MEMORANDUM

TO: Local Agency Formation Commission

FROM: Stephen Lucas, Executive Officer
Stephen Betts, Deputy Executive Officer


DATE: May 30, 2019, for the meeting of June 6, 2019

Summary / Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, local agency Spheres of Influence (SOIs) (California Government Code §56425(g)). In addition, LAFCo is required to conduct a Municipal Service Review (MSR) for each agency prior to, or in conjunction with, an agency’s SOI update (California Government Code §56430(a)).

The Durham Irrigation (DID or District) is proposing to add 63 parcels, totaling approximately 280 acres, to the DID’s Sphere of Influence, as shown on Figure 17 of the MSR/SOI Plan. To support the SOI update, the District’s existing Municipal Service Review (MSR) was updated.

The Draft SOI Plan was circulated for a 21-day public review period that began on Thursday, May 16, 2019, and ends on Wednesday, June 5, 2019. As of the date of this report, no comments have been received regarding the public draft document. Any comments received after the date of this report will be provided to the Commission prior to or at the Commission’s June 6, 2019, meeting and subsequently addressed in the final documents.

Recommendation

Staff recommends that the Commission receive public comment on the DID Public Review Draft MSR/SOI Plan, provide any comments and direction to staff, and adopt Resolution 16 2018/19 (Attachment A) approving the MSR/SOI Plan, which includes changes to the District’s SOI. The Final MSR/SOI Plan document will include the adopting resolution and a copy of any comments received in regard to the draft document.

Municipal Service Review Update

The Cortese-Knox-Hertzberg Act requires that a Municipal Service Review (MSR) be conducted prior to, or in conjunction with, the update of an entity’s Sphere of Influence (SOI). A MSR is a comprehensive, contemporary analysis of service provision by each of the special districts and cities within the legislative authority of the LAFCo. It essentially evaluates the need for services based on anticipated population growth and the capability of an agency to deliver the services it is empowered to provide.
The current Durham Irrigation District Municipal Service Review was approved by the Commission in 2006 as part of the Municipal Service Review for the Domestic Water and Wastewater Services in Butte County. However, due to changes to DID’s management, operations, and finances in recent years, information in the 2006 MSR warranted a fresh evaluation in order to effectively evaluate the proposed SOI.

The proposed MSR update determined that the District is providing domestic water services to its residents in an effective and efficient manner. The District does not appear to have any significant budgetary problems as revenues normally exceed expenditures, and the District has increased water rates over the last few years to provide adequate funding of day-to-day operations. Northstar Engineering, which has been providing engineering services to the District for many years, is now also managing the day-to-day operations of the District.

Staff supports the updated MSR and recommends that the Commission adopt the updated MSR.

**Sphere of Influence Plan and Update**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) empowers LAFCo with the responsibility for developing and determining the SOI of each local agency within the county, and for enacting policies designed to promote the logical and orderly development of areas within the spheres.

A SOI is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo. The intent of a SOI is to identify the most appropriate areas for an agency’s extension of services in the foreseeable future, generally presumed to be a 20 year horizon. Accordingly, territory included in an agency’s sphere is an indication that a probable need for service has been established, and that the subject agency has been determined by LAFCo to be the most logical service provider for the area. It is important to understand there is no particular “right” methodology in determining the size of a SOI as each agency has unique variables of service delivery, land uses, and geography that play a role in determining an appropriate SOI.

The CKH Act requires that LAFCo decisions regarding subsequent boundary changes be consistent with SOIs of local agencies. LAFCo is prohibited from approving annexations that are not within the annexing agency’s SOI. Once an SOI is established, annexations must still be individually considered and evaluated on their own merit. There is no “automatic” annexation just because specific territory is within the agency’s SOI, and many factors may influence this future decision. It is very important to note that not all landowners within a SOI will have the same desire to develop their land in concert with the agency’s growth desires, needs or timing. This means that some percentage of the SOI area may remain undeveloped which requires the SOI to be somewhat larger than the area projected for growth to meet the agency’s expectations of available development land.

State law requires that LAFCo shall, as necessary, review and update the SOI of each local agency. The level of review and the matter of necessity are determined by each local commission based on local policies and circumstances. Sphere of Influence updates may range from no action to a simple affirmation of the existing SOI boundaries to significant modifications to the SOI boundaries. LAFCo is not required to initiate changes to an SOI based on findings and recommendations of the service review, although it does have the power to do so.
**Existing Conditions**

The current Sphere of Influence Plan for the Durham Irrigation District was adopted in 1985 as a part of the Chico Area Sphere of Influence Study. The District’s SOI has remained virtually unchanged since the 1985 SOI Plan was adopted. Although there have been no significant changes to the District’s SOI since 1985, the existing SOI Plan is significantly out of date and a comprehensive SOI update is warranted.

DID’s existing Sphere of Influence, which is conterminous with the District’s jurisdictional boundaries, is approximately 506 acres in size and consists of approximately 555 parcels. The District’s SOI includes the unincorporated community of Durham, which is developed with residential uses at urban densities. Wastewater disposal for the parcels within the District is handled by individual on-site septic systems, while domestic water is supplied primarily by DID or, to a lesser degree, by private wells.

**MSR/SOI Plan Update Determinations, Findings and Recommendations**

The MSR/SOI Plan Update contains separate MSR and SOI determinations specific to the Durham Irrigation District. At the end of each section, staff prepared recommended findings and actions for the Commission.

It is important to note that while some determinations, findings and recommendations indicate a need for improvements, overall, the level of service that the District provides has improved over the last several years and the District is now proving efficient and effective domestic water services. Salient determinations, findings and recommendations are as follows:

**Adequacy of Public Services**

**MSR DETERMINATION 3-1: ADEQUACY OF PUBLIC SERVICES:** The District has sufficient facilities and resources to provide domestic water services to its existing service area and in its current sphere of influence and any contemplated expansion thereof. The District should continue to provide facility maintenance and upgrades, and consider a public outreach effort promoting water conservation.

**MSR DETERMINATION 3-2: ADEQUACY OF PUBLIC SERVICES – CAPACITY:** The District has provided adequate supplies of water to its service area for day to day needs during years of normal precipitation as well as through the recent prolonged drought extending from 2014 to 2016. The District’s water supply is sufficient to accommodate the projected growth within the current district boundaries. Expansion of the District boundaries may require the drilling of an additional well to be able to provide adequate water supply to the expanded area.

**MSR DETERMINATION 3-3: ADEQUACY OF PUBLIC SERVICES - WATER QUALITY:** The District’s water meets all required state and federal water quality standards.

**MSR DETERMINATION 3-4: ADEQUACY OF PUBLIC SERVICES - INFRASTRUCTURE NEEDS OR DEFICIENCIES:** The District has aging water supply infrastructure that must be repaired or replaced as necessary. The approved Capital Improvement Program provides guidance to the needs of the District.
Financial Ability

MSR DETERMINATION 4-1: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES – REVENUE: The rate increase that went into effect April 1, 2011, brought the District out of its budget deficits and it now operates with a balanced budget. The District adopted new rates in November 2018, which became effective on January 1, 2019. The new fees will increase the District’s revenue flow.

