Butte County

DEVELOPMENT SERVICES

DEVELOPMENT SERVICES DEPARTMENT

BUTTE COUNTY

INITIAL STUDY AND DRAFT NEGATIVE DECLARATION FOR GRADING PERMIT GRD17-0002 (Hanover Properties, LLC)

Governor's Office of Planning & Research
JUN 27 2019
STATE CLEARINGHOUSE

1.0 Project Information

Photo 1: Aerial view of grading site 7/9/2015 (Moore).

1.	**Project Title:**	Grading Permit GRD17-0002 (Hanover Properties)
2.	**Lead Agency:**	Butte County Planning Commission 7 County Center Drive Oroville, CA 95965 (530) 538-2953
3.	**Contact Person:**	Tristan Weems, Associate Planner (530) 552-3685 tweems@buttecounty.net
4.	**Project Applicant:**	Hanover Properties, LLC 8287 Sherwood Blvd Los Molinos, CA 96055
5.	**Property Owner:**	Hannover Properties LLC 8287 Sherwood Blvd Los Molinos, CA 96055
6.	**Project Location:**	The project site (APNs 061-540-052 and 061-540-060) is located off Velma Way and accessed via Oroville - Quincy Highway to Prichertt

Drive in Berry Creek, approximately 8.5 miles northeast of the City of Oroville city limits.

7. **General Plan Designation:** Timber Mountain

9. **Zoning:** TM (Timber Mountain, 160 acre minimum parcel size)

10. **Project Description:**

The applicant, Hanover Properties, LLC requests approval of a Grading Permit (GRD17-0002) pursuant to Butte County Code Chapter 13, Article I for an illegal grading operation in 2013 that disturbed approximately 2,080 cubic yards (CY) of dirt encompassing two grading sites and an access road (extension of Velma Way) totaling approximately 1.55 acres of a 57.87±-acre property (2 APNs). The grading allowed access and leveling of land for a future building pad, cultivation, gardens, or similar use. The grading permit follows Grading Complaint GC13-0013, for grading without a permit. Grading plans, to remedy the grading complaint, are located at http://dspermits.buttecounty.net/Search/project.aspx and then by entering project number GRD17-0002.

Actions to be authorized by the grading permit include:

1. The applicant requests a grading permit for two existing grading sites, designated north, and south totaling approximately 2,080 CY (cubic yards).

2. The north site has an existing disturbed area of 0.61 acres with an estimated cut of 910 CY and a max cut of approximately 7.7 feet and a max fill of approximately 6.7 feet.

3. The south site has a disturbed area of 0.94 acres with an estimated cut of 1170 CY, estimated fill of 1700 CY, a maximum cut of approximately 7.5 feet and a maximum fill of approximately 6.1 feet.

4. The project includes reconstruction of graded slopes in the two graded areas at a maximum slope of 2:1 (H:V); compacting and track walking slopes; and installation of jute matt and/or seeding; and installation of straw waddles as shown in the grading plans.

5. The project also includes decommissioning a section of Velma Way including: grading the roadway so that it is outsloped toward the downhill gradient of the hillside at a minimum 5% slope; ripping the top 24" of existing roadway surface to promote vegetation and tree growth; revegetating the decommissioned area per the vegetation plan; hydroseeding exposed areas with native grasses or application of straw mulch where slopes are greater than 15%; blocking the road such that vehicles cannot enter; and installing rolling dips as specified in the grading plan to prevent further erosion of downhill slopes.

6. Site-specific Erosion and Sediment Control measures are a part of the proposed grading plan, and Best Management Practices (BMPs) meeting the requirements of the State Department of Transportation (CalTrans) standard specifications (May 2006) are incorporated into the project description. The Grading Plan identifies BMP's of installation of straw wattles, compaction, and track walking of slopes, application of seed or hydroseed and water to stabilize slopes and unvegetated areas. The following BMPs are proposed to avoid water quality impacts off-site as the result of a storm event:

10. **Applicant Proposed Conservation Measures.** The following are applicant proposed conservation measures that are incorporated into the project description:

Best Management Practices (BMPs) Incorporated into the Grading Plan (from sheet 2 of 10 of grading plans):

1. If one or more acres of ground is to be disturbed, a permit must be obtained from the State Water Resources Control Board prior to construction.

2. All Erosion Control Measures shall conform to the Caltrans Standard Specifications May 2006 and the Erosion Control Plans shown on construction drawings.

3. Interim Erosion Control Measures may be needed and shall be installed during construction to assure adequate Erosion Control Facilities are in place at all times.

4. All slopes with disturbed soils greater than 10% that are free of vegetation shall have Earthguard applied or mulch spread and tacked down prior to a 50% chance of rain.

7. Dust Control Measures in the form of water applications to all exposed soil surfaces to prevent the transport of soil from exposed surfaces on construction sites in the form of airborne particulates. Watering of exposed soil surfaces shall occur at least twice daily, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving or excavation activities shall cease when winds exceed 15 MPH averaged over 1 hour.

8. To minimize the tracking of mud and dirt and to stabilize the point of ingress/egress by construction vehicles the contractor should place 4" to 6" angular rock with a minimum depth of 12" in conjunction with an underlay of filter fabric. Any soil material carried onto street surfaces by construction equipment shall be removed on a daily basis (broom clean -- do not use water to wash the street). If equipment traffic is minimal, stabilized entrance may not be needed. Any sediment tracked off property and onto paved roadways shall be swept clean immediately after each vehicle leaves the site.

7. Haul trucks shall be covered with tarpaulins or other effective covers at all times.

8. If the construction site is to remain inactive longer than 14 days then the site shall be stabilized by applying either "Earth Guard" or seed and water (until grass cover is grown). Other methods may be acceptable if approved by engineer.

9. Inspect sediment control devices before each storm to verify they are in proper order. Inspect BMP's after each storm, removing collected sediment and repairing deficiencies.

10. During long periods of rain and high intensity rainfall BMP's may become clogged. Extreme care should be taken to clean BMP's to reduce fugitive discharge and potential flooding.

11. Applicant may remove temporary BMP's (wattles and silt fencing) once stabilization has been established.

12. Hydroseed shall be applied to all disturbed areas that are not subject to heavy wear from construction equipment or other vehicles. Irrigation can be performed by hand watering or by piped sprinkler system. Seed and mulch shall be kept moist at all times until germination has occurred. Seed should be in conformance with the California State Seed Law and applied at the following (or acceptable) rate:

Seed – Melica Californica:	10 lbs/acre
Fiber – 100% Wood Fiber:	2,000 lbs/acre
Tack – Scilium based "M" binder	120 lbs/acre.

13. Placement of 2" clean rock may be used as an alternate stabilization BMP for areas where slopes are less than 10%.

Dust Suppression Plan Incorporated into the Grading Plan (from sheet 2 of 10 of grading plans):

1. Conduct daily cleanup. This practice shall include removal of mud and dust carried onto street surfaces by construction vehicles. During clearing grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.

2. Cover haul trucks with tarpaulins or other effective covers at all times, except when loading or unloading materials.

3. Water all exposed earth surfaces. This practice shall be conducted at a minimum in the late morning and at the end of the day. Further, the frequency of watering shall increase if required by the Butte County Air Pollution Control District.

4. All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 15 MPH averaged over 1 hour.

5. The area disturbed by demolition, clearing, grading, earth-moving, or excavation operations shall be minimized at all times.

6. Portions of the construction side to remain inactive longer than a period of 14 days shall be seeded and watered until grass cover is grown.

7. The applicant shall minimize construction-related exhaust emissions by maintaining construction equipment engines in good conditions and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for long periods.

8. All on-site vehicles should be limited to a speed of 15 MPH on unpaved roads.

9. Re-vegetate all exposed surfaces. This shall be completed as soon as possible to reduce dust emissions. The dust suppression plan shall be submitted to the County of Butte for review and approval prior to issuance of a Grading Permit.

10. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

11. Abide by the following additional measures during all construction activity:

    A. Use alternatives to open burning of vegetative material during all clearing and construction.

12. Other measures as determined appropriate by AQMD and Department of Public Works to reduce dust.

Erosion Control Maintenance Plan (from sheet 2 of 10 of grading plans):

1. If BMP's are damaged in a storm, repairs should be completed within 72 hours. Care should be exercised to minimize damage and protected areas while making repairs.
2. If BMP's have failed, or are ineffective, notify the Engineer/QSD to modify the BMP or specify an alternative. The modification or alternative should be installed within 72 hours of approval.
3. If seeds fail to germinate, or they germinate and die, the area must be re-seeded, fertilized, and mulched within the planting season. Not less than half the original application rate should be applied.
4. Straw wattles shall have a maximum functional longevity of 1 year and shall be replaced annually if required beyond 1 year.
5. Upon permanent stabilization, and approval of the Engineer/QSP, temporary BMP's may be removed if no longer needed.

Cultural Resources Measure (from sheet 1 of 10 of grading plans)

Grading Plan note #6 Sheet 1 of 10 prevents impacts to resources that may be uncovered during additional grading and construction activities:

> Should grading activities reveal the presence of prehistoric or historic cultural resources (i.e., artifact concentrations, including arrowheads, and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains) work within 50 feet of the find shall immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State Law requires immediate notification of the County Coroner. Should the County Coroner determine that the remains are in an archaeological context, the Native American Heritage Commission shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains.

11. Environmental Setting:

The 57.87+/- acre subject property (APNs 061-540-052, and -060) is located off Velma Way, Berry Creek west of Oroville Quincy Highway, approximately 8.5 miles northeast of the City of Oroville city limits.

Approximately 2,080 cubic yards of material have been moved through unauthorized grading on the two locations on the subject property (1.55 +/- acres of the 57.87+/- acre property).

The property ranges in elevation from approximately 1,680 to 2,123 feet and slopes generally from west to east, draining to Canyon Creek, located three miles from its confluence with Lake Oroville. APNs 061-540-052 and -060 are otherwise vacant.

