

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forest Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology / Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards / Hazardous Materials
<input type="checkbox"/>	Hydrology / Water Quality	<input type="checkbox"/>	Land Use / Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population / Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities / Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Rowland Hickel

09/20/2022

Rowland Hickel, Senior Planner

Date

Dan Breedon

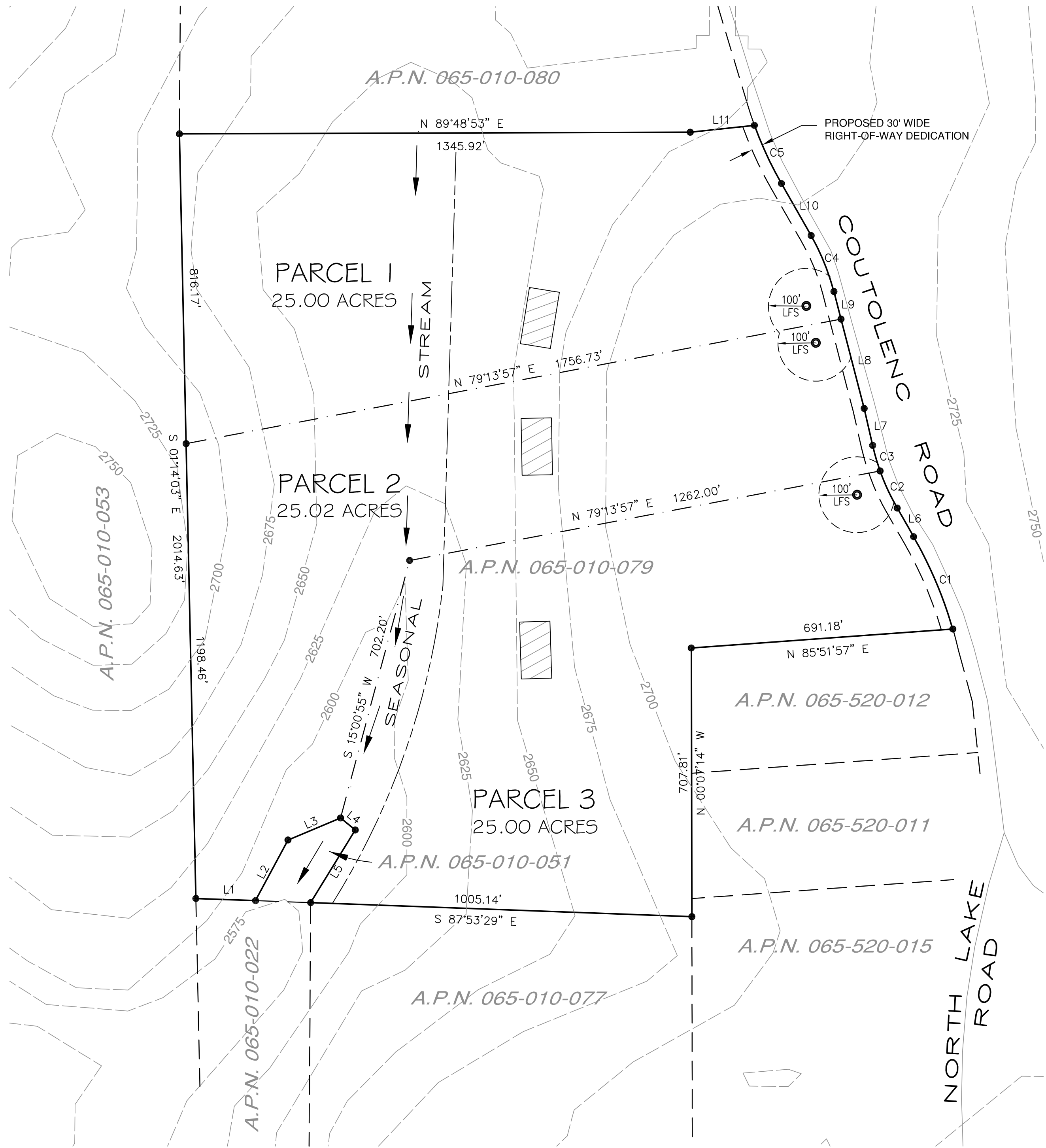
9/20/2022

Dan Breedon, Planning Manager

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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



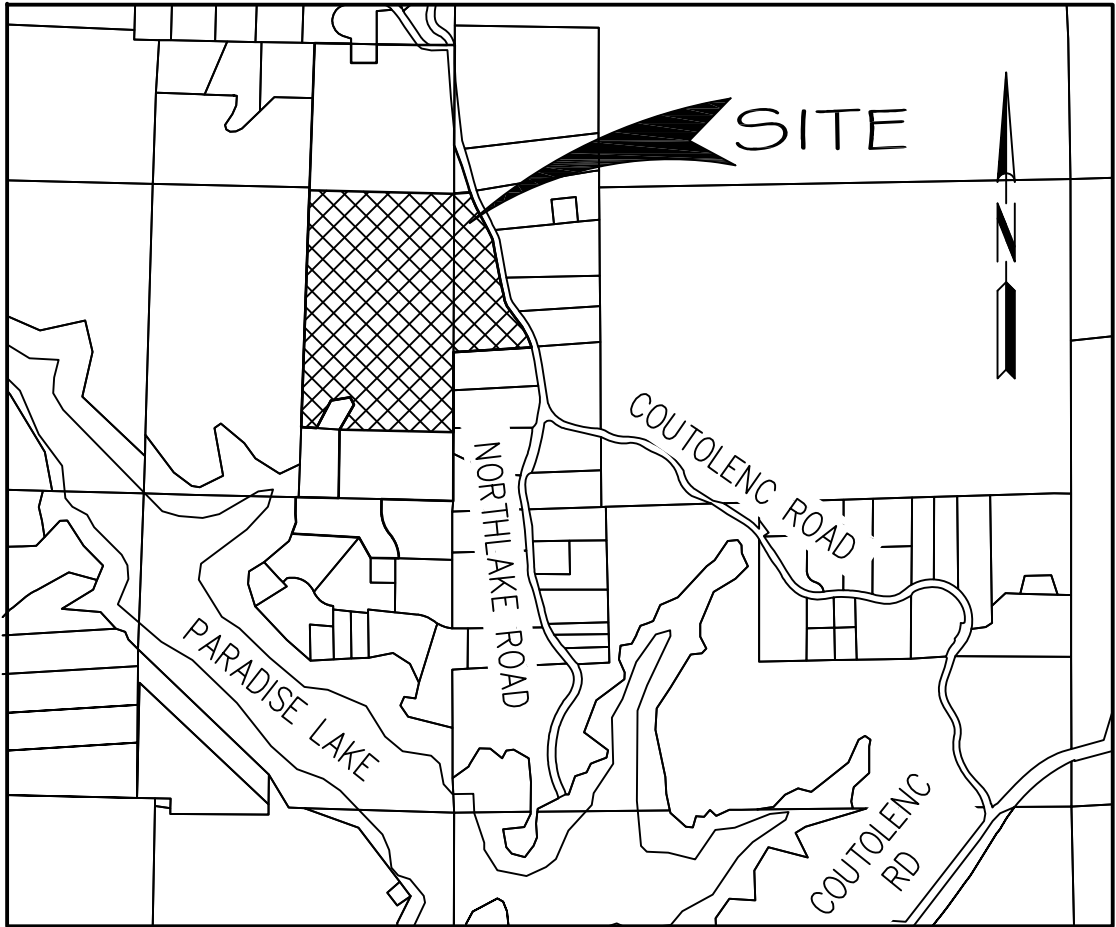
LINE TABLE		
LINE	BEARING	LENGTH
L1	S 87°58'09" E	157.22'
L2	N 28°11'12" E	181.04'
L3	N 67°12'53" E	150.29'
L4	S 50°32'57" E	50.02'
L5	S 31°32'20" W	224.45'
L6	N 29°55'15" W	87.00'
L7	N 12°55'15" W	100.00'
L8	N 14°30'15" W	243.11'
L9	N 14°30'15" W	74.89'
L10	N 29°45'15" W	158.00'
L11	N 83°51'43" E	170.16'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	264.94'	1100.00'	13°48'00"
C2	107.82'	600.00'	10°17'47"
C3	70.20'	600.00'	06°42'13"
C4	159.70'	600.00'	15°15'00"
C5	169.07'	1000.00'	09°41'13"

LEGEND	
	PARCEL BOUNDARY
	PROPOSED PARCEL LINE
	CONTOUR LINE (PER BUTTE COUNTY GIS)
	PROPOSED DOMESTIC WELL
	LEACH FREE SETBACK AREA
	PROPOSED LEACHFIELD AREA - 12,000 S.F.
	FLOWLINE SEASONAL STREAM
	100' LEACHFIELD FREE SETBACK LINE

NOTES

- NO EXISTING TREES ARE PROPOSED FOR REMOVAL.
- BASED ON FLOOD INSURANCE RATE MAP NO. 06007C0400 THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.
- THIS DIVISION IS PROPOSING TO HAVE PRIVATE WELLS AND INDIVIDUAL SEPTIC SYSTEMS.
- COUTOLENC ROAD IS NOT PROPOSED TO BE IMPROVED.
- NO GRADING OR DRAINAGE IMPROVEMENTS ARE PROPOSED AS PART OF THIS APPLICATION.



