
**BUTTE LOCAL AGENCY FORMATION COMMISSION (LAFCO)
EXECUTIVE OFFICER’S REPORT**

TO: Local Agency Formation Commission

FROM: Shannon Costa, Local Government Planning Analyst

SUBJECT: *LAFCo File 22-05 – City of Gridley – West Biggs-Gridley Road Annexation No. 2*

DATE: February 23, 2022 for the March 3, 2022 LAFCo Meeting

Summary

The City of Gridley and affected property owners have proposed the annexation of a single parcel to the City of Gridley (See **Exhibit A**). Annexation of the territory would facilitate development of the site with a 56-lot single-family subdivision. Staff recommends that the annexation be modified to include a single parcel bisecting the annexation territory, which is owned by the Biggs West Gridley Water District and contains an irrigation canal. As modified, the annexation area would be approximately 20 acres in size. The proposal is a reorganization because the affected territory is within County Service Area 164 and the Butte County Resource Conservation District, and all of the territory will be detached from these districts. The proposal substantially conforms to LAFCo policy and the Executive Officer recommends approval of this proposal.

General Application Information

Application Submitted: October 10, 2021

Application Deemed Complete: January 6, 2022

100% Landowner Consent: Yes

Notice and Hearing Required: No

Proponent: City of Gridley City Council, by Resolution 2021-R-018

Landowner: Stenzel Family Trust (APN 009-290-006)
Biggs West Gridley Water District (APN 009-290-057)

Location: The territory is located on the west side of W. Biggs Gridley Road, north of Sycamore Street, on the westerly edge of the City of Gridley. The territory is contiguous with the City of Gridley boundary to the east, west, and south. The territory is located in Supervisorial District 4.

Proposal:

1. Proposed annexation of a single parcel, totaling approximately 19 acres, to the City of Gridley; and
2. Amended by Staff to include one additional parcel owned by the Biggs West Gridley Water District, totaling approximately 0.46 acres, to the City of Gridley; and
3. Detachment of all parcels from CSA 164 (Butte County Animal Control District), and from the Butte County Resource Conservation District.

Requested

Action: Adopt Resolution No. 10 2021/22 (**Exhibit B**) approving the annexation.



DISCUSSION AND ANALYSIS

Proposal

The City of Gridley and affected property owners have proposed the annexation of a single parcel to the City of Gridley. Annexation of the territory would facilitate development of the site with a 56-lot single-family subdivision. Staff recommends that the annexation be modified to include one additional parcel which bisects the annexation territory owned by the Biggs West Gridley Water District, and that the area be detached from County Service Area No. 164 (Butte County Animal Control) and from the Butte County Resource Conservation District.

The proposal includes:

- Annexation of a single parcel totaling approximately 19 acres, to the City of Gridley; and
- Amended by Staff to include one additional parcel owned by the Biggs West Gridley Water District, totaling approximately 0.46 acres, to the City of Gridley; and
- Detachment of all parcels from CSA 164 (Butte County Animal Control District), and from the Butte County Resource Conservation District.

Project Site

The annexation territory is on the westerly edge of the City of Gridley, north of Sycamore Street and south of Justeson Avenue. The City of Gridley jurisdiction borders the annexation territory on the easterly, westerly, and southerly boundary. The annexation territory is split into four quadrants by two drainage canals; Sutter Butte Canal that runs north-south through the site, and City of Gridley Drainage Canal that runs east-west through the site. Three of the quadrants totaling approximately 14 acres have been actively farmed with kiwi orchards since the early 1980's. The northeasterly quadrant is developed with two single-family homes, one mobile home, and surrounding outbuildings such as barns and sheds.



Existing homes to remain – Google Earth



Active kiwi orchard and drainage canal – Google Earth

Lands surrounding the project site are developed with residential development at varying densities and some agricultural uses. Immediately north and south of the site is developed with tree crops and rural residential development. Lands to the east and west are developed at higher residential densities, including low-density single-family subdivisions with lot sizes ranging from 5,200 square feet to 12,200 square feet in size. Land surrounding the annexation territory are identified for residential uses by the City of Gridley General Plan Land Use Diagram.

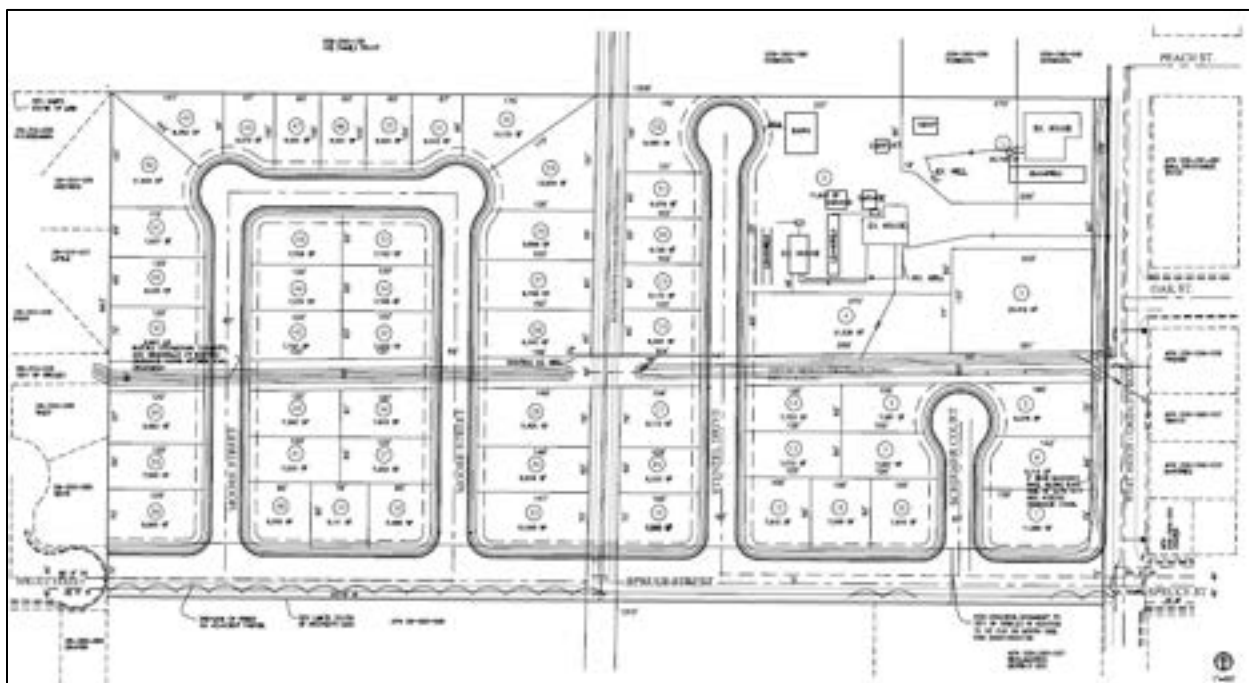
The Butte County General Plan designates the annexation territory as Rural Residential allowing up to one unit per five or ten acres. The City of Gridley has rezoned the site to match the proposed density resulting from the approved tentative subdivision map; approximately 15.4 acres of the site are rezoned Residential, Low Density while the remaining 3.5 acres would be zoned Residential, Suburban, consistent with the existing development density.



Aerial view – Google Earth

City of Gridley Approvals

At its October 5, 2021 meeting, the City of Gridley City Council adopted a series of resolutions (see **Exhibit C**) approving a tentative subdivision map (below) and associated environmental review in the form of an initial study/mitigated negative declaration (IS/MND) for the project (see **Exhibit D**, Kiwi Vineyards Estates Initial Study). The approval would allow development of the site with 56 lots for single-family residential development, with two lots to support the existing residential use at the site. To support the development of the site at the proposed density, a resolution was adopted to amend the Gridley General Plan Land Use Designation of 16.4 acres of the site to Residential Low Density while 3.55 acres of the site would remain Residential Very Low Density. The addition of the parcel containing the irrigation canal would have a de minimis impact on factors considered in the initial study as the parcel contains only an irrigation canal with no potential for increased development.



Approved Tentative Subdivision Map – Kiwi Vineyard Estates

Layout of the subdivision is such that Spruce Street would be extended through the project site, providing primary access to a series of new local streets that will serve the interior lots. Lots sizes for the subdivision would range from 7,700 square feet to 10,000 square feet. Lots 1-4 in the northeasterly portion of the subdivision would be larger in size, reflecting the existing density and zoning.

The proposed annexation territory does not include any adjacent road right-of-way, as all portions West Biggs Gridley Road within the City's SOI were previously annexed into the City of Gridley to allow for road improvements and maintenance to support surrounding development.

EFFECT OF ANNEXATION

The annexation was initiated by the City of Gridley and the property owner in order to provide City municipal services to a 56-unit single-family development, proposed by the property owner. Following annexation, the City of Gridley will assume from the County of Butte primary responsibility for basic municipal services including, but not limited to, police/fire protection, public works, and land use planning. These services will be funded partially or wholly with additional revenues realized from property taxes, and subject to the Master Property Tax Sharing Agreement between the City and the County. Following annexation:

- The parcels will be removed from CSA No. 164 (Animal Control), as this service will be provided by the City of Gridley; and
- The parcels will be detached from the Butte County Resource Conservation District, as this service is restricted to unincorporated parcels only; and
- The territory will remain within Butte County Mosquito and Vector Control District, Reclamation District 833, CSA 34 (Gridley Pool) and CSA 37 (Gridley-Biggs Ambulance) as these regional services will continue to be provided and are unaffected by the annexation

Existing Service Agencies and Proposed Service Changes

The following table shows the services that are currently provided to the territory and the changes in service providers as a result of annexation to the City of Gridley.

<u>Service</u>	<u>Presently Provided By</u>	<u>Proposed Provider</u>
Fire Protection	County of Butte	City of Gridley/CAL Fire
Police Protection	County of Butte	City of Gridley
Code Enforcement	County of Butte	City of Gridley
Sewer Service	None	City of Gridley
Domestic Water Service	None	City of Gridley
Agricultural Water Service	Biggs West Gridley Water District	No Change
Animal Control	County of Butte (CSA 164)	City of Gridley
Solid Waste	Private Collector	No change
Road/Street Maintenance	County of Butte	City of Gridley
Power Infrastructure	PG&E	City of Gridley
Street Lighting	None	City of Gridley
Planning & Zoning	Butte County	City of Gridley
Schools	Gridley Unified School District	No change
Resource Conservation	Butte Co. Resource Conservation Dist.	None
Mosquito Abatement	Butte Co. Mosquito Abatement Dist.	No change
Parks and Recreation	CSA 34	No change
Storm Water Drainage	RD 833	No change
Cemetery	Gridley-Biggs Cemetery District	No change

Drainage and Irrigation

As previously mentioned, two irrigation canals bisect the project site. Sutter Butte Canal, owned by the Biggs West Gridley Water District, runs north-south through the annexation territory conveying stormwater runoff to the south through a series of ditches and canals. The City of Gridley Drainage Canal runs east-west through the territory and collects storm water runoff from adjacent development which conveys to the Eagle Meadows Detention Basin.

The parcels are within the bounds of Reclamation District 833 (RD 833) which provides drainage/reclamation services to the agricultural and residential property owners of approximately 38,000 acres in the westerly portion of Butte County, as well as the cities of Biggs and Gridley. Past projects in and around the City of Gridley exacerbated existing drainage capacity issues for RD 833, resulting in significant flooding during the rainy season. To avoid further intensifying flooding issues, City of Gridley policy requires all subdivision maps be conditioned such that prior to filing of the final map, the landowner/developer shall submit the final drainage plan to the City of Gridley Department of Public Works, RD 833, and Biggs-West Gridley Water District for their review and approval.

The existing agricultural use (kiwi vineyard) at the site is provided raw irrigation water by the Biggs West Gridley Water District (BWGWD). The District provides irrigation services to primarily agricultural and open-spaces uses west of Highway 99 and in the cities of Biggs and Gridley, south to the Sutter County border. On January 3, 2021, the General Manager for the Biggs West Gridley Water District, on behalf of the Board of Directors, entered into a letter agreement with the City of Gridley to mitigate concerns the District raised regarding the annexation and subsequent development of the site, which contains District facilities (see **Exhibit E**). Through the letter agreement, the District requests that the project be conditioned such that: 1) the canal bisecting the territory shall be piped (underground) at the time of construction, 2) the annexation territory be detached from the District at such time that it is no longer used for agricultural purposes, and 3) the parcel owned by the District be included in the annexation proposal. These requests are reflected in conditions of approval #4 and #5 in the draft resolution.

Water and Wastewater

Domestic water and wastewater would be managed by the City of Gridley water distribution and sewage collection system. The existing single-family homes at the site are serviced by onsite wells and septic tanks that would remain until such time that facilities are installed to serve the new subdivision.

The annexation territory would be connected to the City of Gridley underground sewerage collection system. The City provides wastewater collection, treatment, and disposal services within City limits. The City maintains wastewater collection lines, a treatment plant, treatment ponds, percolation ponds, and emergency storage facilities. The 2008 MSR and Gridley 2030 General Plan both identified the need for expansion of both the treatment plant capacity and conveyance capacity to the wastewater treatment plant to serve new growth anticipated within the City's SOI. In 2009, the City launched an expansion project, which included near doubling the capacity of its wastewater treatment plant as well as headwork's facility upgrades, piping and electrical improvements. The project resulted in approximately 873,000 gallons per day of remaining capacity, or, 3,490 estimated dwelling units (EDU's) based on industry standards for flow data. The system has adequate capacity to serve the annexation territory at the proposed density.

The City of Gridley sources its water via seven wells located within the City of Gridley, two of which are on standby. Residential users consume approximately 56% of the City's water capacity, which is calculated to be an estimated average daily demand of 1,509,700 gallons per day (4.6 acre/feet). This demand is approximately 66% of the calculated domestic water capacity available

in the City's five active wells. It is estimated that based on this demand, the City can support an additional approximately 4,320 new EDU's .

Conversion of Ag Land

Approximately 14 acres of the annexation territory are planted with Hayward kiwis. Given that the protection of agricultural lands is a fundamental legislative charge given to LAFCo by the State Legislature, it is important for the Commission to carefully consider proposals that result in the conversion of agriculture lands and the effect that the conversion may have on adjacent agricultural uses.

CKH defines Prime Agricultural Land as an area of land that has not been developed with a use other than an agricultural use, and that meets any of the listed qualifications (Government Code Section 56064). The annexation territory can be defined as Prime Agricultural Land as it is planted with nut/fruit bearing vines that will return not less than \$400 per acre during the commercial bearing period.

The City of Gridley General Plan EIR recognizes that if the city is to grow, it will need to convert lands that support agricultural resources. The city is surrounded by agricultural land, and any annexation and development within the SOI consistent with the General Plan would convert areas currently in agricultural production to urban uses. The City of Gridley General Plan policies and actions do not completely offset the loss of important farmland, and no feasible mitigation measures are available to avoid this impact. The City of Gridley City Council approved the General Plan update (including the SOI amendment) with Findings of Fact and a Statement of Overriding Considerations determining that for the health and growth of the City, a loss of agricultural resources would occur.

In 2000, during its Sphere of Influence update for the City of Gridley, the Commission determined that there existed insufficient vacant non-prime agricultural lands within the existing Sphere of Influence, and that the annexation territory was a reasonable growth area. Therefore, the Commission approved the expanded Sphere of Influence with the appropriate environmental review (EIR) and the adoption of the necessary determinations and findings addressing the conversion of agricultural lands. This determination was substantially supported by the following Statement of Overriding Considerations found in the Commissions Resolution:

Pursuant to Section 15093 of the CEQA Guidelines, the Commission finds that the economic and social benefits of the proposed project documented in the EIR and the Sphere of Influence Plan, such as expanding the housing opportunities and economic growth opportunities in the City of Gridley, outweigh the adverse impacts of the conversion of prime agricultural land, an impact which cannot be eliminated or reduced to a level that is less than significant and which is unavoidable as the City grows.

Parcels north and south of the annexation territory are developed with active orchards (tree crops). City of Gridley General Plan policies encourage buffers to reduce potential conflicts when new residential development occurs adjacent to existing agricultural uses. The width of the buffer can be determined on a case-by-case basis, taking into consideration crop type, agricultural practices and other factors. Buffers are only required for residential development in areas adjacent to Butte County land use designations identified for cultivated crops and grazing. The

north-adjacent parcel is approximately eight acres in size and identified as Very Low Density Residential by the Butte County General Plan, allowing up to one unit per 5 acres (2 units total). The parcel contains an active orchard and a single-family home. The 11.5-acre south-adjacent parcel is within the jurisdictional boundary of the City of Gridley and is zoned for residential use (Residential, Suburban). The parcel is planted with citrus trees. The proposed subdivision was designed and approved without the inclusion of an ag buffer, however, a condition of approval for the final map would require a “right to farm” document be recorded concurrent with the final map notifying future owners that farming practices, including animal keeping and spray pesticides, could occur on surrounding parcels.

Individual Factors for Consideration

California Government Code §56668 provides a list of factors to be considered in the review of a proposal. The Commission’s review shall include, but is not limited to, consideration of these factors:

(a) Population; land use; topography; proximity to other populated areas; the likelihood of significant growth in the area.

The annexation territory is on the westerly edge of the City of Gridley, north of Sycamore Street and south of Justeson Avenue. The territory borders the City of Gridley jurisdiction on the easterly, westerly, and southerly border. The annexation territory is split into four quadrants by two drainage canals; Sutter Butte Canal, which runs north-south through the site, and City of Gridley Drainage Canal that runs east-west through the site. Three of the quadrants are actively developed with kiwi orchards. The northeasterly quadrant is developed with two single-family homes, one mobile home, and surrounding outbuildings such as barns and sheds. The territory is relatively flat, sloping at only 2-3%.

Lands surrounding the project site are developed with varying residential densities and agriculture uses. Immediately north and south of the site is developed with tree crops and rural residential development. Lands to the east and west are developed at higher densities, including low-density single-family subdivisions with lot sizes ranging from 5,200 square feet to 12,200 square feet in size.

Annexation of the territory would facilitate development of the site with a 56-lot single-family subdivision. Significant growth in the area is limited by existing zoning and land use patterns. The City’s Sphere of Influence bounds the annexation territory to the north and west, but does not include vacant parcels to the north. One parcel with significant development potential remains though is currently farmed with tree crops. It is not likely that this particular annexation would spur development of remaining lands within the City’s SOI.

(b) The need for organized community services; probable effect of the proposed annexation on the cost and adequacy of services and controls in the area and adjacent areas.

The need for organized community services in the territory is to support future residential development consistent with the City of Gridley General Plan. The present cost and adequacy of governmental services and controls in the area are the County’s responsibility. If the annexation is approved, the territory would then be served by the City of Gridley, which is geared primarily toward providing urban level services. The affected territory will be integrated into the City’s overall service provision scheme and will increase the City’s responsibilities and costs to deliver services. It is acknowledged that this will create an additional burden on the

City, however, the adequacy and parity of services delivered within the City is a decision of the City Council when setting service level and delivery priorities.

(c) The effect of the proposed action and of alternative actions.

The area would be removed from the County's unincorporated area and be within the City of Gridley's incorporated service area. The proposed annexation would allow the City of Gridley provide a full range of municipal services to the territory, including those served through contracts and agreements and allow for the full development of the territory for much desired housing. Impact to local government is nominal. Slightly less population growth within the territory would occur under the County's jurisdiction because parcels in the area are identified for rural residential development, rely on individual septic tanks limiting development densities and which is intended for large-lot single-family development and small farmsteads.

(d) The conformity of the proposal with the adopted commission policies on providing planned, orderly, efficient patterns of urban development.

The annexation of the subject territory to the City of Gridley is consistent with the planned, orderly, and efficient patterns of urban development within the adopted Sphere of Influence of the City of Gridley. The annexation will result in more effective, efficient, and logical jurisdictional boundaries and will provide more effective and efficient services to future residents of the area. The proposal is consistent with Commission policies that encourage:

- *Consistency of the proposal with the General Plan of the applicable planning jurisdiction. (2.10.1).*
- *The creation of logical boundaries. (2.11.2)*
- *Consistency of a proposal with the Sphere of Influence and Municipal Service Review of the affected jurisdiction(s). (4.1.1)*
- *Contiguity of a proposed annexation area to the jurisdictional boundaries of the annexing city. (4.1.3)*
- *Determination of the most efficient service provider. (4.2)*

(e) The effect of the proposal on agricultural lands.

The project would result in the conversion of approximately 14 acres of ag-productive land. The city is surrounded by agricultural land, and any annexation and development consistent with the General Plan would convert areas currently in agricultural production to urban uses. The City of Gridley General Plan policies and actions do not completely offset the loss of important farmland, and no feasible mitigation measures are available to avoid this impact. The City of Gridley City Council approved the General Plan update (including the SOI amendment) with Findings of Fact and adopted the 2030 General Plan with a Statement of Overriding Considerations, finding that expanding the housing opportunities and economic growth opportunities in the City of Gridley outweigh the adverse impacts of the conversion of prime agricultural land. The City Council determined that for the health and growth of the City, a loss of agricultural resources would occur.

(f) Boundaries of the territory.

The subject territory is parcel specific, with definite and certain boundaries. There are no conflicts with lines of assessment or ownership. The subject territory initiated by the City of Gridley and the affected property owner, and is legally uninhabited with less than 12 registered voters.

(g) Consistency with city or county general and specific plans.

The proposal is consistent with the land use policies of the City of Gridley. The City of Gridley's General Plan designates the territory as Residential, Low Density and the City has rezoned the territory accordingly. The General Plan Land Use Designation and Pre Zoning of the site support development of 15 acres of the site with 56-lots for single-family development. No specific plan has been adopted for this area.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The territory is within the boundaries of the Biggs West Gridley Water District, and Reclamation District 833. These districts provide for the collection/drainage and delivery of irrigated (raw) water to agricultural uses in the westerly portion of Butte County. To avoid flooding problems, City of Gridley policy requires all subdivision maps be conditioned such that prior to filing of the final map, the landowner/developer shall submit the final drainage plan to the City Department of Public Works, RD 833, and Biggs-West Gridley Water District for their review and approval.

Further, to meet the request provided by BWGWD, conditions of approval are recommended that upon recordation of the final map and subsequent development of the site for uses other than agriculture, the land owner/developer shall apply to LAFCo (including all applicable fees) for detachment of the parcels from the district, and that the canal facility transecting the site be undergrounded at the time of construction. Conditions of approval are recommended to address both issues.

The territory is within County Service Area No. 164 (Butte County Animal Control) and the territory will be detached from this district, as this service will be provided by the City of Gridley. The territory will also be removed from the Resource Conservation District as only unincorporated parcels can be in the District. The territory is also within, and will remain in, the bounds of CSA 34 (Gridley Pool), CSA 37 (Gridley-Biggs Ambulance), Gridley-Biggs Cemetery District, and Butte County Mosquito and Vector Control District.

(i) The comments of any affected local agency.

On November 2, 2021, LAFCo staff circulated the proposal for review and comment from local public agencies. Butte County Ag Commissioner commented that if the parcel were to remain under County jurisdiction that the development would be subject to Butte County Code Section 24.56.1 which requires setbacks for residential structures adjacent to agricultural uses. The Biggs West Gridley Water District, through a series of letters and meetings, provided support for the project subject to the proposed additional conditions of approval agreed upon by City and District staff.

Agency

Comment Provided

Butte Co. Assessor's Office

No TRA issues

Butte Co. Ag Commissioner

Proposed project is adjacent to Very Low Density Residential (VLDR) zoned parcel to the north. VLDR zoning allows for AG uses and the adjacent parcel to the north may contain Ag uses. Butte County Code Sec.24.56.1 specifies setbacks for residential structures adjacent to Ag uses on land zoned residential.

When annexed the project would not be bound by this code nor subject to a review by Agricultural Commissioner's office for a setback from adjacent Agriculture.

Environmental Health Division

TPM would not be feasible with on-site wastewater systems due to parcel size restrictions; applicant would have to obtain a will-serve from Gridley Municipal Utilities. Current records show two permitted wastewater systems: one with 1500 gallon tank, 280 foot field for 4 bedroom 2nd dwelling installed 2006 and second with 1000 gallon tank, 300 foot field for 3 bedroom 2nd dwelling (mobile) installed in 2001. Current records show one permitted well. TSM shows 3 on-site wastewater systems, 1 ag well and 2 domestic wells. Well and septic destruction permits must be obtained from Environmental Health. Septic destruction required with connection to sewer. Any new well permits must be obtained from Env. Health.

Butte Co. Planning Division

Proposal exceeds current density standards within County RR-5 zoning designation. Prezone proposed R1-SFR, with 3 du/ac density standard. Subject parcels outside of 300 foot Ag Buffer per BCC 24-83.

Comments were solicited from the following departments/agencies but they either did not respond, or provided no substantive comments: Butte County Auditor, Butte County Elections, Butte County Mosquito and Vector Control District, CAL Fire/Butte County Fire, Butte County Public Works Department, Butte County Animal Control, Butte County Resource Conservation District, Butte Community College, CAL Trans, Gridley-Biggs Cemetery District, Reclamation District 833 and Butte County Sheriff.

(j) The ability of the receiving entity to provide the services.

The City of Gridley provides general administration, community development, public works, sewer, police, fire protection, electric, and other services within its incorporated area. The City of Gridley, through its resolution of application, attests to its ability to extend municipal services to the territory without impact to existing City residents.

In the Initial Study/Mitigated Negative Declaration prepared by the City of Gridley for the annexation proposal, the City states that the modest increase in development potential would occur along an existing City street and would not overburden fire or police protection services, schools or recreation facilities, or other governmental services. New development within the territory will require payment of development impact fees to offset the cost of new facilities for police, fire, parks, and other public services that were anticipated along with general growth of the City analyzed by the Gridley General Plan EIR.

(k) Availability of adequate water supplies.

The City of Gridley sources its water via seven wells located within the City of Gridley, two of which are on standby. Residential users consume approximately 56% of the City's water capacity, which is calculated to be an estimated average daily demand of 1,509,700 gallons per day. This demand is approximately 66% of the calculated domestic water capacity available in the City's five active wells. It is estimated that based on this demand, the City can support the development of approximately 4,320 new residents.

(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs.

The territory is developed with single-family residential uses and vacant land. The annexation and the subsequent development of the parcels with a 56-unit, single-family dwelling, subdivision will contribute towards the Regional Housing Needs Allocation for the City of Gridley and result in significantly more housing units than could be developed under County regulations.

(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

Notice of the public hearing for the proposed annexation was mailed to landowners and registered voters within 300 feet of the territory. As of the date of this staff report, no comments have been received.

(n) Any information relating to existing land use designations.

The Butte County General Plan designates the parcels as Rural Residential allowing up to one unit per five or ten acres. The City of Gridley has rezoned the site to match the proposed density resulting from the approved tentative subdivision map; approximately 15.4 acres of the site are zoned Residential, Low Density while the remaining 3.5 acres would be zoned Residential, Suburban, consistent with the existing development density.

(o) The extent to which the proposal will promote environmental justice.

The proposed reorganization is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups. The territory is not within a disadvantaged unincorporated community (DUC).

Based upon the above responses, the proposal appears to be consistent with the listed factors.

Applicable Butte LAFCo Policies

Section 2.0 (*LAFCo General Policies and Standards*) and Section 4.0 (*Annexation and Detachments*) of Butte LAFCo Policies and Procedures provides the Commission with general standards for annexation proposals. The relevant policies for consideration and guidance for this proposal include:

- Consistency of the proposal with the General Plan of the applicable planning jurisdiction. (2.10.1).
- The creation of logical boundaries. (2.11.2)
- Consistency of a proposal with the Sphere of Influence and Municipal Service Review of the affected jurisdiction(s). (4.1.1)

- Contiguity of a proposed annexation area to the jurisdictional boundaries of the annexing city. (4.1.3)
- Determination of the most efficient service provider. (4.2)

ADDITIONAL INFORMATION

Property Tax Agreement

In accordance with provisions of Revenue and Taxation Code §99, an Amended Master Property Tax Exchange Agreement was executed between the City of Gridley and the Butte County Board of Supervisors on November 4, 1980. The agreement provides for the County to receive 48% of the property tax revenues, and the City to receive 52%.