MSR DETERMINATION 4-2: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES – EXPENDITURES: Normal expenditures for the District include salaries, and occasional purchases of new equipment. The District’s expenditures do not appear to be excessive and are necessary to provide services to the more populated areas of the District.

MSR DETERMINATION 4-3: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES – FUND BALANCE: As of December 31, 2016, the District’s General Fund had an unappropriated fund balance of $317,384 which is available for District operations. The District should endeavor to increase the unappropriated fund balance every fiscal year to ensure that there is adequate funding available for any unforeseen circumstances.

MSR DETERMINATION 4-4: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES – FINANCIAL AUDIT: The District’s Annual Financial Report for 2009 found one deficiency in internal control and one significant deficiency in the internal control of financial reporting. Measures taken by the District have resulted in no additional deficiencies being noted. The District should continue to ensure that all future financial audits are prepared for each fiscal year in a timely manner consistent with State law and with general accounting and financial practices.

MSR DETERMINATION 4-5: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES – FUTURE FINANCIAL CHALLENGES: The District’s proposed Capital Improvement Projects exceed $3.9 million dollars and cannot be financed under the existing rate structure. The District should be very transparent to the community about this critical need and consider rate increases and actively seek grant funding or other sources of funding to help facilitate these improvements.

Overall Municipal Service Review and Sphere of Influence Findings and Recommendations

The MSR/SOI Plan for the Durham Irrigation District includes four overall findings or recommendations regarding the District’s operations that were based upon the determinations found in the MSR/SOI Plan. The four overall findings or recommendations are:

The Commission:
1. Finds that the Durham Irrigation District effectively provides domestic water service to the parcels within the District.
2. Finds that residential development in Durham Irrigation District’s SOI can be efficiently served by connection to the District’s domestic water system.
3. Finds that the District has demonstrated capabilities and adequate water supplies, the District is the logical choice to provide domestic water services to new development within the Durham community and the Commission encourages such consideration by affected local agencies with land use approval.
4. Adds 63 parcels, totaling approximately 280 acres, to DID’s Sphere of Influence, as shown on Figure 13 of the MSR/SOI Plan.
Sphere of Influence Expansion Request

An expansion of the Durham Irrigation District’s Sphere of Influence is being requested by the District as a part of this MSR/SOI Plan project. The District proposes to add 63 parcels, totaling approximately 280 acres, to their SOI. There are two separate areas proposed to be added to the District’s SOI are:

1. A 21.5-acre area, consisting of 6 parcels (one of which is owned by DID) generally located on the southwest border of the District, between Holland Avenue and Goodspeed Street, south of Serviss Street; and,

2. A 258.5-acre area, consisting of 57 parcels, located on the east border of the District, generally between the Union Pacific Railroad tracks to the west and Butte Creek to the east.

All of the parcels within the SOI expansion areas are designated by the Butte County General Plan as Very Low Density Residential and are zoned Very Low Density Residential (VLDR). The minimum parcel size in the VLDR zone is 1 acre.

The following map shows DID’s current SOI and the areas proposed to be added to the District’s SOI.
Butte LAFCo Policies

Section 3 (Sphere of Influence) of Butte LAFCo Policies provides the standards for determinations regarding spheres of influence. Policy 3.1.4 states that when establishing the boundaries of a sphere of influence for an agency, LAFCo will consider the factors listed in Section 56425 of the Government Code as well as the factors found in LAFCo Policy 3.1.4.1, which state that LAFCo will discourage including lands in an agency’s sphere of influence that are:

- Unlikely to require the services provided by the agency, for example, lands not designated for inclusion to a city by the applicable general plan;
- Areas where development is constrained by topographical factors;
- Areas where the projected and/or historical growth rates do not indicate a need for service within the time frame of the Sphere Plan;
- Areas in an agency’s sphere of influence which cannot feasibly be served by the agency within a 20 year time frame consistent with the Sphere Plan.

The proposed SOI expansion is consistent with this Policy because:

- The County of Butte General Plan designates the proposed DID SOI expansion area as Very Low Density Residential, and the future residential uses within this area will require domestic water services from the District;
- There are no significant topographical factors that constrain development of the proposed DID SOI expansion area.
- The District has the capacity to provide domestic water services to the future residential areas within the proposed SOI expansion area without impacting existing customers.

Butte LAFCo Policy 3.1.8 states that LAFCo shall not approve a change to a sphere of influence to include lands that are subject to a Williamson Act contract if the annexing agency has the ability to provide sewer service, nonagricultural water, streets and/or roads unless these facilities or services specifically benefit the land uses that are allowed under the contract and the landowner consents to the sphere change. The District’s current SOI and updated SOI do not contain any parcels that are subject to a Williamson Act contract.

Although not applicable to SOI proposals, Butte LAFCo Policy 2.13.1 states that LAFCo will apply a heightened level of review when considering proposals for changes of organization (such as an annexation) that are likely to result in the conversion of prime agricultural/open space land uses to other uses. Only if the Commission finds that the proposal will lead to planned, orderly, and efficient development, will the Commission approve such a conversion. For purposes of this standard, a proposal leads to planned, orderly, and efficient development only if all of the following criteria are met:

- The land subject to the change of organization or reorganization is contiguous to either lands developed with an urban use or lands within the sphere and designated for urban development;
- The proposed development of the subject lands is consistent with the Sphere of Influence Plan, including the Municipal Service Review of the affected agency or agencies and the land subject to the change of organization is within the current 10-year Sphere of Influence boundary;
• The land subject to the change of organization is likely to be developed within five years. In the case of very large developments, annexation should be phased in wherever feasible. If the Commission finds phasing infeasible for specific reasons, it may approve annexation if all or a substantial portion of the subject land is likely to develop within a reasonable period of time;
• Insufficient vacant non-prime or open space land exists within the existing agency boundaries or applicable 10-year Sphere of Influence that is planned and developable for the same general type of use; and,
• The proposal will have no significant adverse effect on the physical and economic integrity of other agricultural/open space lands.

As shown above, the proposed SOI expansion is consistent with the applicable Butte LAFCo policies regarding SOI proposals. Based upon the Butte County General Plan land use designation for the SOI expansion area, future residential development within that area will result in the planned, orderly, and efficient development of the area as required by California Government Code §56377.

Future Annexations

It should be clearly understood that the Commission, in reviewing the supporting environmental documents, is only considering the adoption of the Sphere of Influence Plan, which includes an expansion of the Durham Irrigation District’s Sphere of Influence, and not specific annexation proposals or individual development projects that may present specific impacts not associated with the broader policy question at hand. The primary purpose of the Sphere of Influence is to provide guidance for the location of future growth and desired range of land uses and allow the affected agency to effectively plan for the delivery of services to the proposed growth area. It is not the purpose of the Sphere of Influence Plan to resolve all potential impacts of new development, but to provide guidance for local decision makers in managing growth boundaries of local agencies.