LOCATION MAP

NO SCALE

OWNER

SUSAN E. BAKER TRUST
748 S. MEADOWS PKWY #A9 PMB 296
RENO, NV 89521
(775) 772-2862

APPLICANT

KEITH TOVEY
6715 CUMORAH CREST WAY
MAGALIA, CA 95954
(530) 873-0555

SURVEYOR

ROLLS, ANDERSON & ROLLS
HERBERT VOTAW, PLS 8043
115 YELLOWSTONE DRIVE
CHICO, CA 95973
(530) 895-1422

PROPERTY DATA

ASSESSOR'S PARCEL NUMBER	065-010-079
PARCEL AREA	75.02 ACRES
EXISTING ZONING	FR-20
EXISTING GENERAL PLAN	RESIDENTIAL
EXISTING LAND USE	VACANT

UTILITY SERVICE

A. WATER - PROPOSED WELLS
B. ELECTRIC - P.G. & E.
C. TELEPHONE - A.T. & T.
D. CABLE TV - COMCAST
E. SEWAGE DISPOSAL - LEACH TRENCH

TENTATIVE PARCEL MAP

FOR

SUSAN E. BAKER TRUST

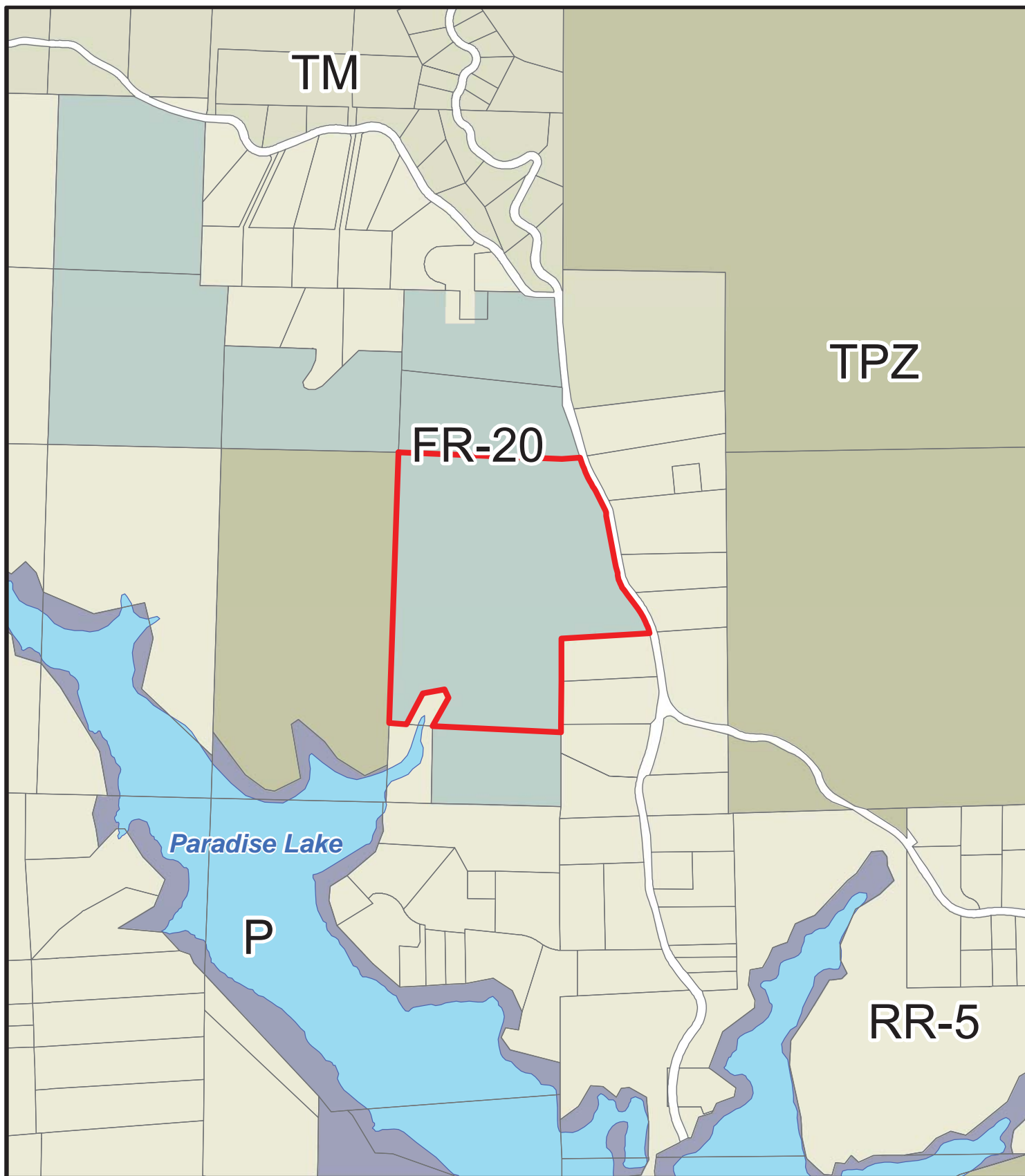
PORTION OF SECTION 7 AND 12,
TOWNSHIP 23 NORTH, RANGE 3 EAST, M.D.M.
COUNTY OF BUTTE, STATE OF CALIFORNIA