Support/Protest

The City of Gridley conducted a noticed public hearing on August 16, 2021, at which time the annexation proposal was initiated by Resolution No 2021-R-018. There was no known opposition to the City's proposal at that time.

On February 10, 2022, hearing notices for the Commission's March 3, 2022, public hearing on the annexation were mailed to all landowners and registered voters within 300 feet of the territory. There is no known opposition to the City's proposal at this time.

Environmental Analysis

The City of Gridley is the lead agency for the proposal under the California Environmental Quality Act (CEQA). The City prepared and adopted a Mitigated Negative Declaration (Kiwi Vineyard Estates) that analyzed the environmental impacts of the development of annexed property. The City's Mitigated Negative Declaration found that the proposed annexation would have a less than significant environmental impact with the incorporation of mitigation measures that address impacts to air quality, biological resources, noise, aesthetics, greenhouse gas emissions, and tribal cultural resources. The Mitigated Negative Declaration prepared by the City of Gridley is attached to this report as **Exhibit D**.

As responsible agency, LAFCo is required to rely on the City's environmental documentation in acting on the proposal, but must prepare and issue its own findings. Staff has reviewed the aforementioned Mitigated Negative Declaration and believes that the City has made an adequate determination in that the proposed annexation will not directly result in any substantial impact to the environment.

CONCLUSION

The City of Gridley is capable of providing full municipal services to the territory without impacting service levels provided to current City residents. The proposed annexation represents a reasonably logical extension of the City's boundaries and services, and it will have no adverse impacts on any other agency's ability to provide services. The annexation proposal substantially conforms to LAFCo policy and the Executive Officer recommends approval of this proposal.

ALTERNATIVES FOR COMMISSION ACTION

After reviewing this report and any testimony or materials that are presented, the Commission may take one of the following actions:

OPTION 1 – CONDITIONALLY APPROVE the *amended* proposal as submitted by the City of Gridley:

- A. Adopt the Mitigated Negative Declaration/Mitigation Monitoring Program prepared and adopted by the City of Gridley for the proposed annexation of the subject territory.
- B. Adopt Resolution 10 2021/22 making determinations approving the proposed *City of Gridley – West Biggs Gridley Road Annexation No. 2*
- C. Find: 1) the subject territory is uninhabited, 2) all affected landowners have given written consent to the annexation, and 3) the annexing agency has given written consent to the waiver of conducting authority proceedings.
- D. Waive the conducting authority proceedings and direct staff to complete the proceeding.

OPTION 2 - DENY the proposal

ACTION REQUESTED: Approve OPTION 1

Respectfully submitted,

Shannon Costa

Shannon Costa
Local Government Planning Analyst

Attachments:

- Exhibit A: Annexation Area Map
- Exhibit B: Draft LAFCo Resolution 10 2021/22
- Exhibit C: City of Gridley Resolutions
- Exhibit D: Initial Study and Mitigated Negative Declaration
- Exhibit E: Biggs West Gridley Water District Letter

RESOLUTION NO. 10 2021/22

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF BUTTE
MAKING DETERMINATIONS AND ORDERING THE ANNEXATION OF
TERRITORY DESIGNATED AS 22-05 CITY OF GRIDLEY
WEST BIGGS GRIDLEY ROAD ANNEXATION NO. 2**

RESOLVED, by the Local Agency Formation Commission of the County of Butte, State of California, that

WHEREAS, a proposal for the annexation of two parcels totaling approximately 20 acres in size to the City of Gridley in the County of Butte was heretofore submitted by the City of Gridley, which was accepted for filing on January 6, 2021 by the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56658, set March 3, 2022, as the hearing date on this proposal and gave the required notice of public hearing; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56665, has reviewed this proposal and prepared a report, including recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, this Commission called for and held a hearing on March 3, 2022, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, this Commission considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of Butte **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Environmental Action:

- A. The City of Gridley, as lead agency, prepared an Initial Study/Mitigated Negative Declaration for the annexation proposal and the proposed residential subdivision (Kiwi Vineyards Estates), which addressed issues related to the effect of urban development and the impacts to public services. The Initial Study/Mitigated Negative Declaration did not identify any significant impacts associated with the project that would not support the requested annexation.
- B. As a "Responsible Agency" under CEQA Guidelines, prior to approving the proposed annexation, the Commission is required to consider the information in the Initial Study/Mitigate Negative Declaration for the project on which the Lead Agency based its Notice of Determination.
- C. The Commission finds that the Lead Agency's Initial Study/Mitigated Negative Declaration was prepared in accordance with the requirements of CEQA Guidelines and is consistent with State law and that the City's environmental

document prepared for this annexation is determined to be legally adequate pursuant to CEQA Guidelines Section 15063(2).

Section 2. General Terms and/or Conditions:

- A. The Commission has considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, Butte LAFCo Policies and Procedures, Sphere of Influence and General Plan consistency, the City of Gridley Municipal Service Review, the Domestic Water and Wastewater Service Providers Municipal Service Review, the City of Gridley 2030 General Plan and 2030 General Plan EIR, the City of Gridley Zoning Ordinance, and other factors specified in Government Code Section 56668 and as described in the staff report dated February 23, 2022 for the March 3, 2022 meeting.
- B. The Commission waives protest proceedings pursuant to Government Code Section 56663 (Waiver of Protest Proceedings). Pursuant to this code section, the Commission finds that the subject territory is uninhabited, all affected landowners have given written consent to the annexation, and no affected agency has provided written opposition of the proposal.
- C. The annexation area consists of two parcels totaling approximately 20 acres, as submitted by the City of Gridley and as described in Exhibit "A".
- D. The subject area is found to be uninhabited, and is assigned the following short form designation: 22-05 - City of Gridley – West Biggs Gridley Road Annexation No. 2.
- E. The exchange of property tax revenues between the County of Butte and the City of Gridley will be performed in accordance with the Master Tax Exchange Agreement approved by the City of Gridley (Resolution No. 3514 on February 4, 1980) and by the County of Butte (Resolution No. 80-15 on January 22, 1980).
- F. The purpose of the annexation is to support orderly jurisdictional boundaries, to provide for logical, efficient, and effective jurisdictional boundaries, and for the provision of City of Gridley municipal services for existing and future development within the territory.
- G. The Commission finds that the economic and social benefits of the proposed project documented in the EIR and the Sphere of Influence Plan, such as expanding the housing opportunities and economic growth opportunities in the City of Gridley, outweigh the adverse impacts of the conversion of prime agricultural land, an impact which cannot be eliminated or reduced to a level that is less than significant and which is unavoidable as the City grows.
- K. The parcels proposed for annexation will be detached from the following districts:
 - 1. County Service Area No. 164 (Butte County Animal Control District); and
 - 2. Butte County Resource Conservation District.

Section 3. Conditions adopted by LAFCo:

- 1. All LAFCo, County of Butte, and State of California fees must be paid in full prior to filing the Certificate of Completion.

2. The legal description and map, if amended by action of the Commission, will be revised at the expense of the applicant, prior to filing the Certificate of Completion.
3. The map and legal description shall comply with the State Board of Equalization requirement and if rejected by the State Board of Equalization, will be revised at the expense of the applicant.
4. A note shall be placed on the final map requiring that the canal owned by the Biggs West Gridley Water District, referred to as the Sutter Butte Canal on the proposed tentative parcel map, shall be piped underground at the time of construction, or in a manner satisfactory to the Biggs West Gridley Water District.
5. Prior to filing of the final map, an application to LAFCO for the detachment of the annexation territory from the Biggs West Gridley Water District shall be made, including all applicable filing fees.

Section 4. The boundaries, as set forth in the proposal or as amended by action of the Commission, are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 5. The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided in Section 56882 of the Government Code.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Butte, on the 3rd day of March 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINS:

ATTEST:

Steve Lucas
Clerk of the Commission

CARL LEVERENZ, Chair
Butte Local Agency Formation Commission

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRIDLEY TO PRE-ZONE APPROXIMATELY 19.95-ACRES; 3.55 ACRES TO RESIDENTIAL SUBURBAN (RS) AND 16.4-ACRES TO SINGLE FAMILY RESIDENTIAL DISTRICT (R-1) LOCATED ON THE WEST SIDE OF WEST BIGGS-GRIDLEY ROAD (009-290-006)

WHEREAS, the Planning Commission held publicly noticed hearings on August 19, 2020, September 16, 2020, and July 28, 2021 regarding the proposal to pre-zone approximately 3.55 acres to Residential Suburban (RS) and 16.4 acres will be pre-zoned to Single Family Residential (R-1); and,

WHEREAS, at the close of the July 28, 2021, public hearing the Planning Commission recommended the City Council approve pre-zoning the property; and,

WHEREAS, the City Council reviewed the recommendation of the Planning Commission, considered the Initial Study and Mitigated Negative Declaration, has found that the proposed pre-zone could not have a significant effect on the environment; and,

WHEREAS, the City Council accepted the Mitigated Negative Declaration by adopting Resolution Number 2021-R-019 on August 16, 2021; and,

WHEREAS, the City Council duly introduced Ordinance 833-2021 by reading of title only at a regular meeting of the City Council held on August 16, 2021; and,

WHEREAS, the City Council of the City of Gridley ordains as follows:

SECTION 1: The City Council finds that the pre-zone of Assessor Parcel Number 009-290-006 is consistent with the 2030 General Plan and the amendment adopted thereto as 2021-R-019.

SECTION 2: The City Council of the City of Gridley approves the pre-zone of Assessor Parcel Number 009-290-006 to 3.55-acres Residential Suburban (RS) and 16.4-acres Single Family Residential District (R-1).


SECTION 3: The Zoning Map of the City of Gridley on file with the City Clerk, designating and dividing the City into zoning districts, is hereby amended, in accordance with the herein description and Exhibit A.

SECTION 4: This ordinance shall be effective thirty (30) days from the date of the second reading of the ordinance.


I HEREBY CERTIFY the foregoing ordinance for the property pre-zone of APN 009-290-006 as noted in Sections 1-4 and as shown on Exhibit A, and the second reading and adoption by reading of title only at the regular City Council meeting of the City of Gridley held on the 7th day of September 2021, by the following vote:

AYES:	COUNCIL MEMBERS	Sanchez, Johnson, Farr, Calderon, Torres
NOES:	COUNCIL MEMBERS	None
ABSENT:	COUNCIL MEMBERS	None
ABSTAIN:	COUNCIL MEMBERS	None

ATTEST:


Cliff Wagner, City Clerk

APPROVE:


Bruce Johnson, Mayor

APPROVED AS TO FORM:

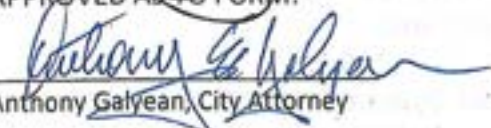
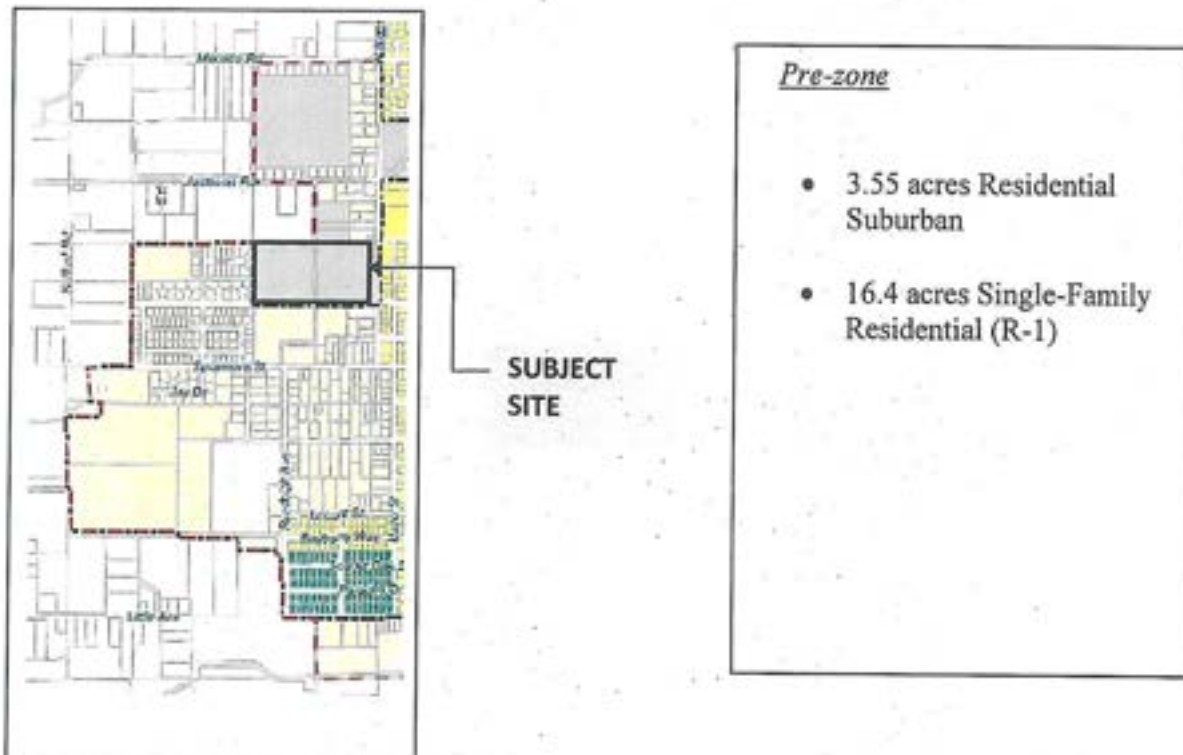

Anthony Galyear, City Attorney

EXHIBIT A



Figure 1: Location Map



A RESOLUTION OF THE GRIDLEY CITY COUNCIL TO AMEND THE GENERAL PLAN LAND USE DESIGNATIONS OF APPROXIMATELY 16.4-ACRES OF THE TOTAL 19.95 ACRES FROM RESIDENTIAL, VERY LOW DENSITY TO RESIDENTIAL, LOW DENSITY AND TO ADOPT A MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA FINDING THERE IS LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACT FROM THE LAND USE RE-DESIGNATIONS (009-290-006)

WHEREAS, the Planning Commission held a publicly noticed hearing on July 28, 2021, regarding the proposal to amend the General Plan land use designation of 16.4 acres of the total 19.95 acres from Residential, Very Low Density to Residential Low Density located on the west side of West Biggs-Gridley Road; and,

WHEREAS, at the close of the July 28, 2021, public hearing, the Planning Commission recommended that the City Council approve the amendment of the General-Plan land use designation of 16.4 acres of the 19.95 acres; and,

WHEREAS, the City Council reviewed the recommendation of the Planning Commission at its August 16, 2021, public hearing also considering the Initial Study, and did find the change in General Plan land use designation and rezoning could not have a significant effect on the environment; and,

WHEREAS, the City Council accepts the Initial Study and the published Mitigated Negative Declaration. A Notice of Intent to adopt a Negative Declaration was published and provided the required 20-day minimum period for public review and comment;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRIDLEY, AS FOLLOWS:

1. The City Council of the City of Gridley amends the General Plan land use designation of 16.4 acres of the Assessor Parcel Number 009-290-006 from Residential, Very Low Density to Residential, Low Density as shown on the attached Exhibit A; and,
2. The City Council of the City of Gridley adopts a Mitigated Negative Declaration finding that the project could not have a significant effect on the environment.
3. The General Plan Map of the City of Gridley on file with the City Clerk, designating and dividing the City into land use districts, is hereby amended, in accordance with the herein description and Exhibit A.

I HEREBY CERTIFY that the foregoing resolution was introduced, passed, and adopted by the City Council of the City of Gridley at a regular meeting held on the 16th day of August 2021 by the following vote:

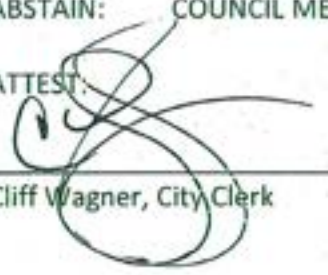
AYES: COUNCIL MEMBERS Sanchez, Farr, Calderon, Johnson

NOES: COUNCIL MEMBERS None

ABSENT: COUNCIL MEMBERS Torres

ABSTAIN: COUNCIL MEMBERS None

ATTEST:



Cliff Wagner, City Clerk

APPROVE:

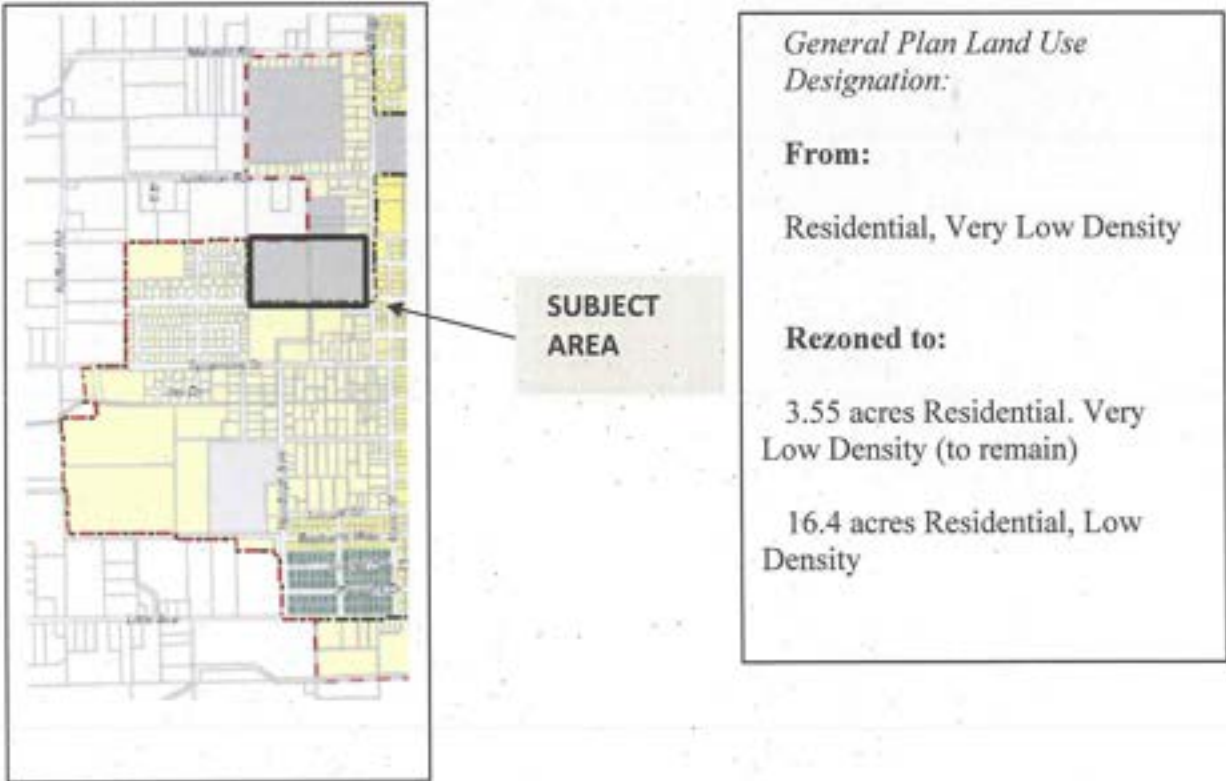


Bruce Johnson, Mayor

EXHIBIT A



Figure 1: Location Map



A RESOLUTION OF THE GRIDLEY CITY COUNCIL APPROVING TENTATIVE SUBDIVISION MAP NO. 1-20 TO SUBDIVIDE ONE PARCEL CONSISTING OF APPROXIMATELY 19.95 ACRES INTO SIXTY (60) PARCELS LOCATED AT THE WEST SIDE OF WEST BIGGS-GRIDLEY ROAD (APN: 009-290-006)

WHEREAS, the City of Gridley has received an application to consider a Tentative Subdivision Map request for one parcel totaling approximately 19.95-acres in order to create a total of sixty lots for single-family residential use on property located on the west side of West Biggs-Gridley Road in the manner illustrated on a tentative parcel map received by the City (Exhibit "A" attached); and,

WHEREAS, the subject property consists of one parcel designated as Assessor's Parcel Number 009-290-006 and the proposed Tentative Subdivision Map has been assigned the file number Tentative Subdivision Map No1-20 (TSM 1-20); and,

WHEREAS, the proposed General Plan designation is Residential, Very Low Density and Residential, Low Density; and,

WHEREAS, the proposed pre-zoning designation for the subject parcel is 3.55-acres, Residential Suburban (RS) and 16.4-acres, R-1 Single Family Residential District; and,

WHEREAS, the City Council finds that Tentative Subdivision Map No1-20, including the proposed use and improvements to the property, is consistent with Gridley's General Plan including the policies contained therein as well as the land use diagram, and also finds that based on the conditions of approval, the site is physically suitable for development as proposed; and,

WHEREAS, the City Council considered at a noticed public hearing on August 16, 2021, the comments and concerns of property owners who are potentially affected by approval of Tentative Subdivision Map No. 1-20, and also considered the staff report regarding the proposed tentative map design and required public improvements; and,

WHEREAS, the City Council determined that the described tentative map and its design and improvements are consistent with Gridley's General Plan and zoning ordinance policies regarding the use and division of land; and,

WHEREAS, the City Council, having further considered the Initial Study prepared for the project in order to adopt a Mitigated Negative Declaration; and,

WHEREAS, the City Council finds that this tentative subdivision map complies with all State and City regulations governing the division of land, and that division and

development of the property in the manner set forth on the tentative parcel map as shown on Exhibit A will not unreasonably interfere with the free and complete use of existing public and/or public utility easements or rights-of-way.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRIDLEY, AS FOLLOWS:

SECTION 1: FINDINGS FOR APPROVAL OF THE TENTATIVE SUBDIVISION MAP

1. That the proposed project is consistent with the City of Gridley General Plan and does not exceed density and intensity standards within the Land Use Element. *The Residential, Very Low Density and Residential Low Density residential standards of the City's General Plan establish a maximum density of four units per acre. The proposed project has a gross density of approximately 3.7 dwelling units per acre of residentially developed land.*
2. That the site is physically suitable for the type of development proposed. *The proposed residential uses are consistent with adjacent residential uses. No hazards exist on the site which would make the property inappropriate for people or residential uses.*
3. That the site is physically suited for the density of development. *The proposed RS, Residential Suburban and R-1, Single-Family Residential zoning district allows for the development of single-family residential dwelling units. The proposed Tentative Subdivision Map has a proposed density of 3.7 dwelling units per gross acre which conforms to the requirements of the R-1 zone district and the Residential, Low Density General Plan land use designation. The project site has slopes of less than 2%, it is not within a 100-year flood plain and can accommodate drainage facilities necessary for the proposed density, it has adequate access to public roads which have the capacity to serve the development.*
4. That the designs of the subdivision or the proposed improvements are not likely to cause serious public health problems. *As conditioned, the project will provide adequate sanitary sewer, a public water supply, storm drainage facilities, and roadway and construction conditions and mitigation measures to minimize project related problems. Standard subdivision improvements will include fire hydrants, streetlights and roadways designed for residential traffic.*
5. The design of the project will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed project. *The project will not impact or conflict with any easements or land acquired by the public.*
6. The Tentative Subdivision Map conforms to the provisions of the Subdivision Map Act and to the provisions of Gridley Municipal Code Title 16 - Subdivisions (GMC Section 16.15). *The tentative subdivision map complies with the required form and content of tentative subdivision maps, as set forth by the City and based upon the provisions of Title*

16 of the Gridley Municipal Code.

7. The tentative subdivision map conforms to the provisions of the City of Gridley General Plan (GMC Section 16.15). *The project applicant proposes to amend the General Plan to be consistent with the R-1 zoning district density of 4 units/ac. The subdivision is for residential purposes. This is consistent with the proposed land use designations for the subdivided parcel under the City's General Plan (Residential, Very Low and Low Density (2-4 du/ac)).*

8. The tentative parcel map is consistent with good planning and engineering practice (GMC Section 16.15). *The City Engineer has reviewed the tentative subdivision map, and has attached conditions that have been incorporated within the Conditions of Approval. All lots comply with the requirements in the City of Gridley Land Division Standards and Improvement Standards.*

9. The project will not be harmful to the public health and safety or the general welfare of the persons residing or working in the area. *The project applicant proposes to develop the lots for residential uses. This type of development is not considered potentially harmful to the public health and safety or to the general welfare of persons residing in the vicinity.*

10. The project will not result in substantial environmental damage. *The tentative subdivision map would not result in any substantial damage to the environment. Development proposed under the subdivision map would be consistent with the type of development in the vicinity, and would not substantially damage the physical environment of the area. The site is located within the Sphere of Influence and has been evaluated for annexation into the city.*

SECTION 2: THE CITY COUNCIL OF THE CITY OF GRIDLEY:

Approves Tentative Subdivision Map 1-20 as described subject to the following conditions of approval:

GENERAL REQUIREMENTS:

1. The applicant shall file a Declaration of Acceptance of the following conditions by submitting a signed copy of the conditions to the Planning Department within 30 days of the City Council approval.
2. The Tentative Subdivision Map 1-20 shall expire after five years. No further extensions are allowed under the Subdivision Map Act unless it is extended by the California State Legislature. A new application to develop the site would be required and all current conditions would need to be met at that time.

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3. Development of the site shall comply with all requirements at the time of development.
4. In the event of the discovery or recognition of prehistoric or historic resources in the area subject to development activity, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie similar resources and a professional archaeologist shall be consulted. Further, if human remains are discovered, the coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the coroner shall contact the Native American heritage Commission within 24 hours.

Upon completion of the site examination, the archeologist shall submit a report to the City describing the significance of the finds and make recommendations as to its disposition. If human remains are unearthed during construction, the provisions of California Health and Safety Code Section 7050.5 shall apply. Under this section, no further disturbance of the remains shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98. Mitigation measures, as recommended by the archaeologist and approved by the City, shall be implemented prior to commencement of construction activity within the 50-foot perimeter.

5. A note shall be placed on the map related to the requirement for the project to pay all applicable impact fees for the development of the project at the currently adopted rates.
6. Minor changes may be approved by the Planning Director upon receipt of a substantiated request by the applicant, or their respected designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved.

Changes deemed to be major or significant in nature shall require a formal application for amendment.

7. All properties subject to Tentative Subdivision Map shall comply with all applicable requirements of the Gridley Municipal Code.
8. The applicant may enter into a Subdivision Agreement in order to record the Final Map prior to all improvements constructed. The agreement is a

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document approved by Council resolution.

9. The applicant may request a grading permit and pay all applicable fees as reviewed and approved by the City Engineer.
10. The applicant/developer may develop the subdivision in phases at the review and approval of the city.
11. All costs related for plan review, design, and improvement plan approval by city staff and/or consultants will be the responsibility of the applicant/developer at actual cost.

TAXES:

12. Segregate any assessments against the properties.
13. Pay any delinquent taxes and/or assessments against the properties.
14. The applicant, developer, owner shall submit a request for a tax exchange agreement between the City of Gridley and Butte County.

FEES:

15. Note on a separate document to be recorded simultaneously with the Subdivision Map, the requirement for payment of school impact fees, as levied by the Gridley Unified School District in accordance with State legislation at the currently adopted rate per square foot of building area.
16. Note on a separate document to be recorded simultaneously with the Subdivision Map, the requirement for payment of drainage fees levied and must be paid to the City at the time a building permit is issued for development of each parcel.
17. Note on a document to be recorded concurrently with the Final Map the requirement for payment of development impact fees at the time a building permit is issued for development on each lot at the current amount adopted by the City Council, at the time of building permit issuance.