Environmental Determination

The California Environmental Quality Act (CEQA) requires that the Commission undertake and review an environmental analysis before granting approval of a project, as defined by CEQA. Butte LAFCo is the Lead Agency for environmental review for the proposed updates to the MSR determinations and acted as a Responsible Agency for environmental review for the SOI Plan/Update. The Durham Irrigation District served as the Lead Agency for environmental review for the SOI Plan and prepared and adopted an Initial Study/Negative Declaration for the SOI Plan (Attachment C).

The update of the District’s existing MSR is categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 - Regulation section 15306), which states: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded." The MSR collects data for the purpose of evaluating municipal services provided by the agency. There is no land use change or environmental impact created by such a study. There is no possibility that the MSR update will have a significant effect on the environment because there are no land use changes associated with the MSR update.
As responsible agency, LAFCo is required to rely on the District’s environmental documentation in acting on the proposal but must prepare and issue its own findings. The Commission now has the decision to affirm the Initial Study/Negative Declaration prepared and adopted by the Durham Irrigation District for the SOI Plan, or to find that the initial study does not adequately address the potential significant impacts to the environment.

Staff recommends that the Commission find that the District’s Initial Study/Negative Declaration provides the Commission with sufficient information to enable them to make a decision that purposefully takes account of environmental consequences and adopts reasonably feasible measures to mitigate the adverse impacts of the Sphere Amendment.

CONCLUSION

The Butte County General Plan designates a large portion of the Durham area for residential uses. The future residential uses within this area, which is currently outside of the Durham Irrigation District’s Sphere of Influence, will need to receive domestic water services from the District. The determinations of the proposed Municipal Service Review and Sphere of Influence Plan for DID show that the District has the capability to provide domestic water services to the future residential uses within the proposed SOI expansion area without reducing the level of service being provided to existing DID customers.

The proposal substantially conforms to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and with LAFCo policy. The Executive Officer recommends approval of this proposal.

ALTERNATIVES FOR COMMISSION ACTION

After reviewing this report, the proposed MSR Update, the SOI Plan, the Initial Study, and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1  APPROVE the MSR Update and approve the Sphere of Influence Plan for the Durham Irrigation District, as may be modified by the Commission, as follows:

A. Acting as Lead Agency pursuant to the California Environmental Quality Act (CEQA) Guidelines, find that the Municipal Service Review Update for the Durham Irrigation District is Categorically Exempt from the provisions of CEQA under Section 15306, “Information Collection.”

B. Determine that the Durham Irrigation District, as Lead Agency, prepared and adopted an Initial Study/Negative Declaration for the District’s proposed SOI expansion, which determined that the SOI expansion would not cause any significant environmental impacts.

C. Find that the Sphere of Influence Plan prepared for the Durham irrigation District is complete and satisfactory and achieves consistency with LAFCo and State SOI policies and statutes.

D. Find that the proposed update to the Municipal Service Review for the Durham irrigation District and the written determinations in the Sphere of Influence Plan satisfy State Law.
E. Adopt Resolution 16 2018/19 (Attachment A) approving the Municipal Service Review Update and Sphere of Influence for the Durham Irrigation District, which includes adding 63 parcels totaling approximately 280 acres to the District’s Sphere of Influence.

F. Direct staff to prepare a Final Updated MSR and a Final SOI Plan, which will include the adopting resolution and any comments received with regards to the draft MSR/SOI Plan.

**OPTION 2** CONTINUE this proposal to a future meeting for additional information.

**OPTION 3** DIRECT Staff to make any Commission-identified changes to the Draft MSR, the Draft SOI Plan, and/or the Draft SOI Map and CONTINUE this proposal to a future meeting to allow time for Staff to make the needed changes and return with revised draft documents for further Commission review.

RECOMMENDED ACTION:

Approve OPTION 1.

Respectfully submitted,

**Stephen Betts**

Stephen Betts  
Deputy Executive Officer

Attachments:
A: Draft LAFCo Resolution No. 16 2018/19 – Page 11
B. DID SOI Expansion Area Map – Page 14
C: DID Initial Study/Negative Declaration – Page 15
RESOLUTION NO. 16 2018/19

ADOPTION OF A MUNICIPAL SERVICE REVIEW UPDATE
FOR THE DURHAM IRRIGATION DISTRICT AND
ADOPTION OF A SPHERE OF INFLUENCE PLAN
FOR THE DURHAM IRRIGATION DISTRICT

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

WHEREAS, a proposal for an update to the Durham Irrigation District’s Sphere of Influence was heretofore requested by the Durham Irrigation District and accepted 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 Durham Irrigation District identified a need to update and amend the District’s Sphere of Influence to accommodate the anticipated growth of the unincorporated community of Durham as projected in the Butte County 2030 General Plan; and

WHEREAS, a service review mandated by Government Code Section 56430 was conducted by the Local Agency Formation Commission of the County of Butte (hereinafter referred to as “the Commission”) for the Durham Irrigation District on November 6, 2008, in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) and due to recent changes in Durham Irrigation District management, operations, and finances it was determined that the 2008 MSR needed to be updated to reflect current District service capabilities; and

WHEREAS, a sphere of influence update mandated by Government Code Section 56425 has been prepared by the Commission for the Durham Irrigation District in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56428, has reviewed this proposal and prepared a report, including his recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, a public hearing by this Commission was called for June 6, 2019, and at the time and place specified in the notice of public hearing; and

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all plans and proposed changes, objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the proposal, in evidence presented at the
hearing; and

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

Section 1. Environmental Findings

A. Acting as Lead Agency pursuant to the California Environmental Quality Act
Guidelines, the Commission finds that the Municipal Service Review Update
for the Durham Irrigation District is Categorically Exempt from the provisions
of CEQA under Section 15306, “Information Collection.”

B. Finds that on January 29, 2019, the Durham Irrigation District Board of
Directors, acting as Lead Agency, prepared and adopted an initial
Study/Negative Declaration (SCH # 2018122044) for the District’s proposed
SOI expansion, which determined that the SOI expansion would not create
any significant environmental impacts.

Section 2. Findings for Adoption of the Sphere of Influence Amendment

A. The Commission has considered the factors determined by the Commission to be
relevant to this proposal, including, but not limited to, Sphere of Influence and
General Plan consistency, and other factors specified in Government Code Sections
56425 and 56428 and as described in the Public Review Draft MSR Update and
SOI Plan for the Durham Irrigation District and in the staff report dated May 30,
2019, for the meeting of June 6, 2019, in that:

(1) The Commission has considered the present and planned land uses in the
area, including agricultural and open space lands as described in the Butte
County General Plan Land Use and Agricultural Elements.