RAR
ROLLS ANDERSON & ROLLS
CIVIL ENGINEERS
115 YELLOWSTONE DRIVE • CHICO, CALIFORNIA 95973-5811
TELEPHONE 530-895-1422

MARCH, 2021

20181

SHEET 1 OF 1



Butte County Zone Districts

0 550 1,100 2,200 3,300 4,400 5,500 Feet



Supervisory District #5

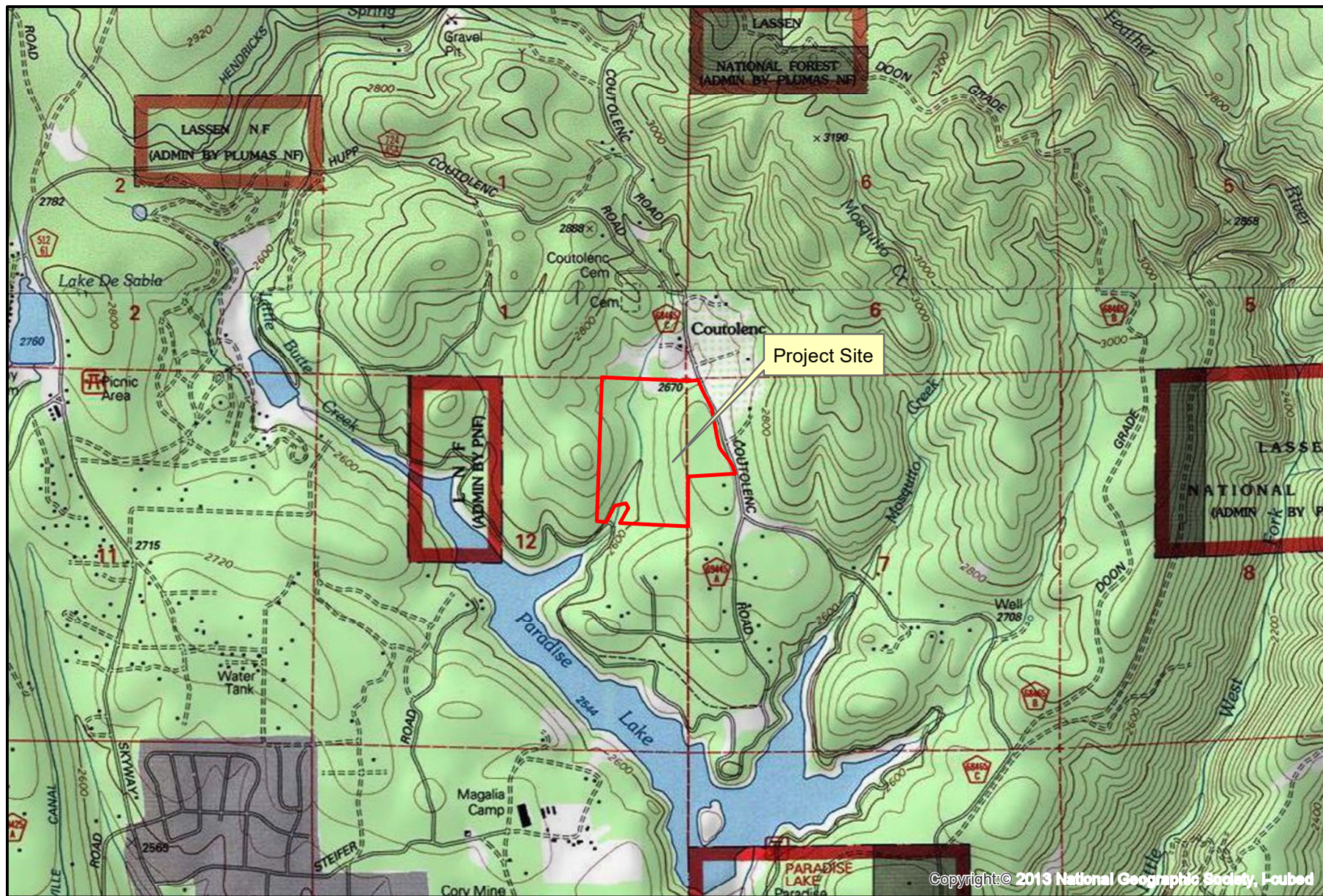
Applicant: Susan E. Baker Trust

Zoning: FR-20 (Foothill Residential, 20-acre)

Request: Tentative Parcel Map

Assessor Parcel No: 065-010-079

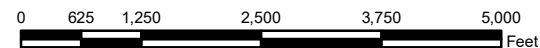
File: TPM21-0004



USGS 7.5' Quadrangle Map 1:24,000

TPM21-0004 (Susan E. Baker Trust Tentative Parcel Map)

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



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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The project area is characterized as forested with coniferous trees within a rural residential area of unincorporated Butte County north of the Town of Paradise. Adjacent land to the north, west and south are developed similar to the subject parcels. Land to the east is zoned for timber production.

The topography of the project area is gentle and flat with slopes downward towards a seasonal stream corridor. Elevations range from 2,700 to 2,600 feet above sea level. Natural vegetation in the area consists of native coniferous trees. The most prominent human-made features are the rural residences, accessory structures, roads, utility lines, as well as the suburban landscapes located in the developed parcels proximal to the site.

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

Discussion

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

Less than Significant impact. Approval of the proposed action would facilitate future development of single-family residences on the three parcels. No change in visual characteristics of the subject parcels or neighboring parcels would occur with approval of the project. It is unknown if any future residential development would be visible from Coutolenc Road. Thus, while some visual change may occur in the future, impacts would be less than significant.

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

No impact. There are no scenic resources, trees, rock outcroppings or historic buildings proximal to the site. Coutolenc Road is not a designated scenic highway. No impact would occur under this threshold.

- 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?

No impact. The proposed project would not result in any new development. However, future development may include a single-family residence and accessory structures on each lot as allowed per the zoning ordinance. Any future development would be consistent with the rural character and quality of the project site and surrounding area. No impact would occur under this threshold.

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

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

Mitigation Measure AES-1:

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

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

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

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. Building inspectors shall spot check and shall ensure compliance on-site. The Development Services Department shall investigate and respond to any complaints of excess glare or light originating from the project site.

1.2 AGRICULTURE AND FOREST RESOURCES

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

Setting

The subject property is comprised of one parcel zoned Foothill Residential-20. Permitted land uses in the FR-20 zone include single-family residential and accessory uses. Standards for the FR-20 zone are intended to preserve and protect the character of existing rural residential areas and ensure that future rural residential development is compatible with adjacent agricultural uses.

Regulatory Setting

Williamson Act/Land Conservation Act (LCA) Contracts

The California Land Conservation Act of 1965, commonly known as the Williamson Act, was established based on numerous State legislative findings regarding the importance of agricultural lands in an urbanizing society. Policies

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

Farmland Mapping and Monitoring Program

To characterize the environmental baseline for agricultural resources, Important Farmland Maps produced by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) were reviewed. Important Farmland maps show categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance (if adopted by the county), Grazing Land, Urban and Built-up Land, Other Land, and Water. Prime Farmland and Farmland of Statewide Importance map categories are based on qualifying soil types, as determined by the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), as well as current land use. These map categories are defined by the Department of Conservation's FMMP as follows:

Prime Farmland: Land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods.

Farmland of Statewide Importance: Land that is similar to *Prime Farmland* but with minor shortcomings, such as greater slopes or less ability to hold and store moisture.

Unique Farmland: Land of lesser quality soils used for the production of specific high economic value crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality or high yields of a specific crop when treated and managed according to current farming methods. It is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Examples of crops include oranges, olives, avocados, rice, grapes, and cut flowers.

Farmland of Local Importance: Land of importance to the local agricultural economy, as determined by each county's board of supervisors and local advisory committees. Examples include dairies, dryland farming, aquaculture, and uncultivated areas with soils qualifying for *Prime Farmland* and *Farmland of Statewide Importance*. Butte County has not adopted a definition of Farmland of Local Importance.

Grazing Land: Land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock.

Urban and Built-up Land: Land used for residential, industrial, commercial, construction, institutional, public administrative purpose, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are also included in this category.

Other Land: Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Water: Water areas with an extent of at least 40 acres.

The project site is identified by the Department of Conservation as *Other Lands*. Areas surrounding the project site have the same designation.

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

Adoption of the Butte County General Plan and Land Use Map designated the site Foothill Residential and it is zoned Foothill Residential-20. The parcel is not used for agricultural purposes nor is it under a Williamson Act contract.

- 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 parcels as "Other Lands". The proposed action would not result in any new development. Future development may occur on the site; however, the project would not result in a conversion of prime farmland to non-agricultural use. No impact would occur under this threshold.

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

No impact. The project site is not zoned for agricultural use nor is the parcel under a Williamson Act contract. No impact would occur under this threshold.

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

No impact. The project site is not located in a timber resource zoning category such as Timber Mountain (TM) or Timber Production (TPZ). As stated, the parcel to the west is zoned TPZ; however, the project would not impact uses of the westerly parcel for this purpose. The site is not classified as forest land, pursuant to California Public Resources Code Section 12220(g) or used for forest production. Approval of the proposed project would not require a rezone or conflict with, or cause the rezoning of, a timber resource zoning designation. No impact would occur under this threshold.

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

Less than Significant. The project area is classified as Forest Land. Future development would result in conversion of forest lands to residential uses. Future development requires approval of a less than 3-acre timber conversion permit through the California Department of Forestry and Fire Protection. Adherence to the permit's requirements/conditions would reduce potential impacts to a less than significant.

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?

Less than Significant. As stated, the subject parcels are designated Other Lands. There is no evidence that farming or cultivation occurs on the site nor would approval of the proposed action preclude such a use from occurring in the future. The project area is classified as Forest Land. Future development would result in conversion of forest lands to non-forest residential uses. Future development requires approval of a less than 3-acre timber conversion permit through the California Department of Forestry and Fire Protection. Adherence to the permit's requirements/conditions would reduce potential impacts to a less than significant.

1.3 AIR QUALITY

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

Environmental Setting

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

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

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

Seasonal weather patterns have a significant effect 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}	Unclassified	Attainment
Annual PM ₁₀	Attainment	Unclassified
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, NO_x and PM₁₀. The screening criteria listed in Table 1.3-2 were created using CalEEMod version 2013.2.2 for the given land use types. To determine if a proposed project meets the screening criteria, the size and metric for the land use type (units or square footage) should be compared with that of the proposed project. If a project is less than the applicable screening criteria, then further quantification of criteria air pollutants is not necessary, and it may be assumed that the project would have a less than significant impact for criteria air pollutants. If a project exceeds the size provided by the screening criteria for a given land use type then additional modeling and quantification of criteria air pollutants should be performed (Butte County Air Quality Management District 2014).