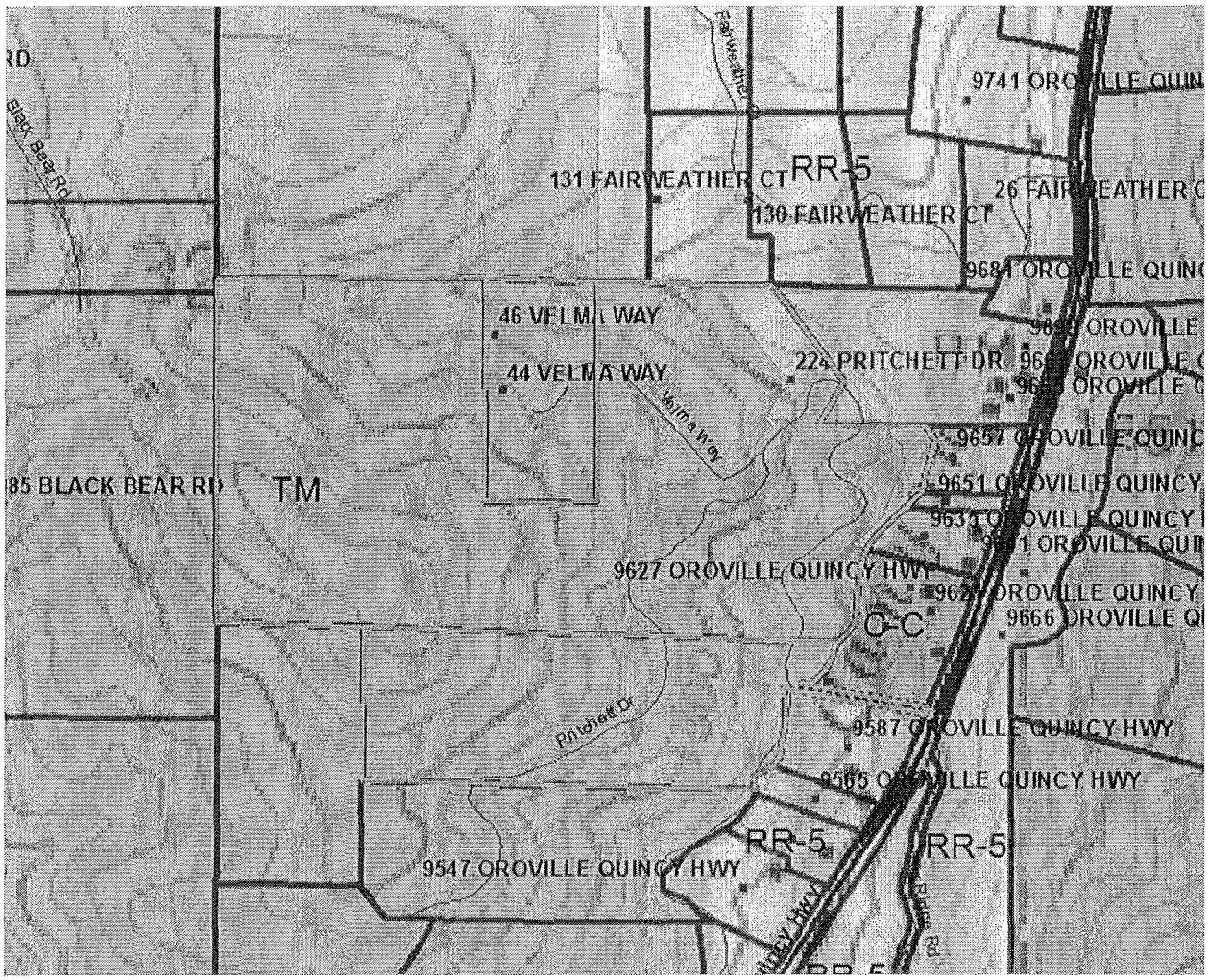


Figure 1. Topographic Map (figure shows pregrading topography)

The Butte County General Plan (Figure COS-2) defines landcover on the subject parcels as "Conifer Forest". This area is also identified as a 'Very High' Fire Hazard Area the parcel is also within a State Responsibility Area (SRA) for fire protection.

12. Surrounding Land Uses:

Surrounding properties range in size from 0.25 to forty acres in the RR-5 (Rural Residential 5 – acre minimum), TM (Timber Mountain) and Community Commercial (C-C) zoning designations with approximately 50% of the surrounding properties being unimproved and the other 50% containing residential dwellings. The project site's vegetation (coniferous vegetation, oak trees, and various shrubs typical in a Conifer Forest) is consistent with the surrounding parcels' vegetation.

Direction	General Plan Designation	Zoning	Existing Land Use(s)
North	Rural Residential, Timber Mountain	RR-5, TM	Residential/Coniferous Forest
South	Rural Residential, Timber Mountain	RR-5, TM	Residential/Coniferous Forest
East	Rural Residential, Community Commercial	RR-5, C-C	Commercial/Residential
West	Timber Mountain	TM	Coniferous Forest

13. Other public agencies whose approval is required:

The following agencies and/or Butte County Departments may be responsible for approvals or review of the project:

[ ] Environmental Health	[X] Public Works	[ ] Building Division
[ ] BCAG	[ ] ALUC	[ ] LAFCo
[ ] Air Quality Management	[ ] City of Chico	[ ] City of Biggs
[ ] City of Gridley	[ ] City of Oroville	[ ] Town of Paradise
[ ] CA Department of Forestry	[ ] CalTrans (Traffic)	[ ] Central Reg. Water Quality
[ ] Department of Conservation	[ ] Dept. of Fish and Wildlife	[ ] Highway Patrol
[ ] Army Corps of Engineers	[ ] National Marine Fisheries Service	[ ] US Fish & Wildlife Service
[ ] Butte County Fire Department/CalFire	[X] State Water Quality Control Board	

CEQA Guidance

A lead agency conducts an initial study to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines Section 15063, an EIR must be prepared if an initial study indicates that the proposed project under review may have a potentially significant impact on the environment. A Negative Declaration may be prepared instead, if the lead agency prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment, and therefore, why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a Negative Declaration shall be prepared for a project subject to CEQA when:

(a) The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or

(b) The initial study identifies potentially significant effects, but:

(1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

(2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

If revisions are adopted in the proposed project in accordance with the CEQA Guidelines Section 15070(b), a negative declaration is prepared.

Figure 2. Aerial Photo (Grading activities visible)

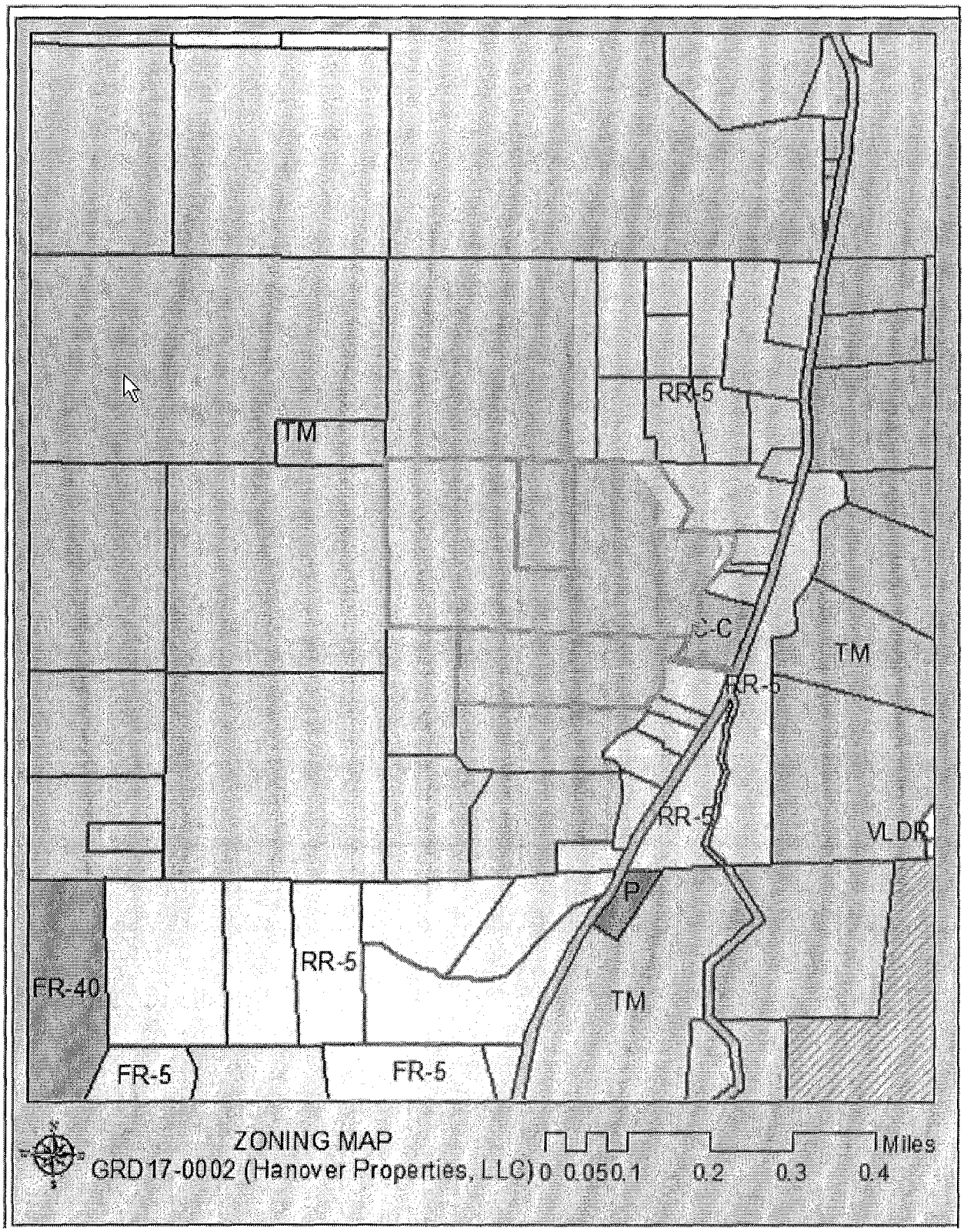


Figure 3. Zoning Map

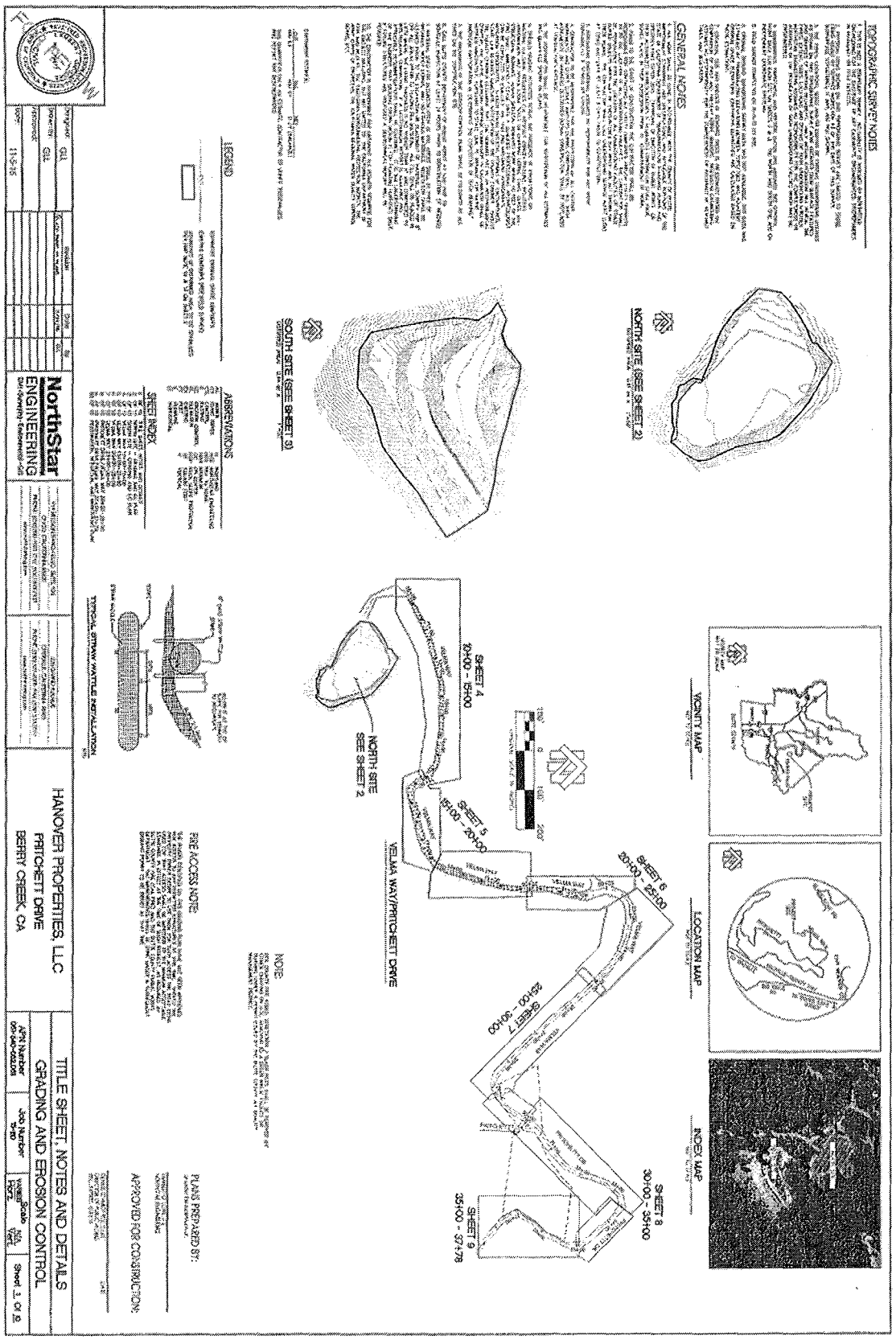


Figure 4. Index (Excerpt from) Grading Plan

2.0 Environmental Factors Potentially Affected

The environmental factors checked below could be potentially affected by this project; however, with the incorporation of mitigation measures, "potentially significant impacts are reduced to less than significant level by the project" (CEQA Guidelines Section 15382).