(2) The Commission has considered the present and probable need for public
facilities and services in the Durham Irrigation District’s existing and
proposed Sphere of Influence as described in the Durham Irrigation District’s
MSR/SOI Plan and the Butte County 2030 General Plan.

(3) The Commission has considered the present capacity of public facilities and
adequacy of public services which the agency provides or is authorized to
provide as described in the updated Durham Irrigation District Municipal
Service Review, the SOI Plan, and the Butte County 2030 General Plan.

(4) The Commission has considered the existence of any social or economic
communities of interest in the area and received as testimony in public
hearings.

(5) The Commission has considered the present and probable need for those
public facilities and services of any disadvantaged unincorporated
communities within the existing sphere of influence.
Section 3. Terms and Conditions adopted by LAFCo

Pursuant to its authority under Part 2, Chapter 4 of the Cortese-Knox Local Government Reorganization Act of 2000, Butte LAFCo incorporates the following terms and conditions into the Sphere Plan for the Durham Irrigation District:

1. All Commission fees must be paid in full prior to the new sphere of influence becoming effective.

WHEREAS, the Sphere of Influence Plan determinations for the Durham Irrigation District are made in conformance with Government Code Section 56425 and local Commission policy; and,

WHEREAS, based on presently existing evidence, facts, and circumstances considered by this Commission, including the findings as outlined above, the Commission adopts written determinations as set forth. The Commission adopts the SOI Plan for the Durham Irrigation District and updates the sphere of influence for the Durham Irrigation District by adding 63 parcels totaling approximately 280 acres, to the District’s SOI as depicted in Figure 13 of the SOI Plan, adopted by the Commission on June 6, 2019; and,

NOW, THEREFORE, BE IT RESOLVED, that pursuant to powers provided in §56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Local Agency Formation Commission of the County of Butte adopts the Municipal Service Review Update for the Durham Irrigation District, dated June 6, 2019. Furthermore, pursuant to powers provided in §56425, the Commission adopts the SOI Plan for the Durham Irrigation District and updates the existing sphere of influence for the Durham Irrigation District, as depicted on Figure 13 of the Durham Irrigation District SOI Plan, adopted by the Commission on June 6, 2019.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Butte, on the 6th day of June 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINS:

ATTEST:

______________________________  ________________________________
Clerk of the Commission        CARL LEVERENZ, Chair
Butte Local Agency Formation Commission
Initial Study
and Negative Declaration

for the

Durham Irrigation District
Sphere of Influence Update and Capital Improvement Plan

SCH#2018122044
Approved January 29, 2019

Lead Agency:

Durham Irrigation District
Durham Irrigation Board of Directors
PO Box 98
Durham, CA 95938

Prepared By:

NorthStar
... Designing Solutions

111 Mission Ranch Blvd., Suite 100, Chico, CA 95926, Phone: 530.893.1600, Fax: 530.893.2113
info@NorthStarEng.com | www.NorthStarEng.com
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Appendices

Appendix A Municipal Services Review
Appendix B Capital Improvement Program
1 Project Contacts and Information

This Project Information, Description, and Environmental Checklist contained herein constitute the contents of an Initial Study in accordance with Section 15063 of the California Environmental Quality Act (CEQA) Guidelines:

**Project Title**  
Sphere of Influence Update and Capital Improvement Plan

**Lead Agency Contact and Address**  
Durham Irrigation District  
PO Box 98  
9418c Midway  
Durham, CA 95938

**Project Sponsor’s Name and Address**  
Durham Irrigation District  
PO Box 98  
9418c Midway  
Durham, CA 95938

**Contact Person and Phone Number**  
Raymond Cooper, Chairman of the Board  
Phone 530-343-1594

Lead Agency Representative  
Kamie Loeser, Principal Planner  
NorthStar  
(530) 893-1600 ext. 213
2 Project Description

The proposed project is an update to the Durham Irrigation District (DID/District) Capital Improvement Plan (CIP) and Sphere of Influence (SOI). Most projects of this type, SOI updates, do not usually propose any construction as part of the project, and thus direct environmental impacts are fairly limited. In addition, DID has identified several Capital Improvement Plan (CIP) projects, not directly associated with the SOI update, that will result in a physical change to the environment (i.e., construction activities). These CIP projects generally include replacing existing water pipelines and associated infrastructure. The District anticipates pursuing a variety of funding opportunities for identified CIP projects that are anticipated to be undertaken in the next 10 years. Because funding sources will likely require that the CIP projects comply with the California Environmental Quality Act (CEQA), they are addressed in this Initial Study/Mitigated Negative Declaration.

2.1 Project Location

Durham Irrigation District is located in west-central Butte County, south of the City of Chico, Figure 1-Location Map.

2.2 Existing Setting

Durham Irrigation District provides domestic water services to parcels within its jurisdictional boundary or Service Area, which primarily includes the unincorporated community of Durham. The District’s Service Area is approximately 489 acres in size and includes 544 unincorporated parcels. The current Service Area and Sphere of Influence (SOI) boundary are coterminous.

The District provides all water distribution, required testing, and infrastructure maintenance services. The District currently provides water services to approximately 459 customers, which corresponds to a population of approximately 1,442 people (LAFCo, 2018). The expected population growth in the District has been projected to the year 2025 assuming a growth rate of 1.03%, which corresponds to the projected growth in the County as given by the Butte County Association of Governments. The projected population for DID is 1,577 customers by 2025 (LAFCo, 2018).

The District’s customers include single and multiple family residences, a variety of commercial uses, and public facilities including schools and recreational facilities, such as Durham Unified School District and Durham Recreation and Park District.

The water supply for the District is groundwater from three wells that the District owns. The maximum pumping capacity of the wells is approximately 3.456 MGD (million gallons per day). In 2016, an estimated 157 MG (million gallons) was delivered, which equates to 0.43 MGD or approximately 12% of available capacity. The drought in the mid-1990’s caused a drop in the water table, in response to which the District brought its third and newest well on-line as the primary source of water on demand. Because the drought caused a drop in the water table, the District has made water conservation literature available to its customers.

The District has three wells that are drawing water; these wells furnish water on demand. Two wells have backup generator systems that allow them to continue pumping during power outages. There is no external water storage within the District’s system. Portions of the water delivery piping is aging and should be replaced in the near future. There are also some pipelines in the system that are difficult to
access. The District’s lack of isolation valves in some areas is such that service must be interrupted to make repairs or new service connections.

Water quality reports indicate contaminant levels well below the regulated limits for all contaminants, including arsenic and nitrates. The arsenic in the District’s wells ranges from undetectable to 5 ppb (parts per billion). This indicates that the wells are below the limit of 10 ppb, which is the new MCL (maximum contaminant level) that went into effect on January 23, 2006. Water is treated with chlorine by injection at the wells prior to delivery.