Table 1.3-2. Screening Criteria for Criteria Air Pollutants

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

Discussion

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

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

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

Table 1.3-2 (Screening Criteria for Critical Pollutants) lists the established thresholds based on land use. The proposed project is not proposing any new development; however, future development could include up to three single-family residence and out-buildings. The development of up to three new single-family residences consistent with the FR-20 zone would not conflict with or obstruct the air quality plan. No impact would occur under this threshold.

- 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. Approval of the TPM would not impact air quality. Future development occurring as a result of the approval has the potential to impact air quality primarily in two ways: (1) the project would generate mobile source emissions (i.e., added vehicle trips, energy use) associated with future development and (2) construction activities associated with the development of Parcels 1-4 would generate fugitive dust (PM₁₀) from grading activities, construction exhaust emissions (PM₁₀, NO_x), and evaporative emissions of reactive organic gases (ROG or VOC) from paving activities and architectural coatings.

Mobile source emissions are produced from motor vehicles and include tailpipe and evaporative emissions. Energy use associated with future development would also generate emission from heating and cooling systems, lighting, applicant, water use and wastewater. No development is proposed with this project; however, future development of the parcels has the potential to generate direct and indirect emissions. As referenced, a future development application would be evaluated per the screening criteria shown in Table 1.3-3. Per the zoning designation, the allowable number of units would not exceed those specified in the screening table. A less than significant impact operational would occur under.

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

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

Less than significant impact with mitigation incorporated. Based on the information provided in section b.), above, approval of the TPM would not generate emissions. Subsequent development would not generate emissions that would exceed BCAQMD significance criterion. Implementation of **Mitigation Measure AIR-1** would be implemented to reduce potential cumulative fugitive dust emission impacts to less than significant.

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

Less than significant impact. Future permitted uses on the new parcels are not expected to create objectionable odors. Butte County DSD staff would review future development applications to ensure compliance with applicable BCAQMD emission control standards related to odor causing uses. If such a use were proposed, it would require project-specific environmental review to identify appropriate conditions that would avoid odor impacts to neighboring residences. Thus, significant odor impacts would be avoided. Future construction activities could include objectionable odors from tailpipe diesel emissions and from solvents in adhesives, paints, caulking materials, and new asphalt. Since odor impacts would be temporary and limited to the area

adjacent to the construction operations, odors would not impact a substantial number of people for an extended period of time. A less than significant impact would occur under this threshold.

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.

Fugitive Dust

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

- Reduce the amount of the disturbed area where possible.
- Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- All dirt stockpile areas should be sprayed daily as needed, covered, or a District approved alternative method will be used.
- Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- Exposed ground areas that will be reworked at dates greater than one month after initial grading should be sown with a fast-germinating non-invasive grass seed and watered until vegetation is established.
- All disturbed soil areas not subject to re-vegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the Butte County Air Quality Management District.
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.

- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with local regulations.
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- Post a sign in prominent location visible to the public with the telephone numbers of the contractor and the Butte County Air Quality Management District - (530) 332-9400 for any questions or concerns about dust from the project.

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

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

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

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

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

1.4 BIOLOGICAL RESOURCES

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

Environmental Setting

The project site is situated in foothills north of the Town of Paradise. The Butte County General Plan 2030 Draft EIR Figure 4.4-1 shows the dominant vegetation type is conifer forest; however, the specific type of forest is unknown. The property gently slopes towards an existing seasonal stream that runs north/south in the western one-third of the site. The elevation ranges from 2,700 to 2,600 feet above sea level. Season streams are predominately dry throughout the majority of the late-spring through early winter time period and do not support fish species.

Jurisdictional Waters of the United States, including Wetlands

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

As stated, one seasonal stream is located on-site; however, no wetland determination has been performed on the project site.

Special-Status Species

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

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

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

The California Natural Diversity Database (CNDDB) was reviewed to determine if any special-status species have the potential to occur on the project site or in the vicinity. Table 4.4-1 lists the regulatory status and habitat requirements for each special-status species identified within a two-mile radius of the project site.

Table 4.4-1. Special-Status Species in the vicinity of the project site

Scientific Name	Common Name	Federal Status	State Status	CNPS/DFG	
				List	Habitat
PLANTS					
Fritillaria eastwoodiae	Butte County fritillary	None	None	3.2	Dry open woodlands and chaparral

<i>Packera eurycephala</i> var. <i>lewisrosei</i>	Lewis Rose's ragwort	None	None	1B.2	Chaparral understory and slopes
<i>Clarkia mildrediae</i> ssp. <i>mildrediae</i>	Mildred's clarkia	None	None	1B.3	Yellow pine forests.
<i>Eriogonum umbellatum</i> var. <i>ahartii</i>	Ahart's buckwheat	None	None	1B.2	Chaparral understory and slopes
<i>Cardamine pachystigma</i> var. <i>dissectifolia</i>	Dissected-leaved toothwort	None	None	1B.2	Chaparral and lower montane coniferous forests, usually serpentinite and rocky
<i>Clarkia gracilis</i> ssp. <i>albicaulis</i>	White-stemmed clarkia	None	None	1B.2	Dry, open or shaded slopes below 5000 ft.
<i>Allium jepsonii</i>	Jepson's onion	None	None	1B.2	Open, or volcanic slopes, flats
<i>Carex xerophila</i>	Chaparral sedge	None	None	1B.2	Serpentine soils on the west slope of the northern Sierra Nevada in California.
<i>Frangula purshiana</i> ssp. <i>ultramafica</i>	Caribou coffeeberry	None	None	1B.2	Habitat present in chaparral and coniferous forests
BIRDS					
<i>Haliaeetus leucocephalus</i>	bald eagle	Delisted	Endangered		Breeding habitats are mainly in mountain and foothill forests and woodlands near reservoirs, lakes, and rivers.
AMPHIBIANS					
<i>Rana boylei</i>	foothill yellow-legged frog	None	Endangered		Streams, ponds, lakes, and permanent and ephemeral wetlands

Source: California Natural Diversity Database, Version 5, February 2021

Endangered, Threatened and Special Status Wildlife

Bald Eagles. Bald Eagles typically nest in forested areas adjacent to large bodies of water, staying away from heavily developed areas when possible. For perching, Bald Eagles prefer tall, mature coniferous or deciduous trees that afford a wide view of the surroundings. In winter, Bald Eagles can also be seen in dry, open uplands if there is access to open water for fishing.

Foothill Yellow-Legged Frog. The Foothill yellow-legged frog inhabits streams and rivers in woodland, chaparral, and forest. It is found near water, especially near riffles where there are rocks, rocky substrate, and sunny banks. When frightened, these frogs will dive to the bottom and takes refuge among stones or vegetation.

The project site is zoned FR-20. The parcel to the west is zoned TPZ with RR-5 zoned land to the east. As stated, no development is proposed as part of the TPM project; however, future development of up to three single-family residences is evaluated herein.

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

Less than Significant with Mitigation. The project site contains habitats that have the potential to support plant and invertebrates, considered as candidate, sensitive or special status species by the California Department of Fish and Wildlife and United States Fish and Wildlife Service. The CDF&W CNDDDB lists the potential for occurrence of several special status plant and wildlife species within the study area (see Table 4.4-1). The site does contain habitat that could support avian species protected under the Migratory Bird Treaty Act. Implementation of **Mitigation Measure BIO-1** will reduce potential impacts to nesting birds to less than significant.

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

Less than Significant Impact. A seasonal stream is located on-site that runs north/south on the western one-third of the property. Butte County Code section 24-76 et al. includes performance standards to protect riparian vegetation and wildlife habitat along the corridors of riparian streams. Under section 24-77, riparian corridors areas extend fifty (50) feet in width landward from both sides of the stream's top bank. Only certain activities and uses are allowed within the designed riparian corridor, identified under Butte County Code section 24-78. Any intensive activities and uses proposed in the designed corridor, which may cause significant impacts, are subject to further discretionary review and approval in coordination with applicable State and federal agencies. Conditions will be included with project approval that will require delineation of the designated riparian corridor boundaries on the recorded parcel map and future development plans. Implementation of the conditions and adherence to Butte County Code riparian performance standards would avoid or reduce potential impacts associated with future single-family residential development on the project site.