CONVEYANCES AND EASEMENTS:

18. Dedicate and improve the west one-half of West Biggs Gridley Road including curb, gutter, sidewalk and street reconstruction from the north and south limits of the project entry. Improvements of the right-of-way shall be to the satisfaction of the City Engineer.
19. Dedicate and improve the residential street rights-of-way for all interior subdivision streets to the satisfaction of the City Engineer.

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20. Dedicate a 10-foot-wide public service easement adjacent to all public right-of-way frontages.
21. All right-of-way dedications shall be affected at the time of the Final Map filing.
22. Dedicate all required right of way for Spruce Street to extend on the south boundary to Eagle Meadows.

STREETS:

23. All streets of the subdivision shall be constructed in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The required structural sections for the streets will be established by utilizing in place "R" values as determined by the Developer's engineer and traffic indices shown in the Gridley Public Works Construction Standards. The developer shall submit to the city construction details, plans and profiles, typical sections, specifications, and cost estimates that have been prepared by a registered civil engineer in the State of California. Prior to the start of any proposed new work, construction details, plans and profiles, typical sections and specifications, and cost estimates that have been prepared by a registered engineer shall be submitted to the Department of Public Works for review and approval prior to start of any work. An encroachment permit shall be required for any work within the public right-of-way.
24. Street names shall be approved by the City of Gridley/Butte County Street name coordinator.
25. Install street name signs, traffic control signs, pavement markings and barricades in conformance with the Gridley Public Works Construction Standards.

STORM DRAIN FACILITIES:

26. Public and private improvements constructed as a result of approval of this subdivision shall not result in an increase in the rate of peak storm water runoff from the gross area of the pre-subdivided site during a one hundred (100) year design storm event. A Master design and Maintenance Plan for construction of improvements to comply with this requirement shall be reviewed and approved by the City Engineer of the City of Gridley and by the Engineer for Reclamation District 833, prior to recordation of the Final Map.
27. Prior to approval of the Final Map all of the following requirements shall be completed:
 - a) A registered engineer shall prepare and submit the following

information to the city for review and approval:

- i) Calculations identifying the estimated rate of peak stormwater runoff from the gross area of the undivided site and abutting streets as they exist at the time of approval of the tentative subdivision map during a one hundred (100) year [1% probability] design storm event. The calculations shall be prepared in a manner consistent with the Gridley Public Works Construction Standards, and with standard engineering practice.
 - ii) Construction details, plans and profiles, typical sections, specifications, and maintenance plans for any proposed stormwater detention facilities to be constructed to serve the parcels created by this subdivision.
- b) A funding mechanism, e.g., Assessment District and shall be established to provide for the on-going maintenance costs associated with utilities, approved stormwater detention facilities constructed pursuant to condition number "i" above. The funding mechanism shall be approved by the City of Gridley.
28. The applicant shall submit plans to Reclamation District No. 833 for review and approval and must pay review fees, if required. All fees must be paid prior to recordation of the Final Map.
 29. Dedication of the total area of the detention basin, park, open space, frontage improvements on West Biggs Gridley Road and all pedestrian connection trails, shall be made to the city of Gridley in fee title as a condition of recordation of the Final Map.
 30. If surface detention facilities are proposed, the design shall minimize use of the facility by mosquitoes for breeding by incorporating some or all of the features recommended by the Butte County Mosquito and Vector Control District.
 31. Construct standard drainage improvements along all streets within and adjacent to the site to the satisfaction of the City Engineer prior to issuance of the first Certificate of Occupancy for structures within the project.
 32. All drainage improvements shall be constructed in conformance with the Gridley Public Works Construction Standards, the City of Gridley Master Drainage Plan, and the details shown on approved construction plans. The developer shall have a registered engineer prepare and submit construction details, plans and profiles, typical sections,

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specifications, and cost estimates to the Department of Public Works for review and approval prior to the recordation of the Final Map.

SANITATION FACILITIES:

33. All homes on the new lots created by this subdivision shall be connected to the city sanitary sewer system prior to issuance of a Certificate of Occupancy.
34. All sanitation facilities shall be constructed in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The developer shall submit construction details, plans and profiles, typical sections, specifications, and cost estimates that have been prepared by a registered engineer to the Department of Public Works for review and approval prior to start of any work.

WATER FACILITIES:

35. All homes on the new lots created by this subdivision shall be connected to the municipal water system.
36. All water facilities shall be constructed in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The developer shall submit construction details, plans and profiles, typical sections, specifications, and cost estimates that have been prepared by a registered engineer for review and approval prior to start of any work.
37. The City and the developer shall coordinate with RD 833 for the construction of appropriate decorative fencing to prohibit access to the canal.

FIRE PROTECTION:

38. The developer shall install fire hydrants in conformance with the requirements of the Uniform Fire Code as interpreted by the local division of the California Division of Forestry, the City of Gridley's contract Fire Department. The number of hydrants installed, as well as the exact location and size of each hydrant and the size of the water main serving each hydrant, shall be as specified in the Code.
39. All residential structures shall provide a fire sprinkler system that meets or exceeds the requirements of the Fire Code.

ELECTRIC FACILITIES:

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40. All homes on the new lots created by this subdivision shall be connected to the municipal electric system.
41. All transformers shall be pad mounted above ground.
42. Street lights shall be installed in the locations designated and to the satisfaction of the City Engineer. The street lights shall be City-owned and shall be installed in accordance with City standards.
43. All electric facilities shall be constructed in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The developer shall submit construction details, plans and profiles, typical sections, specifications, and cost estimates that have been prepared by a registered engineer to the Department of Public Works for review and approval prior to start of any work.
44. All residential units are required to provide an operable solar system sized to the expected demand. Plans showing the proposed solar design and technical data sheets shall be submitted to the Electric Department for review and approval prior to submitting to Butte County for a building permit.

OTHER PUBLIC FACILITIES:

45. Telephone, cable television, internet, and natural gas service shall be provided to all parcels in accordance with the Gridley Public Works Construction Standards, the Gridley Municipal Code, and the requirements of the agencies providing these services.
46. If any existing utilities must be relocated as a result of this subdivision, the agencies that own the facilities may require the developer to pay the cost of such relocations.

LOT GRADING:

47. Prior to approval of a Final Map and improvement plans, a registered engineer or geologist shall prepare a soils report or geotechnical report. The report shall be prepared in a manner consistent with standard engineering practices and shall be reviewed for acceptability by the City Engineer.
48. The lots shall be graded in conformance with the Gridley Public Works Construction Standards and the Gridley Municipal Code. The developer shall submit grading details, plans and specifications prepared by a registered engineer for review and approval prior to

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the start of any work.

49. Prior to grading and sitework, a Storm Water Permit must be obtained from the Regional Water Quality Control Board.
50. The applicant/developer is responsible for paying all costs for a third-party inspector during the construction of any or all phases of development.
51. At the onset of construction, clearing and grubbing, mobilization, the construction access shall be from West Biggs Gridley Road. All equipment, contractors, and material delivery and stockpiling shall be located at the east end of the project. A temporary security gate shall be in place at the east boundary to Eagle Meadows to prohibit access to the site through the neighborhood.
52. Access to building pads for building the residential units shall be from West Biggs Gridley Road.

ENGINEERING: (Refer to other sections of the conditions)

53. Existing topo 50 feet beyond boundary and proposed finish grade contour lines both at 1 foot contour intervals shall be provided.
54. Provide Water Distribution Plan, proposed sizes, and tie in locations.
55. Provide proposed fire hydrant locations.
56. Provide Sanitary Sewer Plan, proposed sizes, slopes, sewer manholes and tie in locations.
57. Provide Drainage Plan, sizes and detention facilities.
58. Public utility easements (PUE) shall be shown on plans.
59. Provide Landscape and Irrigation Plans for frontage along West Biggs-Gridley Rd.
60. Show all existing public facilities on West Biggs Gridley Road.
61. Show width of Drainage Canal easements and protected access.
62. A sound wall will be required at the frontage of West Biggs Gridley Road at the entry to the subdivision.
63. Entry from West Biggs Gridley Road shall be similar to the Heron Landing entrance, this will include a larger ROW (80') and a median at the entrance or as determined by the City Engineer.
64. Provide a legal description sufficient to define the boundary of the existing parcel and current Title Report.
65. Show standard proposed building setback details for interior lots and corner lots.

OTHER REQUIREMENTS:

66. Fencing of the rear yards for the project shall occur at the time of housing construction and shall be the responsibility of the developer. Fencing throughout the project shall be consistent from lot to lot as reviewed and approved by the Planning Department.

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2021-R-020**

67. Form an assessment district to cover on-going maintenance costs of facilities within the subdivision including landscaping areas and the drainage detention basin.
68. The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to the plaintiff in an action challenging the validity of this tentative subdivision map or any environmental or other documentation related to approval of this tentative subdivision map.
69. Construction practices shall conform to the standards adopted by the Butte County Air Quality Management District, which requires that 1) fugitive dust emissions related to construction of public improvements for the subdivision be controlled at all times, 2) all clearing, grading, earth moving or excavation activities must cease during periods of wind exceeding 15 miles per hour averaged over one hour, and 3) large off-road diesel equipment used for grading at the site must be maintained in good operating conditions.
70. Note on a document to be recorded concurrently with the Final Map that agricultural spraying and keeping of livestock may occur on surrounding properties and that such agricultural uses are permitted by the zoning of those properties and will not be abated unless the zoning changes.

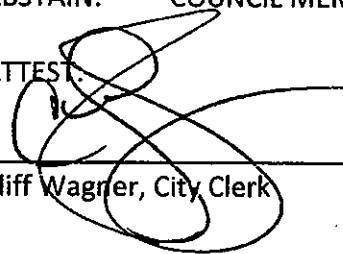
I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at the regular City Council meeting of the City of Gridley held on the 16th day of August, 2021, by the following vote:

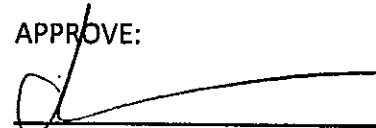
AYES: COUNCIL MEMBERS Johnson, Calderon, Sanchez, Farr

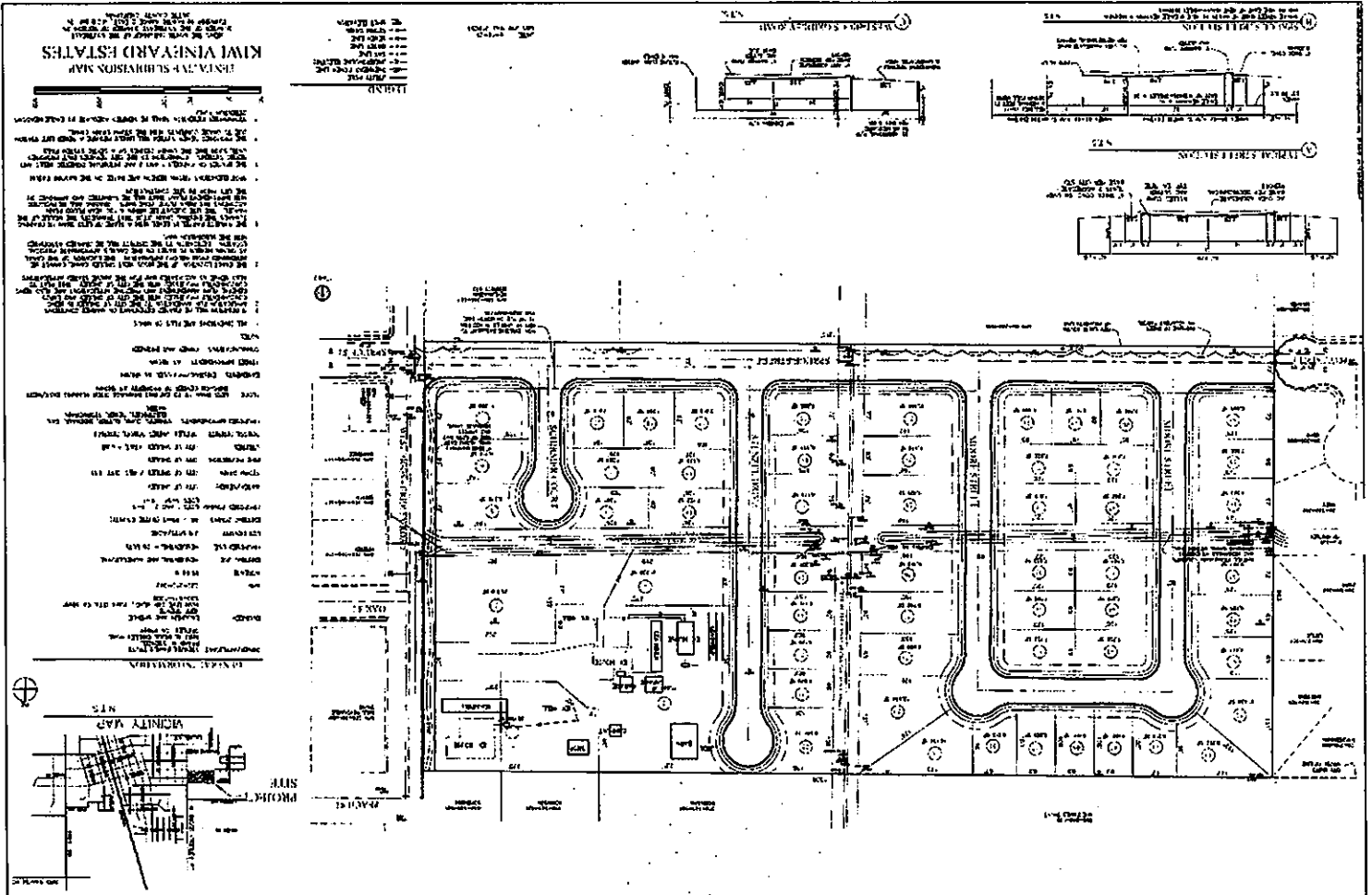
NOES: COUNCIL MEMBERS None

ABSENT: COUNCIL MEMBERS Torres

ABSTAIN: COUNCIL MEMBERS None

ATTEST:

Cliff Wagner, City Clerk

APPROVE:

Bruce Johnson, Mayor



2021-R-020
 EXHIBIT A

*Kiwi Vineyard Estates
Gridley, California*

Initial Study/Mitigated
Negative Declaration

July, 2021

Prepared by the City of Gridley

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- Appendix A – Cultural resources outreach
Northeastern Information Center Response
- Appendix B – Biologic resource reference
- Appendix C – Transportation Study; KD Anderson
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A. INTRODUCTION

This document, a CEQA Initial Study, is a review of the potential environmental issues that may exist for a proposed development. The review is a precursor to the determination of the environmental impact leading to the CEQA document: Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report for the purposes of determining mitigations, if needed, for project approval.

The Initial Study process identifies and analyzes the potential environmental impacts of the proposed project. The information and analysis presented in this document is organized in accordance with the order of the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines. Where the analysis provided in this document identifies potentially significant environmental effects of the project, mitigation measures are recommended. Mitigation measures, for the purposes of this environmental review, are recommendations to mitigate an impact to less than significant. These measures can take many forms often through the implementation of policy documents and/or conditions for the entitlement approval for the project. These measures would be incorporated into the project through conditions of approval for the project by the City of Gridley approval body, the City of Gridley City Council. The City may also adopt findings and potentially develop a Mitigation Monitoring/Reporting Program in the project conditions of approval for the project in conjunction with approval of the project.

The City of Gridley adopted its comprehensive General Plan Update (GPU) on December 4, 2009. An EIR was prepared for the GPU. The GPU EIR is a program EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.). The Gridley GPU EIR analyzed full implementation and buildout of the City of Gridley GPU including those areas outside the incorporated boundary. The GPU EIR determined several significant and unavoidable impacts. The General Plan EIR states that impacts those mitigations are provided for, cannot reduce the impact to a less-than-significant level. Implementation of the 2030 General Plan will have significant effects related to land use, air quality, noise, transportation and circulation, hydrology and water resources, agricultural resources, and aesthetic resources; therefore, they remain significant and unavoidable at the programmatic level. Table 2-3 GPU is a summary of impacts and related mitigation measures. Specifically, each element identifies potential impacts, then identifies policies and actions that reduce impacts to less-than-significant if possible. Where elements were identified as significant and unavoidable, the City of Gridley City Council to approved the General Plan update with findings of overriding consideration.

Per Public Resources Code (PRC) Section 21083.3, if a development project is consistent with the local general plan and zoning, the environmental analysis should be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior EIR. Therefore, in accordance with PRC Section 21083.3, the analysis within this environmental review will also rely on analysis included in the General Plan EIR, as applicable, and as noted above.

B. PROJECT INFORMATION

1. Project Title: Kiwi Vineyard Estates
2. Lead Agency: City of Gridley
Planning Department
685 Kentucky Street
Gridley, CA 95948
3. Contact Person: Donna Decker, Planning Director
Planning Department
Phone: (530) 846-3631
Planningdept@gridley.ca.us
4. Project Location: APN 009-290-006
1683 West Biggs Gridley Road
5. Project Sponsor's Name and Address: Frank and Shirley Stenzel
1683 West Biggs Gridley Road
Gridley, CA 95948
6. Existing General Plan Designation: Rural Residential, Butte County
City of Gridley GP Amendment
Residential, Very Low Density, 3.55 acres
Residential, Low Density, 16.4 acres
7. Existing Zoning Rural Residential, 5-ac minimum, Butte County

Pre-zone: 3.55 acres, RS Residential Suburban
(3 du/ac)
16.4 acres, R-1 Single Family Residential
(2-4 du/ac)
8. Required Approvals from Public Agencies: City of Gridley Annexation/Pre-zone
LAFCo Annexation
9. Surrounding Land Uses and Setting:

The City of Gridley is located in the southwest portion of Butte County and has an average elevation of 90-95 feet. The area is relatively flat with slopes generally from 1-3% creating some design constraints to provide for positive drainage in new developments. The climate ranges in lows to the mid-20's during the winter season to over 95 degrees over short periods in the summer months. Precipitation in this area of the Sacramento Valley is generally 20-22", annually.



Figure 1: Location of the City of Gridley in Butte County



Figure 2: Project location in the City of Gridley

The project site consists of approximately 19.95-acres and is located to the north of the City of Gridley incorporated boundary. The site is bisected east-west with the City of Gridley canal connecting to the Eagle Meadows subdivision to the west. The Sutter Butte Canal #8, irrigation canal bisects the site north to south.

The site fronts on West Biggs-Gridley Road on the east side of the property. The southeast corner of the property intersects with Spruce Street which will be extended to the west providing vehicular and pedestrian connectivity.

Rural residential development and agriculture exists on the north and south sides of the subject site. Single-family residential exists on the west and east sides of the property. The site is currently developed with two existing residences, a mobile home, agriculture outbuildings, and kiwi vineyards. The site is in the unincorporated area of Butte County within the City of Gridley Sphere of Influence.

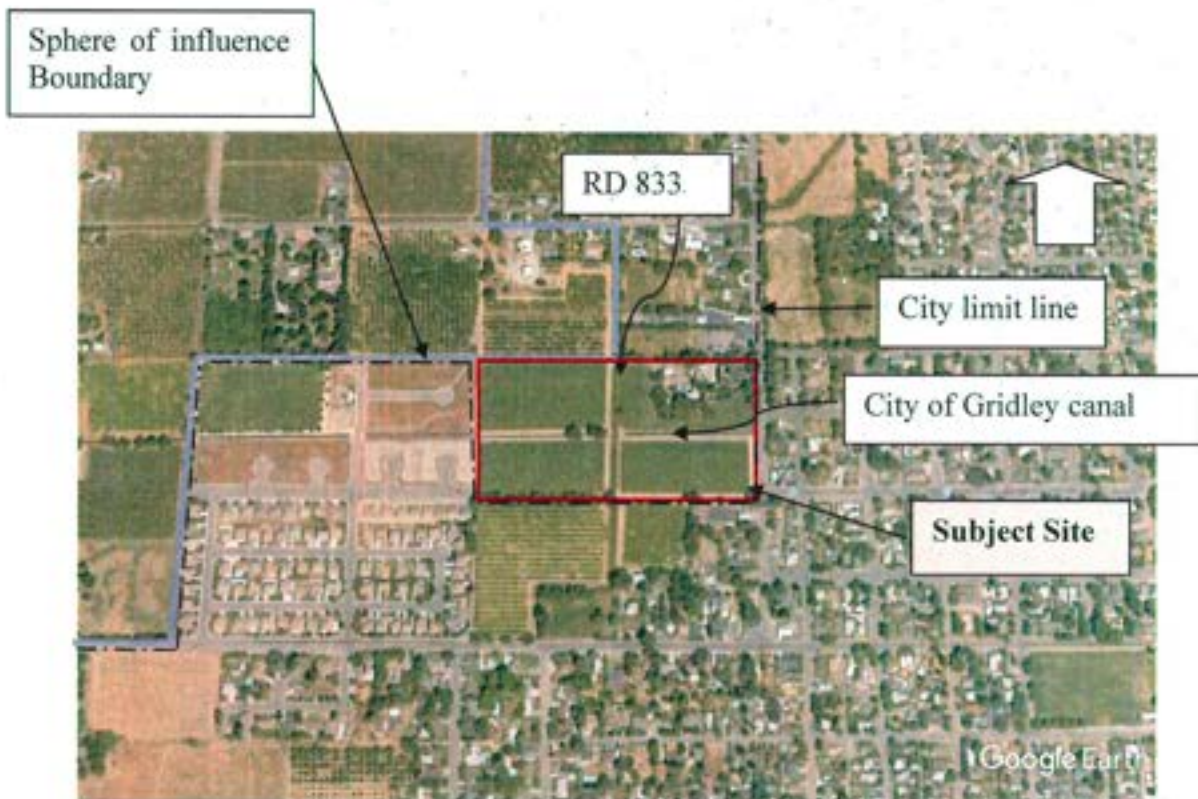


Figure 3: Location Map-Existing Conditions

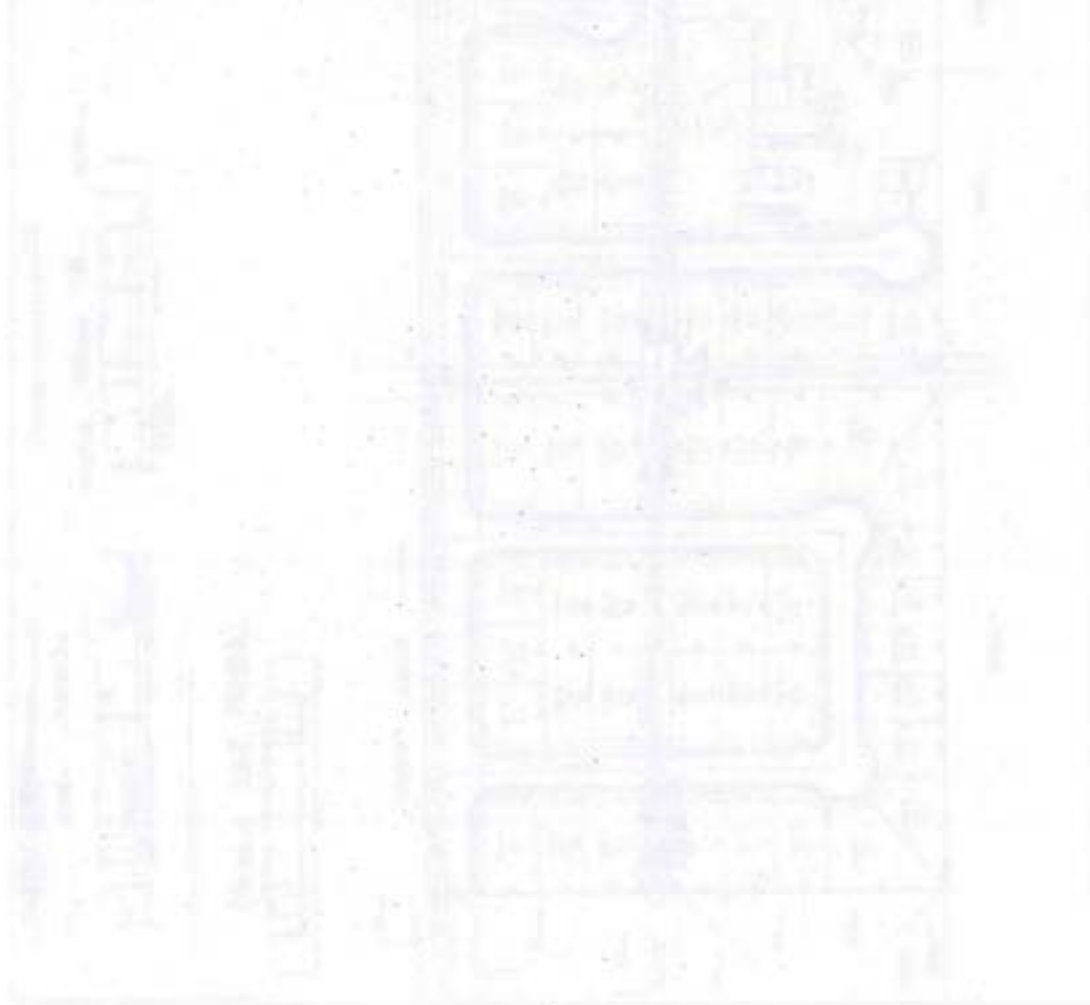
12. Project Description Summary:

The proposed project consists of the annexation of approximately 19.95-acres in the unincorporated area of Butte County into the City of Gridley, approval of a Tentative Subdivision Map to subdivide the subject site into a 60-lot subdivision. The proposed project would amend the General Plan land use designation to 3.55-acres of Residential, Very Low Density and 16.4-acres of Residential, Low Density. The project proposes to pre-zone the property to R-S Residential Suburban for the 3.55 acres with the remainder pre-zoned as R-1, Single-Family Residential allowing a density of 2-4 du/acre. Annexation of the proposed project will require approval of the Butte County LAFCo.

Kiwi Vineyard Estates would develop the site with an extension of Spruce Street from West Biggs Gridley Road to the Eagle Meadows subdivision, an internal circulation system, dedication of right-of-way for all streets, and widening West Biggs Gridley Road. The 3.55 acres designated as Residential, Very Low Density (1-2 du/ac) create parcels to separate land area to the two existing residences and to create an additional two parcels that are larger in size. The remaining 16.4 acres are to be developed with 56 lots having a density of 3.4 du/ac.

Improvements will also include landscaping along West Biggs Gridley Road and throughout the development.

13. Status of Native American Consultation Pursuant to Public Resources Code Section 21080.3.1: In compliance with Assembly Bill (AB) 52 (Public Resources Code Section 21080.3.1), a project notification letter was distributed to representatives of the Tsi Akim Maidu, United Auburn Indian Community of the Auburn Rancheria, Mooretown Rancheria of Maidu Indians, Mechoopda Indian Tribe, and the KonKow Valley Band of Maidu. At the time of the writing of this Initial Study, no response or recommendations had been received.