### 2.2.1 Existing Land Use Designations and Zoning Classifications

The District falls within the unincorporated area of Butte County, and thus land use development within the District’s boundaries and SOI is guided by the Butte County General Plan. General Plan goals and policies and land use designations establish growth patterns and govern the future development of the area. Additionally, the County zoning ordinance implement the land use designations established in the General Plan.

In addition, the General Plan incorporates land use policy for the Durham community set forth in the Durham-Dayton-Nelson Area Plan, originally adopted in 1992, which covers the unincorporated communities of Durham, Dayton and Nelson in west-central Butte County. The Plan establishes area-wide land use policies and designates the area as an urban reserve. Policies for the area include a restriction on rural residential development to parcels of 3 acres or more, until such time as it is determined the area is “needed for development,” as determined by the County and adequate services are available to serve that development (Butte County GP EIR, Land Use). The Durham-Dayton-Nelson Area Plan establishes area-wide land use policies that provide less potential for future development than had been allowed under the former Durham Area Plan, which governed the area prior to the adoption of the Durham-Dayton-Nelson Area Plan.

Existing land use designations and zoning classifications within the DID service area and the existing SOI area are presented in **Table 1**, refer to **Figure 2-General Plan Land Use Designation** and **Figure 3-Zoning Classifications**:

<table>
<thead>
<tr>
<th>General Plan Designation</th>
<th>Zoning Classification</th>
<th>Parcels</th>
<th>Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low Density Residential</td>
<td>VLDR</td>
<td>178</td>
<td>256.60</td>
</tr>
<tr>
<td>Very Low Density Residential</td>
<td>Planned Development</td>
<td>14</td>
<td>11.80</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>MDR</td>
<td>200</td>
<td>48.07</td>
</tr>
<tr>
<td>Medium High Density Residential</td>
<td>MHDR</td>
<td>69</td>
<td>22.33</td>
</tr>
<tr>
<td>Medium High Density Residential</td>
<td>Planned Development</td>
<td>21</td>
<td>2.45</td>
</tr>
<tr>
<td>Retail</td>
<td>RTL</td>
<td>34</td>
<td>9.33</td>
</tr>
<tr>
<td>Industrial</td>
<td>I</td>
<td>16</td>
<td>21.85</td>
</tr>
<tr>
<td>General Industrial</td>
<td>GI</td>
<td>1</td>
<td>11.03</td>
</tr>
<tr>
<td>Public</td>
<td>P</td>
<td>11</td>
<td>72.88</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>544</strong></td>
<td><strong>456.34</strong></td>
</tr>
</tbody>
</table>
2.3 Project Description

2.3.1 SOI Update Area

The District proposes an update to their existing SOI Plan to add 59 parcels totaling approximately 271.63 acres. The parcels proposed to be added to the SOI are depicted in Figure 4-Sphere of Influence Update Area. There are two areas, the main additional area is located to the east of the existing service area and the other consisting of three parcels located to the south. As shown in Table 2, the parcels in the SOI update area are designated by the Butte County General Plan as very low residential development. The existing land uses of the SOI update area are residential and agricultural uses.

<table>
<thead>
<tr>
<th>General Plan Designation</th>
<th>Zoning Classification</th>
<th>Parcels</th>
<th>Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low Density Residential</td>
<td>VLDR</td>
<td>59</td>
<td>271.63</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>59</td>
<td>271.63</td>
</tr>
</tbody>
</table>

2.3.2 Municipal Services Review

Pursuant to California Government Code §56430, in order to update a Sphere of Influence (SOI) for a city or special district, the associated MSR must include written determinations that address various factors regarding the ability of the subject agency to provide services. The Domestic Water and Wastewater Service Providers MSR, adopted by Butte LAFCo on June 1, 2006 contained an evaluation of DID. However, the information is dated and the District is preparing an update as part of the SOI expansion. The MSR provides an analysis of the seven categories or components required by §56430, which include: growth and population projections, disadvantaged unincorporated communities, present and planned capacity, financial ability to provide services, shared facilities, accountability for community service needs, and effective or efficient service delivery. In addition, the MSR considers these same factors when reviewing a proposed SOI expansion/update.

2.3.3 Capital Improvement Plan Project Improvements

The District has identified a series of capital improvements to the water supply system. A Capital Improvement Plan (CIP) contains all the individual capital projects, equipment purchases, and major studies for the District; as well as the estimated cost thereof. The establishment of a CIP and the appropriation and transfer of funds therefore are not subject to the provisions of CEQA. Under CEQA general rule 15061(B)(3), CEQA applies only to projects which have the potential for causing a significant effect on the environment. Identification of potential capital projects will have no effect on the environment, thus are not subject to CEQA; typically appropriate CEQA and National Environmental Policy Act (NEPA) review would take place as part of CIP development. However, the CIP is included as an attachment to the MSR the reasons set forth above in the introductory paragraph to this Part 2. The CIP projects include the following activities: isolation valve replacements/installations, meter installations at non-metered services, water line installation, water line replacements, hydrant replacements, and service reconnections associated with water line replacements. Replacement of existing water lines generally consists of replacing 2-inch, 4-inch, and 6-inch lines with 8-inch lines. A complete list of projects and their locations are provided in Appendix B.
2.4 Regulatory Setting

2.4.1 Sphere of Influence

The SOI is an important benchmark because it defines the primary area within which the District’s services are anticipated to be needed. In a 1977 opinion, the California Attorney General stated that an agency’s SOI should “like general plans, serve as an essential planning tool to combat urban sprawl and provide well planned efficient urban development patterns, giving appropriate consideration to preserving prime agricultural and other open-space lands” (60 Ops.Cal.Atty.Gen. 118). Like general plans, SOIs may be reviewed and updated from time to time, or upon request by any person or local agency (OPR, 2012).

The SOI update is not a license, permit, or other entitlement for use and does not create land use designations or zoning classifications. A California Appellate Court has held that SOIs must be adopted before an annexation to the affected city or district can be considered. (Resource Defense Fund v. LAFCO (1983) 138 Cal.App.3d 987). Depending on local policy, some LAFCOs consider SOI amendments and associated annexations separately. Section 56427 requires LAFCO to send notice of pending annexation hearings to those affected agencies whose SOIs contain territory within the proposal (OPR, 2012). Subsequent annexations into District for the potential provision of water services will be subject to CEQA at the time an annexation application is submitted to LAFCo.

2.4.2 Butte Local Agency Formation Commission (LAFCO)

The Butte LAFCo is responsible for determining boundaries of municipal service providers, such as DID, within its area of responsibility and jurisdiction. Along with its own locally adopted guidelines, the Butte LAFCo operates under the guidelines of the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH) of 2000, Government Code Section 56000.

Under the CKH Act, LAFCo has the mandate of:

- Discouraging urban sprawl
- Preservation of prime agricultural land and open space
- Promoting efficient local government services
- Encouraging orderly growth and development of local agencies

The tools that enable Local Agency Formation Commissions to accomplish those goals are the MSR, the SOI, and the ability to change the organization of a municipal agency.