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

No impact. The existing seasonal stream corridor may qualify as a non-wetland jurisdictional feature as defined by Section 404 of the Clean Water Act. It is unlikely that the County would allow development proximal to the stream corridor. Provide no development proximal to the season stream is proposed, no impact to jurisdictional drainages or federally protected wetlands would occur.

- 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. The project site is on the southwest boundary of a designated winter deer herd range overlay as shown in Figure 4.4-4 of the Butte County General Plan 2030 Draft EIR. Migratory deer herds migrate from higher elevations in Plumas and Lassen Counties to lower elevation winter range areas in Butte County. As shown in Figure 4.4-4, there are some portions of this winter range in Butte County that are considered to be critical winter range areas, which include habitat that is critical to the survival of the migratory deer herds during severe winter conditions. The project site is located within a non-critical area that provides habitat suitable for winter conditions, but not critical during severe winter conditions.

The Winter Deer Herd Migration Area Overlay requires a 20-acre minimum lot size. These requirements are consistent with management plans created by California Department of Fish and Wildlife (CDF&W) for the deer

herds in the county. The project would create three new lots, two of which would be 25 acres and the third would be 25.02 acres. Because the lot sizes would meet the minimum area required in the CDF&W management plans, impacts under this threshold would be less than significant.

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

Less than Significant Impact. No new development is proposed on the project site; however, new residences could be constructed on the resultant parcels in the future. Future residential development on the site is subject to a less than 3-acre timber conversion permit through the California Department of Forestry and Fire Protection, which requires adherence to applicable provisions of the Forest Practice Act and regulations at the time of site development. Adherence to the permit's requirements/conditions would reduce potential impacts to a less than significant level. The project would not conflict with any local policies or ordinances protecting conifer forest lands.

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

No impact. The Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) for the western half of the Butte County. The project site is located west of the proposed BRCP area. No impact would occur under this threshold.

Mitigation Measures

Mitigation Measure BIO-1

A site survey by a qualified biologist for occupied nests shall be conducted prior to any planned development in the study area. The survey shall identify all bird nests protected by the Migratory Bird Treaty Act on the study area. These nests shall be avoided until young have fledged in accordance with the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755) as amended. If nests are located during these pre-construction surveys, then construction activity shall not commence until young have fledged, as determined by a qualified biologist. If any nest sites are found, fine netting or canvas shall be attached to the nesting substrate to cover the nest area and to prevent nesting attempts during the study construction phase.

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

Timing: Requirements of the condition shall be met if construction activities are proposed to occur during nesting season specified by the CDFW.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. A survey report of findings shall be provided to Butte County Development Services Department prior to issuance of a grading or building permit.

1.5 CULTURAL RESOURCES

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

No impact. 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. No historic structures are located on the site. Thus, there is no potential to uncover historic or resources. Potential impacts to prehistoric cultural resources located below the surface is discussed below. No impact would occur under this threshold.

- 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. While no prehistoric or historic resources are known to be located on the project site, prehistoric, protohistoric, and historic cultural resources may occur within the general area. Native Americans used the region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, and seasonal game. Historically, Euro-Americans also utilized the region for mining farming, and cattle ranching. With past use of the project area by prehistoric and historic populations,

unanticipated archaeological discoveries may be encountered during ground-disturbing activities, resulting in potentially significant impacts. To avoid potential impacts to undiscovered prehistoric resources, historic resources, and human remains that may be uncovered during development activities on the project site, implementation of **Mitigation Measure CUL-1**, below, is recommended to reduce potential impacts to cultural resources to less than significant.

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; or human skeletal remains) work within 50 feet of the find shall immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. If human skeletal remains are encountered, State law requires immediate notification of the County Coroner (530.538.7404). If the County Coroner determines that the remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains. The provisions of this mitigation shall be followed during construction of all improvements, including land clearing, road construction, utility installation, and building site development.

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

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

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

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

No impact. Indications are that humans have occupied Butte County for over 10,000 years and it is not always possible to predict where human remains may occur outside of formal burials. Therefore, excavation and construction activities, regardless of depth, may yield human remains that may not be interred in marked, formal burials.

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

The Butte County Conservation Element has established two policies that address the inadvertent discovery of human remains. COS-P16.3 requires human remains discovered during construction to be treated with dignity and respect and to fully comply with the federal Native American Graves Protection and Repatriation Act and other appropriate laws. COS-P16.4 requires work to stop if human remains are found during construction until the County Coroner has been contacted, and, if the human remains are determined to be of Native American origin, the North American Heritage Commission and most likely descendant have been consulted. This policy would be followed should remains be discovered on-site during ground disturbing activities associated with construction of a single-family residence should it occur.

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 project would divide the property into three parcels. No action is proposed on the parcels; however, as noted, future development of up to three single-family residences and outbuildings may occur on this site. Development of the proposed project would consume energy primarily in two ways: (1) construction activities would consume energy through the operation of heavy off-road equipment, trucks, and worker traffic, and (2) use of the residence would cause long-term energy consumption from electricity and propane gas consumption, energy used for water conveyance, and vehicle operations to and from the project site.

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

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

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

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

1.7 Geology and Soils

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils.				
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

☐☐☐☒

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.)

No 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. A segment of the Big Bend Fault terminates proximal to the Town of Paradise eastern boundary approximately 10 miles southeast of the project site. This fault is potentially active as stated in Figure 4.6-1 of the 2030 General Plan EIR. 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 low. No impact would occur under this threshold.

- ii) Strong seismic ground shaking?

No impact. Like most of north central California, the site will likely be subjected to strong seismic ground shaking. All buildings and other improvements are designed and constructed in accordance with seismic standards in the Uniform Building Code. No impacts would occur under this threshold.

- iii) Seismic-related ground failure, including liquefaction?

No 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. Future development would be evaluated for liquefaction potential and if needed, design measures would be implemented to address this issue. No impact would occur under this threshold.

- iv) Landslides?

No impact. The project site gently slopes towards a seasonal stream located in the western one-third of the site. The Subsidence and Landslide Potential Map of the Health and Safety Element of the Butte County General Plan (Figure HS-6 of the General Plan) indicates that there is a low to moderate potential for landslides in this area. No impact would occur under this threshold.

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

Less than Significant impact. Construction activities associated with the project would be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program

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

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

No impact. The project is not located on an unstable geologic unit or soil and will not cause instability that would result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. No impact would occur under this threshold.

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

Less than Significant impact. Figure HS-8 of the General Plan Health and Safety Element indicates that the project site has a moderate to high expansive soil potential. The Butte County Building Division may require soil tests prior to issuance of a building permit to determine if the soils on the site have an expansive potential. No direct impacts associated with expansive soil would occur.

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

Less than Significant impact. If single-family residences are constructed on one or more parcels, wastewater would be generated from use of the residence(s). The Butte County Department of Environmental Health (April 6, 2021) has determined, based on the soil profiles, that on-site soils have adequate depth and quality to support a septic system.

The wastewater system must be constructed in conformance with Butte County Code, Chapter 19, as well as the Butte County Onsite Wastewater Manual. An On-Site Wastewater System Construction Permit must be approved by the Butte County Environmental Health Division, under a ministerial permit application. Application for a Construction Permit will include detailed plans of the proposed wastewater system, prepared by a Certified Installer or Certified Designer, which will demonstrate compliance with County regulations and the County's On-Site Wastewater Manual, and to ensure a safe, sanitary, and environmentally sound wastewater system. Compliance with Environmental Health Division conditions would reduce potential impacts to less than significant.

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

No impact. No paleontological resources are known to occur on the project site and no deep excavation would be required to implement the project action if constructed. No impact would occur under this threshold.

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

Less than significant impact. The project would generate greenhouse gas (GHG) emissions during the construction and operation of residences, when developed. Construction-related emissions during development may be generated from construction equipment exhaust, construction employee vehicle trips to and from the worksite, application of architectural coatings, and asphalt paving. The project's construction GHG emissions would occur over a short duration and consist primarily of equipment exhaust emissions. The long-term regional emissions associated with the project would mainly arise from the creation of new vehicular trips and indirect sources emissions, such as electricity consumption, water use, and solid waste disposal.