☐ Aesthetics	☐ Agricultural/Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☒ Greenhouse Gas Emissions	☐ Hazards/Hazardous Materials	☐ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☐ Noise
☐ Population & Housing	☐ Public Services	☐ Recreation
☐ Tribal Cultural Resources	☐ Transportation/Traffic	☐ Utilities/Service Systems
☐ Mandatory Findings of Significance		

3.0 Determination

Determination:

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.

X 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.

Tristan Weems, Assistant Planner — Date

Charles Thistlethwaite, Planning Manager — Date

4.0 Environmental Checklist

4.1 Aesthetics

Would the project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site/surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Setting

General Plan Figures COS-7, COS-8, and COS-9 depict identified scenic resources in Butte County. General Plan Figure COS-7 displays significant scenic resources identified by the General plan and are comprised of land-based resources (Butte Creek Canyon, Sacramento River National Wildlife Refuge, Table Mountain, and Feather Falls Scenic Area) and water-based resources (Philbrook Reservoir, Lake Oroville, Thermalito Afterbay, and Lake Wyandotte).

General Plan Figures COS-7, COS-8, or COS-9 identified scenic resources within a 5-mile radius of the project area: Lake Oroville located approximately 2 miles to the west (COS-7). The nearest land-based scenic area is Table Mountain located approximately 6.5 miles to the west. According to COS-8, the nearest County Scenic Highway is adjacent to the east (Oro-Quincy Highway). According to COS-9, the nearest Scenic Highway Zone is located approximately 700 feet to the south (Oro-Quincy Highway).

In 2013, prior to application for Grading Permit GRD17-0002, approximately 2,080 cubic yards of material have been moved through unauthorized grading on the two locations on the subject property (1.55 +/- acres of the 57.87+/- acre property).

Discussion

A viewpoint that provides expansive views of a highly valued landscape for the benefit of the public is a scenic vista. Dominated by Sierran Mixed Conifer forest, the Sierran mixed conifer habitat is an assemblage of conifer and hardwood species that forms a multilayered forest. Five conifers and one hardwood typify the mixed conifer forest: White fir, Douglas-fir, ponderosa pine, sugar pine, incense-cedar, and California black oak. Deer brush, manzanita, chinquapin, tan oak, bitter cherry, squawcarpet, mountain whitethorn, gooseberry, rose, and mountain misery are common shrub species in the mixed conifer understory. Grasses and forbs associated with this type include mountain brome, Carex, bull thistle, iris, Juncus, and

needlegrass. In all, over 100 species of grasses, forbs and shrubs contribute to the flora of the mixed conifer habitat. (Allen 2005)

The total parcel encompasses approximately 57.87 acres, however, for the purpose of the Grading Permit, the total area affected by grading and leveling activities is approximately 1.55 acres. The initial grading and leveling, involved moderate to substantial removal of trees and brush and disturbance to the soil (refer to Section 4, Biological Resources). Grading activities have not affected the remaining 56.32-acre portion of the property, not including additional grading of Velma Way for interim (emergency) erosion control.

Conservation and Open Space Element Policies.

COS-P17.1. Views of Butte County's scenic resources, including water features, unique geologic features and wildlife habitat areas, shall be maintained.

COS-P17.2. Ridgeline development near scenic resources shall be limited via the adoption of specific development guidelines in order to minimize visual impacts.

COS-P18.1. The County shall designate scenic corridors based on careful consideration of the following factors:

a. Relationship to the scenic highway system, including proximity to urban population centers, gateways, integration with other highways and scenic highways and access to major recreation areas.

b. Safety characteristics, including road surface and alignment, shoulder width, traffic levels, number of intersections, access points, turnouts and rest areas.

c. Scenic characteristics, including vista points, geologic resources, native plant and animal species, waterways, historic resources and agricultural, timber and recreation uses.

d. Government policies, including public lands, eligibility for State scenic highway designation, and consistency with other Butte County General Plan 2030 elements.

e. Economic impacts on properties affected by a scenic highway designation.

COS-P18.2. To enhance safety on scenic highways, the County shall limit access, using existing access where feasible, and limit encroachment permits.

COS-P18.3. The County shall require utility companies to choose the least conspicuous locations for distribution lines, so as to avoid impacts to scenic corridors where there is reasonable choice.

Butte County Zoning Code.

Article 14 (Outdoor Lighting) sets minimum requirements for outdoor lighting in residential areas to reduce light trespass and glare, and to protect the health, property, and well-being of Butte County residents and visitors. All outdoor lighting shall be located, adequately shielded, and directed such that no direct light falls outside the property line, or into the public right-of-way. Lighting must be shielded in accordance with County standards, and light sources must not be directly visible outside the property's perimeter.

a) ***Less Than Significant Impact.*** A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. Lake Oroville, a substantial water feature, lies approximately 2 miles to the west. However, due to intervening topographic features, including a ridge with elevations over 2,000 feet, the graded area is not visible from Lake Oroville. The area is not visible from public roadways due to the rugged topography, southerly aspect of the two grading sites and northeasterly/southwesterly direction of Oroville Quincy Highway. Therefore,

grading activities will have a less than significant impact on a scenic vista and would not substantially degrade the visual character of the site and surroundings.

b) ***Less Than Significant Impact.*** There are no officially designated State Scenic Highways in Butte County. The property is outside of the County designated Scenic Highway Zone along Oroville – Quincy Highway which ends approximately 700 feet to the south of the property. The grading sites are not visible from the County Scenic Highway Zone. Therefore, grading activities would have no impact to scenic resources within a designated County scenic highway.

c) ***Less Than Significant Impact.*** Refer to the discussion under Item a) above.

d) ***No Impact.*** The proposed structure could potentially include outdoor lighting for safety and security. Any future outdoor lighting would be subject to Article 14, Section 24-67 of Butte County Zoning Code, which requires that all outdoor lighting in residential areas be located, adequately shielded, and directed such that no direct light falls outside the property perimeter, or into the public right-of-way. Implementation of outdoor lighting regulations would ensure that no new source of substantial light or glare would adversely affect day or nighttime views.

Mitigation required: None.

4.2 Agricultural and Forestry Resources

Would the project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Convert Farmland (Prime, Unique or of Statewide Importance) pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	
d) Result in the loss of forestland or conversion of forestland to non-forest use?			X	
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?				X

Setting

The Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency issued an Important Farmlands Map for Butte County identifying Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Grazing land. The State of California Department of Conservation maintains the map and does not designate the subject property as containing any important farmland designations. The State of CA Department of Conservation designates the subject property as "Other Land". Other Land is land not included in any other mapping category. Common examples include low density rural

developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Other Land is vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres.

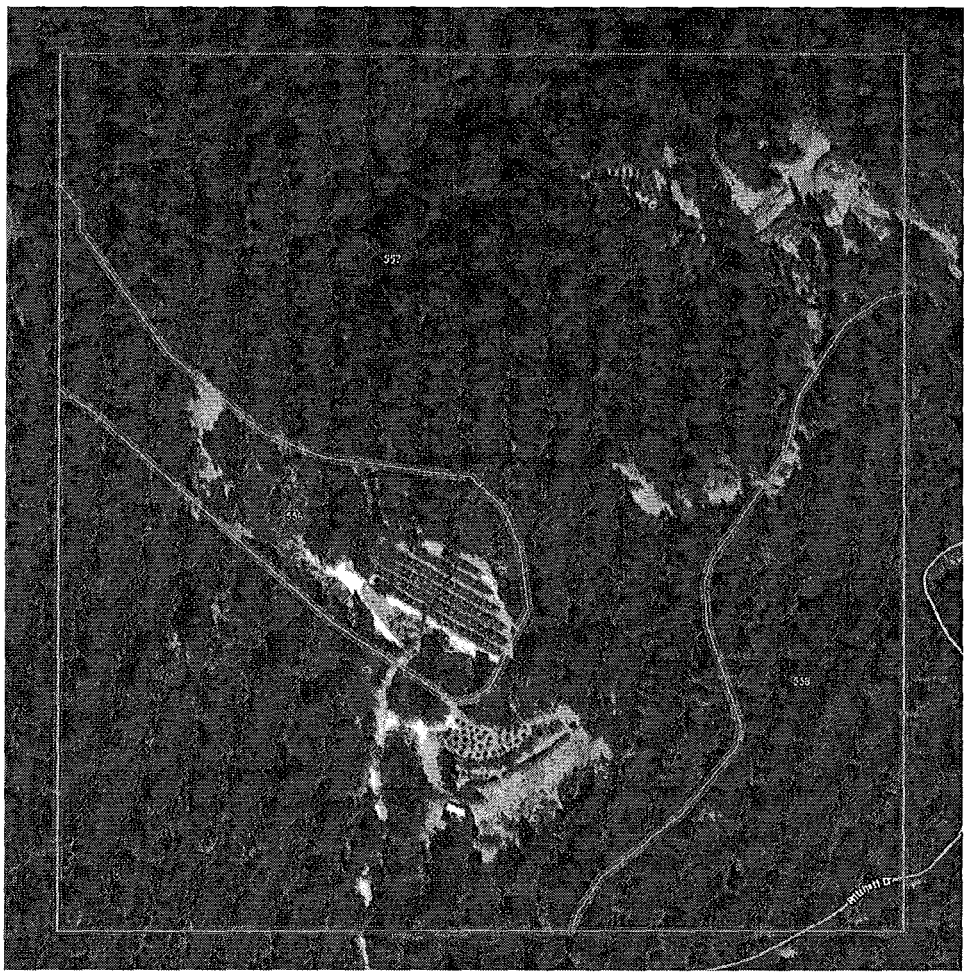
Public Resources Code Section 12220(g) defines Forestland as:

> 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.

Public Resources Code Section 4526 defines Timberland as:

> 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 any commercial species used to produce lumber and other forest products, including Christmas trees.

The soils type for this area varies by topography (i.e. slope), but is universally the Mounthope-Hartsmill designation. The first inch is slightly decomposed plant material, loams of varying composition to bedrock at 52 to 62 inches. The slopes vary from 2-50 percent.



Map Unit Legend

Butte Area, California, Parts of Butte and Plumas Counties (CA612)

Butte Area, California, Parts of Butte and Plumas Counties (CA612)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
556	Mounthope-Hartsmill , 2 to 15 percent slopes	4.1	10.2%
557	Mounthope-Hartsmill , 15 to 30 percent slopes	30.1	74.9%
558	Hartsmill-Mounthope , 30 to 50 percent slopes	6.0	15.0%
Totals for Area of Interest		**40.3**	**100.0%**

https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Discussion

a,b) ***No Impact.*** The proposed project is the grading and leveling of land to accommodate the construction of a proposed structure and garden.