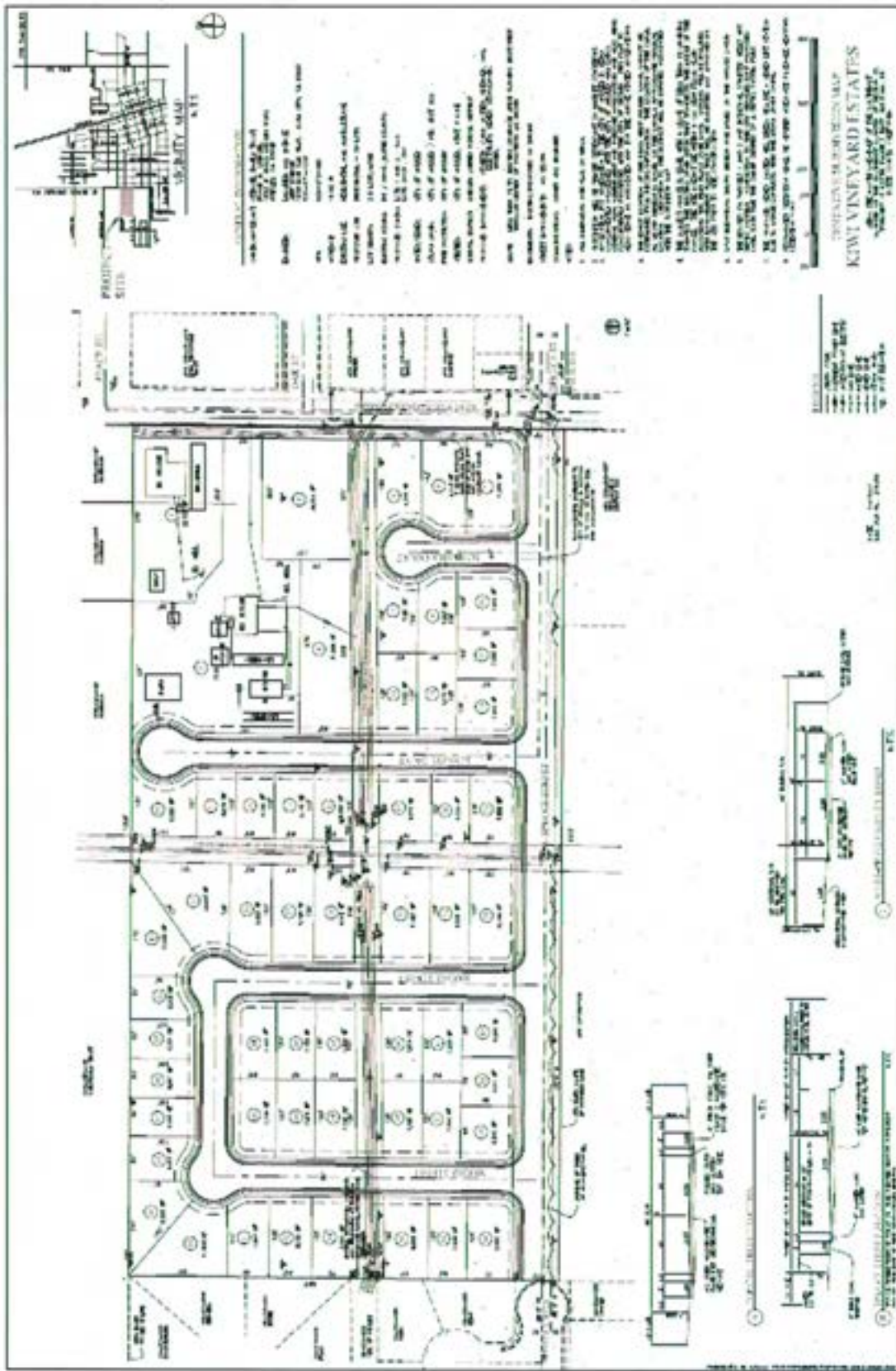


Figure 4: Proposed Tentative Subdivision Map

C. ENVIRONMENTAL FACTORS

This Environmental Review provides an assessment of the California Environmental Quality Act (CEQA) for the proposed project consisting of the annexation to the city of Gridley from Butte County of approximately 19.95-acres, a General Plan Amendment to amend 3.55 acres to Residential, Very Low Density, 16.4 acres, Residential, Low Density, pre-zone 3.55 acres to Residential Suburban and 16.4 acres to Single Family Residential, and a tentative subdivision map to create a 60-lot single-family residential subdivision.

In accordance with CEQA Section 15070, this environmental review may identify 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 proposed may have a significant effect on the environment prior to a negative declaration and initial study being released for public review.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

D. ANALYSIS/DETERMINATION:

On the basis of this environmental review:

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



July 6, 2021

Donna Decker
Planning Director
City of Gridley

Date

E. ENVIRONMENTAL CHECKLIST

The following checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the Proposed Project. A discussion follows each environmental issue identified in the checklist.

For this project, the following designations are used:

Potentially Significant Impact:

An impact that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant With Mitigation Incorporated:

An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less Than Significant:

Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact:

Any impact that does not apply to the project.

A discussion of the answers related to the checklist in each section summarizes the level of significance. If an environmental issue exists, then, mitigation will be considered that could be incorporated into the design, or, as a measure through the construction process of the development.

1. AESTHETICS

Environmental Setting

The project site currently has two single-family houses and a mobile home built from the early 1900's for the original home and more recently mid- to late 1900's for the second home. The site consists largely of agricultural lands comprised of an established kiwi vineyard. To the west of the site is the Eagle Meadows residential subdivision and to the east, single-family residential homes on standard sized single-family lots. To the north and south exist rural residential and agricultural uses. The subject site is outside the incorporated boundary, lying within the city Sphere of Influence boundary. The site is bisected by north-south/east-west canals. The canals divide the site into four quadrants.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially alter or degrade the existing visual character or quality of the project site;
- Have a substantial adverse effect on a scenic resource; or,
- Substantially increase light or glare in the project site or vicinity which would adversely affect day or night time views.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Aesthetics

Would the project:

a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

Discussion

- a) Examples of typical scenic vistas include mountain ranges, ridgelines, or bodies of water as viewed from a highway, public space, or other area designated for the express purpose of viewing and sightseeing.

Prominent views in the City of Gridley include the Sutter Buttes, expanses of agricultural lands, and views to the Sierra Nevada range as a visual background resource to the east and the Cascades to the west. The proposed project will urbanize an otherwise agricultural area impeding views other residences may enjoy to the Sutter Buttes and distant mountain ranges as described above. The General Plan policies:

Conservation Policy 9.1: The City will consider views of the Sutter buttes in the orientation of new roadways and trails and maintain visual connections where feasible.

Design Policy 8.2: Streets should be located and oriented to define the edges of neighborhoods and oriented so that major views terminate in parks, natural landmarks or civic landmarks to the greatest extent feasible.

The 2030 General Plan EIR states there is no feasible mitigation for this impact (GP EIR Pg. 4.11-3). The impact of development on visual resources and aesthetics is considered significant and unavoidable; therefore, the City Council approved the 2030 General Plan with Findings of Fact and adopted the Plan with a Statement of Overriding Considerations.

- b) The subject site is located more than a mile from the Golden State Highway 99 corridor. This corridor is not considered a scenic vista; however, the State of California does review projects to ensure they are not detrimental to the view corridor. This project does not impact the State Highway 99 view shed corridor. The west portion of the property is contiguous to the Eagle Meadows subdivision and will have access to West Biggs-Gridley Road due to the extension of Spruce Street. West Biggs Gridley Road serves as a primary north-south route from Biggs to Gridley. There are no scenic resources related to tree groves, rock outcroppings of importance, nor historic buildings or those registered with the State of California List of Historic Landmarks. Therefore, this is considered **no impact**.
- c) The project site is currently undeveloped with the exception of the two residential homes, a mobile home, and outbuildings located at the northeasterly portion of the subject site adjacent to West Biggs-Gridley Road. The visual quality of the site is characterized by naturally flat, open lands currently used as a kiwi vineyard. The visual character will be impacted in that it will be changed from agricultural land to developed residential property. Therefore, this is considered as a **less-than-significant impact**.
- d) The proposed project will generate new sources of light and glare where none currently exist. Anticipated new sources of light include outdoor street lighting, residential lighting, glare from windows, and light associated with vehicles entering and exiting the site. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times. A source of glare during the nighttime hours is artificial light. Increased nighttime lighting and illumination could result in adverse effects to adjacent land uses through the spilling over of light into these areas and skyglow conditions. The proposed development would be subject to existing City development and design standards set forth in the City's Municipal Code. The Code requires exterior lighting be

functional, architecturally integrated with the site and building design, and, that it be directed onto the site and away from adjacent properties. Additionally, exterior lighting within or adjacent to residential districts is required to be shielded so as to be direct light onto the site on which the lights are installed. Shielded is defined as no more than 20 percent of the light rays emitted by the fixture being directed outside the boundaries of the site. Adherence to existing City standards and to Municipal Code would reduce the impacts to daytime glare and nighttime lighting by requiring design guidelines and standards to limit lighting leakage and glare. Therefore, this impact is considered **less than significant with mitigation incorporated**.

Mitigation Measures

Implementation of the following mitigation measure would reduce the above potential impact to a less-than-significant level.

MM 1.1 In conjunction with the submittal of improvement plans, the applicant shall submit a lighting plan for the review and approval of the Planning Department. The lighting plan shall indicate the provision of shielding for all street light fixtures to avoid nighttime lighting spillover effects on adjacent land uses and nighttime sky conditions. In addition, the lighting plan shall address limiting light trespass and glare through the use of shielding and directional lighting methods including, but not limited to, fixture location, design, and height as required by the Gridley Municipal Code.

2. AGRICULTURAL RESOURCES

Environmental Setting

The California Department of Conservation, Division of Land Resource Protection administers the Farmland Mapping and Monitoring Program (FMMP). The land is rated based on its soil characteristics and irrigation status. Butte County has three Important Farmland types: Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. The FMMP has mapped 231 acres of Important Farmland within the City of Gridley incorporated boundary and 1,155 acres within its Planned Growth Area (GP EIR pg. 4.8-6) The subject property is categorized as Farmland of Statewide Importance. The regional and local plans strive to conserve agricultural lands from urbanization. Butte County and the City of Gridley recognize the likely urbanization and annexation of agricultural land into incorporated city boundaries. There is no action that can mitigate the permanent loss of productive agricultural lands. Butte County has been working on an ordinance for Agriculture mitigation that would: 1) Have a developer pay fees for future purchase of similar lands to be kept in agriculture in perpetuity, and 2) Have a developer purchase property of the same size as the proposed development to maintain agricultural lands kept in perpetuity.

The City of Gridley General Plan conservation policies (GP EIR pg. 4.38-8) identify strategies that would mirror Butte County's efforts to mitigate loss of agricultural resources. To implement, the City of Gridley would need to base fees and mitigations on a Nexus study, develop a conservation program, and develop an in-lieu fee structure for the purpose of agricultural land acquisition as described above. The conservation programs have not yet been implemented. Recognizing the loss of agricultural resources are difficult to mitigate, the City Council prepared a Findings of Fact and adopted the 2030 General Plan with a Statement of Overriding Considerations. Although this is at the programmatic level, it is also applicable to this project.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses;
- Conflict with or result in the cancellation of a Williamson Act contract;
- Adversely affect agricultural production.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Agricultural Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | |
|--|---|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland | X |
|--|---|

Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? X
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? in the existing environment. X
- d) Result in the loss of forest land or conversion of forest land 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 or conversion of forest land to non-forest use? X

Discussion

- a & e) The soil type on the site is Gridley taxadjunct loam (127) and considered as Farmland of Statewide Importance. The conversion or loss of farmland to urbanization was analyzed during the Gridley General Plan Update and the Butte County General Plan Update.

Butte County General Plan EIR

The Butte County General Plan EIR received significant comment and concern related to the conversion of lands developed in the Agriculture district. The Butte County General Plan identified that approximately 980 acres of farmland surrounding Gridley and Gridley would be designated for residential uses ranging from Rural Residential to Medium High Density Residential (660 acres), as well as Retail and Office (10 acres), Industrial (30 acres), and Public (5 acres). In addition, approximately 280 acres of farmland are designated for Agricultural Services. Policy AG-P2.1 directs the County to work with the Local Agency Formation Commission (LAFCO) to create and maintain a consistent approach to the conservation of agricultural land through the designation of reasonable and logical Sphere of Influence (SOI) boundaries. Additionally, AG-P2.3 provides direction for the conversion of agriculture to an urban/developed designation when it can be demonstrated that:

- a. The lot(s) for which conversion is requested is adjacent to uses other than agriculture or agricultural support uses (e.g., receiving plants, hulling plants).
- b. The conversion will not be detrimental to existing agricultural operations.
- c. The conversion land is adjacent to existing urban infrastructure and conversion will constitute a logical contiguous extension of a designated urban area.
- d. No feasible alternative exists that is less detrimental to agriculture.
- e. Full mitigation of impacts to the extent allowed under the law is provided, including, but not limited to, roads, drainage, schools, fire protection, law enforcement, recreation, sewage and lighting.

City of Gridley General Plan EIR

The City of Gridley General Plan EIR recognized that if the city is to grow, it will need to convert lands that provide agricultural resources. The City's desire is to retain a compact urban form and proposed annexations be contiguous to existing urban areas. The city is surrounded by agricultural land, and any annexation and development consistent with the General Plan would convert areas currently in agricultural production at this date to urban uses. This conversion of agricultural lands would include Prime Farmland, Farmland of Statewide Importance, as found at the subject site. The proposed City of Gridley General Plan policies and actions do not completely offset the loss of important farmland, and no feasible mitigation measures are available to avoid this impact. The impact was considered significant and unavoidable; the City of Gridley City Council approved the General Plan update with Findings of Fact and adopted the 2030 General Plan with a Statement of Overriding Considerations.

Conversion of agricultural lands to urban uses is an issue of concern in both Butte County and the City of Gridley, although the amount of lands converted adjacent to the City of Gridley is very small relative to the region or other valley areas. The proposed project will contribute to the conversion of agricultural lands in Butte County to urban uses. The City of Gridley GPU EIR found the loss of agricultural resources due to urbanization as significant and unavoidable; Loss and Conversion of Agricultural Land and Cumulative Impacts to Agricultural Resources. The loss of agricultural resources is a significant impact that cannot be fully mitigated nor are programs in place at either the regional or local level to replace the loss of agricultural lands, if that could be attained.

The City of Gridley adopted the General Plan Update and accepted the Findings of Fact and adopted the 2030 General Plan with a Statement of Overriding Considerations. The City Council determined that for the health and growth of the city, a loss of agricultural resources would occur. Therefore, the project is consistent with the General Plan.

- b-d) There is no Williamson Act contract established for the property and will not conflict with agricultural zoning in that the request is to pre-zone the property for Residential Suburban and Single Family Residential use. It will not result in the loss or conversion of forest lands to non-forest use; thus, no impact would occur. The project will not cause other changes for loss of agricultural resources in addition to those noted in the discussion (a).

Mitigation Measures

No mitigation is required for the loss of agricultural use. The impact was considered significant and unavoidable in the city of Gridley GPU EIR and approved the General Plan update with Findings of Fact and adopted the 2030 General Plan with a Statement of Overriding Considerations.

3. AIR QUALITY

Environmental Setting

The California Air Resources Board (CARB) divides the state into air basins that share similar meteorological and topographical features. The City of Gridley is located in the 11-county Sacramento Valley Air Basin (SVAB). Prevailing winds are moderate in strength and vary from dry land flows from the north to moist ocean breezes from the south. The mountains surrounding the SVAB create a barrier to airflow which, under certain meteorological conditions, trap pollutants in the valley. The entire air basin is currently designated as non-attainment for the State 24-hour, and PM10 standards. Butte County is designated as non-attainment for 8-hour ozone. The data used by the City of Gridley General Plan was the most available 2009 data. In that, it is described that additional growth may be a significant impact to non-attainment. In 2017, Butte County, and the City of Chico, requested consideration for the re-designation of the status of non-attainment to attainment. The California Air Resources Board (CARB) staff report recommended the same to the Federal EPA in that levels had continued to decrease with the exception of 8-hour ozone. Most recently, CARB and US EPA identified that as of October, 2020, Butte County has a designation of non-attainment for 8-hour ozone, as marginal, with the remainder as conforming to its air quality maintenance plan and attainment for other air quality pollutants of concern. A designation of marginal for Ozone nonattainment is the lowest level of classification and means ozone concentrations are less than 10 parts per billion (ppb) above the standard.

Standards of Significance.

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in pollution emission levels above those established by BCAQMD in either short term (construction related) or long term (traffic).

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Air Quality

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

- | | |
|---|---|
| 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 | 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 releasing | X |

emissions which exceed quantitative thresholds for ozone precursors)?

- d) Expose sensitive receptors to substantial pollutant concentrations? X
- e) Create objectionable odors affecting a substantial number of people? X

Discussion

- a) The proposed project will not conflict with or obstruct implementation of the current air quality plan. The subject site was designated in the Butte County General Plan as Rural Residential. The Gridley General Plan and Sphere of Influence update provided a land use designation of Residential, Very Low Density. The General Plan amendment will re-designate 16.4 acres to Residential, Low Density. Impacts were considered at the time of the development of future growth and a part of the plan. The development of the site during construction would be required to meet the mitigation measures of the Butte County Air Quality Management District. Development of the site will be consistent with the current plan and its implementation thereof. This impact is considered less than significant.
- b) The proposed project may unintentionally violate the current air quality plan in that short-term impacts related to the construction of the site will be mitigated by measures (MM 3.1 and 3.2, below) implemented at that time; therefore, this would be less than significant with mitigation incorporated.
- c) The project may contribute to a minor increase in Ozone levels because of additional traffic and small engine use; however, the site has been designated to be developed with single family residential since before the 2030 City of Gridley General Plan was adopted. The General Plan outlined the possibility that the Plan would violate the 2009 Air Quality Attainment Plan for the Sacramento Valley. The Council made Findings of Fact and adopted the 2030 General Plan with a Statement of Overriding Considerations.
- d) As noted above, in 2017 both Butte County, and the City of Chico, requested consideration for the re-designation of the status of non-attainment to attainment. The evaluation found a continued decrease in all areas except for the 8-hour Ozone levels which remain as non-attainment (October, 2020).

A single project is not sufficient in size to, by itself, result in nonattainment of Ozone levels. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, BCAQMD has considered the emission levels for which a project's individual emissions would be cumulatively considerable. The thresholds of significance represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the existing air quality conditions. Due to the proposed size of the project, it would result in emissions below the applicable thresholds of significance and would not result in a cumulatively considerable contribution to the region's existing air quality conditions. (BCAQMD)

- e) The project has two existing single-family homes on the east side of the property. It is unknown if there are specific sensitive receptors living at those locations. Similarly, it is unknown if sensitive receptors are in the adjacent residential development to the surrounding area. The project would not create substantial pollutant concentrations. Air pollution created during construction will be mitigated effectively; therefore, this would be less than significant with mitigation incorporated. (MM 3.2).

Mitigation Measures

Implementation of the following mitigation measure would reduce the above potential impact to a less-than-significant level.

MM 3.1 The project shall implement the following measures during construction:

- 1) Use adequate fugitive dust control measures for all construction activities during all phases of construction.
- 2) Provide energy-efficient lighting and process systems.
- 3) No open burning of vegetative material on the project site.
- 4) Use temporary traffic control as appropriate at all stages of construction.
- 5) Design streets to maximize pedestrian access to transit stops, where feasible.

MM 3.2 Construction dust and equipment exhaust emission measures shall be implemented:

- 1) Water all active construction sites at least twice daily.
- 2) Use chemical stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- 3) On-site vehicle limited to a speed of 15 mph on unpaved roads.
- 4) Construction equipment exhaust emissions shall not exceed BCAQMD Rule 201, Visible Emission limitations.
- 5) The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained.
- 6) Utilize existing power sources (e.g., power poles) or clean fuel generator rather than temporary power generators.
- 7) Minimize equipment idling time to 10 minutes.
- 8) Land clearing, grading, earthmoving or excavation activities suspended when winds exceed 20 miles per hour.
- 9) Non-toxic binders (e. g. latex acrylic copolymer) should be applied to exposed areas after cut and fill operations.
- 10) Plant vegetation ground cover in disturbed areas as soon as possible.
- 11) Cover inactive storage piles.
- 12) Paved streets adjacent to the development site should be swept or washed at the end of the day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the development site.
- 13) Post publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD Rule 201 and 207 (Nuisance and Fugitive Dust Emissions).
- 14) Prior to final occupancy, the applicant demonstrates that all ground surfaces are covered or treated sufficiently to minimize fugitive dust emissions.

4. BIOLOGICAL RESOURCES

Environmental Setting

The site has been developed as rural residential with land disturbance associated with pasture and established kiwi vineyards. There are two single family homes and a mobile home that will remain to become a part of the development. The site is bisected north, south, east, and west with canals considered as fresh emergent wetlands. The site is a result of an area highly disturbed to create a mono-culture of kiwi vineyards and the construction of single-family homes and outbuildings used for agricultural operations.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Adversely affect, either directly or through habitat modification, any endangered, threatened or rare species, as listed in Title 14 of the California Code of Regulations (Sections 670.5) or in Title 50, Code of Regulations (Sections 17.11 or 17.12 or their habitats (including but not limited to plants, fish, insects, animals, and birds);
- Have a substantial adverse impact, either directly or through habitat modification, on any species identified as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations or by the CDFG or USFWS;
- Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS;
- Adversely affect federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites; or,
- Conflict with any local or regional policies or ordinances designed to protect or enhance biological resources, such as a tree preservation policy or ordinance.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Biological Resources

Would the project:

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

in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

- c) Have a substantial adverse effect on federally 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

Discussion

a) The Butte County General Plan EIR, dated April 8, 2010, identified the project area located in the Sacramento Valley in the western portion of Butte County as a geographic subregion. Most of the biological communities in the Sacramento Valley portion of the county have been substantially altered since the mid-1800s, when the area was first hydraulically mined, then dredged for gold, and then developed for agriculture. (BCGP EIR, pg. 4.4-8). The quality of habitat for wildlife is greatly diminished when the land is converted to agricultural uses and intensively managed. Many species of rodents and birds have adapted to agricultural lands, but they are often controlled by fencing, trapping, and poisoning to prevent excessive crop losses. (BCGP EIR pg.4.4-25).

The Gridley GP EIR, noted that due to the high degree of disturbance, agricultural area generally has a low habitat value for wildlife, though some species can adapt to disturbed conditions (GPU pg. 4.6-9). The open water canals provide habitat for birds and other small mammals. The canals create a habitat that meets the breeding and aestivation (summer sleep to conserve the body during high heat) requirements for the giant garter snake. The canals also provide connectivity for movement of the species through the area.

The Gridley GP EIR determined that although policies could be put into place to alleviate project impacts, development would have cumulative biological resource impacts and implementation of the General Plan would have considerable and unavoidable impacts. The City of Gridley City Council approved the General Plan update with Findings of Fact and adopted a Statement of Overriding Consideration that included the impacts found for biological resources that would di-

rectly or indirectly impact habitats. Mitigation Measures 4.1 and 4.2 are added requiring preconstruction surveys, and if species are found, the necessary approvals will be obtained for Incidental Take from the CDFW.

- a) The site is divided into quadrants by Sutter Basin canal #8 in a north-south direction and by the City of Gridley canal in an east-west direction. The project may disturb those areas for the construction of both vehicular and pedestrian crossings and possible culvert construction within the canal. Mitigation measures 4.1 and 4.2 will help reduce the impact by identifying evidence of the listed species prior to the onset of construction. The City of Gridley City Council approved the General Plan update with Findings of Fact and adopted a Statement of Overriding Consideration that included the impacts found for biological resources that would directly or indirectly impact habitats. Mitigation Measures 4.1 and 4.2 are added requiring preconstruction surveys, and if species are found, the necessary approvals will be obtained for Incidental Take from the CDFW.
- b) The canals which bisect the site may harbor some species and/or provide habitat. Mitigation Measures 4.1 and 4.2 are added requiring preconstruction surveys, and if species are found, the necessary approvals will be obtained for Incidental Take from the CDFW.
- c) The General Plan studied the biological resources for plants, invertebrates, fish, amphibians, reptiles, birds, and mammals. There was suitable habitat within the Gridley Planning Area. The list below indicates a high potential of successful habitat:
 - Sanford's arrowhead Potential habitat within drainages
 - Brazilian Watermeal Potential habitat within drainages
 - Brown Fox sedge Potential habitat within drainages
 - Woolly Rose Mallow Potential habitat within drainages
 - Giant garter snake The site is suitable habitat for travel within or between the connected canals, and for habitat during dormant times of the year, November to mid-March.
 - Northern harrier Available habitat
 - Swainson's hawk Available habitat
 - Silver-haired bat Available habitat
 - Burrowing Owl Available habitat

Refer to additional information below in the Mitigation Measures for detailed information on the species noted above. Although the site may be conducive to habitat, there is no record indicating these species have been identified on the site (BCGP EIR 2010, and 2030 Gridley GP EIR) Mitigation will include a species review and evaluation prior to the onset of construction. Therefore, this is considered less than significant with mitigation incorporated.

- d) A key goal of the General Plan policies is to accommodate anticipated growth in a compact urban form. This strategy is intended to reduce the amount of undeveloped land needed to meet the city's future housing and jobs needs when compared to a more "business-as-usual" sprawling growth pattern. The proposed project is consistent with the Gridley General Plan for a residential development with single-family homes. Growth accommodated under the General Plan seeks to avoid the growth effects of sprawl development patterns, such as the loss of biological re-

sources. In addition, future development allowed under the proposed General Plan would be required to comply with Gridley Municipal Code. Therefore, the project seeks to implement the General Plan and its policies and development direction, thus considering this as no impact.

- e) Land uses and development consistent with the proposed General Plan would not conflict with any adopted habitat conservation plan, natural community conservation plan, or other approved conservation plan. Currently, no such conservation plans have been adopted encompassing all or portions of Gridley; however, the Planning Area is located within the Butte Regional Conservation Plan/Natural Community Conservation Plan planning area. This plan is currently under preparation by various local agencies. The geographic area that will be addressed in the conservation plan covers approximately 560,000 acres of the lowland portion of Butte County up to and including the foothill oak woodlands. Therefore, this is considered as no impact.

Mitigation Measures

Implementation of the following mitigation measure would reduce the above potential impact to a less-than-significant level.

MM 4.1 The project applicant shall conduct preconstruction surveys to determine if San- ford's arrowhead, Giant garter snake, Northern harrier, Swainson's hawk, Greater sandill crane, Burrowing owl, and Silver-haired bat exist on the site. Should any of the listed be discovered, the applicant shall obtain the necessary approvals for Incidental Take from the CDFW.

Burrowing Owl

Within 14 days prior to any ground disturbing activities for each phase of construction, the project applicant shall retain a qualified biologist to conduct a preconstruction survey of the site, any off-site improvement areas, and all publicly accessible potential burrowing owl habitat within 500 feet of the project construction footprint. The survey shall be performed in accordance with the applicable sections CDFW Staff Report on Burrowing Owl Mitigation. The qualified biologist shall be familiar with burrowing owl identification, behavior, and biology, and shall meet the minimum qualifications for such preconstruction survey. If the survey does not identify any nesting burrowing owls on the site, further mitigation is not required for that phase unless activity ceases for a period in excess of 14 days in which case the survey requirements and obligations shall be repeated. If active burrowing owl dens are found within the survey area in an area where disturbance would occur, the project applicant shall implement measures as determined by the qualified biologist.

During the breeding season (February 1 through August 31), the following measures will be implemented:

Disturbance-free buffers will be established around the active burrow. During the peak of the breeding season, between April 1 and August 15, a minimum of a 500-foot buffer will be maintained. Between August 16 and March 31, a minimum of a 150-foot buffer will be maintained. The qualified biologist will determine, in consultation with the City of Gridley Planning Division and CDFW, if the buffer should be increased or decreased based on site conditions, breeding status, and non-project-related disturbance at the time of construction. Monitoring of the active burrow will be conducted by the qualified biologist during construction on a weekly basis to verify that no disturbance is occurring. After the qualified biologist determines that the young have fledged and are foraging independently, or that breeding attempts were not successful, the owls may be excluded in accordance with the non-breeding season measures below. Daily monitoring will be conducted for one week prior to exclusion to verify the status of owls at the burrow.

During the non-breeding season (September 1 to January 31), owls occupying burrows that cannot be avoided will be passively excluded consistent with Appendix E of the 2012 CDFW Staff Report:

- Within 24 hours prior to installation of one-way doors, a survey will be conducted to verify the status of burrowing owls on the site.
- Passive exclusion will be conducted using one-way doors on all burrows suitable for burrowing owl occupation.
- One-way doors shall be left in place a minimum of 48 hours to ensure burrowing owls have left the burrow before excavation.