In order to establish the SOI, LAFCo is required to make determinations with respect to the following:

- Present and planned land uses in the area, including agricultural and open space lands
- Present and probable need for public facilities and services
- Present capacity of public facilities and adequacy of public services provided by the agency
- Social or economic communities of interest
- The present and probable need for public facilities and services of any disadvantaged unincorporated communities within the existing SOI
The MSR provides the information that LAFCo needs, as described above, to make the appropriate determinations to establish the SOI boundary.

2.4.3 Butte County General Plan

The Butte County 2030 General Plan will govern the County through the year 2030. The General Plan identifies the land use designations for unincorporated parcels within the County. The District is located within the Durham-Dayton-Nelson Area Plan boundaries, which were adopted in 1992 and incorporated into Section 1 of the Area and Neighborhood Plans Element of the General Plan. The General Plan establishes area-wide land use policies for this area and designates it as the “Durham Urban Reserve” area. Therefore, this Initial Study relies on the policies and actions provided in the General Plan to assist in reducing potential indirect impacts, if any.

2.5 Other Public Agencies Whose Approval is Required/Obtained

The District will be the Lead Agency for the proposed project, including both the SOI update and adoption of the CIP. The Butte LAFCo will use this document for the processing of the SOI update.

No specific permits are required by any other responsible or trustee agencies to approve the SOI update and MSR. However, there are numerous permits and approvals that may be required to implement the specific projects within the SOI update area, including development projects processed by Butte County and various infrastructure projects.
Figure 1- Location Map
Figure 2-General Plan Land Use Designations
Figure 3-Zoning Classifications
Figure 4 - Sphere of Influence Update Area
3 Determination

3.1.1 Environmental Factors Potentially Affected

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

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

3.1.2 Determination:

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ 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.

Kamie Loeser, Principal Planner, NorthStar

Signature

December 6, 2018

Date

Durham Irrigation District

Printed Name

Butte County

January 2019

DID Sphere of Influence Update and CIP

Page 11
4 Environmental Checklist

4.1 Aesthetics

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

4.1.1 Discussion

a)-d) **No Impact.** The project consists of the update of the DID SOI and approval of the associated CIP. The expansion of the SOI boundary is not a permit or other entitlement for use or construction, nor does it change land use designations or zoning classifications. There would be no construction activities or expansion of facilities with implementation of the proposed project. Therefore, there would be no change to scenic resources or scenic vistas. There would be no change to the existing visual character of the region. The project would not create new light sources.

4.1.2 Mitigation

None required.

4.2 Agriculture and Forestry Resources.

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

a) **No Impact.** The project consists of the update of the DID SOI boundary, to include the Durham urban reserve area, and approval of the associated CIP. The proposed project does not change land use designations or zoning classifications. The Butte County General Plan and zoning ordinances identify the parcels within the proposed SOI boundary as Very Low Density Residential (VLDR). Although the existing land uses within the proposed SOI boundary include agricultural land uses, changes to the SOI boundary are not a permit or other entitlement for use or construction. Because there would be no construction activities or expansion of facilities with approval of the proposed project, the project would not result in the conversion of Prime Farmland, Farmland of Statewide Importance, Unique Farmland or Farmland of Local Importance, as shown on the maps prepared pursuant to Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

b) **No Impact.** The project will not conflict with existing zoning for agricultural use, or a Williamson Act Contract. While there are lands outside of the Durham community and urban reserve area designated for agricultural uses, the update to DID SOI boundary and approval of the associated MSR does not include land zoned for agricultural uses, nor would approval of the project result in a permit or other entitlement for use. Therefore, relative to land use designations and Williamson Act contracts, there would be no impact.

c-e) **No Impact.** The proposed project would not result in land use or zoning changes. The land use designation and zoning classification within the proposed SOI expansion area is Very Low Density Residential (VLDR). Therefore, the project would not cause the rezoning or loss of forestland or timberland to non-forest use. Furthermore, the proposed project does not involve changes to the existing environment that could result in the conversion of Farmland to non-agricultural use.

4.2.2 Mitigation:

None required.

4.3 Air Quality

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Would the project:</td>
<td>Potentially Significant</td>
<td>Less Than Significant with Mitigation</td>
<td>Less Than Significant</td>
<td>No Impact</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------</td>
<td>------------------------</td>
<td>--------------------------------------</td>
<td>-----------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including emissions that exceed quantitative thresholds for ozone precursors)?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### 4.3.1 Discussion

**a-e) No Impact.** The project consists of the update of the DID SOI boundary and approval of the associated CIP. The expansion of the SOI boundary is not a permit or other entitlement for use or construction, nor does it change land use designations or zoning classifications. The proposed project would not conflict with the implementation of any air quality attainment plans, as there would be no construction activities associated with project approval as well as no changes to land use designations and zoning classifications as identified in the Butte County 2030 General Plan. The proposed project would not violate or contribute to a violation of any air quality standard, it would not result in a cumulatively considerable net increase of any criteria pollutants, nor would it expose any sensitive receptors to pollutants or create objectionable odors. Greenhouse Gas Emissions are evaluated in Section 7 below.

### 4.3.2 Mitigation

None Required.

### 4.4 Biological Resources

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

### 4.4.1 Discussion

**a) No Impact.** The proposed project consists of the update of the DID SOI boundary to include the Durham urban reserve area and approval of the associated CIP. The expansion of the SOI boundary is not a permit or other entitlement for use or construction, nor does it change land use designations or zoning classifications. The project would not result in a direct or indirect impact on habitat or modification to habitat that would affect any candidate, sensitive or special status species as there would be no construction activities associated with project approval.

**b–c) No Impact:** The proposed project is the expansion of DID SOI boundary and approval of the associated CIP. There would be no construction activities associated with project approval.

**d) No Impact.** The project will not interfere with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory corridors. The project will not impede the use of native wildlife nursery sites as there would be no construction activities associated with project approval.

**e–f) No Impact.** The proposed project would not conflict with any local, regional, or state policy, ordinance or conservation plan in effect for the area. While the Durham community is located within the boundaries of the proposed Butte County Regional Conservation Plan (BCRCP), the expansion of the SOI
boundary and approval of the associated MSR would not conflict with the provisions contained within the draft BCRCP.

4.4.2 Mitigation

None Required.

4.5 Cultural Resources

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CA Code of Regulations, §15064.5?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Tribal Cultural Resources: Would the project cause a substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. 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 © of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision © of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4.5.1 Discussion

a–d) No Impact. The proposed project consists of the update of the DID SOI boundary, to include the Durham urban reserve area, and approval of the associated CIP. Therefore, there are no impacts or alterations to potential historical resources, as defined by the California Code of Regulations. In addition, the project would not impact archaeological or paleontological resources, as disturbances, typically associated with construction activities, are not proposed. In addition, because the project does not include ground disturbing activities, there would be no disturbances to potential burial sites or cemeteries.