The State of California Department of Conservation's Important Farmlands Map does not identify important farmlands on the project site; rather, it identifies the site as '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 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Additionally, soils found on site are not prime agricultural soils. A review of the Butte County General Plan 2030 Land Use Map identifies the property as being located within an area designated as Timber Mountain (TM), 160-acre minimum parcel size. Timber Mountain zoning designation allows single-family dwellings at rural densities of 1 to 160 acres per dwelling unit.

The site is not important farmland and does not occur on prime agricultural soils; therefore, grading activities would not convert Farmland (Prime, Unique or of Statewide Importance) pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to a non-agricultural use.

c,d) ***Less that Significant Impact.*** In 2013, prior to application for Grading Permit GRD17-0002, approximately 2,080 cubic yards of material were been moved through unauthorized grading on the two locations on the subject property (1.55 +/- acres of the 57.87+/- acre property). As stated under Item a) above, the site is designated Timber Mountain with a zoning designation of TM. The purpose of the TM zone is to preserve Butte County's valuable timber resources and to protect both

the economic and environmental value of these lands. Standards for the TM zone are intended to support the growing and harvesting of timber, pulpwoods, and other forestry products for commercial purposes. Permitted uses include logging, timber processing, crop cultivation, agricultural processing, and the management of forestlands for timber operations and animal grazing. The project site is not in a designated Timber Production Zone (TPZ). The project would not result in the rezoning of forestland or timberland zoned for timberland production. The regrading, slope stabilization and revegetation activities will not result in an additional loss of forestlands beyond pre-project conditions.

e) ***No Impact.*** As stated under Item a) above, grading activities would not convert Farmland (Prime, Unique or of Statewide Importance) pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.

Mitigation required: None.

4.3 Air Quality

Would the project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) 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 (including emissions that exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Setting

Butte County is located within the Northern Sacramento Valley Air Basin (NSVAB). High temperatures and low humidity typically characterize summer conditions in the NSVAB, with temperatures averaging from approximately 90 degrees Fahrenheit during the day and 50 degrees Fahrenheit at night. During the summer months, the prevailing winds are typically from the south. Occasional rainstorms interspersed with stagnant and sometimes foggy weather characterize winter conditions. During winter, winds predominate from the south, but north winds frequently occur. The daytime average temperatures are in the low 50sF and nighttime temperatures average in the upper 30sF. Rainfall occurs mainly from late October to early May, with an average of 17.2 inches per year, but this amount can vary significantly each year.

The prevailing wind patterns and inversions that often occur in the NSVAB predominately affect dispersion of local pollutant emissions. Within the NSVAB, two types of inversions can occur. During the summer

months, sinking air forms a "lid" over the region and confines pollution to a shallow layer near the ground, which can contribute to photochemical smog problems. During winter nights, air near the ground cools while the air aloft remains warm, which can cause localized air pollution "hot spots" near emission sources (Butte County General Plan EIR; BCAQMD, 2014).

Current Ambient Air Quality

Federal and state standards have been established for six criteria pollutants, including ozone (O3), carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), particulates less than 10 microns and 2.5 microns in diameter (PM10 and PM2.5), and lead (Pb). In Butte County, the Butte County Air Quality Management District (BCAQMD) is the primary agency responsible for assuring that the federal and state ambient air quality standards are attained and maintained. The BCAQMD operates a network of ambient air monitoring stations throughout Butte County. "Attainment" or "nonattainment" classifications in the local air basin depend on whether a particular criteria air pollutant meets or exceeds standards, respectively. Based on the most recent monitoring data, Butte County is a nonattainment area for both state and federal ozone standards, the state and federal PM2.5 standards, and the state PM10 standards. Butte County is in attainment for the state and federal standards for sulfur dioxide, nitrogen dioxide, and carbon monoxide (BCAQMD, 2014).

Table 4.3-1 Butte County - State and Federal Ambient Air Quality Attainment Status

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

Source: Butte County AQMD, 2014

Air Quality Planning

The California Clean Air Act requires air districts to prepare a plan for air quality improvement for criteria pollutants for which the District is in nonattainment. First adopted in 1991, The BCAQMD prepared an Air Quality Attainment Plan has since been updated in 1994, 1997, 2000, and 2003. In 2006, the District collaborated with other air-pollution control districts in the NSVAB to prepare a joint Air Quality Attainment Plan. Updated in 2006, 2009, and 2012 the Northern Sacramento Valley Planning Area Triennial Air Quality Attainment Plan is the basis for an air district's functional strategy to meet federal and state ambient air quality standards.

The BCAQMD, in its role of insuring that projects are properly evaluated for consistency with ambient air quality standards and the Northern Sacramento Valley Planning Area Triennial Air Quality Attainment Plan, have prepared guidelines to assist applicants and lead agencies in evaluating potential air quality and greenhouse impacts that may occur with a proposed project. Screening criteria, established with these guidelines determine if additional modeling for air pollutants is necessary for a project. The screening criteria listed in Table 4.3-2 were created using CalEEMod version 2013.2.2 for the given land use types. The size and metric for the land use type (units or square footage) compared with that of the proposed

project determines if a proposed project meets the screening criteria. The project would have a less than significant impact for criteria air pollutants if it meets the applicable screening criteria, and further quantification of criteria air pollutants is not necessary. 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 (BCAQMD, 2014).

Table 4.3-2 Screening Criteria for Criteria Air Pollutants

LAND USE TYPE	MAXIMUM SCREENING LEVELS FOR PROJECTS
Single Family Unit 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

The owners cleared approximately 1.55 acres of the site of vegetation and/or have already been graded. Most grading activities are already complete.

The proposed grading plan includes applicant proposed conservation measures including erosion control measures that also serve to reduce dust and particulate matter associated with grading activities, detailed in Dust Suppression Plan Incorporated into the Grading Plan (from sheet 2 of 10 of grading plans), shown in the project description in section 1.8.

The grading plans contain erosion control measures such as revegetation of all exposed surfaces and dust control measures such as applying water, and ceasing operation when winds exceed 15 miles per hour averaged over one hour. These measures will reduce particulate dust onsite, and comply with Best Practices to Minimize Air Quality and GHG Impacts in the CEQA Air Quality Handbook Guidelines For Assessing Air Quality And Greenhouse Gas Impacts For Projects Subject To CEQA Review, or "BCAQMD Handbook" (October 23, 2014). Best Practices include ceasing operations whenever winds exceed 15 miles per hour, and revegetation of the site within 14 days of the site being inactive.

a) ***Less Than Significant Impact.*** The scope of grading is small, approximately 1.55 acres in size, in a rural environment, with minimal operational emissions due to construction or development that will follow the grading. The project will therefore not conflict with or obstruct implementation of an applicable air quality plan.

b) ***Less Than Significant Impact.*** In addition to the completion of grading and site stabilization activities, the proposed project would result in the construction of a structure. With the Applicant Dust Suppression Plan incorporated into the Grading Plan (from sheet 2 of 10 of grading plans), the project will control dust and minimize construction equipment emissions, respectively, consistent with assumptions in the BCAQMD handbook for all discretionary projects.

Minimal construction activities are proposed. Throughout the course of project build-out construction-related emissions originate from construction equipment exhaust, employee vehicle exhaust, dust from grading the land, exposed soil eroded by wind, and ROGs from architectural

coating and asphalt paving. Construction-related emissions vary substantially depending on the level of activity, length of the construction period, specific construction operations, types of equipment, number of personnel, wind and precipitation conditions, and soil moisture content.

The primary construction exhaust emissions generated by diesel-powered heavy equipment during construction activities include Nitrogen Oxide (NOx) and Volatile Organic Compounds (VOCs). When these emissions interact with sunlight in the atmosphere, they tend to breakdown forming ozone or photochemical smog: ozone precursor emissions. Due to the relatively limited scale of additional grading and construction activity proposed, grading and construction equipment-related emissions would be below District emission thresholds for additional modeling. Grading will not violate State or Federal air quality standards or contribute to an existing air quality violation in the basin as only minor amounts of material has been, and will be moved. Adherence to CARB rules for off-road vehicle emission control would ensure that the emissions generated by construction activities would be less than significant. Therefore, grading would not result in locally elevated levels of regulated air emissions in close proximity to sensitive receptors and would not require additional air quality modeling.

c) ***Less Than Significant Impact.*** In 2013, prior to application for Grading Permit GRD17-0002, approximately 2,080 cubic yards of material were been moved through unauthorized grading on the two locations on the subject property (1.55 +/- acres of the 57.87+/- acre property). Regrading slopes and restoration measures detailed in the grading plan have the potential to result in fugitive dust emissions generated during construction activities that may contribute cumulatively to the region's non-attainment of PM10 and PM2.5 emissions. However, map notes on the grading permit incorporated as part of the project description incorporate dust suppression measures to control erosion associated with future grading activities ensuring potential impacts will be less than significant.

d) ***Less Than Significant Impact.*** Sensitive populations (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than are the general population. Land uses considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. The surrounding area is designated Timber Mountain 160 – acre minimums, suggesting moderately sized adjacent parcel sizes. A Dust Suppression Plan Incorporated into the Grading Plan (from sheet 2 of 10 of grading plans) would be implemented as part of future grading work, temporary grading, and construction activities, thereby minimizing dust emissions. Therefore, this is a less than significant impact.

e) ***Less Than Significant Impact.*** The proposed use will not create any objectionable odors. However, future construction activities could include objectionable odors from tailpipe diesel emissions. Since odor impacts would be temporary and limited to the area adjacent to the construction operations, odors would not affect a substantial number of people for an extended period.

Mitigation required: none.

4.4 Biological Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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 Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service			X	
c) Have a substantial adverse effect on protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
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?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

Setting

Dominated by Sierran Mixed Conifer forest, the Sierran mixed conifer habitat is an assemblage of conifer and hardwood species that forms a multilayered forest. Five conifers and one hardwood typify the mixed confier forest. White fir, Douglas-fir, ponderosa pine, sugar pine, incense-cedar, and California black oak. Deerbrush, manzanita, chinquapin, tan oak, bitter cherry, squawcarpet, mountain whitethorn, gooseberry, rose, and mountain misery are common shrub species in the mixed conifer understory. Grasses and forbs associated with this type include mountain brome, Carex, bull thistle, iris, Juncus, and needlegrass. In all, over 100 species of grasses, forbs and shrubs contribute to the flora of the mixed conifer habitat. The mixed conifer forest supports some 355 species of animals. Sensitive species inhabiting mixed conifer include spotted owl, fisher and pine marten. Endangered species include bald eagle and peregrine falcon. Variety in plant species composition provides diversity in food and cover. Black oak acorns, berries from a variety of shrubs (e.g., deerbrush), and a great number of grasses and forbs provide the forage resource essential for wildlife (Allen 2005).