While the one-way doors are in place, the qualified biologist will visit the site twice daily to monitor for evidence that owls are inside and are unable to escape. If owls are trapped, the device shall be reset and another 48-hour period shall begin. After a minimum of 48 hours, the one-way doors will be removed and the burrows will be excavated using hand tools to prevent reoccupation. The use of a pipe is recommended to stabilize the burrow to prevent collapsing until the entire burrow has been excavated and it can be determined that no owls reside inside the burrow. After the owls have been excluded, the excavated burrow locations will be surveyed a minimum of three times over two weeks to detect burrowing owls if they return. The site will be managed to prevent reoccupation of burrowing owls (e.g., disking, grading, manually collapsing burrows) until development is complete. If burrowing owls are found outside the project site during preconstruction surveys, the qualified biologist shall evaluate the potential for disturbance. Passive exclusion of burrowing owls shall be avoided to the maximum extent feasible where no ground disturbance will occur. In cases where ground disturbance occurs within the no-disturbance buffer of an occupied burrow, the qualified biologist shall determine in consultation with the City of Gridley Planning Division and CDFW whether reduced buffers, additional monitoring, or passive exclusion is appropriate.

Compensatory Mitigation, if Active Owl Dens are Present: If active burrowing owl dens are present and the project would impact active dens, the project applicant shall provide compensatory mitigation in accordance with the requirements of the CDFW. Such mitigation shall include the permanent protection of land, which is deemed to be suitable burrowing owl habitat through a conservation easement deeded to a non-profit conservation organization or public agency with a conservation mission, or the purchase of burrowing owl conservation bank credits from a CDFW-approved burrowing owl conservation bank. In determining the location and amount of acreage required for permanent protection, the project applicant, in conjunction with the City of Gridley Planning Division, shall seek lands that include the same types of vegetation communities and fossorial mammal populations found in the lost foraging habitat.

Swainson's Hawk

If project construction plans require ground disturbance that represents potential nesting habitat for migratory birds or other raptors including Swainson's hawk, the project contractor shall initiate such activity between September 1st and January 31st, outside the bird nesting season, to the extent feasible. If tree removal must occur during the avian breeding season (February 1st to August 31st), a qualified biologist shall conduct a survey for ground-nesting birds. The survey shall be conducted 14 days prior to the commencement of construction and include all potential ground-nesting sites and trees and shrubs within 75 feet of the entire project site. The findings of the survey shall be submitted to the City of Gridley Planning Department. If nesting passerines or raptors are identified during the survey within 75 feet of the project site, a 75-foot buffer around the ground nest or nest tree shall

be fenced with orange construction fencing. If the ground nest or nest tree is located off the project site, then the buffer shall be demarcated as per above. The size of the buffer may be altered if a qualified biologist conducts behavioral observations and determines the nesting passerines are well acclimated to disturbance. If acclimation has occurred, the biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting birds. Construction or earth-moving activity shall not occur within the established buffer until a qualified biologist has determined that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, which typically occurs by July 15th. However, the date may be earlier or later, and would have to be determined by a qualified biologist. If a qualified biologist is not hired to watch the nesting passerines, then the buffers shall be maintained in place through the month of August and work within the buffer may commence September 1st.

Prior to the issuance of a grading permit, the dedication of land suitable for replacement Swainson's hawk foraging habitat shall be dedicated by the project applicant at a ratio of 1:1 for all existing unpaved areas within the project site. The location of the replacement foraging habitat shall be coordinated with, and approved by, the CDFW, and shall be acquired prior to development of the project site. Proof of CDFW approval shall be submitted to the City of Gridley Planning Department.

Giant Garter Snake

During the pre-construction survey, the biologist shall investigate the site for habitat or evidence of the Giant Garter Snake on or proximate to the subject site. Protective fencing shall be erected on the north, east, and south property lines to mitigate migration into the site during construction.

MM 4.2 The biologist shall submit a report documenting the site investigation and findings prior to the onset of construction activities. This includes any installation of bmps require by the General Construction Permit, clearing or grubbing, demolition of existing structures and/or roughgrading. The report shall be submitted to the City of Gridley Planning Department for review and acceptance of the findings of the biologic site review.

5. CULTURAL RESOURCES

Environmental Setting

Since the time of its founding in 1870 to its incorporation as a city in 1905 and extending to the present time, Gridley has undergone a slow but steady growth. The city has evolved from a regional agriculture community supporting dry-land crops, orchards, and livestock to a more urbanized area while continuing to support its farming community.

The project site is located near the boundary of three ethnographic groups; the Konkow, the Patwin, and the Nisenan. They all spoke Maiduan languages, with various dialects within the groups. The areas these groups generally inhabited were along the lower part of the Feather River Canyon, the Middle and South Fork Feather Rivers, the lower foothill stream courses, and the Sacramento Valley Floor¹. Villages were generally nomadic as required with hunter-gatherer characteristics.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Cause a substantial change in the significance of a historical or archeological resource as defined in the CEQA Guidelines Section 15064.5; or,
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Cultural Resources

Would the project:

- | | |
|---|---|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | X |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §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 |

Discussion

- a) CEQA Guidelines §15064.5 (b) states that if there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared.

The 2030 General Plan identifies previous cultural resource investigations conducted in the Plan Area. Little evidence has been found in research and surveys; however, the area is known as a location of potential for archaeological resources.

There are no known sites that have been determined within the boundaries of the proposed project. The General Plan did not determine resources existed within the Planning Area. The existing structures are not considered significant as an historical resource.

- b-d) The site has been disturbed with the lands cultivated up to 1.5 feet in depth which may have disturbed any archaeological resource. The site has been farmed for many years and not located in a known area of high archeological potential based upon the archaeological resource record searches through the Chico State Northeast Center of the California Historical Resources Information System.

The water canals are man-made and do not follow historic drainage or river patterns, rather are a diversion of those waters of the Feather River. Settlements would have been adjacent to historic river locations² greatly changed from that time by levees, dikes, and canaling of the river. The territory (See figure below) of the Valley Maidu (Michoopda or Mechoopda) includes 23 named villages and is believed to have extended along the Sacramento Valley floor from Rock Creek on the north to the old town site of Jacinto some 18 miles to the south (Merriam 1967:314). The western boundary is formed by the Sacramento River, although which tribal group, Maidu or Wintun, held which bank of the river has long been disputed (see K. Johnson 1990:121-124). On the east, Valley Maidu land reached the base of the Sierra Nevada foothills and probably intruded a little further into the hills along some of the creeks but certainly ended somewhere west of the present town of Paradise. Estimated area held by the Michoopda groups is 90 square miles.³

¹ Johnson, Michael G. (2014). *Encyclopedia of Native Tribes of North America*. Buffalo, New York: Firefly Books. p. 198. [ISBN 978-1-77085-461-1](https://www.fireflybooks.com/ISBN-978-1-77085-461-1).

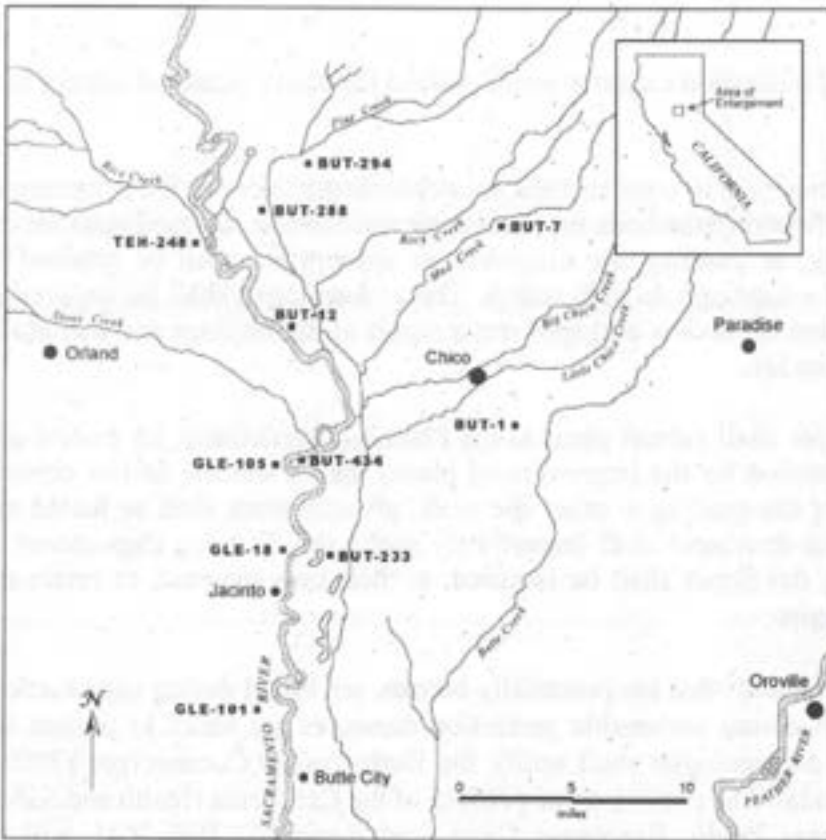


Figure 7.1 Maidu/Wintun territory in the Sacramento Valley of California.

To comply with the Gridley General Plan Conservation Implementation Strategy 4.1, additional cultural resource analysis is required. A request for record search was submitted to the Northeast Center of the California Historical Resources Information System, Chico State University, Chico. No record of archaeological resources was determined. A recommendation to have an archaeologist re-view and research the site was recommended. During construction resources may be encountered; Mitigation Measures 5.1 and 5.2 are included and the impact would be considered less than significant with mitigation incorporated. Mitigation will include an archaeological investigation.

² Ibid.

³ Johnson, Keith L. Archaeological Identification of the Valley Maidu in Northern California, January, 2005, California State University, Chico, CA

Mitigation Measures

Implementation of the following mitigation measure would reduce the above potential impact to a less-than-significant level.

MM 5.1 Prior to the commencement of construction, an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist for the purpose of recording, protecting, or curating the discovery as appropriate shall be retained to conduct a survey of the site and a thorough records search. The archaeologist shall be required to submit to the Planning Department for review and approval a report of the findings and method of curation or protection of the resources.

During construction, the developer shall submit plans to the Planning Department for review and approval which indicate (via notation on the improvement plans) that if historic and/or cultural resources are encountered during site grading or other site work, all such work shall be halted immediately within 100 feet and the developer shall immediately notify the Planning Department of the discovery. In such case, the developer shall be required, at their own expense, to retain the services of a qualified archaeologist

MM 5.2 If human remains, or remains that are potentially human, are found during construction, a professional archeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance. The archaeologist shall notify the Butte County Coroner (per §7050.5 of the State Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, then the coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the applicant does not agree with the recommendations of the MLD, the NAHC can mediate (§5097.91 of the Public Resources Code). If an agreement is not reached, the qualified archaeologist or most likely descendent must rebury the remains where they will not be further disturbed (§5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center, using an open space or conservation zoning designation or easement, or recording a reinternment document with the county in which the property is located (AB 2641). Work cannot resume within the no-work radius until the City of Gridley, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

6. TRIBAL CULTURAL RESOURCES

Environmental Setting

As noted in Section 5, Cultural Resources, the site is located near the boundary of three ethnographic groups-the Konkow, the Patwin, and the Nisenan. They all spoke Maidu languages, with various dialects within the groups. The areas these groups generally inhabited were along the lower part of the Feather River Canyon, the Middle and South Fork Feather Rivers, the lower foothill stream courses, and the Sacramento Valley Floor. Refer to Section 5, b-d for a discussion of the villages located on the Sacramento Valley Floor and their locations close to water sources such as the Feather River, Sacramento River and the tributaries upstream.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC §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.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Tribal Cultural Resources

Would the project:

- | | |
|--|---|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC §5020.1(k). | 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 PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC §5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe. | X |

Discussion

a-b) As noted in Section 5, Cultural Resources, above, there are no known sites as reflected in the previously discussed archaeological resource record searches for the previous Gridley General Plan (prior to the 2010 update), Butte County 2010 General Plan EIR, and the Gridley General Plan EIR, 2010 that have been determined within the boundaries of the proposed project. The Butte County General Plan EIR, 2010 states:

The county included the territories of four groups of Native American peoples: the Maidu (mountain Maidu), the Nisenan (southern Maidu), the Konkow (northwestern Maidu), and the

Yana. Many Native Americans continue to reside in the area. The northern county was Maidu territory. They inhabited the mountain valleys from Honey Lake to Lassen Peak, generally at altitudes higher than 4,000 feet. The Nisenan territory was generally bounded by the Sacramento River to the west, the lower Feather River to the south, and the crest of the Sierra Nevada mountains to the east. The Konkow people inhabited the Feather River area, from west of Richbar almost to the Sutter Buttes, and the Sacramento River area from Butte City in the south to Butte Meadows in the north. The Yana people occupied a wide range of the county, from the edge of the Sacramento Valley to the crests of the Cascade and Sierra Nevada mountains. The last member of the Yana tribe was a man called Ishi. Ishi was also the last Native American in northern California to live the majority of his life outside of European American influence. Ishi and his ancestors occupied the foothill region near Mount Lassen, which is modern-day Butte County. Previous studies in the general region provide reasonable expectations for the range of archaeological property types likely to occur in Butte County. Pre historic site types include habitation sites, limited occupation sites, hunting/processing camps, lithic reduction stations, milling stations, quarries... The most common prehistoric sites found in the Butte County area are temporary occupation sites. Habitation sites are locations of long-term occupation. These sites were typically located near streams and springs... (BC GP EIR pgs. 4.5-6, 4.5-7)

The Gridley General Plan EIR did not determine resources existed within the extent of the Planning Area for the City of Gridley. In compliance with AB52, a project notification was sent to five Native American Indian Tribe representatives: Konkow Indian Tribe, Mechoopda Indian Tribe, Mooretown Rancheria of Maidu Indians, Tsi Akin Maidu, and the United Auburn Indian Community. As of the date of this Initial Study, no response has been received.

The potential exists for previously unknown tribal cultural resources to be encountered during ground-disturbing activities associated with development for such impacts to resources to occur. Although resources have not been found, the possibility exists that during construction tribal cultural resources may be uncovered, thus an impact to resources could exist. Therefore, this is mitigated and considered less than significant with mitigation incorporated.

Mitigation Measures

Implementation of MM 5.1 and MM 5.2 would reduce the above potential impact to a less-than-significant level.

7. **GEOLOGY AND SOILS**

Environmental Setting

The City of Gridley is located on two geologic formations – Riverbank and Modesto, both of the Pleistocene era. The terrace deposits generally consist of sand and silt over alluvial gravels and clay. The Gridley area is part of the Great Valley Fan deposits with a favorable capacity for agricultural production. As noted in Section 2, Agricultural Resources, the site consists of soils that are of Farmland of Statewide Importance. The site is flat with slopes of 1-2 percent.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a project being built that will either introduce geologic, soils, or seismic hazard by allowing the construction of the project on such a site without protection against those hazards.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Geology and Soils

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is				X

unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

X

X

Discussion

- a-i- iv) The subject site is located outside the Alquist-Priolo Earthquake Fault Zone as delineated by the California Division of Mines and Geology. The project would not be subject to potential damage from earthquake ground shaking as a greater than the maximum MMI VII of the Modified Mercalli Scale.

The State of California provides minimum standards for building design through the California Building Standards Code (California Code of Regulations (CCR), Title 24). The California Uniform Building Code is based on the UBC and has been modified for California conditions with numerous more detailed and/or stringent regulations. The State earthquake protection law requires that buildings be designed to resist stresses produced by lateral forces caused by earthquakes. The city implements the requirements of the California Code through its building permit process. There are no known geologic features that would place this site at greater risk than otherwise can be mitigated by compliance with the California Building Code. The site is flat therefore it would not be subject to landslides. Compliance with the currently adopted building code will protect structures from damage, therefore these are considered less than significant and no impact related to landslides.

- b) Natural erosion is frequently accelerated by human activities such as site preparation for construction and alteration of topographic features. The State of California adopted the General Construction permit which provides measures to reduce the loss of soils during wind and storm events by requiring best management practices be deployed prior to the onset of construction, thus this impact is less than significant.
- c) Gridley is located in the Butte Basin area and not susceptible to subsidence based on current and historical levels of groundwater. There is concern in that, the State of California has experienced several years of drought. In combination with drought and the high number of wells drilled historically for agriculture, it may be found that the draw down becomes greater in the future with minor subsidence experienced. The site will be using the City of Gridley water distribution system for potable water. Subsidence is unlikely based on historical record; therefore, this is considered less than significant.
- d) The soil types on the subject site may exhibit expansive shrink swell characteristics. Prior to obtaining building permits, the project will be required to provide a soils report identifying the geotechnical criteria for construction. The combination of this investigation, engineering, and

the permitting process will mitigate risk to the development; therefore, this is considered less than significant.

- e) The project will connect to the City of Gridley underground sewerage collection system of which there is capacity. Any septic systems on site will be abandoned and not used for this project; therefore, this is considered no impact.

Mitigation Measures

The project does not have impacts related to geology and soils resources that need to be mitigated, therefore, no mitigation measures are required.

8. GREENHOUSE GAS EMISSIONS

Environmental Setting

Greenhouse gases are gases that cause and contribute to climate change. “Greenhouse gas” is a term that refers to all of the following types of gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Greenhouse gases vary in their potency (or potential to cause climate change) and are often measured in tons or million metric tons of carbon dioxide equivalents. Transportation is the largest source of California’s greenhouse gas emissions, followed by electricity generation and natural gas used in buildings.

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. An individual project’s GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a project being built that will cause and contribute to climate change and a local increase of greenhouse gas emission.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Greenhouse Gas Emissions

Would the project:

- | | |
|--|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | X |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | X |

Discussion

a-b) Implementation of the project could be considered as attributing more GHG emissions associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, and utilities (electricity and natural gas). The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr.). The General Plan describes the GHG in conjunction to the effects of climate change and global warming. While the terms are thought of interchangeably, they are not; however, additional residential development will increase vehicular travel that is anticipated in the General Plan. The project will be required to adhere to the California Green Building Code, the State legislated requirement for each home to have a functioning solar system and to provide charging stations for electric vehicles. The provision of street trees and subdivision planting implements the General Plan policies. The project is minor to such environmental impacts therefore, considered less than significant with mitigation incorporated; however, the City Council of the City of Gridley determined that the build-out of the General Plan related to Greenhouse Gas and Climate Change was cumulatively considerable, significant and unavoidable. The City Council approved the General Plan update with Findings of Fact and Statement of Overriding Consideration related to Greenhouse Gases and Climate Change.

Mitigation Measures

Implementation of the following mitigation measure would reduce the above potential impact to a less-than-significant level.

MM 8.1 Prior to the start of construction activities, the project applicant shall submit a construction equipment inventory list to the City Engineer demonstrating compliance with U.S. EPA CARB, and BCAQD requirements. The list shall be updated if additional equipment will be used to ensure the compliance. The use of alternatively fueled construction equipment, such as hybrid electric or natural gas-powered equipment, would also be acceptable, given that such technologies are implemented to a level sufficient to achieve similar emission reductions.

MM 8.2 Prior to the issuance of building permits, the project applicant/developer shall submit a Landscaping Plan for review and approval by the Planning Department. The Landscaping Plan shall be prepared to reflect the design for the linear park, detention basin park, and play area. The design shall also provide a subdivision tree planting plan.

9. ENERGY

Environmental Setting

The City of Gridley partners with the City of Biggs to fund the Gridley Electric Department, which is responsible for the operation and maintenance of its system. This provides a reliable distribution of electricity to residential and commercial customers from the City's interconnection with PG&E's 60-thousand-volt (60kv) transmission line. Gridley has a substation at Fairview Drive serving the community.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in a project being built that will cause and contribute to wasteful and inefficient energy use.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Energy

Would the project:

- | | |
|---|---|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | X |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | X |

Discussion

a-b) The development will not result in wasteful, inefficient consumption of energy. The 2019 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the CBSC, which became effective with the rest of the CBSC on January 1, 2020. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The CALGreen standards regulate the method of use, properties, performance, types of materials used in construction, alteration repair, improvement and rehabilitation of a structure or improvement to property. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy

of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of Electric Vehicle charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent, to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills; and
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board.

The 2019 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy efficiency measures from the 2016 Building Energy Efficiency Standards, resulting in a seven percent reduction in energy consumption from the 2016 standards for residential structures. Energy reductions relative to the 2016 Building Energy Efficiency Standards would be achieved through various regulations including requirements for the use of high efficacy lighting, improved water heating system efficiency, and high-performance attics and walls.

One of the improvements included within the 2019 Building Energy Efficiency Standards is the requirement that new residential developments include functioning on-site solar energy systems. The developments are still subject to all other applicable portions of the 2019 Building Energy Efficiency Standards. Once rooftop solar electricity generation is factored in, homes will use approximately 53 percent less energy.

Construction activities associated with development would involve on-site energy demand and consumption related to use of oil in the form of gasoline and diesel fuel for construction worker vehicle trips, hauling and materials delivery truck trips, and operation of off-road construction equipment. In addition, gas/diesel-fueled portable generators may be necessary to provide additional electricity demands for temporary on-site lighting, welding, and for supplying energy to areas of the sites where energy supply cannot be met via a hookup to the existing electricity grid.

Even during the most intense period of construction, due to the different types of construction activities (e.g., site preparation, grading, building construction), only portions of the project site would be disturbed at a time, with operation of construction equipment occurring at different locations on the project site. All construction equipment and operation thereof are regulated per the CARB In-Use Off-Road Diesel Vehicle Regulation. The In-Use Off-Road Diesel Vehicle Regulation is intended to reduce emissions from in-use, off-road, heavy-duty diesel vehicles in California by imposing limits on idling, requiring all vehicles to be reported to CARB, restricting the addition of older vehicles into fleets, and requiring fleets to reduce emissions by retiring, replacing, or repowering older engines, or installing exhaust retrofits. The In-Use Off-Road Diesel Vehicle Regulation would subsequently help to improve fuel efficiency and reduce GHG emissions. Technological innovations and more stringent standards are being researched, such as multi-function equipment, hybrid equipment, or other design

changes, which could help to reduce demand on oil and emissions associated with construction.

The CARB has recently prepared the *2017 Climate Change Scoping Plan Update* (2017 Scoping Plan), which builds upon previous efforts to reduce GHG emissions and is designed to continue to shift the California economy away from dependence on fossil fuels. Appendix B of the 2017 Scoping Plan includes examples of local actions (municipal code changes, zoning changes, policy directions, and mitigation measures) that would support the State's climate goals. The examples provided include, but are not limited to, enforcing idling time restrictions for construction vehicles, utilizing existing grid power for electric energy rather than operating temporary gasoline/diesel-powered generators, and increasing use of electric and renewable fuel-powered construction equipment. The CARB Diesel Vehicle Regulation described above, with which the proposed project must comply, would be consistent with the intention of the 2017 Scoping Plan and the recommended actions included in Appendix B of the 2017 Scoping Plan.

Based on the above, the temporary increase in energy use occurring during construction would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. Construction activities would be required to comply with all applicable regulations related to energy conservation and fuel efficiency, which would help to reduce the temporary increase in demand. Furthermore, development of the project site with residential uses would be consistent with the General Plan land use designation; thus, development of the site and associated energy demands have been previously anticipated by the city and evaluated in the General Plan EIR.

Energy use associated with operation of residential uses involves electricity and natural gas for interior and exterior building lighting, heating, ventilation, and air conditioning (HVAC), electronic equipment, refrigeration, appliances, and more. Maintenance activities during operations, such as landscape maintenance, would involve the use of electric or gas-powered equipment. In addition to on-site energy use, would result in transportation energy use associated with vehicle trips generated by the proposed single-family homes.

In addition, the proposed residential project would be subject to all relevant provisions of the most recent update of the CBSC, including the Building Energy Efficiency Standards. Adherence to the most recent CALGreen Code and the Building Energy Efficiency Standards would ensure that the proposed structures would consume energy efficiently through the incorporation of such features as efficient water heating systems, high performance attics and walls, and high efficacy lighting. Required compliance with the CBSC would ensure that the building energy use associated with the proposed project would not be wasteful, inefficient, or unnecessary. In addition, electricity supplied to the project site would comply with the State's Renewable Portfolio Standard (RPS), which requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 60 percent by 2030. Thus, a portion of the energy consumed during operation would originate from renewable sources.

As discussed above, the proposed development would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Thus, a less than significant impact would occur.

Mitigation Measures

The project does not have impacts that need to be mitigated, therefore, no mitigation measures are required.

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Impact	Category	Significance	Mitigation Measure

Initial Study/Mitigated Negative Declaration

The project does not have impacts that need to be mitigated, therefore, no mitigation measures are required.

The project does not have impacts that need to be mitigated, therefore, no mitigation measures are required.

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10. HAZARDS AND HAZARDOUS MATERIALS

Environmental Setting

The project consists of a parcel map to create four Residential Suburban parcels and fifty-six single-family standard residential lots corresponding land use designations for the annexation into the City of Gridley.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in exposing people to existing contaminated soil during construction activities;
- Result in exposing people to asbestos containing materials;
- Result in exposing people to contaminated groundwater if dewatering activities take place.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Hazards And Hazardous Materials

Would the project:

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

would the project result in a safety hazard for people residing or working in the project area?

- 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

Discussion

a-h) The project, a single-family residential development will not create a hazardous environment by the continued transport of hazardous materials. The construction of the site from agricultural lands to residential will create dust and odors associated with road construction. This is a short-term impact and not a function of the determination of long-term hazardous material transport and handling within the subdivision. Adjacent existing agricultural uses exist adjacent to the site which use pesticide and herbicides that must be consistent with the Butte County Agricultural Commissioner and the State of California. These activities are independent of the development of residential uses at the project site. The project itself will not create a hazardous environment. The site is not known to harbor hazardous materials and not on a list of hazardous material sites. It is not located within an airport land use plan, nor within the vicinity of a private air strip. The project will not interfere with an emergency response plan nor expose people to hazardous risk due to the implementation of the development. The project is consistent with the General Plan and the locational criteria for the growth expansion of the City of Gridley; therefore, this is considered no impact.

Mitigation Measures

The project does not have related hazard impacts that need to be mitigated, therefore, no mitigation measures are required.

11. HYDROLOGY AND WATER QUALITY

Environmental Setting

The National Pollutant Discharge Elimination System (NPDES) was established in the Clean Water Act to regulate municipal and industrial discharges to surface waters of the U.S. Non-point sourced diffuse and originate over a wide area rather than from a definable point. Two types of non-point source discharges are controlled by the NPDES program; discharges caused by general construction activities and general quality of storm water in municipal stormwater systems.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in substantially degrading water quality or violate any water quality objectives set by the State Water Resources Control Board due to increased sediments or other contaminants generated by consumption and/or operation activities;
- Result in exposing people or property to the risk of injury and damage in the event of a 100-year flood.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Hydrology and Water Quality

Would the project:

- | | |
|---|---|
| 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 |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of | X |

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?

- 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 substantially 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

Discussion

a-f) The development of the project will not violate any water quality standards or waste discharge requirements. For the duration of the construction of the development, until the last structure is completed, the Construction General Permit requires best management practices and inspections during good and inclement weather to ensure the construction practices are adhered to. If these are not implemented, the developer may suffer significant fines and in having the project halted. These requirements have been in place for a long time such that no contractor cannot claim to have no knowledge of such. Prior to construction, developments are required to obtain a WDID number and ensure that measures are complied with. Therefore, no additional mitigation is required above the existing laws and regulations in place.

The existing drainage patterns will not change substantially in that, the site has an overall sheet flow of 1-2% overland. The development of the site will accept storm water into the City of Gridley storm drain system identified to have capacity for discharge from the system. The project will not alter a natural water course nor result in erosion to such existing systems that accept the flows into the Feather River or Sacramento River in an indirect manner; therefor considered a less than significant impact.

g-h) The site is located in the FEMA mapping and analysis as Zone X. The development will not independently cause a flood hazard. Localized flooding may occur during first storm flush events or periods of intense storms; however, these conditions are short-lived and systems are in place to reduce the likelihood of continued site flooding. The project will be detaining storm

water in the detention basin and metered outfall consistent with existing conditions into the RD 833 canal. A fully detailed design of the stormwater cfs flows during storm events will be submitted at the time improvement plans are developed for review and approval. This is considered a less than significant impact.