The Butte County Climate Action Plan (CAP) was adopted in February 2014 and updated in December 2021. The Butte County CAP includes strategies and associated actions related to public education and outreach efforts regarding reducing GHG emissions, administrative actions to monitor progress, and encouraging participation in programs. The strategies either apply to existing buildings that have already completed the environmental analysis, address operational characteristics of the county, or encourage options for actions that would reduce GHG emissions.

The proposed project's construction activities and operations are consistent with the Butte County General Plan. GHG emissions associated with the build-out of the project site have been analyzed and mitigated with the adoption of the Butte County CAP and the continued implementation of its strategies. Electricity consumed during construction and operations is provided primarily by the area service provider regulated by state renewable energy plans. Vehicles used during construction, and generated by the project's operations, would conform to state regulations and plans regarding fuel efficiency. Therefore, the project would not generate GHG emissions, either directly or indirectly, significantly impacting the environment. Impacts are less than significant.

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

Less than significant impact. The project's consistency with the Butte County General Plan would ensure compliance with the GHG emission reduction strategies in the Butte County CAP, which in turn, support County-wide efforts to meet statewide GHG emission reduction goals. Therefore, impacts are less than significant.

1.9 HAZARDS AND HAZARDOUS MATERIALS

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

Discussion

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

Less than significant impact. The single-family residences may store potentially hazardous materials, including paints, cleaning materials, vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. It is more likely that only small quantities of publicly-available hazardous materials (e.g., paint, maintenance supplies) may be routinely used within the

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

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

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

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

No impact. No existing or proposed elementary schools have been identified within one-quarter mile of the project site. The nearest school is Cedarwood Elementary School, which is located approximately 1.2 miles southeast of the project site. No impact would occur under this threshold.

- 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 (i.e., Geotracker website-<https://geotracker.waterboards.ca.gov/>), which includes lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify any sites at or adjacent to the project site that have used, stored, disposed of, or released hazardous materials. No impact would occur under this threshold.

- 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 approximately 10 miles north of Paradise Airport. Per the Butte County Airport Land Use Compatibility Plan, the project site is located outside the Paradise Airport Influence Area. Thus, while aircraft overflights may be audible, future development of up to three residences would not result in a safety hazard or excessive noise exposure for people residing on the subject property. No impact would occur under this threshold.

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

No impact. The proposed project would design, construct, and maintain driveways in accordance with applicable standards associated with vehicular access allowing for adequate emergency access and evacuation. Development of the three parcels per the FR-20 zoning designation, would not include any actions that physically interfere with emergency response or emergency evacuation plans. Development would add trips to Coutolenc Road; however, not to the extent that operation of roadways and intersections would be adversely affected. If future construction activities require work to be performed in the roadway, appropriate traffic

control plans would be prepared in conjunction with a Butte County Encroachment Permit. No impact would occur under this threshold.

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

Less than significant impact. The project is located in a very high fire hazard severity zone as shown in Figure HS-9 in the Butte County General Plan Health and Safety Element and designated by the California Department of Forestry and Fire Protection. The project site is within a State Responsibility Area (SRA), which means that the State has fiscal responsibility for preventing and suppressing fires. The nearest staffed fire station is the Butte County Fire Station #12, located at 17084 Skyway, in Stirling City, California, approximately 2.4 miles northeast of the site.

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

1.10 HYDROLOGY AND WATER QUALITY

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

Environmental Setting

Flooding

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

determined to be outside of the 0.2 percent annual chance floodplain. The A zone is defined by FEMA as areas subject to inundation by the 1-percent-annual-chance flood event.

Discussion

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

Less than significant impact. Butte County General Plan 2030 identifies the soil conditions in the general project as having a moderate and high potential for erosion. Site development and future build-out of Parcels 1 through 3 would require grading, excavation and general site preparation activities, which would disturb soils; thus, increasing the potential for soil erosion during precipitation or high wind events. Erosion of on-site soils may temporarily impact surface water quality and water quality within nearby waterways. Downstream impacts from erosion may include increased turbidity and suspended sediment concentrations in waterways. Eroded soils can also contain nitrogen, phosphorous and other nutrients, that when deposited in water bodies, may trigger algal blooms that reduce water clarity, deplete oxygen, and create odors.

As referenced in Section 1.7(b), future construction activities associated with development of Parcels 1 through 3 would be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program if one acre or more is disturbed. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. This program requires implementation of erosion control measures during and immediately after construction that are designed to avoid significant erosion during the construction period. In addition, the project operation would be subject to State Water Resources Control Board requirements for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) to control pollution in stormwater runoff from the project site, including excessive erosion and sedimentation. The SWPPP, if required, must be obtained prior to any soil disturbance activities. Implementation of standard erosion control BMPs during future construction-related activities, together with adherence to State requirements regarding grading activities, would ensure that potential erosion impacts are less than significant. A less than significant impact would occur under this threshold.

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

Less than significant impact. The project site is located within the Butte County Groundwater Management Plan area and the East Butte Subbasin. The site is not located proximal to a recharge area as shown in Figure 27 of the Butte County Groundwater Management Plan. The project site is not located within a water service district; thus, water would be obtained from private wells installed on the project site. According to the Butte County Groundwater Management Plan (2005), groundwater supplies approximately 31% of potable water demand county-wide. Water demand for the unincorporated areas of the county was projected to grow from 8,322.3 million gallons in 2000 to 9,736.4 million gallons in 2030, an increase of 17 percent. Development of permanent structures would have a net increase in impervious surfaces relative to existing conditions. However, stormwater runoff would be directed to pervious areas during precipitation events. The additional impervious area associated with a single-family residence would be negligible and would not cause a measurable reduction in surface infiltration or a decrease in deep percolation to the underlying aquifers. Impacts to groundwater supplies and recharge would be less than significant.

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

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

Less than significant impact. Future development on the site would likely occur on eastern portion of each parcel. A seasonal stream corridor runs north/south bisecting the western one-third of the site. During construction, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site by construction personnel. The type and number of measures implemented would be based upon location-specific attributes (i.e., slope, soil type, weather conditions). These control and protection measures, or BMPs, are standard in the construction industry and are commonly used to minimize soil erosion and water quality degradation. Application of BMPs administered through the construction process would minimize the potential increase of surface runoff from erosion. See response to 1.10 (a) above. The project would not alter the course of a stream or river. Impacts would be less than significant.

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

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

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

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

General Plan 2030 Water Resource Element contains policies that address stormwater runoff capacity. Policy W-P1.4 encourages Low Impact Development, which minimizes impervious areas, minimizes runoff and pollution and incorporates best management practices. Policy W-P5.3 allows and encourages pervious pavements. Policy W-P5.5 requires that stormwater collection systems be installed concurrently with construction of new roadways to maximize efficiency and minimize disturbance due to construction activity. Policy HS-P3.2 requires that applicants for new development provide plans detailing existing drainage conditions and specifying how runoff will be detained or retained on-site and/or conveyed to the nearest drainage facility, without increasing the peak flow runoff to said channel or facility. Policy HS-P3.3 requires that all development include stormwater control measures and site design features that prevent any increase in the peak flow runoff to existing drainage facilities.

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

iv) Impede or redirect flood flows?

Less than Significant Impact. The floodplain mapping of the project area identifies the project site in FEMA Map 06007C0400E (January 6, 2011). Specific flood zones are not defined for this area. However, as stated, a seasonal stream corridor flows north/south bisecting the western one-third of the site. Development of future residences is unlikely to occur in this area; however, the location of the single-family residences would be evaluated relative to seasonal stream with specific design features required to avoid potential impacts associated with flooding and potential redirection of flood flows. A less than significant impact would occur under this threshold.

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

No impact. As stated, the floodplain mapping of the project area identifies the project site in FEMA Map 06007C0400E (January 6, 2011). Specific flood zones are not defined for this area. A seasonal stream corridor flows north/south through the western one-third of the site. The portion of the site likely to be developed is not located within a designated floodway. All on-site drainage would be managed to ensure pre-construction flows off-site are maintained. The project would not expose people or structures to flood hazard from severe storm events. The project site is not located in an area that would be impacted by a seiche, tsunami, or mudflows. No impact would occur under this threshold.