The Sierran mixed conifer habitat is an assemblage of conifer and hardwood species that forms a multilayered forest. Historically, burning and logging have caused wide variability in stand structure,

resulting in both even-aged and uneven-aged stands. Virgin old-growth stands where fire has been excluded are often two-storied, with the overstory comprised of mixed conifer and the understory white fir and incense-cedar. Forested stands form closed, multilayered canopies with nearly 100 percent overlapping cover. When openings occur, shrubs are common in the understory. Closed canopy stand distribution is both extensive and patchy depending on scale, site, slope, soils, microclimate, and history. (Mayer and Laudenslayer. 1988)

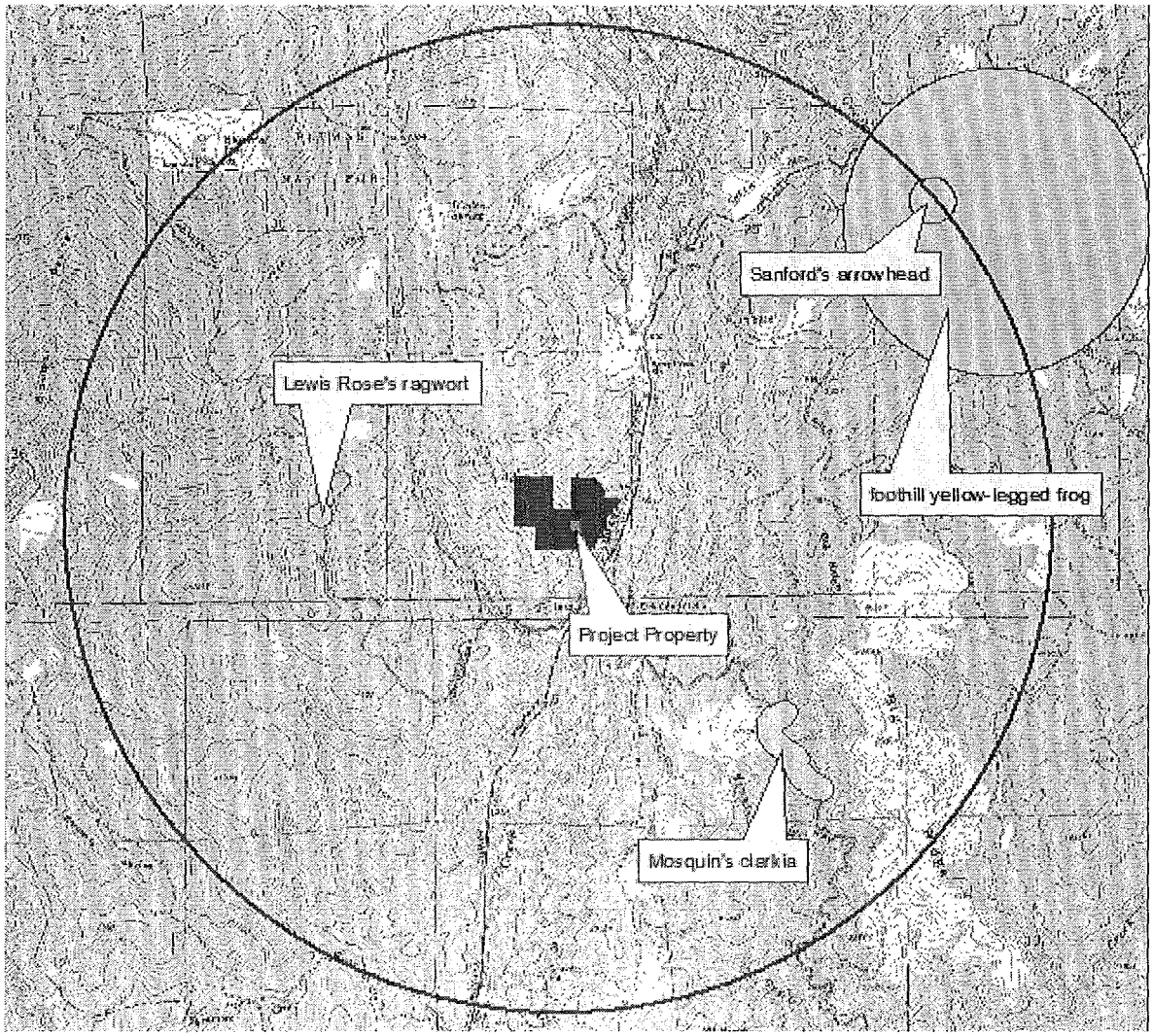


Figure 5. CNDDB found species within 2 miles of project parcel.

In 2013, prior to application for Grading Permit GRD17-0002, approximately 2,080 cubic yards of material were been moved through unauthorized grading on the two locations on the subject property (1.55 +/- acres of the 57.87+/- acre property). The proposed project includes regrading, slope stabilization and revegetation activities of areas disturbed by the 2013 activities.

Table 4-1 – Special-status species known to occur within 2-miles of project site

Common Name (Scientific Name)	*Status*	*Associated Habitats*	*Special Notes*	*Nearest Known Occurrence*
Lewis Rose's ragwort (*Packera eurycephala var. lewisrosei*)	Rare or Endangered	Dry rocky serpentine in foothill woodland.	California Rare Plant Rank 1B: Plants Rare, Threatened, or Endangered in California and Elsewhere	~4,000 feet west
Foothill yellow-legged frog *(Rana boylii)*	Species of Special Concern	Riparian habitat - Vicinity of Madrone Lake		~1.5 miles north east
Mosquin's clarkia (*Clarkia mosquinii*)	Imperiled	Rocky, roadsides. Cismontane woodland, lower montane coniferous forest.	California Rare Plant Rank 1B.1: Rare, or endangered in California and elsewhere: .1: Seriously endangered in California	~1.2 miles south east
Sanford's arrowhead (*Sagittaria sanfordii*)	Vunerable	Marshes and swamps (assorted shallow freshwater)	California Rare Plant Rank 1B.2: Rare, or endangered in California and elsewhere: .2: Fairly endangered in California	~2 miles north east

Discussion

a) ***Less Than Significant Impact.*** The two-mile search area surrounding the project parcel, assessed through the California Natural Diversity Database overlay, revealed the presence of four candidate, sensitive, or special status species: Lewis Rose's ragwort, Mosquin's clarkia, Sanford's arrowhead and foothill yellow-legged frog. The habitat type described in 4.4 Setting and soils type described in 4.6 Geologic Processes do not generally support wetland habitat – home to sensitive amphibian or aquatic species. Instead, this habitat has well drained soils with known species of concern not within the project boundaries. The amphibious foothill yellow-legged frog is found approximately two miles to the north east in the Madrone Lake vicinity of Berry Creek.

b) ***Less Than Significant Impact.*** The California Natural Diversity Database (CNDDB) identifies sensitive natural communities (SNC) based on classifications created by Holland, R.F. (1986), which includes those communities that, if eliminated or substantially degraded, would sustain a significant adverse impact as defined under CEQA. The project area does not contain any riparian habitat or sensitive areas. The nearest riparian habitat comprises the Lake Madrone area of Berry Creek located two miles northeast of the project site.

c) ***No Impact.*** A review of aerial imagery and site photos indicates no jurisdictional waters are present within the property boundary. The proposed Erosion Control Maintenance Plan (from sheet 2 of 10 of grading plans) directly minimizes grading erosion and sedimentation thus reducing off-site water quality impacts. By implementing an Erosion Control Plan, there will be no impacts to Waters of the U.S. and wetlands located offsite.

d) ***Less Than Significant Impact.*** There are no barriers to interfere with the movement of wildlife through the project site. The project is in the Critical Winter Deer Herd area as identified in the Conservation and Open Space Element of the General Plan; however, development is permitted. Furthermore, the nature of the project (site grading) does not inhibit deer herd migration. Therefore, there is a less than significant impact on the movement of native wildlife species.

e) ***No Impact.*** The project site is located in the Sierran Mixed Conifer forest habitat type. Grading activities in 2013 affected a 1.55-acre portion of the property. This project (regrading, slope stabilization and revegetation activities of areas disturbed by the 2013 activities) has not affected any natural resource regulated by local policy or ordinance. These parcels were created by deed and have no corresponding map note associated with a Parcel Map, that would restrict or mitigate for sensitive species loss or impact.

f) ***No Impact.*** Scheduled to be complete in 2019 the Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) that is currently being prepared for the western half of the Butte County. The project site is not located within the proposed plan area of the BRCP. The proposed project will not conflict, nor interfere with, the attainment of the goals of a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Mitigation required: None.

4.5 Cultural Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CA Code of Regulations, §15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

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 in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or near bodies of water.

According to the application for GRD17-0002, from the 1½ acres of disturbance prior to the grading complaint and application for the grading permit, the applicant moved an estimated 2,080 CY (cubic yards) of material.

Discussion

a-d.) ***Less than Significant Impact.*** Grading activities (unpermitted) disturbed one and one-half acres of the 57.87±-acre project site. This activity has resulted in ground-disturbing activities that likely buried or destroyed any cultural resource that may have been located on the surface. Site stabilization measures would consist of the BMPs, as described in Section 9, Item a) Hydrology and Water Quality. Additional grading and construction activities are limited; however, there is a potential to impact cultural resources from the project site. To prevent impacts to resources that may be uncovered during additional grading and construction activities, the following note has been placed on the Grading Plan: #6 Sheet 1 of 2 and is incorporated as part of the project description:

> Should grading activities reveal the presence of prehistoric or historic cultural resources (i.e., artifact concentrations, including arrowheads, and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains) work within 50 feet of the find shall immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State Law requires immediate notification of the County Coroner. Should the County Coroner determine that the remains are in an archaeological context, the Native American Heritage Commission shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains.

4.6 Geologic Processes:

Physical Setting Soils supporting the Sierran mixed conifer habitat are varied, derived primarily from Mesozoic granitic, The soil type at this location is Hartsmill-Mounthope Complex, 15 to 30 percent slopes. Paleozoic sedimentary and volcanic rocks, and Cenozoic volcanic rocks. Serpentine soils, found primarily in the northern mixed conifer zone, support a number of endemic plants. Soils are deep to shallow. Fissures and cracks in granitic parent material often support forest growth, even where soil development is shallow. Temperatures range from 24 to 58 C (40 to 96 F) in summer and 4 to 36 C (10 to 60 F) in winter and decrease with elevation (Major 1977). The growing season ranges between 90 and 330 days in the north with 40 to 200 frost-free days, and 180 to 365 days in the south with 180 frost-free days. Precipitation ranges from 76 to 229 cm (30 to 90 in) per year, from October to May, with increasing snowfall as elevation increases. (Allen, https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67311&inline)

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i.) Rupture of a known earthquake fault, as delineated on the Alquist-Priolo Earthquake Fault Zoning Map for the area or based on other substantial evidence of a known fault?				X
ii.) Strong seismic ground shaking?				X
iii.) Seismic-related ground failure/liquefaction?				X
iv.) Landslides?			X	
b) Substantial soil erosion or the loss of topsoil?			X	

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
c) Located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
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?				X

Discussion

The Seismic Safety Element of the Butte County General Plan indicates that all of Butte County is in Moderate Earthquake Intensity Zone VIII. Seismic ground shaking at some future time, like most of central California, the site is expected. California Building Code requirements (for design and installation) will be required of all buildings and other improvements.

a) i. ***No Impact.*** The project is located approximately 11 miles north of the active Cleveland Hills Fault (GP EIR, Figure 4.6-1) which on August 1, 1975 resulted in the Oroville earthquake. This earthquake had a Richter magnitude of 5.7 and resulted in approximately 2.2 miles of ground rupture along the western flank of Cleveland Hill. The project site is not within an Alquist-Priolo Earthquake fault zone and is not within an aftershock epicenter region (Butte County GIS Epicenter Regions theme).

ii. ***No Impact.*** The project lies outside the area of Butte County most likely to be subject to strong ground shaking. According to the California Department of Conservation, this area is distant from known, active faults and will experience lower levels of shaking less frequently. In most earthquakes, only weaker, masonry buildings would be damaged. However, very infrequent earthquakes could still cause strong shaking here.