- i) The development of the project site will not create significant risk. There is a concern that the failure of the Oroville Dam may have significant flooding from Oroville through the low-lying areas of Gridley and Gridley. It has been estimated that should such a failure occur, flood waters of up to 2 feet may be experienced. Though it may take time to recede, such flooding is not believed to cost loss of life. In 2017, the Dam experienced excessive water infiltration that created excessive releases over the spillways which sustained damages. Repairs have been underway, both temporary and permanent to mitigate the same event. It is not anticipated the Dam will fail; however, this is considered a less than significant impact.
- j) Tsunamis are defined as sea waves created by undersea fault movement, whereas a seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir. The project site is not located in proximity to a coastline and would not be affected by flooding risks associated with tsunamis. Seiches do not pose a risk in that the site is not proximate to a large closed body of water, albeit the Thermalito Afterbay is approximately 6-8 miles north of the project site. Based on the above, the proposed project would not pose a risk related to the release of pollutants due to project inundation from flooding, tsunami, or seiche, and this is then considered no impact.

Mitigation Measures

The project does not have hydrology or water quality impacts that need to be mitigated, therefore, no mitigation measures are required.

12. LAND USE AND PLANNING

Environmental Setting

The subject site has a Butte County General Plan land use designations of Rural Residential. The City of Gridley designation is Residential, Very Low Density. The proposed project will maintain approximately 3.5 acres as Residential, Very Low Density and amend the General Plan to Residential, Low Density for the portion of the project having 56 lots of single-family residential.

The project proposes to pre-zone the subject site with Residential Suburban (3.55 acres) and Single-Family Residential (R-1) (16.4 acres), respective to the General Plan land use designations to develop a residential subdivision.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Substantially alter an approved land use plan that would result in physical change to the environment.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Land Use and Planning

Would the project:

- | | |
|--|---|
| 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 |

Discussion

a) A project risks dividing an established community if the project would introduce infrastructure or alter land use so as to change the land use conditions in the surrounding community or isolate an existing land use. Implementation project would develop approximately 19.95 acres creating 60 single-family residences. Surrounding land uses include rural residential to the north, undeveloped land to the south, and single-family residential to the east and west. The proposed project would be consistent with the plans for expansion of the City of Gridley as reflected in the General Plan concentrating annexations contiguous to urbanized residential areas. The development would be a logical extension of City of Gridley and

would not physically divide an established community. As such, impacts associated with buildout related to land use and planning have been previously analyzed in the General Plan EIR, and would not be more severe than what was previously anticipated. As such, the proposed project would not physically divide an established community and a less-than-significant impact would occur.

- b) The project does not conflict with the General Plan land use policies. In addition, the proposed project would be required to comply with all development standards established by the City's Municipal Code; standards regarding maximum lot coverage, building heights, and building setback requirements. The City of Gridley is required to provide adequate lands that support housing as determined by the State of California. In conjunction with forecasting regional growth, BCAG, evaluates the State's figures and determines the fair share for RHNA. The City of Gridley was recently determined to need an additional land area to support 345 housing units. The existing demand that is met by available lands to develop housing is 879 units. The project will provide additional land area to meet the requirement to provide available land for housing. The project would be consistent with all land use designations and policies, therefore considered less than significant impact.

Furthermore, the proposed project would not conflict with any LAFCo standards or policies regarding annexations. In order for LAFCo to make determinations required under Section 56668 of the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH) (Government Code Section 56000 et seq.), further analysis and discussion regarding the extent to which the proposed annexation would contribute to environmental justice, is provided below although it is not an environmental impact as such.

Environmental justice is not a CEQA issue and is not required to be analyzed. Nonetheless, a brief summary of the topic related to the proposed project is provided for informational purposes. Government Code Section 56668(o) that "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. With approval of the proposed annexation into the City of Gridley, all future public services would be provided by the City. Therefore, the proposed project would not result in environmental injustice issues with respect to the provision of public services. In addition, as discussed in the Public Services, Recreation, and Utilities and Services sections, any impacts related to public services and utilities would be less-than-significant.

- c) Butte County is in the process of developing a Habitat Conservation Plan. It is currently under review; there is no active or in place Habitat Conservation Plan at this time, therefore, this would be no impact.

Mitigation Measures

The project does not create related impacts that need to be mitigated, therefore, no mitigation measures are required.

13. MINERAL RESOURCES

Environmental Setting

The subject site has not been identified to have mineral resource deposits; the project is an amendment of land use designations, for the creation of three parcels to annex the property into the City of Gridley.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the depletion of a mineral resource.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mineral Resources

Would the project:

- | | |
|---|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | X |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | X |

Discussion

- a-b) The proposed project site is not included or delineated as a Mineral Resource Zone. The subject site would not be considered sizable enough to bear the tremendous costs of the initial investment and operations to create a commercial commodity through mining. Therefore, the subject site would not result in the loss of availability of any known mineral resources or resource recovery sites and no impact would occur.

Mitigation Measures

The project does not have mineral resource impacts that need to be mitigated, therefore, no mitigation measures are required.

14. NOISE

Environmental Setting

The subject site is located in the southwesterly area of Butte County and to the most northerly boundary of the City of Gridley. Noise may come from seasonal agricultural work on the north and south project boundaries. The site is located near the UPRR and railnoise may be experienced.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in exterior noise levels above the acceptable level of 60 dBA, (70 dBA daytime);
- Result in interior noise levels exceeding 45dBA.;
- Result in construction noise levels that do not meet the City of Gridley Noise Ordinance.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Noise				
<i>Would the project:</i>				
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 ground borne vibration or ground borne 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				X

airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion

- a-b) The purpose of the initial study is to determine impacts on the environment the proposed project may create. Noise generated from the project to the surrounding area will generally be related to daily living activities such as vehicle traffic and/or deliveries of goods to the subdivision. Noise would also include general play by children, music, and outdoor maintenance equipment such as lawn mowers and blowers. Noise that may be experienced to the new residents of the subdivision would include general ambient sound from the subdivision to the west and equipment used in agricultural processing. None of the sounds are an exposure considered as extended noise intervals in excess of the noise ordinance. Construction standards and insulation mitigate the majority of exterior noise that the proposed project or nearby residents may experience; therefore, this is considered less than significant.
- c) The project would generate an increase in existing traffic noise levels on West Biggs Gridley Road and Spruce Street. Generally, traffic for single-family trips (per unit): 10 trips per day, 1 per peak hour. The increased traffic may create additional increases in ambient noise to the rural residential to the north and east of the project site. The increase of traffic creating the additional noise has been considered in the General Plan and the amended Sphere of Influence to support the expansion of the city. Planning for the expansion of the City would implement the General Plan noise policies which would reduce the potential traffic noise impacts. Additionally, noise levels would be similar to surrounding residential uses and less than other agricultural processing uses in the area; therefore, this is considered less than significant.
- d) Construction noise levels at and near locations on the project site would fluctuate depending on the particular type, number, and duration of use of construction equipment. The effect of construction noise would also depend on the distance between construction activities, and the nearest noise receptors in relationship to the construction. Temporary construction and its short-term noise would take place between working hours generally between 7:00 am and 5:00 pm. Therefore, this would be considered less than significant.
- e-f) The project is not located near a municipal or private airstrip; therefore, this is considered no impact.

Mitigation Measures

Implementation of the following mitigation measures would reduce the above potential impact to a less-than-significant level.

MM 14.1 Project noise-generating construction activities shall occur within the hours identified in Gridley Municipal Code.

MM 14.2 All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with manufacturers-recommended mufflers and be maintained in good working condition.

MM 14.3 All mobile or fixed noise-producing equipment used on the project site that are regulated for noise by Title 7 of the Gridley Municipal Code, §17.74.030 and shall comply with such regulations while in the course of project activity.

MM 14.4 Electrically powered equipment shall be used, where feasible, instead of pneumatic or internal-combustion-powered equipment.

MM 14.5 Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors.

MM 14.6 Project area and site access road speed limits shall be established by conditions of approval to the project and enforced during the construction period in conjunction with MM 14.8 below.

MM 14.7 Nearby residences shall be notified of construction schedules by posting a minimum of 48 hours in advance, so that arrangements can be made, if desired, to limit their exposure to short-term increases in ambient noise levels.

MM 14.8 The engineer shall coordinate with the City of Gridley to potentially employ the design of traffic calming measures on W Biggs-Gridley Road in order to ensure speed reductions due to the excessively long, straight alignment that will be conducive to greater speeds and potentially an increase in general traffic ambient noise. No design shall be constructed until approved by the City of Gridley.

15. POPULATION AND HOUSING

Environmental Setting

The 2020 U.S. Census determined the population of the City of Gridley to be 7,421. The population in 2010 was 6,584. The 10-year increase represents an average 12.7% increase over a ten-year period; 1.2% annual increase in the city.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Induce substantial growth that is inconsistent with the approved land use plans in place;
- Displace affordable housing.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Population and Housing

Would the project:

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

Discussion

- a) The proposed project is not growth inducing. The site is within the Sphere of Influence the General Plan land use was designated as residential from the time of the 1999 General Plan land use map. The growth inducing impacts are considered when extensions of public service utilities create a greater opportunity for urban sprawl. The General Plan and Sphere of Influence amendment critically considered the impacts of the development and found it compatible with its direction to enable it to provide additional housing stock meeting future required RHNA numbers. This project implements the General Plan goals and policies for growth in a measured manner.
- b) The project will not displace existing housing. Therefore, replacement housing will not need to be constructed and the impact is no impact.

Mitigation Measures

The project does not have population and housing related impacts that need to be mitigated, therefore, no mitigation measures are required.

16. PUBLIC SERVICES

Environmental Setting

The City of Gridley has public services and infrastructure in place for the proposed project. The City contracts much of its public services consisting of fire, electric, and police protection. While these services are contracted, it does not diminish the high level of service provided for its residents. The city provides overall administrative services, recreation and park services and coordination, and partners with the Gridley Unified School District.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Create an increase in demand for police protection services which could substantially interfere with the ability of the Police Department to provide adequate response time to the project site;
- Create an increased demand for fire protection services that would substantially interfere with the ability of the Fire Department to provide adequate response time to the project site;
- Create an increased demand for schools that would exceed existing school capacity; or,
- Create an increased demand for parks and other public facilities that would exceed existing capacity.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Public Services

Would the project:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			X	
i. Fire protection?			X	
ii. Police protection?			X	
iii. Schools?			X	
iv. Parks?			X	

Discussion

- a) The City of Gridley partners with Cal Fire to provide fire protection services to the community as well as emergency medical services. The addition of 60 single-family residential units could increase the population by 194 persons (3.34 (ratio of persons per household x 58 units (two homes are currently occupied))). The provision of fire protection is based upon community need and the City will continue to maintain its high level of service through its partnership with Cal Fire. A less than significant impact is considered.
- i. The City of Gridley provides the community with police protection and has enjoyed a safe community. The ratio of sworn officers to population may increase slightly but it is not anticipated to diminish service or compromise it by the addition of the development; therefore, this is considered less than significant.
 - ii. The development is anticipated to be families that would have children. Most of the school age children would be attending schools in the Gridley Unified School District. There would be an increase demand for school facilities and services. Development impact fees are collected at the time new homes are constructed to offset these demands and to add to the District's reserves to construct additional facilities as needed. At the time the General Plan studied impacts to growth by the City to its school facility enrollment capability, it was found there has been a general decline in enrollment; therefore, adequate capacity exists. This is considered less than significant.
 - iii. The city owns and maintains parks near Downtown, including: Vierra Community Park (12.5 acres); Daddow Plaza, Rotary Park, and Quota Park (totaling 4.4 acres); and the skateboard/water park (1.01 acres). Parks are also provided in residential areas, including: August Boeger Park (1.9 acres) and Eagle Meadows Park (6.01 acres of private parkland). There was a total of 19.8 acres of City-owned parkland, or 3.1 acres per thousand residents, as of the writing of the 2030 General Plan. This total does not include Eagle Meadows Park (private) or the city-owned boat launch area on the Feather River. The General Plan established a goal of 5 acres per 1,000 residents. An increase in demand for parks will occur; park in-lieu fees are collected in order to add park amenities to the city.
 - iv. Other public facilities for roads, sewer, water, and storm drain will have additional demands. The project will be required to design systems that will provide such services. Additionally, development impact fees are collected in order to offset additional maintenance costs for these services; therefore, this is considered less than significant.

Mitigation Measures

The project does not create related impacts that need to be mitigated, therefore, no mitigation measures are required.

17. RECREATION

Environmental Setting

The city owns and maintains parks near Downtown, including: Vierra Community Park (12.5 acres); Daddow Plaza, Rotary Park, and Quota Park (totaling 4.4 acres); and the skateboard/water park (1.01 acres). Parks are also provided in residential areas, including: August Boeger Park (1.9 acres) and Eagle Meadows Park (6.01 acres of private parkland). There was a total of 19.8 acres of City-owned parkland, or 3.1 acres per thousand residents, as of the writing of the 2030 General Plan. This total does not include Eagle Meadows Park (private) or the city-owned boat launch area on the Feather River. The General Plan established a goal of 5 acres per 1,000 residents. An increase in demand for parks will occur; park in-lieu fees are collected in order to add park amenities to the city.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the failure to meet city standards for the provision of parkland.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Recreation

Would the project:

- | | |
|--|---|
| 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-b) The current park ratio is approximately 3.1 acres of parkland not including open space to 1,000 residents. This ratio will fall somewhat with the addition of approximately 194 persons to the city population. The additional population will not result in the deterioration of the physical facility. No new parks are proposed with this project.

Mitigation Measures

The project does not create related impacts that need to be mitigated, therefore, no mitigation measures are required.

18. TRANSPORTATION AND TRAFFIC

Environmental Setting

The City of Gridley street circulation is a grid pattern layout. The City of Gridley enjoys public transportation by Butte County Transit with daily bus trips to Gridley. The development proposes a primary access point at West Biggs Gridley Road and Spruce Street to enter the subdivision. The development will also be connected to the Eagle Meadows subdivision to the west.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Conflict with a program, plan, ordinance, or policy for transportation, conflict with CEQA, increase hazard, or create inadequate emergency access.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Transportation and Traffic

Would the project:

- | | |
|---|---|
| a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? | X |
| b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)? | X |
| c) Substantially increase hazards due to geometric design features or incompatible uses? | X |
| d) Result in inadequate emergency access? | X |

Discussion

- a-d) The CEQA Statute and Guidelines were revised in 2018 to change how transportation impacts are addressed. As stated above, environmental impacts from the development project are no longer to include vehicle delay, roadway capacity, or intersection levels of services. These effects may be considered for planning purposes, but are not considered environmental impacts.

Level of Service and Vehicle Miles Traveled

Level of service has been used in the past in CEQA documents to identify the significance of a project's impact on traffic operating conditions. As noted in the California Governor's Office of Planning and Research (OPR) document *Technical Advisory on Evaluating Transportation Impacts in CEQA* (California Governor's Office of Planning and Research 2018),

"Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, § 15000 et seq.) regarding the analysis of transportation impacts. . . OPR has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA. (Pub. Resources Code, § 21099, subd. (b)(3).)"

Vehicle Miles Traveled Significance Threshold

The OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* provides recommended thresholds for determining the significance of VMT impacts associated with land use development projects. Specific thresholds are provided for residential, office, and retail commercial types of development. For residential projects, the technical advisory generally recommends establishing a 15 percent reduction in VMT, compared to a baseline, as a significance threshold. That is, if a project would result in a reduction of at least 15 percent in VMT, compared to a baseline, the project can be considered to have a less than significant impact. The significance threshold may be thought of as 85 percent of baseline conditions (100 percent less 15 percent equals 85 percent). A project that would not result in a reduction of at least 15 percent is considered to have a significant impact. The technical advisory notes,

"A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or as city VMT per capita."

Impacts on Vehicle Miles Traveled

As noted previously in the *Vehicle Miles Traveled Significance Threshold* section the percent change in vehicle miles traveled is determined by comparing the amount of travel associated with the project as proposed to travel associated with development potential of the project site without approval of the proposed project using a city VMT rate.⁴ BCAG provides a TAZ trip multiplier which is used on the number of units proposed to the number of units at its greatest capacity.

The project proposes 60 single family units on approximately 19.95 acres. The density of the proposed project is 3.7 du/ac. The R-1 zoning allows 2-4 du/ac. The development could result in 76 dwelling units a density of 4 du/ac. The proposed project is being developed at 79% of its capacity, less than the maximum of a 15% reduction as described above; this is a less than significant impact.

The project will construct interior local streets that will connect to Spruce Street and West Biggs Gridley Road. The road designs will not create a hazard and will be consistent with the requirements of the City of Gridley development standards. The proposed layout and road design will not delay emergency response to the development; therefore, a less than significant impact.

Mitigation Measures

The project does not create related impacts that need to be mitigated, therefore, no mitigation measures are required.

⁴ KD Anderson, 2021

19. UTILITIES AND SERVICE SYSTEMS

Environmental Setting

The city has public services and infrastructure planned to meet the build out of the General Plan; this project does not impact the public service planning goals.

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the construction of new water facilities or expansion of existing facilities;
- Result in exceeding the wastewater treatment requirements of the Regional Water Quality Control Board;
- Result in or require the construction or expansion of existing wastewater treatment facilities;
- Be served by a land fill that has inadequate permitted capacity.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Utilities and Service Systems

Would the project:

- | | |
|--|---|
| a) Exceed wastewater treatment requirements of the applicable Regional 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 |

Discussion

a-d) The proposed project would require new connections to water lines, wastewater lines, and other utilities; however, these facilities are not anticipated to result in significant environmental effects.

The City of Gridley provides water via wells. The City has had an ongoing review of water availability and has found that there is capacity for the build out of the General Plan including the areas that were added when the Sphere of Influence was amended to increase the

boundary. Although the area has experienced long periods of drought, it appears that through normal, dry and multiple dry years, adequate water reserves are available to serve the existing community in addition to the proposed development.

Therefore, there is less than significant and no impact to the current or projects service levels.

Mitigation Measures

The project does not create related impacts that need to be mitigated, therefore, no mitigation measures are required.

20. WILDFIRE

Standards of Significance

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the failure to meet standards that not in place could exacerbate loss from wildfire.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Wildfire

Would the project:

- | | |
|---|---|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | X |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | X |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | X |
| d) Expose people or structures to significant risks including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes? | X |

Discussion

- a-b) The proposed development will not alter any emergency response plan or evacuation plan and will not impact the deployment of the plans. The City of Gridley participated in the development of the Butte County Hazard Mitigation Plan and adopted the Butte County Hazard Mitigation Plan. The plan is used to help develop emergency response and preparedness plans.

The location of the site will not exacerbate exposure of air pollutants due to prevailing winds, wildfire, or other. The site will experience the impact of such in that it is located in the Sacramento Valley basin and smoke and, etc. sink into the valley from other areas as well as pushed by delta breezes northward.

The project will not require the installation of firebreaks or additional roads for emergency use and will not expose people to significant risks. New homes are required to have sprinklers installed as a requirement of the California Building Code. The project site is not located within or near a state responsibility area or lands classified as a Very High Fire Hazard Severity Zone (VHFHSZ).

Therefore, the proposed project would not be subject to substantial risks related to wildfires, and a less than significant and no impact would occur.

Mitigation Measures

The project does not create related impacts that need to be mitigated, therefore, no mitigation measures are required.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------	--------------------------------	--	------------------------------	-----------

Mandatory Findings of Significance

Would the project:

- | | |
|--|---|
| 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

As described within the Initial Study, with appropriate mitigation measures, the proposed residential development does not have the potential to significantly 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 or eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The project site is located within the City of Gridley Sphere of Influence and is adjacent to existing residential developments to the east and west. There are potential impacts to aesthetics, air quality, biological resources, cultural resources, tribal cultural resources, and noise. These are reduced to less than significant levels by mitigation measures identified within each section.

Accordingly, the City of Gridley has determined that, with mitigation measures incorporated, the proposed project would not substantially degrade the quality of the environment.

There is no indication that this project could result in substantial adverse effects on human beings. While there would be a variety of effects during construction on the project site related to traffic, noise, air quality and greenhouse gases, these impacts would be less than significant based on compliance with applicable regulatory requirements and established impact thresholds, as well as the prescribed mitigation measures. Potential long-term effects would include emission of air pollutants and greenhouse gases and impacts to public utility capacity, but these impacts are expected to be below applicable significance thresholds.

Altogether, the project would not cause environmental effects that cause substantial direct or indirect adverse effects on human beings with the adoption and implementation of the mitigation measures, as well as with compliance with applicable federal, state and local policies, and regulations described throughout this document.

Appendix A

Northeast Center of the
California Historical Resources
Information System

BUTTE
GLENN
LASSEN
MODOC
PLUMAS
SHASTA

SIERRA
SISKIYOU
SUTTER
TEHAMA
TRINITY

123 West 6th Street, Suite 100
Chico CA 95928
Phone (530) 898-6256
neinfoctr@csuchico.edu

July 12, 2021

City of Biggs Planning Department
465 C Street
Biggs, CA 95917
Attn: Donna Decker

**I.C. File # J21-2
Project Review**

RE: Stenzel Family Trust
T17N, R2E, Section 35 MDBM
USGS Biggs 7.5' (1973) & Gridley 15' (1952) quadrangle maps
20 acres (Butte County)

Dear Ms. Decker,

In response to your request, a Project Review for the project cited above was conducted by examining the official maps and records for archaeological sites and surveys in Butte County.

RESULTS:

Prehistoric Resources: According to our records, no sites of this type have been recorded within or adjacent to the project area. In addition, no sites of this type have been recorded within the ¼-mile vicinity. The project area is located in a boundary region utilized by Konkow populations. Unrecorded prehistoric cultural resources may be located in the project area.

Historic Resources: According to our records, no sites of this type have been recorded within or adjacent to the project area. In addition, no sites of this type have been recorded within the ¼-mile vicinity. Unrecorded historic resources may be located in the project area.

Historic Properties: According to our records, no sites of this type have been recorded within or adjacent to the project area. However, two sites of this type have been recorded within the ¼-mile vicinity.

The USGS Biggs 7.5' (1973) & Gridley 15' (1952) quadrangle maps indicate archaeologically sensitive regions within the project area such as structures, foundations, a secondary highway, as well as Cooper Pit and Mill. Additional structures, foundations, Justeson Avenue, churches, and McKinley School are located in the general project vicinity.

Previous Archaeological Investigations: According to our records, portions within the project area have been surveyed for cultural resources. Two large overview studies also encompass the project area.

Literature Search: The official records and maps for archaeological sites and surveys in Butte County were reviewed. Also reviewed: **National Register of Historic Places-Listed Properties and Determined Eligible Properties** (2012); **Built Environment Resource Directory** (2019); **California Register of Historical Resources** (2012); **California Points of Historical Interest** (2012); **California Inventory of Historic Resources** (1976); **California Historical Landmarks** (2012); **Gold Districts of California – Bulletin 193** (2005); **Handbook of North American Indians, Vol. 8, California** (1978); and **Historic Spots in California** (2002).

RECOMMENDATIONS:

Based upon the above information and the local topography, and regional history, the project is located in an area considered to be moderately sensitive for prehistoric, protohistoric, and historic cultural resources. Konkow populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game. Historically, Euro-Americans possibly utilized the region for farming, mining, and transportation opportunities.

Therefore, because portions of the project area have not been previously surveyed, and because the previous surveys are more than ten years old, we recommend that a professional archaeologist be contacted to conduct a cultural resources review of the project area. The consultant can offer recommendations for avoidance and protection of previously recorded as well as any newly identified resources. In addition, any existing structures should be evaluated for potential historical significance. The project archaeologist will be able to offer recommendations for the preservation of or mitigation of effects on any cultural resources encountered as a result of field survey. A list of qualified consultants is available online at www.chrisinfo.org.

The project archaeologist should also contact the appropriate local Native American representatives for information regarding traditional cultural properties that may be located within project boundaries for which we have no records. The Native American Heritage Commission should be contacted at (916) 373-3710 for information regarding Native American representatives in the vicinity of the project.

During any phase of parcel development, if any potential prehistoric, protohistoric, and/or historic cultural resources are encountered, all work should cease in the area of the find pending an examination of the site and materials by the project archaeologist. This request to cease work in the area of a potential cultural resource find is intended for accidental discoveries made during

construction activities, and is not intended as a substitute for the recommended cultural resources survey.

The fee for this project review is \$75.00 (1 hour of Project Review Time @ \$75.00 per hour). Thank you for your dedication preserving Butte County's and California's irreplaceable cultural heritage, and please feel free to contact us if you have any questions or need any further information or assistance.

Sincerely,
Ashlyn Weaver
Ashlyn Weaver, M.A.
Assistant Coordinator
Northeast Information Center



Mooretown Rancheria

*#1 Alverda Drive
Oroville, CA 95966*

(530) 533-3625 Office

(530) 533-3680 Fax

August 4, 2020

Ms. Donna Decker
Planning Director
City of Gridley
685 Kentucky Street
Gridley, CA 95948

Re: Proposed (Annexation of Stenzel Lands) Project - Gridley, Butte Co, CA

Dear Ms. Decker:

Thank you for your letter dated, July 29, 2020, seeking information regarding the proposed Stenzel Lands Annexation project in Butte County, California. Based on the information provided, the Mooretown Rancheria is not aware of any known cultural resources on this site. However, as the project progresses, if any new information or human remains are found, we do have a process to protect such important and sacred artifacts (especially near rivers or streams).

Please contact the following individuals if tribal cultural items or Native American human remains are found:

THPO
Mooretown Rancheria
#1 Alverda Drive
Oroville, CA 95966
(530) 533-3625 Office
(530) 533-3680 fax
E-mail: matthew.hatcher@mooretown.org

Thank you for providing us with this notice and opportunity to comment.