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

No impact. The project site is located within the Butte County Groundwater Management Plan area and the East Butte Subbasin. The site is not located proximal to a recharge area as shown in Figure 27 of the Butte County Groundwater Management Plan. Review of soil suitability and water adequacy would be required by Butte County Environmental Health as part of a formal application package for construction of new residences. Approval of the TPM would not conflict with the Butte County Groundwater Management Plan. As stated, the project would be required to comply with Butte County 2030 General Plan policies that pertain to water quality. The project would not obstruct implementation of a groundwater management plan or water quality control plan. No impact would occur under this threshold.

1.11 LAND USE AND PLANNING

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

Setting

Butte County General Plan

The General Plan represents the basic community values, ideals and aspirations with respect to land use, development, transportation, public services, and conservation policy that will govern Butte County through 2030. The land use element of the general plan designates the land use of areas within the County, and includes a description of the characteristics and intensity of each land use category. The land use designation for the project site is Foothill Residential and zoned Foothill Residential 20-acre. It is located north of the Town of Paradise in unincorporated Butte County.

Butte County Zoning Ordinance

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

Foothill Residential (FR)

The purpose of the FR zone is to allow for the appropriate development of large-lot single-family homes, small farmsteads and related uses in the foothill areas of the county. Standards for the FR zone are intended to ensure that the development of homes respond sensitively to the foothill setting. Permitted residential uses in the FR zones include a single-family home, small residential care home, and an accessory dwelling unit. The FR zone also conditionally permits non-residential uses compatible with a low-density rural setting, including public and quasi-public uses, mining, animal services, hunting and fishing clubs, nurseries, and commercial stables. Animal grazing, crop cultivation, private stables, on-site agricultural product sales, and other similar agricultural activities are permitted uses in the FR zone. The minimum permitted parcel size in the FR zone ranges from one (1) acre to forty (40) acres. The FR zone implements the Foothill Residential land use designation in the General Plan.

a) Physically divide an established community?

No impact. Existing land uses adjacent to the subject parcel have been developed consistent with RR-5 and FR-20 zoning. The property to the west is zoned for timber production and is vacant. The project area primarily consists of rural residential on parcel sizes that range in size from 5 to 69 acres. Development of a single-family residence on each lot is allowed in the FR-20 zone. No existing community would be impacted.

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

No impact. As stated, single-family residences and outbuildings may be constructed by right on the three parcels. The project will not conflict with a land use plan or policy related to avoiding or mitigating environmental effects.

The project is located within a Watershed Protection Overlay Zone for the Paradise Reservoir, Magalia Reservoir, and Firhaven Creek Watersheds. The Watershed Protection Overlay Zone is intended to maintain and improve water quality by establishing additional development standards within sensitive watershed areas. As part of the development review process for the construction of any new residence, Butte County Development Services would review the project design for consistency with applicable development standards for projects within the Watershed Protection Overlay Zone. The project would be required to comply with applicable land use policies and development standards, thus, no impact would occur this threshold.

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 known mining operations have occurred on the project site or surrounding area and the project would not preclude future extraction of available mineral resources. Mineral resource extraction is not proposed with this project. However, future development on the resultant parcels would use mineral resources in the construction of structures and access roads. The amount of resources used for the anticipated development on the resultant parcels is minor and would not result in the loss of its availability. No impact would occur under this threshold.

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

No impact. The project site is not within or near any designated locally important mineral resource recovery site. No impact would occur under this threshold.

1.13 NOISE

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

Environmental Setting

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

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

LAND USE	Exterior Noise Level Standard for Outdoor Activity Areas ^a		Interior Noise Level Standard	
	L _{dn} /CNEL, dB	Leq, dBA ^b	L _{dn} /CNEL, dB	Leq, 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. No significant existing noise generating sources have been identified in the project area. The proposed action would not generate noise. Future development of up to three single-family residences would generate temporary noise during construction. Operational noise would be similar to what occurs on existing rural residential properties in the area. Future construction activities and residential uses would be evaluated for consistency with Butte County Code Chapter 41A-7 which addresses noise control. Impacts under this threshold would be less than significant.

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

No impact. If construction of new single-family residences occurs, it is anticipated construction activities may generate short-term vibration; however, this would be temporary and unlikely to affect adjacent residences given the size of the parcels and proximity to neighboring uses. No impact would occur under this threshold.

- 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 located approximately 10 miles north of Paradise Airport. Per the Butte County Airport Land Use Compatibility Plan, the project site is located outside the Paradise Airport Influence Area. Thus, while aircraft overflights may be audible, future development of up to three residences would not result in excessive noise exposure for people residing on the subject property. No impact would occur under this threshold.

1.14 POPULATION AND HOUSING

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

Discussion

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

No impact. The proposed action may result in the construction of up to three new single-family residences. The project is allowed by right, and thus, would not induce population growth within the area. No impact would occur under this threshold.

- 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. No impact would occur under this threshold.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

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

Fire protection?

No impact. Fire protection services are provided by CalFire/Butte County Fire Department. Approval of the proposed land use action will not require additional fire protection services. Development of up to three new single-family residences would require the payment of fire protection impact fees to help offset the impacts of that development. Such fees would be used to fund capital costs associated with acquiring land for new fire stations, constructing new fire stations, purchasing fire equipment, and providing for additional staff as needed. Fire protection impact fees would be paid at the time of building permit issuance. No impact would occur under this threshold.

Police protection?

No impact. The Butte County Sheriff's Office provides law enforcement service to the site. The proposed action is unlikely to increase service calls. However, increased development in the County impacts the ability of the Sheriff's Department to adequately provide services to outlying areas. If three single-family residences were constructed, it is expected that the action would not require any new law enforcement facilities or the alteration of existing facilities to maintain acceptable performance objectives. Future development would be partially offset through project-related impact fees. No impact would occur under this threshold.

Schools?

Less than significant impact. The project site is located within the Paradise Unified School District. The proposed action may result in the construction of up to three single-family residences which may house school-aged students. The addition of three families would not significantly impact demand for school services within the Paradise Unified School District. A less than significant impact would occur under this threshold.

Parks?

No Impact. Increase in the demand for recreational facilities is typically associated with increases in population. As discussed in Section 1.14 - *Population and Housing*, the addition of three single-family residences is not expected to generate growth in the local population to the extent that impacts to existing parks or recreational facilities would occur. No impact would occur under this threshold.

Other public facilities?

No impact. No other public facilities would be impacted by the proposed project. No impact would occur under this threshold.

1.16 RECREATION

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

Discussion

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

No impact. No increase in demand for recreational facilities would occur with approval of the proposed action. As discussed in Section 1.14 - *Population and Housing*, the proposed project may result in the construction of up to three single-family residences. Thus, the project would not increase use of existing parks and recreational facilities in the surrounding area. No impact would occur under this threshold.

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

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

1.17 TRANSPORTATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation.				
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) **Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?**
- No impact.** The proposed action would not generate trips or otherwise impact the circulation system. If three single-family residences were constructed, residents would generate approximately 10 trips daily per residence according to ITE Trip Generation Manual, 10th Edition. No existing transit, bicycle or pedestrian facilities are located on, or in the vicinity of, the project site. The addition of 30 daily trips will not adversely impact the circulation system in the project area. No impact would occur under this threshold.
- b) **Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?**
- Less than Significant impact.** The project does not propose any additional development; however, up to three new single-family residences may be constructed on the proposed lots. The increase in vehicles miles traveled would be negligible; and thus, would be consistent with CEQA Guidelines Section 15064.3, subdivision (b). A less than significant impact would occur under this threshold.
- 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 proposed project would not change the configuration (alignment) of area roadways and would not introduce types of vehicles that are not already traveling on area roads. No impact would occur under this threshold.
- d) **Result in inadequate emergency access?**
- Less than significant impact.** The project site is located in a State Responsibility Area (SRA). SRAs are regulated by Public Resources Code 4290 and 4291 (California Fire Safe Regulations), which establish standards for access roads and signage. These standards will be included as conditions of approval and implemented at the time resultant parcels are developed. Implementation of these standards, as well as oversight by Butte County

Fire/Cal Fire, would ensure that resultant parcels have adequate emergency access. A less than significant impact would occur under this threshold.

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

Environmental Setting

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

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

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

An AB 52 Notification Request prepared consistent with Public Resources Code Section 21080.3(b), was mailed on January 4, 2022, to the Mechoopda Tribe requesting consultation. No responses were received.

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)?