4.5.2 Mitigation:

None Required.

4.6 Geology and Soils

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i.) Rupture of a known earthquake fault, as delineated on the Alquist-Priolo Earthquake Fault Zoning Map for the area or based on other substantial evidence of a known fault?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>ii.) Strong seismic ground shaking?</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>iii.) Seismic-related ground failure/liquefaction?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>iv.) Landslides?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Substantial soil erosion or the loss of topsoil?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.6.1 Discussion

a–d) No Impact. The proposed project consists of the update of the DID SOI boundary, to include the Durham urban reserve area, and approval of the associated CIP. The expansion of the SOI boundary is not a permit or other entitlement for use or construction, nor does it change land use designations or...
zoning classifications. The proposed project does not involve the construction of new or expanded facilities. The expanded SOI boundary would not change or increase the exposure of people or structures to potential risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, ground failure, liquefaction, subsidence, lateral spreading or landslides. Impacts associated with land use and zoning classifications within the urban reserve area were considered as part of the Butte County 2030 General Plan. Therefore, no impact associated with geology and soils would occur.

e) No Impact. The DID SOI update and approval of the MSR does not result in construction of facilities that involve the use of septic tanks or alternative wastewater treatment disposal systems to handle wastewater generation. No impacts would result with implementation of the project.

4.6.2 Mitigation:

None required.

4.7 Greenhouse Gas Emissions

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

4.7.1 Discussion

a) No Impact. The SOI boundary update would not generate greenhouse gas emissions, directly or indirectly, because the update to the SOI boundary is not a permit or other entitlement for use or construction and it would not change land use designations or zoning classifications. Impacts associated with land use and zoning classifications within the urban reserve area were considered as part of the Butte County 2030 General Plan.

b) No Impact. The proposed project would not conflict with any identified plans, policies, or regulations adopted for the reduction of greenhouse gas emissions.

4.7.2 Mitigation

None required.

4.8 Hazards and Hazardous Materials
<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### 4.8.1 Discussion

**a–h) No Impact.** The SOI boundary update would not involve the transport or use of hazardous materials nor change or increase any public exposure to hazards or hazardous materials because the update to the SOI boundary is not a permit or other entitlement for use or construction. The proposed project does not involve the construction of new or expanded facilities. There would be no hazardous impacts with project implementation.
### 4.8.2 Mitigation

None Required.

### 4.9 Hydrology and Water Quality

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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)?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Otherwise degrade water quality?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
4.9.1 Discussion

(a-f) No Impact. The expansion of the SOI boundary is not a permit or other entitlement for use or construction and thus does not involve the construction of new or expanded facilities. No impacts to water quality standards, changes to groundwater levels, drainage patterns or stormwater systems would occur with project implementation.

(g–i) No Impact. The expansion of the SOI boundary is not a permit or other entitlement for use or construction and thus does not involve the construction of new or expanded facilities, nor would the proposed project involve the construction of housing. The proposed project would not expose people or property to water-related hazards such as flooding or impede or redirect flood flows.

4.9.2 Mitigation

None Required.

4.10 Land Use and Planning

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

4.10.1 Discussion

(a-b) No Impact. The Butte County 2030 General Plan will govern the County through the year 2030. The General Plan identifies the land use designations for unincorporated parcels within the County. The District is located within the Durham-Dayton-Nelson Area Plan boundaries, which was adopted in 1992 and incorporated into Section 1 of the Area and Neighborhood Plans Element of the General Plan. The General Plan establishes area-wide land use policies for this area and designated it as the “Durham Urban Reserve” area. The Butte County General Plan land use and zoning ordinance identifies the parcels within the proposed SOI boundary update area as Very Low Density Residential (VLDR); changes to the SOI boundary do not change the existing land use designations or zoning classifications. Although existing land uses within the SOI update area are primarily agricultural uses, the SOI update is not a permit or other entitlement for use or construction. The proposed project would not divide an established community nor would it conflict with the any applicable land use plan, policy or regulation.

c) No Impact. The proposed project would not conflict with any adopted habitat conservation or natural community conservation plans as the Butte County Regional Conservation Plan (BCRCP) has not been adopted.
4.10.2 Mitigation

None required.

4.11 Mineral Resources

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally-important mineral resource recovery site on a local general plan, specific plan or other land use plan?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

4.11.1 Discussion

a-b) No Impact. The SOI boundary update is not a permit or other entitlement for use or construction, nor does it change the existing land use designations or zoning classifications of VDLR. The proposed project does not involve the construction of new or expanded facilities. Therefore, the proposed project would not result in the loss of availability of a known mineral resource or locally-important mineral resource that would be of future value to the region and residents of the State. No impacts to mineral resources would occur.

4.11.2 Mitigation

None Required.

4.12 Noise

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
### 4.12.1 Discussion

**a–f) No Impact.** The SOI boundary update is not a permit or other entitlement for use or construction and thus does not involve the development or enhancement of any new noise emitting sources. Because there are no construction activities associated with the SOI update, the SOI update would not expose people living or working within the existing or expanded SOI to excessive noise levels. No noise impacts would result with project implementation.

### 4.12.2 Mitigation

None Required.

### 4.13 Population and Housing

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### 4.13.1 Discussion

**a-c) No Impact.** The District’s jurisdictional boundaries consist of the unincorporated community of Durham and the surrounding area. The Durham-Dayton-Nelson Area Plan establishes area-wide land use policies that provide less potential for future development than had been allowed under the former
Durham Area Plan, which governed the area prior to the adoption of the Durham-Dayton-Nelson Area Plan. The Butte County General Plan land use and zoning ordinances identify the parcels within the proposed SOI boundary update area as Very Low Density Residential (VLDR). Zoning restrictions limit the growth in the area. The SOI update does not change the existing land use designations or zoning classifications, nor is it a permit or other entitlement for use or construction. Because no construction is necessary or would occur, the project will not result in the extension of services or infrastructure to the area. No impacts will occur to population growth directly or indirectly as a result of the proposed project as the land use designations and zoning classifications were identified in the Butte County 2030 General Plan. The project will not displace people or housing nor necessitate the construction of replacement housing elsewhere. Therefore, the project would have no impact on population and housing.

4.13.2 Mitigation

None required.

4.14 Public Services

<table>
<thead>
<tr>
<th>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:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Fire protection?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b) Police protection?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Schools?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Parks?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Other public facilities?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

4.14.1 Discussion

a-e) **No Impact.** The SOI boundary update is not a permit or other entitlement for use or construction, nor does it change land use designations or zoning classifications. Therefore, the SOI update would not construct buildings, businesses or other facilities that would result in an increased population in the area. Because the proposed project does not involve the construction of new or expanded facilities, there would be no demands on public services such as fire protection, police protection, schools, or parks generated by the SOI update. No changes in fire protection or police protection are proposed as part of this project. Therefore, the SOI update will generate no impact on public services.