The California Geological Survey has defined the entire county as a seismic hazard zone. As the project appears to be located such that the probability of significant ground shaking is low, and because the project does not propose the addition of significant structures that would be at risk to seismic activity, potential geologic impacts would be less than significant. The Uniform Building Code standards in place for the appropriate Seismic Hazard Zone apply to any structures requiring a building permit.

iii. ***No Impact.*** Liquefaction is a phenomenon where loose, saturated, granular soils lose their inherent shear strength due to excess water pressure that builds up during repeated movement from seismic activity. Factors that contribute to the potential for liquefaction include a low relative density of granular materials, a shallow groundwater table, and a long duration and high acceleration of seismic shaking. Liquefaction usually results in horizontal and vertical movements from lateral spreading of liquefied materials and post-earthquake settlement of liquefied materials. Liquefaction potential is greatest where the groundwater level is shallow, and submerged loose, fine sands occur within a depth of approximately 50 feet or less. The

valley floor of Butte County contains areas of liquefiable soil. (GP EIR, pg. 4.6-10) The project area lies at an elevation of roughly between 1,680 to 2,123 feet. The project is not located in an area that will be prone to ground failure or liquefaction. In addition, the project is limited to the grading and leveling of land, including soil stabilization BMPs and an Erosion Control Plan. Therefore, the project will not expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death.

iv. ***Less Than Significant Impact.*** The Subsidence and Landslide Potential Map of the Health and Safety Element of the Butte County General Plan (Figure HS-4 of the General Plan) indicates that there is a high potential for landslides in this area. The slopes within the project will be required to be at ratios of 2:1 (horizontal to vertical). The stabilization efforts will result in no significant exposure of people or structures to potential substantial adverse effects, including risk of loss, injury, or death.

b) ***Less Than Significant Impact.*** The project lies within an area that has a high erosion hazard potential. (GP EIR, Figure 4.6-4) As stated earlier, hydro-seed, silt fencing, and straw mulch will stabilize exposed soil within the graded area. Additionally, the Erosion Control Plan requires notifying the engineer/QSD should any of the BMP's fail or become ineffective. Replacing BMPs will address any areas not effectively stabilized. The implementation of effective stabilization techniques will yield no substantial soil erosion or loss of topsoil. The Erosion Control Plan (page 2 of 10 of the Grading Plan) mitigates future grading/existing conditions' potential for erosion to Canyon Creek, located three miles upstream of Lake Oroville. The Regional Water Quality Control Board filed a Notice of Violation for the grading activity prior to application for this Grading Project. Approval and implementation of the grading permit and related Erosion Control Plan was included as the remedy for the Notice of Violation.

c) ***Less Than Significant Impact.*** The project is located in an area identified as having a high landslide potential, but is not located on a geologic unit or soil that is unstable or that would become unstable. Therefore, the potential for on-site or off-site landslide, lateral spreading, or collapse is less than significant. The project area is primarily within Map Unit Dunstone-Lomarica-Argonaut taxadjunct complex. This Unit is composed of clayey colluvium and/or residuum weathered from metavolcanic rocks. Sections of the project area are also within the Dunstone-Loafercreek Complex. This Unit consists of loamy residuum weathered from metavolcanic rocks. Additionally, there have been no documented incidents of subsidence in Butte County and the only areas at risk for subsidence are in the valley region (GP EIR, pg. 4.6-12), not the foothills where the project is located.

d) ***Less Than Significant Impact.*** The project is located in an area with moderate expansive soil potential (GP Figure HS-6). Basin deposits in the low-lying portions of the county near the Sacramento and Feather Rivers as well as localized areas elsewhere in the county have expansive soils (GP EIR, pg. 4.6-12). A future assessment of expansive soils will take place upon submittal of building permits for future development in order to be compliant with California Building Code.

e) ***No Impact.*** The project proposes to use individual septic systems for wastewater disposal. The Environmental Health Division will evaluate future development of septic systems in order to be compliant with relevant code.

Mitigation required: None.

4.7 Greenhouse Gas Emissions

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Generate greenhouse gas emissions, directly or indirectly, that may have a significant impact on the environment?		X		
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X

Setting

The earth's atmosphere naturally contains a number of gases, including (but not limited to) carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O), which are collectively referred to as greenhouse gases (GHGs). GHG emissions are generally numerically depicted (when applicable) as carbon dioxide equivalents (CO_2e). CO_2e represents CO_2 plus the additional warming potential from CH_4 and N_2O. The common unit of measurement for carbon dioxide equivalents is in metric tons ($MTCO_2e$).

These gases trap some amount of solar radiation and the earth's own radiation, preventing it from passing through earth's atmosphere and into space. GHG are vital to life on earth; without them, earth would be an icy planet. For example, CO_2 is an element that is essential to the cycle of life. In general, CH_4 and N_2O have 21 and 310 times the warming potential of CO_2, respectively. Human-made emissions of GHG occur through the combustion of fuels, as well as a variety of other sources.

Section 15183.5(b) of Title 14 of the California Code of Regulations states that a GHG Reduction Plan, or a Climate Action Plan, may be used for tiering and streamlining the analysis of GHG emissions in subsequent CEQA project evaluation if the CAP does the following:

A. Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;

B. Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

C. Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

D. Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

E. Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and

F. Be adopted in a public process following environmental review.

A 2006 baseline GHG emission inventory was prepared for unincorporated Butte County. The inventory identified the sources and the amount of GHG emissions produced in the county. Within Butte County, the leading contributors of GHG emissions are agriculture (43%), transportation (29%), and residential energy (17%).

On February 25, 2014, Butte County adopted a Climate Action Plan (CAP). The CAP provides a framework for the County to reduce GHG emissions while simplifying the review process for new development. Measures and actions identified in the CAP lay the groundwork to achieve the adopted General Plan goals related to

climate change, including reducing GHG emissions to 1990 levels by 2020. In an effort to implement the measures of the CAP, a development checklist evaluates a new project's consistency with the CAP, and with project approval identifies which GHG emission reduction measures would be implemented.

Section 15064.4 of the CEQA Guidelines sets forth guidance for determining the significance of Impacts from Greenhouse Gas Emissions. Described quantitatively or qualitatively, the guidelines evaluate impacts from a particular project in consideration of existing environmental setting, applicable thresholds of significance, and compliance with regulations and requirements adopted to implement the mitigation of greenhouse gas emissions.

Section 15064 (h)(3)of the CEQA Guidelines specifies that a project's contribution to a cumulative effect may be found 'not cumulatively considerable' if the project will comply with the requirements in a previously approved plan or mitigation program, including plans or regulations for the reduction of greenhouse gas emissions. Butte County has adopted a Climate action Plan (CAP) for the reduction of greenhouse gases. The CAP provides measures that achieve a 15% reduction below 2006 emissions levels by 2020. Since the project does not require General Plan or Specific Plan amendments, GHG emissions from the project may be consistent with the CAP by demonstrating consistency with the CAP policies in the CAP checklist. The project may be able to rely on the CAP's environmental findings for the purposes of GHG emissions and climate change, rather than identifying separate project-level emissions.

Projects that wish to demonstrate consistency with the CAP must demonstrate consistency with all applicable measures and action items from the CAP.

Discussion

a) ***Less Than Significant with Mitigation.*** The proposed project is the clearing and grading of 1.55 -acres of land, and the construction of a single-family residence that would contribute to the existing greenhouse gas inventory for Butte County. Construction and grading activities of future development would also create greenhouse gas emissions, primarily from the use of heavy equipment. Residential development would generate direct emissions through the consumption of electricity, natural gas, and propane, as well as from fuel usage for landscaping equipment.

To reduce the anticipated increase by the proposed project in GHG emissions ultimately created, the CAP development checklist review identified GHG reduction measures from the Butte County Climate Action Plan. Implementation of Mitigation Measure #1 (below) would ensure the project's consistency with the CAP and that impacts from GHG emissions are less than significant.

b) ***No Impact.*** The Butte County General Plan and Butte County Climate Action Plan establish numerous policies relative to greenhouse gases. Future development of the project parcel would increase GHG emissions, although on a limited scale. Due to the limited development potential of the project site, the anticipated increase in emissions would not conflict with the applicable with GHG emissions reducing policies.

Mitigation Measure #1:

Place the following note on all grading, building and site development plans: "To the extent feasible, the developer shall implement the following measures at the time of development to offset the anticipated contribution of greenhouse gas emissions from residential development:

- Support expansion of renewable energy systems
    - Prewire all new residential development to support photovoltaic system installation.

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

Plan Requirements: The note shall be placed on all grading, building and site development plans.

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

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on all grading, building and site development plans. The Planning Division will ensure that future residential development includes the applicable measures during Building Permit review. Building inspectors shall spot check and shall ensure compliance on-site.

4.8 Hazards and Hazardous Materials

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Setting

The property is located in an area designated by CAL FIRE as a High Fire Hazard Severity Zone (GP EIR, Figure 4.7-1).

Discussion

a) ***Less Than Significant Impact.*** Grading and construction activities associated with the development of the proposed project would involve the use of potentially hazardous materials, including paints, cleaning materials, vehicle fuels, oils, and transmission fluids. However, all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Permanent storage or usage of large quantities of hazardous materials is not anticipated within the project site. However, if large quantities were stored at the project site, the owner would be required to obtain a Hazardous Materials Business Plan. Within the project site, for residential maintenance and cleaning, it is more likely that only small household quantities of publicly available hazardous materials (e.g., paint, maintenance supplies) may be routinely used. 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. The proposed project would not involve the routine transport, use, or disposal of hazardous materials, and would not result in such impact.

b) ***No Impact.*** The proposed grading activities and site stabilization measures are not anticipated to result in a release of hazardous materials into the environment. Site stabilization measures should not use hazardous materials that could be released into the environment. It is not anticipated that large quantities of hazardous materials would be permanently stored or used within the project site. Similarly, the project would not emit hazardous emissions or handle hazardous materials. Therefore, implementation of the proposed project would not create a permanent significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.

c) *No Impact.* Grading and clearing activities do not involve any emission or handling of any hazardous materials, substances, or waste within one-quarter mile of an existing school. No existing or proposed school facilities are located within a one-quarter mile radius of the project site.

d) *No Impact.* A review of regulatory agency databases, which included lists of hazardous materials sites compiled pursuant to California Government Code Section 65962.5, did not identify any sites at or adjacent to the project site that have used, stored, disposed of, or released hazardous materials. The project does not involve the use or creation of hazardous materials.

e) *No Impact.* The proposed project site is not located within an airport land use plan or within two miles of a public airport and the project would not result in permanent structures that expose people to a safety hazard.

f) *No Impact.* The proposed project site is not located within the vicinity of a private airstrip and the project would not result in permanent structures that expose people to a safety hazard.

g) ***Less Than Significant Impact.*** The project site is located in a Very High Fire Hazard Severity Zone and is within a State Responsibility Area. As such, the project is required to develop consistent with the requirements of Public Resources Code Sections 4290 and 4291. The proposed project does not include any actions within the roadway that would physically interfere with any emergency response or emergency evacuation plans. The project would not result in an increase in traffic, and thus would not reduce the current level of service of the area road network.

h) ***Less than Significant Impact.*** The property is located in an area designated by CAL FIRE as a Very High Fire Hazard Severity Zone (GP EIR, Figure 4.7-1). The project involves the grading and leveling of land and the removal of vegetation from the graded portion of the site. Development of the proposed accessory/shop building will be required to be consistent with the requirements of Public Resources Code Sections 4290 and 4291.