Sincerely,

Matthew Hatcher
Tribal Historic Preservation Officer

"Concow - Maidu"

Exhibit D

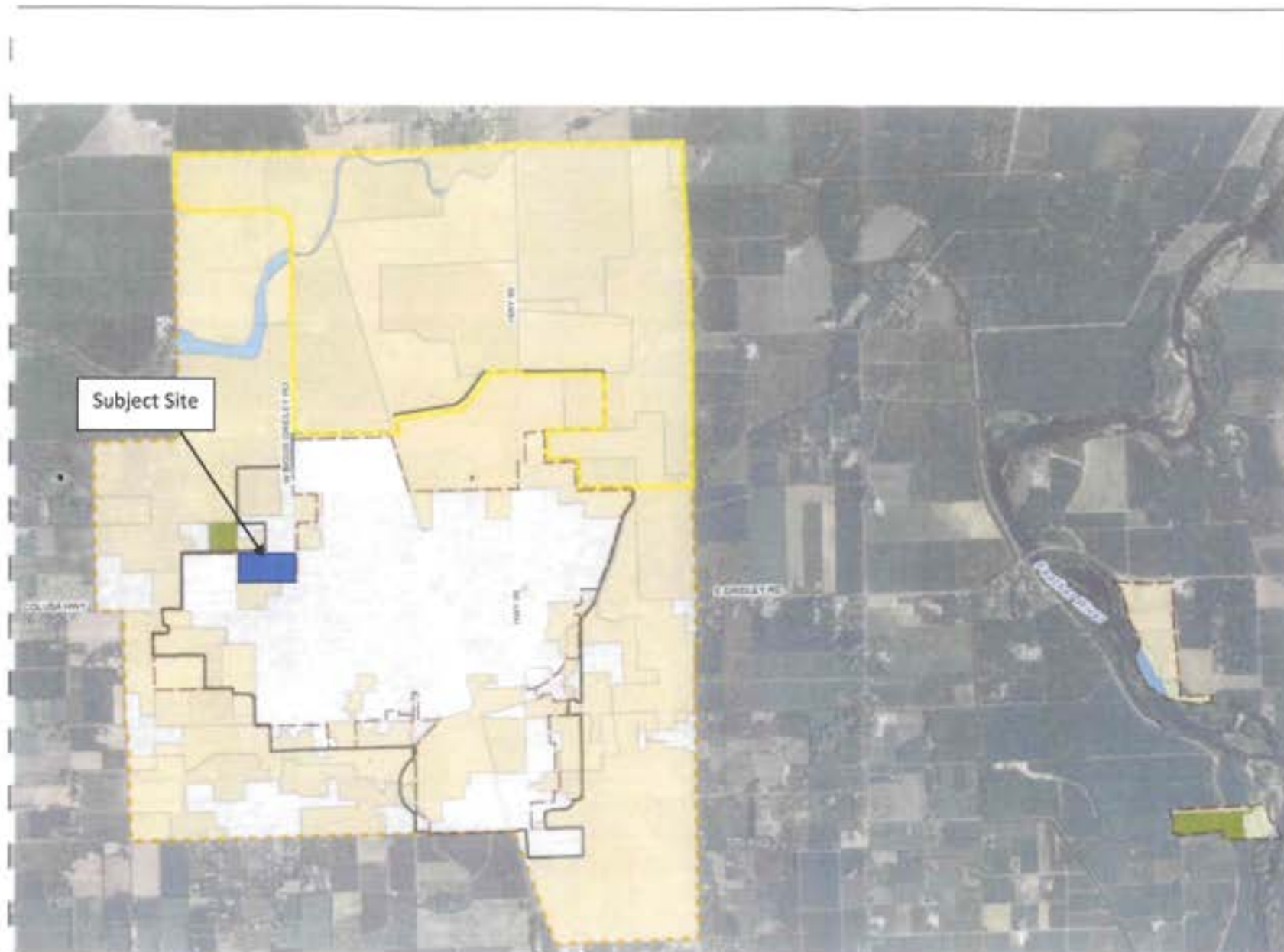
Appendix B

Exhibit 4.6-1 Natural Communities in Gridley Vicinity

LEGEND

-  Gridley City Limits
 -  Study Area
 -  Planned Growth Area
 -  Sphere of Influence
- Butte County Natural Communities**
-  Agriculture
 -  Aquatic
 -  Development
 -  Grassland
 -  Riparian




Source: BCAG 2008
 adapted by Galbreath Consulting, Inc. 2008

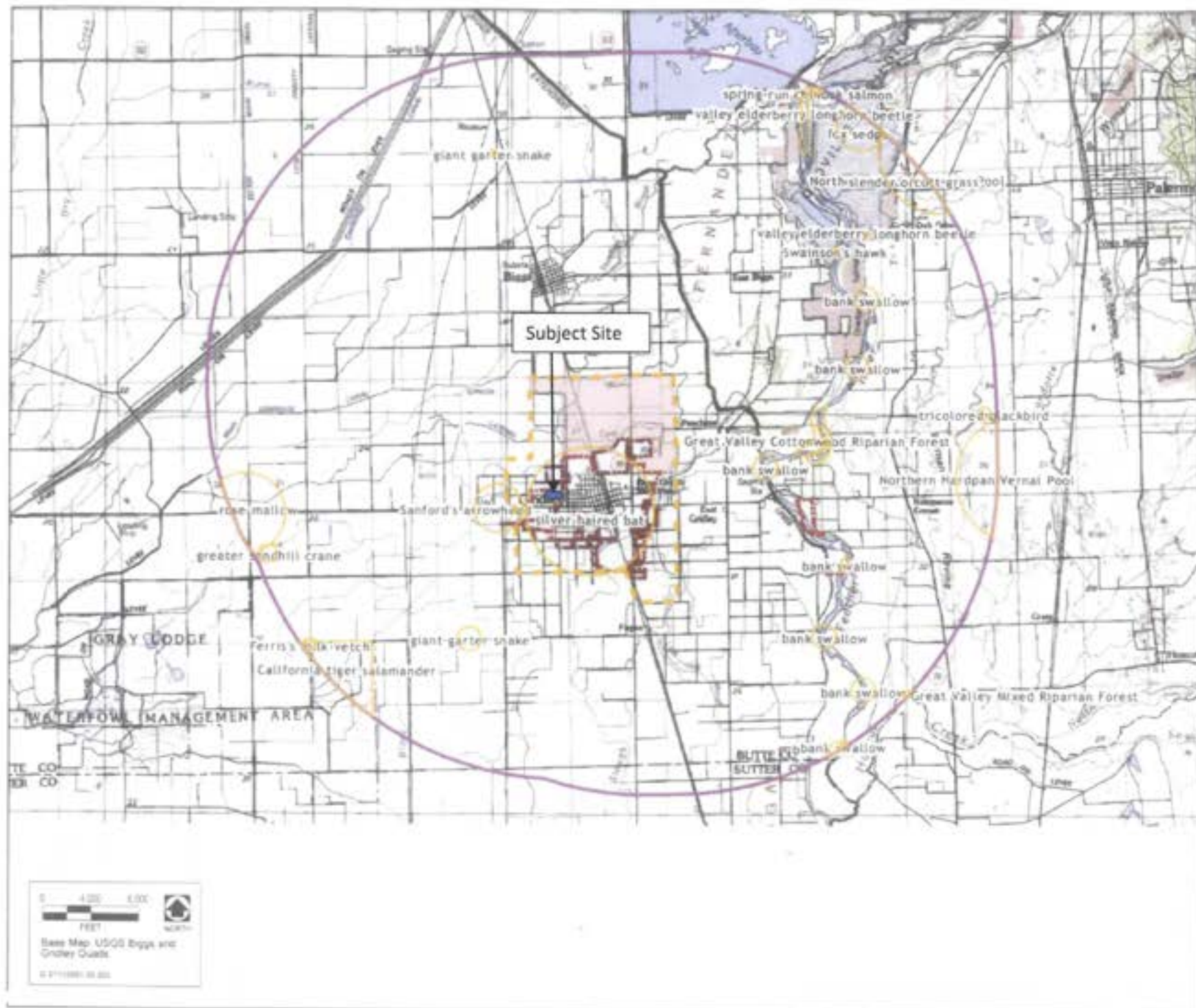


Natural Communities derived from Butte HCP/NCCP (in progress)
 Aerial 2008 (NASP)

Exhibit 4.6-2 CNDDB Occurrences

LEGEND

-  Study Area
-  City Limits
-  Sphere of Influence
-  Planned Growth Area
-  5 Mile Study Area
-  CNDDB Occurrences



Source: CNDDB 2008

Heartscale

Heartscale is a California-endemic annual herb in the Chenopodiaceae family. It is listed by CNPS as a list 1B.2 plant species. It has been known to occur in Alameda, Butte, Fresno, Glenn, Kern, Madera, Merced, San Joaquin, San Luis Obispo, Solano, Stanislaus, Tulare, and Yolo Counties. Heartscale grows in chenopod scrub, meadows and seeps, and saline or alkaline valley and foothill grassland habitats at elevations ranging from 1 to 375 meters above sea level. It blooms from April to October, producing inconspicuous flowers held above the leaf axis. Heartscale has potential to occur within moist agricultural land which holds a higher amount of alkalinity and/or salinity due to farming practices.

Lesser Saltscale

Lesser saltscale is a California-endemic annual herb in the Chenopodiaceae family. It is listed by the CNPS as a list 1B.1 plant species. It is known only from occurrences in Butte, Fresno, Kern, Madera, Merced, Stanislaus, and Tulare Counties. The lesser saltscale grows in chenopod scrub, playa, and alkaline, sandy valley and foothill grassland habitats at elevations ranging from 15 to 200 meters above sea level. It flowers from May through October, producing inconspicuous yellow flowers formed at the leaf axis.

Within the Plan Area, lesser saltscale has potential to occur in dry agricultural land which holds a higher level of alkalinity and/or salinity in the soil due to farming practices.

Sanford's Arrowhead

Sanford's arrowhead is a CNPS List 1B.2 species, meaning it is considered fairly endangered in California and is also rare, threatened, or endangered outside of California. This species is found in shallow, standing, fresh water and sluggish waterways including marshes, swamps, ponds, vernal pools, lakes, reservoirs, sloughs, ditches, canals, streams and rivers at elevations from 10 to 2,000 feet.

The CNDDDB provided a record within 1 mile of the Study Area (Exhibit 4.6-2). Sanford's arrowhead has potential to occur within sluggish, slow moving water in irrigation ditches and canals within the Plan Area.

Subtle Orache

Subtle orache is a California-endemic annual herb in the Chenopodiaceae family. It is listed by the CNPS as a list 1B.2 plant species. It is known only from approximately 25 occurrences in Butte, Fresno, Kings, Kern, Madera, Merced, and Tulare Counties. The subtle orache grows in valley and foothill grassland habitats at elevations ranging from 40 to 100 meters above sea level. It blooms from June through August and rarely into October, producing inconspicuous white flowers within the leaf axis.

Within the Plan Area, subtle orache has potential to occur in sandy or dry agricultural land which holds a higher level of alkalinity and/or salinity in the soil due to farming practices.

Woolly Rose-mallow

Woolly rose-mallow is a CNPS List 2.2 species, meaning it is considered fairly endangered in California (i.e., 20–80 percent of known occurrences in California are threatened), but is more common outside of California. This species is found in freshwater marshes and swamps.

The CNDDDB provided a record within 5 miles of the study area (Exhibit 4.6-2) and this species has a moderate potential to occur in the study area. Woolly rose mallow has potential to occur within fresh emergent wetlands and seasonally wet irrigation ditches and canals within the Plan Area.

Special-Status Wildlife

Due to the degree of human disturbance in the Plan Area, few special-status wildlife species have potential to occur in the project vicinity. A target list of special-status animal species was developed in 2008, using data from the USFWS and CNDDDB. This list included Swainson's hawk (*Buteo swainsoni*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) and giant garter snake (GGS). The complete target list of the wildlife species and their potential for occurrence within the Plan Area is presented in Table 4.6-2.

Table 4.6-2 Target List of Wildlife Species and their Potential to Occur within the Plan Area			
Common Name (Scientific Name)	Status Fed/State/ CNPS	Associated Habitats	Potential for Occurrence*
INVERTEBRATES			
Valley Elderberry Longhorn Beetle (<i>Desmocerus californicus dimorphus</i>)	FT/_/_	Blue elderberry shrubs usually associated with riparian areas.	<u>High</u> . Potential habitat may occur adjacent to drainages.
Vernal Pool Fairy Shrimp (<i>Branchinecta lynchi</i>)	FT/_/_	Vernal pools, swales, and ephemeral freshwater habitat.	<u>Moderate</u> . Potential habitat within seasonal wetlands.
Vernal Pool Tadpole Shrimp (<i>Lepidurus packardii</i>)	FE/_/_	Vernal pools, swales, and ephemeral freshwater habitat.	<u>Moderate</u> . Potential habitat within seasonal wetlands.
REPTILES AND AMPHIBIANS			
California tiger salamander (<i>Ambystoma californiense</i>)	FT/CSC/_	Vernal pools and seasonal ponds in grassland and oak savannah.	<u>Low</u> . Not likely present due to past conversion of vernal pool habitat to agriculture.
Coast Horned Lizard (<i>Phrynosoma coronatum</i>)	_/CSC/_	Openings in valley/ foothill hardwood, coniferous & riparian, pine/cypress, juniper, annual grasslands with sandy soils and ants.	<u>Moderate</u> . Potential habitat in sandy soils within the Plan Area.
Giant garter snake (<i>Thamnophis gigas</i>)	FT/ST/_	Agricultural wetlands, irrigation/drainage canals, low gradient streams, marshes, ponds, sloughs, small lakes, adjacent uplands.	<u>High</u> . Potential habitat in, and adjacent to, drainages and in rice fields.
Northwestern Pond Turtle (<i>Actinemys marmorata marmorata</i>)	_/CSC/_	Permanent ponds, lakes, streams, ditches, and permanent pools along intermittent streams.	<u>Moderate</u> . Potential pond habitat within some Plan Area drainages.
Western Spadefoot (<i>Spea hammondi</i>)	_/CSC/_	Grassland, woodland and vernal pools without aquatic brood predators.	<u>Low</u> . Not likely present due to past conversion of vernal pool habitat to agriculture.
FISH			
Central Valley Spring-Run Chinook Salmon (<i>Oncorhynchus tshawytscha</i>)	FT/ST/_	Sacramento River and tributaries.	<u>None</u> . No suitable drainages within the Plan Area.

**Table 4.6-2
Target List of Wildlife Species and their Potential to Occur within the Plan Area**

Common Name (Scientific Name)	Status Fed/State/ CNPS	Associated Habitats	Potential for Occurrence*
Central Valley Steelhead <i>(Oncorhynchus mykiss)</i>	FT/___/___	Sacramento and San Joaquin Rivers and their tributaries.	<u>None</u> . No suitable drainages within the Plan Area.
Delta Smelt <i>(Hypomesus transpacificus)</i>	FT/ST/___	Sacramento-San Joaquin Estuary.	<u>None</u> . No suitable drainages within the Plan Area.
Green Sturgeon <i>(Acipenser medirostris)</i>	FT/CSC/___	Spawn in freshwater, recently-documented spawning locations are in Klamath, Sacramento, and Rogue rivers on the west coast of N. America.	<u>None</u> . No suitable drainages within the Plan Area.
MAMMALS			
American Badger <i>(Taxidea taxus)</i>	___/CSC/___	Grasslands, savannahs, and mountain meadows with friable soils.	<u>Low</u> . Not likely present due to amount of disturbance from agricultural activities.
Marysville California Kangaroo Rat <i>(Dipodomys californicus eximius)</i>	___/CSC/___	Sandy/silty soils in annual grassland, mixed chaparral, occasionally valley foothill hardwood and valley foothill hardwood-conifer.	<u>Moderate</u> . Moderately suitable habitat occurs within the Plan Area.
Pallid Bat <i>(Antrozous pallidus)</i>	___/CSC/___	Arid and semi-arid habitats; roosts in rock crevices, caves, and mine shafts.	<u>Moderate</u> . Moderate roosting habitat and high foraging habitat potential within the Plan Area.
BIRDS			
Bank Swallow <i>(Riparia riparia)</i>	___/ST/___	Nests in steep riverbank cliffs, gravel pits, and highway cuts.	<u>Low</u> . Marginal habitat present within some drainages.
Burrowing owl <i>(Athene cunicularia)</i>	___/CSC/___	Nests in burrows on the ground, often old ground squirrel or badger burrows, within open dry grasslands and deserts.	<u>Moderate</u> . Potential habitat in open agricultural fields.
Greater Sandhill Crane <i>(Grus canadensis tabida)</i>	___/ST/___	Wet meadows, shallow lacustrine, fresh emergent wetlands. Winters in San Joaquin/ Sacramento Valleys.	<u>Moderate</u> . Potential habitat within irrigated and flooded fields.
Loggerhead Shrike <i>(Lanius ludovicianus)</i>	MBTA / CSC / ___	Open with sparse shrubs and trees, other suitable perches, bare ground, low or sparse herbaceous cover.	<u>Low</u> . Sub-marginal riparian habitat in the Plan Area.
Northern Harrier <i>(Circus cyaneus)</i>	___/CSC/___	Meadows, grasslands, open rangelands, desert sinks, fresh/saltwater emergent wetlands.	<u>High</u> . Suitable habitat within the Plan Area.

**Table 4.6-2
Target List of Wildlife Species and their Potential to Occur within the Plan Area**

Common Name (<i>Scientific Name</i>)	Status Fed/State/ CNPS	Associated Habitats	Potential for Occurrence*
Swainson's hawk (<i>Buteo swainsoni</i>)	MBTA/ST/_	Nests in isolated trees or riparian woodlands adjacent to suitable foraging habitat including grasslands, grain/alfalfa fields, livestock pastures.	<u>High</u> . Suitable habitat within the Plan Area.
Tri-colored blackbird (<i>Agelaius tricolor</i>)	_/CSC/_	Nests in dense blackberry, cattail, tules, willow, wild rose in emergent wetlands in the Central Valley and surrounding foothills.	<u>Moderate</u> . Potential habitat within fresh emergent wetlands within the Plan Area.
Osprey (<i>Pandion haliaetus</i>)	MBTA/ CSC/_	Wetland, open water.	<u>Low</u> . Sub-marginal riparian habitat in the Plan Area.
Western Yellow-billed Cuckoo (<i>Coccyzus americanus occidentalis</i>)	FC/SE/_	Structured dense riparian forests, generally willows.	<u>Low</u> . Sub-marginal riparian habitat in the Plan Area.
Yellow Warbler (<i>Dendroica petechia</i>)	_/CSC/_	Very partial to riparian woodlands of lowlands and foothill canyons.	<u>Low</u> . Sub-marginal riparian habitat in the Plan Area.
Migratory Birds and Raptors	MBTA	Nests/forages in variety of habitats: hardwood woodlands, coniferous forests, meadows, grasslands and riparian.	<u>High</u> . Suitable foraging habitat present within the Plan Area.

CODE DESIGNATIONS

FE = Federally-listed Endangered FT = Federally-listed Threatened FC = Federal Candidate Species SE = State-listed Endangered ST = State-listed Threatened	CSC = CDFG Species of Special Concern FP = CDFG Fully Protected Species MBTA = protected by the federal Migratory Bird Treaty Act
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***Potential for occurrence:** for plants it is considered the potential to occur during the survey period; for birds and bats it is considered the potential to breed, forage, roost, over-winter, or stop-over in the project area during migration. Any bird or bat species could fly over the project area, but this is not considered a potential for occurrence. The categories for the potential for occurrence include:

- None: The species or natural community is known not to occur, and has no potential to occur in the project area based on sufficient surveys, the lack of suitable habitat, and/or the project area is well outside of the known distribution of the species.
- Low: Potential habitat in the project area is marginal, but the species is known to occur in the vicinity of the project area; or suitable habitat is present, but the species is not known to occur in the vicinity of the project area.
- Moderate: Suitable habitat is present in the project area and the species is known to occur in the vicinity of the project area.
- High: Habitat in the project area is highly suitable for the species and there are reliable records close to the project area, but the species was not observed.
- Known: Species was detected in the project area or a recent reliable record exists for the project area.

The special-status wildlife species with a moderate to high potential of occurring within the Plan Area are briefly discussed below.

Valley Elderberry Longhorn Beetle

The valley elderberry longhorn beetle (VELB), a federally threatened species, occurs in the Central Valley of California below 3,000 feet. It is distributed primarily within riparian habitats from Shasta City to Kern City. The beetle is dependent solely on blue elderberry shrubs (*Sambucus mexicana*) or red elderberry shrubs (*S. racemosa*) to complete its lifecycle. The adult beetles emerge from the elderberry stems from April to early June. The adults mate and the females lay eggs on the tips of twigs. The eggs hatch and the larva bore into twigs and feed on the pith. Before a larva pupates, it makes an exit hole in the elderberry stem. These holes serve as an indication of the occurrence of VELB in elderberry shrubs. Following pupation in the spring, the adult beetle emerges, creating a hole in the bark of the stem or branch. Adults feed on foliage and are present from March through early June. Besides exhibiting a preference for "stressed" elderberry (Kellner 1986), VELB prefer shrubs with stems of a certain size class. Exit holes have been found more frequently in trunks or branches that are 5 to 20 cm (2–8 in) in diameter, or at least 1.0 inch or greater at ground height (USFWS 1999) and less than one meter off the ground. Research also shows that exit holes more consistently occur in clumps or stands than in isolated shrubs (Collinge et al. 2001).

Blue elderberry shrubs have potential to occur in the Plan Area along irrigation ditches and canals and therefore potential habitat for VELB may be present.

Vernal Pool Fairy Shrimp

The vernal pool fairy shrimp has known populations that extend from Stillwater Plain in Shasta County through most of the length of the Central Valley to Pixley in Tulare County. Along the central coast, they range from northern Solano County to Pinnacles National Monument in San Benito County. Four additional, disjunct populations exist: one near Soda Lake in San Luis Obispo County, one in the mountain grasslands of northern Santa Barbara County, one on the Santa Rosa Plateau in Riverside County, and one near Rancho California in Riverside County. The vernal pool fairy shrimp occupies a variety of different vernal pool habitats, from small, clear, sandstone rock pools to large, turbid, alkaline, grassland valley floor pools. Although the species has been collected from large vernal pools including one exceeding 25 acres, it tends to occur in smaller pools. It is most frequently found in pools measuring less than 0.05 acre. These are most commonly in grass or mud bottomed swales, or basalt flow depression pools in unplowed grasslands. Vernal pool fairy shrimp have been collected from early December to early May.

Within the Plan Area, vernal pool fairy shrimp have a moderate potential to occur within seasonally wet features.

Vernal Pool Tadpole Shrimp

The vernal pool tadpole shrimp is a small crustacean in the Triopsidae family. Their diet consists of organic debris and living organisms, such as fairy shrimp and other invertebrates. They inhabit vernal pools containing clear to highly turbid water, ranging in size from 54 square feet in the former Mather Air Force Base area of Sacramento County, to the 89-acre Olcott Lake at Jepson Prairie. The vernal pool tadpole shrimp is known from 18 populations in the Central Valley, ranging from east of Redding in Shasta County south to the San Luis National Wildlife Refuge in Merced County, and from a single vernal pool complex on the San Francisco Bay National Wildlife Refuge in the City of Fremont, Alameda County.

Within the Plan Area, vernal pool tadpole shrimp have a moderate potential to occur within seasonally wet features.

Coast Horned Lizard

The coast horned lizard occurs in the Sierra Nevada foothills from Butte to Kern Counties and throughout the central and southern California coast. They can be found in sandy soils in valley-foothill hardwood, conifer, riparian, pine-cypress, juniper, and annual grassland habitats. They primarily occur at elevations below 600

meters, but have been observed as high as 1,200 meters in the Sierra Nevada foothills. The coast horned lizard forages in open areas between shrubs and often near ant nests. Their primary prey is ants but they also eat small beetles when in large quantities, wasps, grasshoppers, flies, and caterpillars. They rely on camouflage for protection and bask on the ground or elevated objects in the early morning. In extreme heat and during winter hibernation, the coast horned lizard burrows under objects, such as logs or rocks, or use mammal burrows or crevices. The reproductive season varies from year to year and geographically depending on local conditions. Clutch sizes can range from 6 to 16 eggs which typically hatch after 2 months.

The coast horned lizard has potential to occur within sandy soils in the Plan Area.

Giant Garter Snake

The GGS is a federal and state listed threatened species. The GGS is endemic to the Sacramento and San Joaquin valleys where it inhabits agricultural wetlands and other waterways, such as irrigation and drainage canals, sloughs, ponds, small lakes, low gradient streams, and adjacent uplands (USFWS 1999). Because of the loss of natural habitat, the GGS relies heavily on rice fields in the Sacramento and San Joaquin Valley, but also uses managed marsh areas in federal national wildlife refuges and state wildlife areas. Giant garter snakes are typically absent from larger rivers because of lack of suitable habitat and emergent vegetative cover, and from wetlands with sand, gravel, or rock substrates. Riparian woodlands typically do not provide suitable habitat because of excessive shade, lack of basking sites, and absence of prey populations. However, some riparian woodlands adjacent to watercourses and other potential GGS aquatic habitat do provide good cover habitat.

Primary GGS habitat requirements consist of:

- 1) adequate water during the snake's active season (early-spring through mid-fall) to provide food and cover;
- 2) emergent, herbaceous wetland vegetation, such as cattails and bulrushes, for escape cover and foraging habitat during the active season;
- 3) upland habitat, such as grassy banks and openings in waterside vegetation for basking; and,
- 4) higher elevation uplands for cover and refuge from floodwaters during the snake's dormant season (USFWS 1999).

When abundant cover is available, GGS may be able to persist with numerous predators that share the same habitats.

GGS has been documented within three miles of the Plan Area and suitable habitat is present in the agricultural ditches present throughout the Plan Area. Thus, this species has a high potential to occur within rice fields and irrigation ditches and canals in the Plan Area. The CNDDDB identifies a giant garter snake occurrence within 5 miles of the Study Area (Exhibit 4.6-2).

Northwestern Pond Turtle

The northwestern pond turtle can be found throughout California and is the only abundant native turtle in California. They are associated with permanent or nearly permanent water in a wide variety of habitats at elevations ranging from near sea level to 1,430 meters. They require basking sites including partially submerged logs, rocks, mats of floating vegetation, or open mud banks. The northwestern pond turtle hibernates in colder areas underwater on muddy bottoms. Nesting sites are typically constructed along the banks of permanent water in soils at least 10 cm deep and must have high internal humidity for eggs to develop and hatch.

The northwestern pond turtle has potential to occur within ponds and very slow moving standing water within the Plan Area.

Marysville (California) Kangaroo Rat

The Marysville, or California, kangaroo rat occurs in California from the Oregon border south to San Francisco Bay and in the Sacramento Valley and Sierra Nevada foothills from El Dorado County north. It is found in open areas with friable soils, preferably annual grassland and mixed chaparral habitats, at elevations ranging from 400 to 1,300 meters above sea level. The kangaroo rat can also be found in valley foothill hardwood and valley foothill hardwood-conifer habitats. They require soils with sand or silts for dust bathing. They feed on the seeds of various grasses, forbs, and shrubs and their burrows are often found at the bases of shrubs or along the edges of rocks. They breed from February through September and often have only 2 to 4 young per a litter.

The Marysville kangaroo rat has potential to occur within open areas with silty or sandy soils in the Plan Area.

Pallid Bat

The pallid bat is a rather large, pale, yellowish-brown bat with long prominent ears, a blunt snout, and pinkish-brown or gray wing and tail membranes. Pallid bats tend to roost alone or in small groups and are known to use day and night roosts in crevices of rocky outcrops and cliffs, caves, mines, trees (bole cavities of oaks, exfoliating Ponderosa pine and valley oak bark, deciduous trees in riparian areas, and fruit trees in orchards), and various man-made structures such as bridges and buildings. The pallid bat primarily preys on a variety of arthropods, grasshoppers, crickets, beetles, moths, occasionally small reptiles and rodents, and has developed a mechanism to prey upon scorpions. This species of bat is very vulnerable to disturbance that many times results in mass displacement of the species.

If the species is detected, actions to coax the bat out of the area should be taken prior to the end of October when the bat seeks its winter hibernacula, isolation measures should be installed to prevent re-entry to the roost (Sherwin 1998).

The pallid bat has potential to occur within trees, under bridges, and within crevices of some buildings within the Plan Area.

Burrowing Owl

Burrowing owls inhabit dry, open grasslands. Nests are usually in small burrows that have been constructed and abandoned by small mammals, such as ground squirrels or badgers, however, they have also been known to use man-made structures, including cement culverts, cement, asphalt or wood piles, and openings under pavement. The breeding season for burrowing owls is from late March through May, and they often reuse burrows year after year. They perch on top of the burrows and other low structures to forage and watch for other predators. Their diet consists of insects, small reptiles or amphibians and small mammals.

Within the Plan Area, burrowing owls have the potential to occur within agricultural fields and vacant lots where friable soils or culverts are present for them to establish burrows.

Greater Sandhill Crane

The greater sandhill crane currently breeds only in Siskiyou, Modoc, and Lassen Counties and in Sierra Valley, Plumas and Sierra Counties. During the summer, the crane can be found in and near freshwater wet meadow, shallow lacustrine, and fresh emergent wetland habitats, and during winters the crane typically inhabits annual and perennial grassland, moist cropland, and open emergent wetland habitats in the Sacramento and San Joaquin valleys from Tehama County south to Kings County.

The greater sandhill crane prefers to forage over open short-grass plains, grain fields, and open wetlands where it feeds on grasses, forbs, various seeds, cereal crops, roots/tubers, earthworms, insects, and on occasion larger prey including mice, small birds, snakes, frogs, and crayfish. They roost at night in flocks standing in moist fields or

standing water and have also been known to roost in dry grasslands, islands, and wide sandbars. In moist areas, nests are large mounds made from wetland plants in shallow water, ideally screened by tules or cattails. On dry sites, nests are scooped out depressions lined with grasses.