No impact. As stated, per Assembly Bill AB 52 (Statutes of 2014) Notification Request, Public Resources Code Section 21080.3(b), the County received no letters for notification were received. Thus, the AB 52 process was considered complete. No impact would occur under this threshold.

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

No impact. See discussion 4.17(a) – *Tribal Cultural Resources*. No impact would occur under this threshold.

1.19 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems.				
Would the project:				
a) Require or result in the relocation or construction of 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

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

No impact. If new single-family residences were constructed on the project site, new well and septic systems would also be constructed to provide potable water and wastewater treatment. The construction of these systems would occur as part of the overall project development process and is not expected to cause significant environmental effects.

No existing on-site storm water drainage facilities are located on the project site. All precipitation percolates into the ground. Future development, if any, would require the installation of a stormwater management system.

The project site is currently served by electric power (PG&E) and wireless phone service. The project would not result in the relocation or construction of new or expanded infrastructure including water services, wastewater

treatment, stormwater drainage, natural gas, or telecommunication facilities. No impact would occur under this threshold.

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

No impact. Domestic water services would be provided by wells constructed on each lot as part of the development process. Water required to support three new single-family residences would not adversely affect supplies. No impact would occur under this threshold.

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

No impact. Wastewater disposal for the proposed project site would be provided by on-site septic systems installed on each lot as development is proposed. The wastewater system would conform to Butte County Code, Chapter 19, as well as the Butte County Onsite Wastewater Manual. An On-Site Wastewater System Construction Permit must be approved by the Butte County Environmental Health Division, under a ministerial permit application. Therefore, the project would not have an impact on any wastewater treatment facilities because a septic system would be utilized. No impact would occur under this threshold.

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

Less than significant impact. Construction and operation of three single-family residences would result in a minor increase of solid waste that would require disposal at the Neal Road Recycling and Waste Facility. The Neal Road Facility has a maximum permitted throughput of 1,500 tons per day, and an estimated current daily average throughput of 466 tons per day. Therefore, the facility would have adequate capacity to accommodate solid waste generated by the project.

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

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

1.20 WILDFIRE

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

Environmental Setting

The project site is located within a very high fire hazard severity zone as designated 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. If the three parcels were developed, it is unlikely the improvements would require lane closures on Coutolenc Road as stated; however, some use restrictions may be needed to accommodate construction of the driveways. If so, a Traffic Control Plan approved by Butte County Department of Public Works would be implemented to ensure access for residents and emergency vehicles is maintained. Temporary restrictions would not affect emergency access or interfere with an emergency evacuation plan. No impact would occur under this threshold.

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

No impact. The project site is located in a rural area and dominated by conifer forest vegetation. It is relatively flat with a gentle slopes towards a seasonal stream corridor that bisects the western one-third of the site. The site is surrounded by low density residential development and conifer forest vegetation. The nearest staffed fire station is the Butte County Fire Station #12, located at 17084 Skyway, in Stirling City, California, approximately 2.4 miles northeast of the site. No conditions or factors have been identified in the project area that would exacerbate wildfire risk and related impacts. No impact would occur under this threshold.

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

No impact. No off-site infrastructure improvements are anticipated with future development of the three parcels. Future driveway constructions would be regulated by Public Resources Code 4290 and 4291, which establish standards for access, signage, maintenance of defensible space and vegetation management during and after construction. No increase in the risk of wildland fires would occur with the approval of the project. No impact would occur under this threshold.

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

No impact. The project site is gently sloped and surrounded by rural development and conifer forest vegetation. The site is not located in a floodplain; however, a seasonal stream corridor is located on the site (see discussion Section 1.10.d – Hydrology and Water Quality). The Subsidence and Landslide Potential Map of the Health and Safety Element of the Butte County General Plan (Figure HS-6 of the General Plan) indicates that there is a low to moderate potential for landslides in this area; however, based on the site topography, no impacts from post-fire instability or drainage changes have been identified. No impact would occur under this threshold.

1.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

Less than significant impact with mitigation incorporated. The project is a Tentative Parcel Map involving one (1) 75.02-acre parcel (APN 065-010-079). The existing parcel would be divided into three parcels. Parcels 1 and 3 would be 25 acres. Parcel 2 would be 25.02 acres. The site is currently vacant and would not be developed as part of the proposed action. If future development is proposed, the development would be served by individual driveways, septic systems and wells to be installed one each parcel at the time the development is approved and issued a permit. The parcels will be served by Coutolenc Road, a public road maintained by Butte County.

The proposed project's impacts to biological resources and cultural resources were analyzed in this Initial Study. Implementation of Mitigation Measures BIO-1, BIO-2 and CUL-1 would avoid potentially significant adverse impacts to these resources should single-family residences be constructed on the proposed lots. The proposed action would not adversely impact specific status species or cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species.

- 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 no impact, less than significant impact or less than significant with mitigation 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, impacts are primarily project-specific in nature and related to the future construction of up to three single-family residences.

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

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

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

Less than significant impact 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. Implementation of Mitigation Measures AES-1 and AIR-1 would reduce potential lighting, air emission and GHG emission impacts to less than significant.

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

Reference: Government Code Sections 65088.4.

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

Environmental Reference Materials

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3. Butte County. *Butte County 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
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11. CDM, *Butte County Groundwater Management Plan*, January 2005. <http://www.buttecounty.net/waterresourceconservation/groundwatermanagementplan>
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13. California Department of Conservation, California Important Farmland Finder, accessed February 2022. <https://maps.conservation.ca.gov/dlrp/ciff/>
14. State Water Resources Control Board, *Geotracker Database*. Accessed February 2022. <https://geotracker.waterboards.ca.gov/>
15. California Department of Water Resources, Northern Region Office. *Geology of the Northern Sacramento Valley, California*. September 2014.
16. California Department of Finance. *Population and Housing Estimates for Cities, Counties, and the State, 2020 and 2021*.
17. California Department of Forestry and Fire Protection, Fire Hazard Severity Zone viewer, accessed February 2022, <https://egis.fire.ca.gov/FHSZ/>
18. Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, February 2020

Mitigation Measures and Monitoring Requirements

Susan E. Baker Trust Tentative Parcel Map (TPM21-0004)

Mitigation Measure AES-1:

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

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

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

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. Building inspectors shall spot check and shall ensure compliance on-site. The Development Services Department shall investigate and respond to any complaints of excess glare or light originating from the project site.

Mitigation Measure AIR-1

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

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

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

Operational TAC Emissions

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

Mitigation Measures and Monitoring Requirements

Susan E. Baker Trust Tentative Parcel Map (TPM21-0004)

- 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

Mitigation Measures and Monitoring Requirements

Susan E. Baker Trust Tentative Parcel Map (TPM21-0004)

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

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

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

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

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

Mitigation Measure BIO-1

A site survey by a qualified biologist for occupied nests shall be conducted prior to any planned development in the study area. The survey shall identify all bird nests protected by the Migratory Bird Treaty Act on the study area. These nests shall be avoided until young have fledged in accordance with the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755) as amended. If nests are located during these pre-construction surveys, then construction activity shall not commence until young have fledged, as determined by a qualified biologist. If any nest sites are found, fine netting or canvas shall be attached to the nesting substrate to cover the nest area and to prevent nesting attempts during the study construction phase.

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

Timing: Requirements of the condition shall be met if construction activities are proposed to occur during nesting season specified by the CDFW.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. A survey report of findings shall be provided to Butte County Development Services Department prior to issuance of a grading or building permit.

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; or human skeletal remains) work within 50 feet of the find shall immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. If human skeletal remains are encountered, State law requires immediate notification of the County Coroner (530.538.7404). If the County Coroner determines that the remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains. The provisions of this

Mitigation Measures and Monitoring Requirements

Susan E. Baker Trust Tentative Parcel Map (TPM21-0004)

mitigation shall be followed during construction of all improvements, including land clearing, road construction, utility installation, and building site development.

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

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

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

Project Sponsor(s) Incorporation of Mitigation into Proposed Project

I/We have reviewed the Initial Study for the Susan E. Baker Trust Tentative Parcel Map (TPM21-0004) 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.

<u>Susan E. Baker Trust</u>	<u>9/8/2022</u> ¹³ SEB
Project Sponsor/Project Agent	Date ¹³ SEB
<u>Susan E. Baker</u>	<u>9/8/2022</u>
Project Sponsor/Project Agent	Date

Butte County Department of Development Services – Planning Division

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