Mitigation required: None.

4.9 Hydrology and Water Quality

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) 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?			X	
f) Otherwise degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

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 zone (Unshaded). 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.

Hydrology

The property and grading sites generally slope to the east and drains via several Class III drainages tributary to Canyon Creek, a blue line stream that runs north to south on adjacent properties to the east, approximately 3 miles upstream from the tributary's confluence with Lake Oroville. As discussed in the Project Description, an illegal grading operation in 2013 disturbed approximately 2,080 cubic yards (CY) of dirt encompassing two grading sites and an access road (extension of Velma Way) totaling approximately 1.55 acres of a 57.87+-acre property. The proposed project includes reconstruction of graded slopes in the two graded areas at a maximum slope of 2:1 (H:V); compacting and track walking slopes; and installation of jute matt and/or seeding; and installation of straw waddles as shown in the grading plans. The project also includes decommissioning a section of Velma Way including: grading the roadway so that it is outsloped

toward the downhill gradient of the hillside at a minimum 5% slope; ripping the top 24" of existing roadway surface to promote vegetation and tree growth; revegetating the decommissioned area per the vegetation plan; hydroseeding exposed areas with native grasses or application of straw mulch where slopes are greater than 15%; blocking the road such that vehicles cannot enter; and installing rolling dips as specified in the grading plan to prevent further erosion of downhill slopes. Per the grading plan, additional erosion control measures will be in effect. Refer to section 4.8 (above) under Project Description.

a) ***Less Than Significant Impact.*** As noted above, map notes for erosion control and State requirements for a Stormwater Pollution Prevention Permit will ensure that any erosion from grading activities will be mitigated to less than significant amounts. State permitting and oversight by the Butte Department of Public Works will ensure these measures are implemented and maintained.

Construction activities associated with build-out of the project parcel can generate potential water pollutants, which may include sediment, and petroleum based fuels and lubricants. Construction activities have the potential, temporarily, to increase the sediment load of stormwater runoff from construction areas (i.e., disturbing soil at work area, the staging area, access road, etc.). Excess sediment in surface drainage pathways can alter and degrade the aquatic habitat in nearby surface water channels. In addition, if construction equipment or workers inadvertently release pollutants such as hydraulic fluid or petroleum into the identified creek, these materials could cause water quality degradation.

As discussed in Section 4.6 – Geologic Processes, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site. Location-specific attributes (i.e., slope, soil type, weather conditions) can influence the type and number of measures implemented. To minimize soil erosion and water quality degradation control and protection measures, or BMPs, are standard in the construction industry and are commonly used. Additionally, future construction activities will be subject to the National Pollutant Discharge Elimination System (NPDES) General Construction Activities Storm Water permit program as one acre or more of land will be disturbed. Project operations that are under a NPDES permit would also 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.

b) ***Less Than Significant Impact.*** A private, groundwater well(s) will provide domestic water services to the future residence. New development requiring a domestic water supply would increase groundwater extraction; however, sufficient groundwater resources are available in the project area to serve potential development at the site.

Adverse impacts on ground water are not expected from activities directly associated with the project (e.g. regrading, revegetation and implementation of BPMs and ECPs). Proposed activities, however, include future development of a single-family residence, which has the potential to affect the water table, but not to an extent beyond normal, anticipated residential use. The Butte County Environmental Health Division will evaluate the well permit at time of application.

c) ***Less Than Significant Impact.*** The project activities include proposed project include reconstruction of graded slopes in the two graded areas at a maximum slope of 2:1 (H:V); compacting and track walking slopes; and installation of jute matt and/or seeding; and installation of straw waddles as shown in the grading plans and the proposed construction of a single-family residence. The overall direction of drainage on the site will not change. The erosion BMP's will

serve to slow the rate of runoff from the site, not accelerate it. No streams or rivers will have their course altered because of project activities.

d) ***No Impact.*** The project does not lie in an area designated as a FEMA flood zone nor is it immediately adjacent to any areas designated as flood zones (GP EIR, Figure 4.8-3). Furthermore, the project activities involve the clearing of already sloped land and potential construction of a single-family residence. There is no net change in the flow of water on or off the site that would lead to an increase in flooding on- or off-site.

e) ***Less Than Significant Impact.*** Ground disturbance during grading and construction activities associated with construction of the single-family residence and accessory structure may alter existing drainage pathways so as to make surface soils more susceptible to erosive forces (i.e., overland flow) and/or generate enough increased runoff through removal/clearing of existing vegetation to increase surface erosion. As discussed in section a), above, implementation of erosion control measures and BMPs during construction activities will minimize soil erosion and water quality degradation. The Grading Plan and ECP will meet water quality standards and not result in excessive sedimentation.

f) ***Less Than Significant Impact.*** Refer to Item a) above. The ultimate goal of an Erosion Control Plan is to prevent degradation of water quality through the prevention of sediment and pollutant runoff. The ECP is project specific and designed to minimize erosion, thereby protecting water quality.

g-i) ***No Impact.*** The project site is not located within a 100-year flood hazard area. Project activities would not result in placing housing in a 100-year flood hazard area, nor would activities impede or redirect flood flows. Flooding due to levee or dam failure would not expose people or structures to significant risk of loss, injury or death in the project area.

j) ***No Impact.*** Although located within a seismically-active region, there are no anticipated impacts to the proposed project from seiche, tsunami, or mudflow, as no topographical features of water bodies capable of producing such events occur within the project site vicinity.

Mitigation required: None.

4.10 Land Use and Planning

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

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 *Timber Mountain.* It is located in unincorporated Butte County, east of Palermo.

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 its intended use are as follows:

> **Timber Mountain (TM).** The purpose of the TM zone is to preserve Butte County's valuable timber resources and to protect both the economic and environmental value of these lands. Standards for the TM zone are intended to support the growing and harvesting of timber, pulp woods, and other forestry products for commercial purposes. Permitted uses include logging, timber processing, crop cultivation, agricultural processing, and the management of forest lands for timber operations and animal grazing. Extractive uses that are generally compatible with forestry operations, including mining and oil and gas extraction, are conditionally permitted in the TM zone. The minimum permitted parcel size in the TM zone is 160 acres. The TM zone allows for one single-family home per parcel. The TM zone implements the Timber Mountain land use designation in the General Plan.

Discussion

a) ***No Impact.*** The project site is located in the foothills of the Sierra Nevada Mountains and is rural in nature, with no surrounding neighborhoods. Therefore, the project will not have an impact on the physical arrangement of an established community.

b) ***No Impact.*** Grading activities took place on a 1.55 -acre site within the 57.87-acre property. The project includes possible construction of a single-family residence: permitted use in the TM zone. The proposed project is consistent with the General Plan Land Use designation of Timber Mountain and the TM (Timber Mountain 160-acre parcel size) zoning designation. The project would neither propose a change in zoning, nor conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the site.

c) ***No Impact.*** The Butte Regional Conservation Plan (BRCP) is a joint Habitat Conservation Plan (HCP)/National Community Conservation Plan (NCCP) that is currently being prepared for the western half of the Butte County. The proposed project will not conflict, nor interfere with, the attainment of the goals of the yet adopted proposed plan.

Mitigation required: None.

4.11 Mineral Resources

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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?				X
b) Result in the loss of availability of a locally important mineral resource recovery site on a local general plan, specific plan or other land use plan?				X

Discussion

a-b) ***No Impact.*** There are no known economically viable sources of rock materials in the immediate vicinity of the project site. No mining operations have occurred on the project site or surrounding area and the project would not preclude future extraction of available mineral resources. The property is not located in a designated mineral resource zone (GP EIR, Figure 4.6-5), and thus would not result in the loss of availability of a known mineral resource that would be of value to the residents of the state or local importance.

Mitigation required: None.

4.12 Noise

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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 expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Setting

The Health and Safety Element of the Butte County General Plan identifies land use compatibility standards for exterior community noise for a variety of sensitive land uses. Generally, for residential land uses, a maximum exterior noise level of 60 Ldn/CNEL decibel level is an acceptable noise environment requiring no special noise insulation or noise abatement features. For an interior noise level standard, the maximum decibel level is 45 Ldn/CNEL.

The Butte County Noise Control Ordinance provides the county with a means of assessing and addressing complaints of alleged noise violations. The ordinance sets forth exterior and interior noise level standards that are applicable to sensitive areas within Butte County, including residential uses. Among the noise generating activates subject to the noise ordinance are noise sources associated with construction. Provided machinery is fitted with correctly functioning sound suppression equipment, construction-related noises are subject to the noise standards of the county. These activities would be exempt if operations occur 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.

A residence is located approximately 650 feet north of the grading sites.

Discussion

a) ***Less Than Significant Impact.*** Noise levels contributed by the proposed project would include construction noise from grading and during future construction and occupancy of any single-family residence. Construction noises associated with development of the project site would primarily be

from the use of heavy equipment. Typical noises contributed by a single-family dwelling include landscaping equipment, automobiles, power tools, domestic animals, heating and cooling systems and audio equipment. Grading, construction and residential occupancy noises could be perceptible to surrounding residences and other sensitive uses. However, they are not anticipated to result in generation of noises in excess of noise standards established in the Butte County General Plan due to the low density of the project site and the surrounding area, and because construction noises are temporary and would occur during typical daytime hours.

b) ***Less Than Significant Impact.*** The use of blasting and/or pile drivers during construction activities would not be included as part of the proposed project. The proposed project would involve temporary sources of ground borne vibration and ground borne noise during grading and construction from the operation of heavy equipment. Operation of heavy equipment would generate localized ground borne vibration and ground borne noise that could be perceptible at residences or other sensitive uses in the immediate vicinity of the construction site. However, since the duration of impact would be brief and would occur during less sensitive daytime hours (i.e., between 7:00 a.m. and 7:00 p.m.), the impact from construction-related ground borne vibration and ground borne noise would be less than significant.

c) ***No Impact.*** The proposed project does not involve uses or activities that would result in a substantial permanent increase in ambient noise levels in the project vicinity. Therefore, there would be no impact associated with a permanent increase in ambient noise levels because of the project.

d) ***Less Than Significant Impact.*** The property is located in a rural area with generally low noise levels and is not currently subject to any significant continuous noise. Noises associated with grading and construction activities introduced by the proposed project would be temporary or periodic. Construction of residential structures would require a variety of equipment. During the construction period, noise levels generated by project construction would vary depending on the particular type, number, and duration of use of the various types of construction equipment. Noises generated by heavy equipment could generate noise levels in excess of exterior noise standards identified in the General Plan. However, given the small size of the proposed project, and that construction activities would occur during less sensitive daytime hours, these temporary noise impacts are minimal and found to be not significant.

e, f) **No Impact.** The proposed project is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. As such, the project would not expose people residing or working in the project area to excessive noise levels from airports or private airstrips.

Mitigation required: None.

4.13 Population and Housing

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Induce substantial 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)?			X	

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Setting:

The population estimates for Butte County were 225,411 in 2015, 220,024 in 2010 and 203,446 in 2000, resulting in a total population growth of 21,965 during this 15-year period (US Census). The annual average growth rate in the county during the 2000-2015 period was approximately 0.65 percent. The total housing units in Butte County was approximately 98,035 in July of 2015.

The proposed project would possibly result in the construction of a single-family residence. According to the United States Census Bureau, the average household size of an owner-occupied housing unit for Butte County is 2.43. Based on the average household size within the county, and the potential number of housing units that could be constructed on the parcel, the proposed project could add 2 to 3 new residents to the local population.