4.14.2 Mitigation

None required.
4.15 Recreation

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

4.15.1 Discussion

a-b) No Impact. The proposed SOI update does not include the development of recreational facilities or other structures that would require the construction or modification of any recreational facilities. The proposed project will not impact local recreation facilities.

4.15.2 Mitigation

None required.

4.16 Traffic and Transportation

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Would the project:</td>
<td>Potentially Significant</td>
<td>Less Than Significant With Mitigation</td>
<td>Less Than Significant</td>
<td>No Impact</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------</td>
<td>-------------------------</td>
<td>--------------------------------------</td>
<td>-----------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

4.16.1 Discussion

a-g) No Impact. The SOI update does not create any new demand for any mode of transportation services. There are no construction activities associated with the proposed project (and therefore no increase in traffic levels, inadequate emergency access, etc.). No impacts associated with transportation or traffic would occur with implementation of the project.

Mitigation

None Required.

4.17 Tribal Cultural Resources

<table>
<thead>
<tr>
<th>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) or</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In apply the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

<table>
<thead>
<tr>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>agency shall consider the significance of the resource to a California Native American tribe.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Discussion

**a–b) No Impact.** The proposed project does not involve any land alteration or structural modifications to parcels within the SOI update area. The SOI boundary update is not a permit or other entitlement for use or construction, nor does it change land use designations or zoning classifications. Therefore, the SOI update does not involve the construction of new or expanded facilities and thus no changes to tribal cultural resources or resources that are listed or eligible for listing in the California Register of Historic Resources would occur, as changes usually included disturbances typically associated with construction activities.

**4.17.1 Mitigation**

None Required.

**4.18 Utilities and Service Systems**

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Water Quality Control Board?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>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?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Would the project:</td>
<td>Potentially Significant</td>
<td>Less Than Significant With Mitigation</td>
<td>Less Than Significant</td>
<td>No Impact</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>-------------------------</td>
<td>---------------------------------------</td>
<td>-----------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider which serves/may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

4.18.1 Discussion

**a–g) No Impact.** The proposed project would not place additional demands on, nor affect public utilities, particularly wastewater treatment facilities, water facilities and storm drain systems. The SOI boundary update is not a permit or other entitlement for use or construction, nor does it change land use designations or zoning classifications. The proposed project does not involve the construction of new or expanded facilities. No solid waste disposal or disposal facilities would be needed for the proposed project. Therefore, no impacts to existing utilities and services will occur with implementation of the proposed project.

4.18.2 Mitigation

None Required.
## 5 Mandatory Findings of Significance

<table>
<thead>
<tr>
<th>Mandatory Findings of Significance</th>
<th>Potentially Significant</th>
<th>Less Than Significant With Mitigation</th>
<th>Less Than Significant</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td></td>
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<td>X</td>
</tr>
<tr>
<td>b) Does the project have impacts that are individually limited, but cumulatively considerable (&quot;Cumulatively considerable&quot; 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)?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

### 5.1.1 Discussion

**a-c) No Impact** The project consists of the update of the DID SOI and approval of the associated CIP. The expansion of the SOI boundary is not a permit or other entitlement for use or construction, nor does it change land use designations or zoning classifications. There would be no construction activities or expansion of facilities with implementation of the proposed project. Therefore, the proposed project will not degrade the environment; result in an adverse impact on fish, wildlife, or plant species including special status species, or prehistoric or historic resources.

The project does not involve the addition of new expanded structures, facilities, or growth inducing effects, which would be considered cumulatively considerable with regards to past or future projects.

Based on the preceding environmental analysis, the SOI update and approval of the associated MSR will not result in potentially significant cumulative, direct or indirect adverse effects on human beings.
6  Preparers and References

6.1  Report Preparation and Review

Kamie Loeser, Principal Planner, NorthStar, Reviewer
Matt Rogers, Associate Biologist/Planner, NorthStar, Preparer
Robin Kampmann, Senior Engineer, NorthStar
Nicole Ledford, Senior Engineer, NorthStar

6.2  References


7 Acronyms and Abbreviations

Agencies, Boards, Commissions, Districts:
CAAQS...........................................................................................................California Ambient Air Quality Standards
Caltrans........................................................................................................California Department of Transportation
CARB ...........................................................................................................California Air Resources Board
CDFW ..........................................................................................................California Department of Fish and Wildlife
CDWR ..........................................................................................................California Department of Water Resources
DTSC ........................................................................................................... (California) Department of Toxic Substances Control
EPA ..............................................................................................................Environmental Protection Agency
FEMA ............................................................................................................Federal Emergency Management Agency
NAHC ..........................................................................................................Native American Heritage Commission
NSVAB .......................................................................................................Northern Sacramento Valley Air Board
RWQCB ......................................................................................................Regional Water Quality Control Board
USACE ..........................................................................................................United States Army Corps of Engineers
USFWS ......................................................................................................United States Fish and Wildlife Service
USGS ...........................................................................................................United States Geological Survey

Guidelines, Policies, Programs, Regulations:
CEQA ..........................................................................................................California Environmental Quality Act
CESA ..........................................................................................................California Endangered Species Act
CWA ...........................................................................................................Clean Water Act
ESA ............................................................................................................Endangered Species Act
FGC ............................................................................................................Fish and Game Code
MBTA .........................................................................................................Migratory Bird Treaty Act
NESAP .......................................................................................................National Emission Standards for Hazardous Air Pollutants
NHPA ..........................................................................................................National Historic Preservation Act
NPDES ......................................................................................................National Pollution Discharge Elimination System
NRHP ...........................................................................................................National Registry of Historic Places
SIP .................................................................................................................State Implementation Plan

Miscellaneous:
APE ...........................................................................................................Area of Potential Effect
ASR .............................................................................................................Archaeological Survey Report
BA ..............................................................................................................Biological Assessment
BMPs ..........................................................................................................Best Management Practices
BSAs ...........................................................................................................Biological Study Areas
CNDDBB ....................................................................................................California Natural Diversity Database
CNEL .............................................................................................................Community Noise Equivalent Level
CNPS ..........................................................................................................California Native Plant Society
CO .................................................................................................................Carbon Monoxide
ESAS ..........................................................................................................Environmentally Sensitive Areas
FIRM ..........................................................................................................Flood Insurance Rate Map
GGS ............................................................................................................Giant Garter Snake
GHG ...........................................................................................................Green House Gases
ISA ............................................................................................................Initial Site Assessment
MLD .............................................................................................................Most Likely Descendant
NES .............................................................................................................Natural Environmental Study
NOx .............................................................................................................Nitrogen oxides
PM$_{10/2.5}$..........................................................Particulate Matter less than 10 / 2.5 Microns
ROG ......................................................................................................................................Reactive Organic Gases
RPW .........................................................................................................................................Relatively Permanent Waters
RSP ...............................................................................................................................................Rock Slope Protection