Peak breeding occurs from May until July with their solitary nests typically completed by late August. The greater sandhill crane is monogamous, and have an average clutch size of 2. Once hatched, the young begin flying after 70 days, but remain with the adults for up to a year.

The CNDDDB provided a record of the greater sandhill crane within 5 miles of the Plan Area (Exhibit 4.6-2). Sandhill cranes have potential to occur within flooded agricultural fields within the Plan Area.

Northern Harrier

Northern harriers are a raptor commonly found near wetlands and open grasslands perched on or flying close to the ground. The northern harrier is one of the few birds of prey that is frequently polygynous when ecological conditions permit. Nests are constructed on the ground, typically in dense, low vegetation that provides a visual barrier and cover. In drier habitats, the nest consists of a loose, thin layer of sticks. In wetter situations, nests are larger, more substantial structures. Nests are built by the female and typically consist of grass, reeds, and small sticks. Breeding activity begins in April, concluding in September, with a peak in activity from June to July. A single brood of four to six eggs are incubated by the female. Incubation begins with the last egg and lasts about 29–39 days. Females brood the young for about 4 weeks while males provision the female and young with prey items. Young begin to leave the nest, moving around into the surrounding vegetation, at about 2 weeks of age. The amount of time spent at the nest steadily decreases after this point until fledging. First flight generally occurs at 29–34 days of age. Young remain in the vicinity of the nest until dispersal. Northern harries have the potential to forage within moist agricultural fields and pastures within the Plan Area.

Swainson's Hawk

The Swainson's hawk is a state threatened species and a long-distance migrant with nesting grounds in western North America. The Swainson's hawk population that nests in the Central Valley winters primarily in Mexico, while the population that nests in the interior portions of North America winters primarily in Argentina. Swainson's hawks arrive in the Central Valley between March and early April to establish breeding territories, and breeding occurs from late March to late August, peaking in late May through July. In the Central Valley, Swainson's hawks nest in isolated trees, small groves, or large woodlands, next to open grasslands or agricultural fields. This species typically nests near riparian areas; however, it has been known to nest in urban areas as well. Nest locations are usually in close proximity to suitable foraging habitats, which include fallow fields, irrigated pastures, alfalfa and other hay crops, and low-growing row crops. Swainson's hawks leave their breeding grounds to return to their wintering grounds in late August or early September.

The CNDDDB provided a record for the Swainson's hawk within 3 miles of the Study Area and this species has a moderate potential to occur in the Study Area. Potential foraging habitat includes agricultural fields and pastures and nesting habitat includes tall, mature trees adjacent to foraging habitat. Exhibit 4.6-2 illustrates CNDDDB records within 5 miles of the Plan Area.

Tri-colored Blackbird

The tri-colored blackbird occurs throughout California's Central Valley and in coastal habitats from Sonoma County south. The tri-colored blackbird requires dense fresh emergent wetlands to nest and breed, and forages in grassland and cropland habitats. Its nests are made from mud and plant materials, forming colonies from 50 pair to as many as 30,000 pair. Tri-colored blackbirds require open, accessible water, protective nesting substrates (flooded, thorny, or spiny vegetation), and suitable foraging space within a few miles of the nesting colony. In response to loss of fresh emergent wetland habitat, tri-colored blackbirds have been increasingly observed to

utilize Himalayan blackberry (*Rubus discolor*), elderberry, poison oak (*Toxicodendron diversilobum*), and grain fields for colony establishment.

The CNDDDB provided a record of the tri-colored blackbird within 5 miles of the Plan Area. Tri-colored blackbirds have the potential to occur within dense stands of cattails and/or tule in fresh emergent wetlands within the Plan Area.

Migratory Birds and Raptor Species

Migratory birds and raptors in the orders Falconiformes (hawks, eagles, and falcons) and Strigiforms (owls) are protected in varying degrees under California Fish and Game Code, Section 3503.5 and the Migratory Bird Treaty Act (MBTA). The many of the habitat types occurring within the Plan Area provide suitable nesting and/or foraging habitat for a variety of these species. Direct take of active nests, eggs, or birds is prohibited by CDFG and measures must be taken to minimize disturbance.

SENSITIVE NATURAL COMMUNITIES AND HABITAT TYPES

The CNDDDB identifies Sensitive Natural Communities (SNC), which includes those communities that, if eliminated or substantially degraded, would sustain a significant adverse impact as defined under CEQA. Sensitive Natural Communities are important ecologically because their degradation and destruction could threaten populations of dependent plant and wildlife species and significantly reduce the regional distribution and viability of the community. If the number and extent of SNC continue to diminish, the status of rare, threatened, or endangered species could become more precarious, and populations of common species (i.e., non special-status species) could become less viable. Loss of SNC also can eliminate or reduce important ecosystem functions, such as water filtration by wetlands and bank stabilization by riparian woodlands.

The Office of Planning and Research define project effects that substantially diminish habitat for fish, wildlife or plants, or that disrupt or divide the physical arrangement of an established community as significant impacts under CEQA (Public Resources Code §21083 and CEQA Guidelines §15382). This definition applies to certain SNC because of their scarcity and ecological values and because the remaining occurrences are vulnerable to elimination.

A list of SNC identified during the CNDDDB 9-quad search and their potential to occur within the Plan Area is presented in Table 4.6-3.

Great Valley Cottonwood Riparian Forest

Riparian forests are associated with alluvial fans in the floodplains and along the banks of streams and drainages throughout California's Central Valley and foothills. Soils in riparian forests are intermittently or seasonally flooded. Riparian habitats are critical for many species, even those that primarily use surrounding oak woodlands and annual grasslands. This habitat-type provides food, water, migration, dispersal corridors, and escape, nesting and thermal cover for a very high density of California's wildlife. The dominant or important tree species in this particular type of riparian forest is Fremont's cottonwood. Other vegetation in the canopy typically includes black willow, California sycamore, and valley oak. Sub-canopy tree species include Arroyo willow, box elder, and Oregon ash. Typical understory plants included wild grape, wild rose, California blackberry, blue elderberry, poison oak, and a variety of willow species. The herbaceous layer consists of a variety of sedges, rushes, and grasses.

Great Valley Mixed Riparian Forest

Riparian forests are associated with alluvial fans in the floodplains and along the banks of streams and drainages throughout California's Central Valley and foothills. Soils in riparian forests are intermittently or seasonally flooded. Riparian habitats are critical for many species, even those that primarily use surrounding oak woodlands

**Table 4.6-3
List of Sensitive Natural Communities and their Potential to Occur in the Plan Area**

Sensitive Natural Community	Habitat Description	Potential for Occurrence
Great Valley Cottonwood Riparian Forest	Perennial creeks and rivers in the Central Valley.	<u>Moderate</u> . May occur along Plan Area drainages.
Great Valley Mixed Riparian Forest	Tall, dense, winter-deciduous, broadleaved forest. Tree canopy usually fairly well closed; moderately to densely stocked with several species including <i>Acer negundo</i> , <i>Juglans hindsii</i> , <i>Platanus racemosa</i> , <i>Populus fremontii</i> , <i>Salix</i> spp.	<u>High</u> . May occur along the drainages within the Plan Area.
Great Valley Valley Oak Riparian Forest	Deep alluvial soils of higher floodplain terraces associated with river systems. Can be found in other upland communities.	<u>High</u> . May occur along Plan Area drainages.
Great Valley Willow Scrub	Pioneer riparian community on depositional areas near the edge of intermittent and perennial creeks and rivers.	<u>High</u> . May occur along Plan Area drainages.
Northern Basalt Flow Vernal Pool	Low-mid elevation, seasonal flooded depressions on impermeable soils.	<u>None</u> . Not present within the Plan Area.
Northern Hardpan Vernal Pool	Seasonally flooded depressions on impermeable soils or rock.	<u>Low</u> . Not likely present due to past conversion of vernal pool habitat to agriculture.
Northern Volcanic Mud Flow Vernal Pool	Seasonally flooded depressions on impermeable soils or rock.	<u>None</u> . Not present within the Plan Area.

and annual grasslands. This habitat-type provides food, water, migration, dispersal corridors, and escape, nesting and thermal cover for a very high density of California's wildlife similar to those found in valley-foothill riparian habitat types. The tree species in this particular type of riparian forest is co-dominated by any combination of Fremont's cottonwood, black willow, California sycamore, and valley oak. Sub-canopy tree species include Arroyo willow, box elder, and Oregon ash. Typical understory plants include wild grape, wild rose, California blackberry, blue elderberry, poison oak, and a variety of willow species. The herbaceous layer consists of a variety of sedges, rushes, and grasses including pacific rush, Santa Barbara sedge, slender rush, Dallisgrass, banyard grass, and iris-leaved rush.

Great Valley Valley Oak Riparian Forest

Riparian forests are associated with alluvial fans in the floodplains and along the banks of streams and drainages throughout California's Central Valley and foothills. Soils in riparian forests are intermittently or seasonally flooded. Riparian habitats are critical for many species, even those that primarily use surrounding oak woodlands and annual grasslands. This habitat-type provides food, water, migration, dispersal corridors, and escape, nesting and thermal cover for a very high density of California's wildlife. The dominant or important tree species in this particular type of riparian forest is valley oak. Other vegetation in the canopy typically includes black willow, California sycamore, and Fremont's cottonwood. Sub-canopy tree species include Arroyo willow, box elder, and Oregon ash. Typical understory plants include wild grape, wild rose, California blackberry, blue elderberry, poison oak, and a variety of willow species. The herbaceous layer consists of a variety of sedges, rushes, and grasses.

Appendix C

May 28, 2021

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1008 Live Oak Blvd.
Yuba City, CA 95991

RE: VEHICLE MILES TRAVELED (VMT) IMPACT ASSESSMENT FOR STENZEL SUBDIVISION, GRIDLEY, CA

Dear Mr. Spence:

As requested KD Anderson has completed this analysis of the potential impacts of the Stenzel Subdivision on regional Vehicle Miles Traveled (VMT). As we have discussed, the Stenzel Subdivision proposes 56 single family residences on a site located west of W. Biggs Gridley Road and north of the planned westerly extension of Spruce Street, as noted in the attached vicinity map. The materials which follow outline our analysis of the project's impacts based on available technical information and current CEQA guidelines.

Project Characteristics

The Stenzel Subdivision proposes 56 residences on roughly 19.94 acres for a density of 2.81 dwelling units per acre. The current zoning / General Plan designations (Low Density Residential / LDR) allow density on the site of 2 to 4 units per acre.

Trip Generation. Based on trip generation rates published by the Institute of Transportation Engineers (ITE), the Stenzel Subdivision will generate 529 daily trips.

TABLE 1 TRIP GENERATION ESTIMATE				
Land Use	Unit	Daily Trips Per Unit	Quantity	Daily Trips
Single-family Residence	Dwelling Unit (du)	9.44	56 du's	529

Level of Service and Vehicle Miles Traveled (VMT)

Level of Service (LOS) has been used in the past in California Environmental Quality Act (CEQA) documents to identify the significance of a project's impact on traffic operating conditions. As noted in the California Governor's Office of Planning and Research (OPR) document *Technical Advisory on Evaluating Transportation Impacts in CEQA* (California Governor's Office of Planning and Research 2018),

"Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, § 15000 et seq.) regarding the analysis of transportation impacts. . . OPR has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA. (Pub. Resources Code, § 21099, subd. (b)(3).)"

VMT Methods and Significance Criteria

The City of Gridley has not yet adopted criteria for evaluating VMT, and for this analysis the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* provides recommended thresholds for determining the significance of VMT impacts associated with land use development projects. Specific thresholds are provided for residential, office, and retail commercial types of development. For residential projects, the technical advisory generally recommends establishing a 15 percent reduction in VMT, compared to a baseline, as a significance threshold. That is, if a project would result in a reduction of at least 15 percent in VMT, compared to a baseline, the project can be considered to have a less than significant impact. The significance threshold may be thought of as 85 percent of baseline conditions (100 percent less 15 percent equals 85 percent). A project that would not result in a reduction of at least 15 percent is considered to have a significant impact. The technical advisory notes,

"A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or as city VMT per capita."

The OPR *Technical Advisory* provides general direction regarding the methods to be employed and significance criteria to evaluate VMT impacts, absent policies adopted by local agencies. The directive addresses several aspects of VMT impact analysis, and is organized as follows:

- **Screening Criteria:** Screening criteria are intended to quickly identify when a project should be expected to cause a less-than-significant VMT impact without conducting a detailed study.
- **Significance Thresholds:** Significance thresholds define what constitutes an acceptable level of VMT and what could be considered a significant level of VMT requiring mitigation.
- **Analysis Methodology:** These are the potential procedures and tools for producing VMT forecasts to use in the VMT impact assessment.
- **Mitigation:** Projects that are found to have a significant VMT impact based on the adopted significance thresholds are required to implement mitigation measures to reduce impacts to a less than significant level (or to the extent feasible).

Screening Criteria. Screening criteria can be used to quickly identify whether sufficient evidence exists to presume a project will have a less than significant VMT impact without conducting a detailed study. However, each project should be evaluated against the evidence supporting that screening criteria to determine if it applies. Projects meeting at least one of the criteria below can be presumed to have a less than significant VMT impact, absent substantial evidence that the project will lead to a significant impact.

- **Small Projects:** Defined as a project that generates 110 or fewer average daily vehicle trips.
- **Affordable Housing:** Defined as a project consisting of deed-restricted affordable housing.
- **Local Serving Retail:** Defined as retail uses of 50,000 square feet or less can be presumed to have a less than significant impact.
- **Projects in Low VMT-Generating Area:** Defined as a residential or office project that is in a VMT efficient area based on an available VMT Estimation Tool. The project must be consistent in size and land use type (i.e., density, mix of uses, transit accessibility, etc.) as the surrounding built environment.
- **Proximity to High Quality Transit.** The directive notes that employment and residential development located within ½ mile of a high-quality transit corridor can be presumed to have a less than significant impact.

Screening Evaluation. The extent to which the proposed project's VMT impacts can be presumed to be less than significant has been determined based on review of the OPR directive's screening criteria and general guidance.

The project is projected to generate 529 daily vehicle trips. As the 110 ADT threshold for automobiles is exceeded, the project's VMT impacts cannot be presumed to be less than significant based on this small project criterion.

The OPR directive provides this explanation for a Presumption of Less Than Significant Impact for **Affordable Residential Development:**

Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT.^{24,25} Further, "... low-wage workers in particular would be more likely to choose a residential location close to their workplace, if one is available." In areas where existing jobs-housing match is closer to optimal, low income housing nevertheless generates less VMT than market-rate housing. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT. Evidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations. Lead agencies may develop their own presumption of less than significant impact for residential projects (or residential portions of mixed use projects) containing a particular amount of affordable housing, based on local circumstances and evidence. Furthermore, a project which includes any affordable residential units may factor the effect of the affordability on VMT into the assessment of VMT generated by those units.

The proposed Stenzel Ranch Subdivision is not designated an affordable housing development, and based on OPR guidance, its VMT impact cannot be presumed to be less than significant based on this screen line criteria.

The Butte County Association of Governments (BACG) has preliminarily identified **Low VMT generating locations** within this region, including the overall Butte County area and incorporated Gridley. This work has identified the per capita VMT characteristics of the existing residences within specific traffic analysis zones (TAZ's). Table 2 notes the average per capita VMT for the overall region, for incorporated cities and for the unincorporated area of Butte County. As indicated, Gridley is one of

Butte County's lowest per capita VMT areas with only Chico generating per capita VMT at a lower level than Gridley.

TABLE 2 PER CAPITA VMT CHARACTERISTICS						
BCAG Model Regional Average	Gridley	Chico	Oroville	Paradise	Biggs	Unincorporated Butte County
21.6	14.9	12.4	19.1	24.0	25.8	31.2

Table 3 identifies the specific per capita VMT rates for the area of the Stenzel Subdivision. Because the site is outside the current City limits, it is within a large TAZ in the unincorporated County that extends for more than two miles west beyond W. Biggs Gridley Road (refer to Figure 2). Alternatively, the Stenzel Subdivision site is immediately north of a small TAZ (1119) within Gridley that lies at the W. Biggs Gridley Road intersection and across W. Biggs Gridley Road from TAZ 1105. Based on the project's actual location its per capita VMT is expected to be more similar to the adjoining City locations.

As shown, the overall BCAG area average per capita VMT rate for residences is 21.6 vehicles miles per day, and the Gridley average is 14.9. Per capita VMT rates satisfying OPR's 15% reduction goal are 18.4 and 12.7 per capita VMT, respectively. As a note, Gridley's lowest VMT generating areas are near SR 99, and five of the 35 Gridley TAZ's fall into that category meeting the 15% reduction goal.

Residences in the area of Gridley adjoining the Stenzel Subdivision have an average per capita VMT rate of 16.3, which is 25% less than the overall BCAG area average but 9% more than the average for Gridley. As the OPR recommended goal is a 15% reduction, the project is located in a defined Low VMT generating region as compared to the overall BCAG area but is not a Low VMT generating area of Gridley. The project's impact may be presumed to be less than significant under this screen line criteria when compared to the overall region but not to the City of Gridley.

TABLE 3 BUTTE COUNTY PER CAPITA VMT CHARACTERISTICS					
BCAG Model Regional Average	Gridley	15% reduction from Regional Average	15% reduction from Gridley Average	Stenzel Subdivision Area	
				County TAZ 1140	Adjoining City TAZ 1119 TAZ 1105
21.6	14.9	18.4	12.7	22.5	16.3

Proximity to High Quality Transit, which requires service on 15-minute headways. This criterion is not applicable in the area of the proposed project.

Vehicle Miles Traveled – Baseline Development Potential and Proposed Project

Because the project's VMT impact may not be presumed to be less than significant based on screening criteria with regards to the City of Gridley, further analysis was performed to determine whether

development of the Stenzel Subdivision project would interfere with Gridley's ability to satisfy SB 743 goals under the current General Plan.

Under the currently approved General Plan's land use designations and existing zoning, the maximum development potential on the project site at 4 dwelling units per acre could result in 79 dwelling units, rather than the 56 units now proposed.

Assuming 3.2 occupants per dwelling unit, development projects yielding a per capita VMT rate satisfying the OPR 15% reduction goal for Gridley (i.e., 12.7 per capita VMT) would generate 40.6 VMT per dwelling. Thus, at the permitted LDR density (i.e., 4 du per acre) 162.6 VMT per acre could result, with 121.9 VMT per acre estimated at the average density of 3.0 du / acre for LDR that was addressed in the General Plan EIR.

While the Stenzel Subdivision would generate VMT at a per capita rate that does not reach the 15% OPR reduction goal for Gridley, the project would help Gridley reduce regional VMT by developing fewer units than are permitted under the General Plan and were assumed in the General Plan EIR. As proposed, the Stenzel Subdivision generates 146.5 VMT per acre, which is less than the 162.6 VMT per acre that would be anticipated from maximum LDR development in areas that did experience per capita VMT rates that satisfied the OPR goal. The per acre VMT estimate exceeds that created by development under the average LDR density assumed in the GP EIR, and the number of dwelling in the subdivision would need to be reduced to 46 to result in the permitted VMT per acre under this metric.

Conclusion

The Stenzel Subdivision's impact on regional VMT is less than significant because:

1. Stenzel Subdivision is in a low generating area of the BCAG region, and
2. By reducing the number of dwellings the Stenzel Subdivision would generate VMT at a rate that is lower than the estimate for permitted LDR development at locations that do satisfy the 15% reduction goal for Gridley.

Thank you for your review of these materials. Please feel free to contact me if you have any questions or need further information.

Sincerely Yours,

KD Anderson & Associates, Inc.



Kenneth D. Anderson, P.E.
President

Attachments: Vicinity Map, VMT exhibit

Stenzel Sub VMT 10

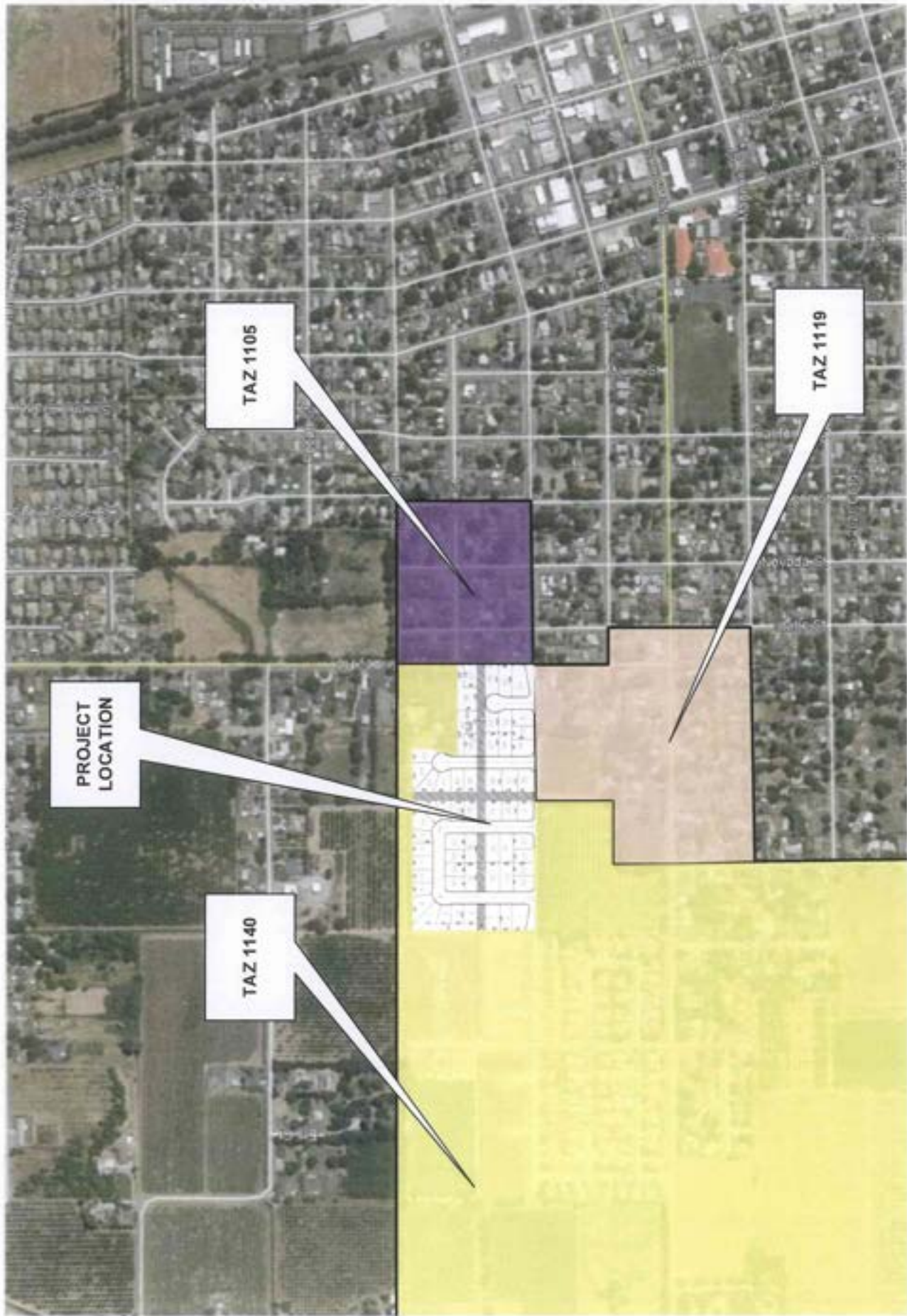
KDA
Exhibit D



VICINITY MAP

KD Anderson & Associates, Inc.
Transportation Engineers
447-002 MA 5/18/2011

figure 1



VMT TAZ LOCATIONS

Appendix D

References

The following documents are referenced information sources used for the purposes of this Initial Study:

1. California Department of Conservation. California Important Farmland Finder. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed January 2020.
2. California Department of Conservation. Farmland of Local Importance. 2016.
3. California Department of Conservation. Fault Activity Map of California. Available at: <http://maps.conservation.ca.gov/cgs/fam/>. Accessed January 2020.
4. California Department of Forestry and Fire Protection. Butte County, Fire Hazard Severity Zones
5. California Department of Transportation. ArcGIS: California Scenic Highways.
6. California Geologic Survey. Earthquake Zones of Required Investigation. Available at: <https://maps.conservation.ca.gov>.
7. City of Gridley. General Plan EIR. November 2009.
8. City of Gridley. General Plan Update. December 2009..
9. City of Gridley. Housing Element, 2014-2022.
10. Federal Emergency Management Agency. Butte County, California Flood Insurance Rate Map 06067C0606J. Effective October 20, 2016.
11. Butte County Air Quality Management District. Available at: <http://2arb.ca.gov/butte-county-air-quality-management-district>.
12. US EPA. Federal Register Notices Related to 8-hour ozone, Designations and Classifications, dated October 31, 2020.
13. California Air Resources Board. Available at: <http://www.ww2.arb.ca.gov/ghg-inventory-data>
14. United States Census Bureau. QuickFacts: Biggs, California. Available at: <https://www.census.gov>.
15. United States Department of Agriculture Natural Resources Conservation Service. Web Soil Survey. Available at: websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed February 2020.



City of Gridley
685 Kentucky Street
Gridley, CA 95948
Office 530-846-3631 / Fax 530-846-3229
www.gridley.ca.us

December 9, 2021

Mr. Eugene Massa
General Manager
Biggs West Gridley Water District
1713 West Biggs Gridley Road
Gridley, CA 95948

RE: City of Gridley Annexation Application of the Stenzel Property
Addition of BWGWD lands (APN 022-210-057) to the application

Dear Gene,

The City of Gridley has undergone a public process to apply to LAFCo to annex the Stenzel property, APN 022-210-092, into the City of Gridley for a much needed future housing development.

We are requesting the Biggs West Gridley Water District (BWGWD) add its parcel of land that lies within the Stenzel property boundary to become a part of the annexation process. Please let this letter act as a formal request to support and approve of the addition of the BWGWD parcel to the City of Gridley LAFCo annexation application.

Please call me at (530) 846-3631 or Donna Decker, Planning Director, at 530-768-5090 should you have any questions or wish to discuss this request.

Sincerely,



Cliff Wagner
City Administrator

c: Anthony Galyean

Exhibit E



City of Gridley
685 Kentucky Street
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Office 530-846-3631 / Fax 530-846-3229
www.gridley.ca.us

December 13, 2021

Mr. Eugene Massa
General Manager
Biggs West Gridley Water District
1713 West Biggs Gridley Road
Gridley, CA 95948

LETTER OF AGREEMENT

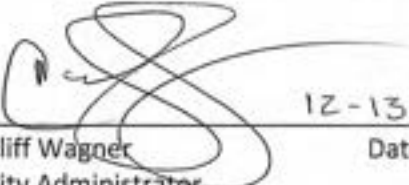
Dear Gene,


In the matter of pursuing resolution of the issues concerning the Biggs West Gridley Water District ("District") related to the city of Gridley ("City") annexation of lands owned by the Stenzel Family, the District indicated the following:

1. The District has concerns related to the development of a subdivision within close proximity to the District's open canal. This condition creates a significant hazard in the future that needs to be mitigated.
2. A mechanism should be in place to detach the annexed lands from the District so that new residents are not charged the District fees. Additionally, lands that are not used for agriculture, do not meet the District's mission and therefore subdivisions should not remain within it.
3. The District land, APN 022-210-057, should not remain in the County of Butte; it should also be annexed into the city of Gridley and made a part of the application.

The following memorializes the commitment the City has to its partnership with the District in addressing the concerns expressed by the District:

1. A condition of approval shall be added to the Tentative Subdivision Map and the Final Map requiring the canal to be piped at the time of construction.
2. LAFCo has indicated that it is unable to have a process that automatically detaches the lands from the District. An application for detachment would be filed as a separate action.
3. A letter will be sent to the District requesting the District land within the boundary of the Stenzel land to be included in the City annexation application.


Cliff Wagner
City Administrator
City of Gridley
12-13-21
Date


Eugene Massa
General Manager
Butte West Gridley Water District
1/3/2022
Date