Discussion

a) ***Less Than Significant Impact.*** Population growth associated with the construction of a proposed single-family dwelling is expected. Any employment generated by grading activities would be temporary and drawn from the local work force, and would not create a permanent housing or jobs that would add population to the area.

b, c) ***No Impact.*** The project site is vacant. The project displaces no people or housing.

Mitigation required: None.

4.14 Public Services

Would the project: result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need, 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:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

Setting

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

Fire Protection

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

Sheriff Services

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

Schools/Public Education

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

Parks

Butte County, offers a wide variety of recreational opportunities to residents and visitors. Figure PUB-2 of the General Plan depicts Federal, State, and local recreation lands.

Solid Waste

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

General Governmental Services

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

Discussion

a) ***Less Than Significant Impact.*** Butte County Code requires the payment of fire protection impact fees to help offset the impacts that new residential development has on the fire protection services. Fire protection impact fees are paid at the time of building permit issuance for a dwelling unit.

b) ***Less Than Significant Impact.*** The Butte County Sheriff's Office provides law enforcement service to the project area. Implementation of the proposed project would increase the police service calls to the vicinity beyond existing conditions. This would be a direct result of the development of the single-family residence and the resultant increase in population. The cumulative impact of increased development in rural areas affects the ability of the Sheriff's Department to provide adequate police services to outlying

areas. Project related impact fees, collected at the time of building permit issuance, offset the project's increase in demand for police services.

c) ***Less Than Significant Impact.*** Any residential development at the site would result in an incremental demand for school facilities in the area. The project site is located in the Oroville Union High and Pioneer Union Elementary School Districts. Butte County assesses a development impact fee for school facilities at the time of residential development to offset any potential impact to area school facilities. The statewide average student yield factors ("student generation rate") are as follows:

Statewide Average Student Yield Factors	
Elementary School District	0.5 students per dwelling unit
High School District	0.2 students per dwelling unit
Unified School District	0.7 students per dwelling unit

California Department of General Services (https://www.dgsapps.dgs.ca.gov/OPSC/ab1014/sab50-01instructions.pdf)

The fee amount will be determined and calculated as of the date of application for the building permits. While school districts maintain that these fees do not fully mitigate the impacts of the project, the County is precluded from imposing additional fees or mitigation by state legislation.

d) ***Less Than Significant Impact.*** The project would result in the potential development a single-family residential dwelling, which would not create significant impacts to area parks and facilities. See discussion 4.15 – Recreation for more detail.

e) ***Less Than Significant Impact.*** The project would result in added need for County services, such as law enforcement, fire protection, general services, libraries, and roads. Butte County collects various types of development impact fees to offset the cost and impacts associated with new residential units. These fees vary depending on the dwelling type, and are collected at the time of development.

Mitigation required: None.

4.15 Recreation

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Would the project 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?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

Discussion

a) ***Less Than Significant Impact.*** The project falls within the boundaries of the Feather River Recreation & Park District. No significant population growth (0-5 persons) associated with the proposed project will generate an increase in demand for existing public or private parks or other recreational facilities that would either result in or increase the physical deterioration of the facility.

b) ***No Impact.*** Project activities does not include recreational facilities.

Mitigation required: None.

4.16 Traffic and Transportation

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

Discussion

a,b) ***Less than Significant.*** The project has the potential to introduce a single-family residence and accessory structures and uses that would generate minimal long-term changes in traffic volumes. There will be approximately 9.52 vehicle trips per day for a future single-family residence (ITE, 1997). The proposed project would not conflict with an applicable plan, ordinance, or policy with regard to the effectiveness of the performance of the circulation system. The proposed project would not generate permanent traffic, as it would not construct homes or facilities. The grading permit would utilize construction equipment to complete stabilization of the site, but it would not increase permanent vehicular trips because it would not result in development on site. Therefore, the project would have a less than significant impact associated with transportation or traffic.

c) ***No Impact.*** Within the vicinity of the project site, there are no public use airports. The project site is located outside the compatibility zones for the area airports. Therefore, the project does not result in a change to air traffic patterns, including increases in air traffic levels or safety hazards.

d) ***No Impact.*** Velma Way via Pritchett Drive provides access to the property from Oro Quincy Highway. The issuance of a Grading Permit, and any site stabilization would not substantially increase hazards due to a transportation design feature. This project does not propose new roadways and will result in the restoration of a portion of Velma Way. Additional grading of Velma Way is required for interim (emergency) erosion control.

e) ***Less Than Significant Impact.*** No existing residential uses are located on the project site; the project may introduce a single-family residence and accessory structures and uses (potentially including an accessory dwelling unit). The proposed project may generate a permanent increase in traffic volumes but not enough to cause the existing road network to have inadequate emergency access.

f) ***Less Than Significant Impact.*** The proposed project has the potential to generate a permanent increase in population growth to the project area however, there are no alternative transportation facilities within the project area, and thus the project will not cause an increase in demand for alternative transportation facilities, or otherwise decrease the performance or safety of such facilities.

Mitigation required: None.

4.17 Tribal Cultural Resources:

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 this is:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
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) or			X		
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 apply the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X		

Discussion:

a) & b) ***Less Than Significant.*** A Tribal Cultural Resource is a site feature, place, cultural landscape, sacred place or object, which is of cultural value to a Tribe. According to Butte County constraints mapping, the project site is located in an area considered to have a high archeological sensitivity. Often such sites are in foothill areas, areas with high bluffs, rock outcroppings, areas overlooking deer migratory corridors, or near bodies of water. The project site is located in the foothills of the Sierra Nevada Mountain Range and possibly utilized in historic or prehistoric times. The project site does not contain any rock outcroppings that could have be utilized for shelter.

Butte County staff initiated a Tribal Consultation Request with tribes that have requested formal notification of proposed projects within their geographic area of traditional and cultural affiliation per AB 52 Notification Request, Public Resources Code Section 21080.3(b). Two tribes have requested notification: the Torres Martinez Cahuilla Indians and the United Auburn Indian Community. It was determined after discussion with the Torres Martinez Cahuilla Indians that they do not identify lands within Butte County as being within their within their geographic area of traditional and cultural affiliation. The United Auburn Indian Community provided a map of their traditional and cultural affiliation area, which did not include the project site area.

Pre-project unpermitted grading activities have disturbed 1.55 acres of the 57.87-acre project site. Additional grading and construction activities are limited; however, there is a potential to affect an unknown tribal cultural resource. To prevent impacts to resources that may be uncovered during additional grading and construction activities, the following note has been placed on the Grading Plan: #6 Sheet 1 of 10 and is incorporated as part of the project description:

> "Should grading activities reveal the presence of prehistoric or historic cultural resources (i.e., artifact concentrations, including arrowheads, and other stone tools or chipping debris, cans, glass, etc.; structural remains; human skeletal remains) work within 50 feet of the find shall

immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. Should human skeletal remains be encountered State Law requires immediate notification of the County Coroner. Should the County Coroner determine that the remains are in an archaeological context, the Native American Heritage Commission shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains."

Mitigation required: None.

4.18 Utilities and Service Systems

Would the project:	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Exceed wastewater treatment requirements of the applicable Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves/may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The grading permit will not result in any changes to utilities; however, future development would likely be served by domestic water well and individual septic system based on utilization by surrounding residences.

Discussion

a) & b) ***Less Than Significant Impact.*** Private on-site septic systems will provide wastewater disposal for the proposed project. Therefore, because the project utilizes septic systems it would not have an impact on any wastewater treatment facilities. Grading plans demonstrate existing and proposed drainage patterns with the grading and terracing of approximately 1.55 acres on the project site. Storm water drainage facilities on the project site would (generally remain) and would be fortified

with erosion control measures such as waddles, and silt netting. Substantial new stormwater drainage facilities are not proposed; this is a less than significant impact.

d) *No Impact.* Private, groundwater wells will provide domestic water services for any future residence(s) on the project parcel. A well permit at time of Single Family Dwelling development requires new or expanded water entitlements through the Butte County Environmental Health Division.

e) *No Impact.* Private, on-site septic systems will provide wastewater disposal for the proposed project. A septic permit at time of Single Family Dwelling development requires septic entitlements through the Butte County Environmental Health Division.

f) ***Less Than Significant Impact.*** Construction of any single-family residence and accessory structures would result in a minor increase in the stream of waste deposited in the Neal Road Landfill. The California Integrated Waste Management Board estimates that a typical residential household generate 10 to 12 pounds of waste per day (1.8 to 2.2 tons per year). By the year 2034, the Butte County Public Works Department anticipates that the Neal Road Landfill will reach maximum holding capacity.

g) *No Impact.* The project would not impact federal, state, and local statutes related to solid waste.

Mitigation required: None.

5.0 Mandatory Findings of Significance

Mandatory Findings of Significance	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
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)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion

a) ***Less Than Significant with Mitigation.*** Potential impacts to biological resources were found to be **less than significant**. In addition, the project reflects grading already completed. In addition, per grading plan note #6 on sheet 1 of 2 and Section 5, Cultural Resources, impacts have been found to be **less than significant.**

b) ***Less Than Significant with Mitigation.*** The project is the issuance of a Grading Permit on 1.55 acres of a 57.87-acre parcel. Impacts identified in this Initial Study are found to be less than significant or would have no impact on environmental resources. Adherence to applicable regulatory requirements, i.e., Erosion Control Maintenance Plan, Dust Suppression Plan, and other permits or approvals of responsible agencies would ensure less than significant cumulative impacts.

c) ***Less Than Significant Impact.*** Based on the preceding environmental analysis and adherence to applicable local, state, and federal regulations, as noted in this document, the proposed project would not result in potentially significant cumulative, direct, or indirect adverse effects on the environment or human beings.

6.0 Mitigation Measures and Monitoring Requirements

Mitigation Measure #1:

Place the following note on all grading, building and site development plans: "To the extent feasible, the developer shall implement the following measures at the time of development to offset the anticipated contribution of greenhouse gas emissions from residential development:

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

Plan Requirements: The note shall be placed on all grading, building and site development plans.

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

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on all grading, building and site development plans. The Planning Division will ensure that future residential development includes the applicable measures during Building Permit review. Building inspectors shall spot check and shall ensure compliance on-site.

7.0 Preparers and References

Report Preparation and Review

Tristan Weems, Associate Planner, Butte County Development Services, Preparation

Charles Thistlethwaite, Planning Manager, Butte County Development Services, Review

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8.0 Consulted Agencies

Consulted Agencies

[ ] Environmental Health	[X] Public Works	[ ] Building Manager
[ ] BCAG	[ ] ALUC	[ ] LAFCo
[ ] Air Quality Management	[ ] City of Chico	[ ] City of Biggs
[ ] City of Gridley	[ ] City of Oroville	[ ] Town of Paradise
[ ] CA Department of Forestry	[ ] CalTrans (Traffic)	[ ] Central Reg. Water Quality
[ ] Department of Conservation	[ ] Dept. of Fish and Game	[ ] Highway Patrol
[ ] Army Corps of Engineers	[ ] National Marine Fisheries Service	[ ] US Fish & Wildlife Service

8.0 Incorporation of Mitigation into Proposed Project

Project Sponsor(S) Incorporation of Mitigation into Proposed Project:

I/We have reviewed the Initial Study for the Grading Permit GRD17-0002 applications and particularly the mitigation measures identified herein. I/We hereby modify the application on file with the Butte County Planning Department to include and incorporate all mitigations set forth in this Initial Study.

_____

Project Sponsor/Project Agent Date

_____

Project Sponsor/Project Agent Date