

3. EVALUATION OF ENVIRONMENTAL IMPACTS

This section provides an evaluation of the potential environmental impacts of the project. There are 17 Environmental Issues evaluated in Section 3.0, including CEQA Mandatory Findings of Significance.

The **Checklist Discussion/Analysis** provides a detailed discussion of each of the environmental issue checklist questions. The level of significance for each topic is determined by considering the predicted magnitude of the impact. Four levels of impact significance are described in this initial study:

No Impact: No project-related impact to the environment would occur with project development.

Less Than Significant Impact: The impact would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.

Less Than Significant With Mitigation Incorporated: An impact that is “potentially significant” as described below; the incorporation of mitigation measure(s) would reduce the project related impact to a less than significant level.

Potentially Significant Impact: An impact that may have a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected.

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 Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources	X	Geology/Soils
X	Hazards	X	Hydrology/Water Quality		Land Use/Planning
	Mineral Resources		Noise		Population & Housing
	Public Services		Recreation		Transportation/Traffic
X	Utilities/Service Systems	X	Mandatory Findings of Significance		

3.1 AESTHETICS

Would the project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Setting:

The proposed project would occur along an existing roadway alignment in a rural-residential area of Butte County. Within the project site, single-family residences line the Monte Vista Avenue alignment east of Autrey Lane. Existing school and church facilities occupy the parcels adjacent to the project site west of Autrey Lane. The project site extends eastward approximately 1,300 feet from the Monte Vista Avenue/Autrey Lane Intersection. The project would construct curb, gutter sidewalk and drainage infrastructure within the existing right of way. Existing pedestrian facilities in the project site are characterized by disjunct sidewalks and pavement markings. The majority of the roadway shoulder consists of driveways and a gravel shoulder. The proposed facilities would tie in with existing sidewalk, curb and gutter facilities extending westward from Lower Wyandotte Road, along the southern shoulder of Monte Vista Avenue. The project would tie in the proposed facilities with the roadway shoulders and driveways on the project site. The elevation on the project site tends to decrease from as one travels east from Autrey Lane towards Wyman Ravine Tributary 2. The elevation then begins to increase as one continues eastward towards Lower Wyandotte Road.

Discussion of Potential Impacts to Aesthetics:

a, b, d) No Impact. There are no significant scenic vistas on which the proposed project could have an impact. The project would not create structures, dwellings or other facilities with a substantial vertical presence. The project site is not within, or near, a state scenic highway. The improvements associated with this project do not include the installation of lighting or reflective surfaces that could contribute to substantial sources of light or glare. The project would have no impact relative to these resources.

Mitigation: None Required

c) Less Than Significant. Visual impacts may occur during the construction periods, when heavy equipment and construction materials will be present within the project area. Upon completion of the proposed project, the southern shoulder of Monte Vista Avenue will be physically and visually contiguous with adjacent improvements, including curb, gutter, signage, drainage facilities, sidewalks, and tie-in pavement. These facilities are expected to provide connections between the area's neighborhoods and schools. No substantial long term visual impact is anticipated, since no significant change in the appearance of the existing site is proposed

Mitigation: None Required

Conclusion:

Potential aesthetic impacts would be less than significant and no mitigation is required.

3.2 AGRICULTURE RESOURCES

Would the project:	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

Setting:

The project site is located in a rural residential area of County jurisdiction, south of Oroville. Some of the land south the project site, in the vicinity of Wyman Ravine Tributary 2, is identified by the Farmland Mapping and Monitoring Program (FMMP) as *Grazing Land* (California Department of Conservation, 2002). All other lands adjacent to the project site are identified by the FMMP as *Urban and Built-Up*.

Discussion of Potential Impacts to Agricultural Resources:

a - c) No Impact. There are no areas of Prime Farmland, Farmland of Statewide Importance, Unique Farmland or Farmland of Local Importance within the project area. The project site is within the existing right of way and none of the adjacent lands are designated with agricultural land uses. Similarly, none of the adjacent lands are within agricultural zoning districts.

The FMMP identifies an area of *Irrigated Farmland* approximately 1,500 linear feet southeast of the project site. The project would not result in land use or zoning changes, nor would it conflict with existing agricultural land uses. There are no Williamson Act contracts on lands within, or adjacent to, the project site. The nearest lands under a Williamson Act contract are nearly one mile east of the project site.

Mitigation: None Required

Conclusion:

The project would not result, either directly or indirectly, in the conversion of farmland. Furthermore, the proposed project would not conflict with agricultural land use designations, zoning districts or Williamson Act contracts. The proposed project would result in no impacts to agricultural resources and no mitigation is required.

3.3 AIR QUALITY

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

Setting:

The California Air Resource Board (CARB) develops a list of the air quality attainment status for all counties in the state. The attainment status is based on the measured levels of criteria pollutants within each county compared to federal and state air quality standards. Attainment designations, as adopted by CARB, identify Butte County as a non-attainment area for two criteria pollutants – ozone and particulate matter. Similarly, Butte County is designated a non-attainment area for ozone and particulate matter by the Environmental Protection Agency (EPA). Particulate matter is sub-classified based on the size of individual particles, as measured in microns. Particulate matter measuring less than 10 microns (PM₁₀) and particulate matter less than 2.5 microns (PM_{2.5}) are the two criteria particulates for which state and federal standards have been established. The following table identifies Butte County’s attainment designations for all criteria pollutants, based on applicable air quality standards:

Table 1: Attainment Status for Criteria Pollutants

Pollutant	Designation
Carbon monoxide	Attainment
Sulfates	Attainment
Nitrogen dioxide	Attainment
Sulfur dioxide	Attainment
Lead	Attainment
Ozone	Non-attainment
Particulate Matter (2.5 & 10)	Non-attainment
Visibility Reducing Particles	Unclassified
Hydrogen sulfide	Unclassified

Sources of criteria pollutants are generally identified as either *direct* or *indirect*. Direct sources are facilities that emit criteria pollutants. As such, they are not mobile. In contrast, vehicles are potential indirect emitters of criteria pollutants.

Temporary air quality impacts can be generated by construction activities. Fugitive dust and diesel exhaust emissions are pollutants that can be generated by construction activities. These potential impacts would be considered temporary, as they would be expected to occur only during construction activities.

The Butte County General Plan and County Code (Chapter 13: *Grading and Minerals*) identify the need to reduce fugitive dust and other air quality impacts generated by construction activities. The County requires the inclusion of dust suppression measures in all grading plans and appropriate measures intended to reduce construction-related exhaust emissions. Section 13-10 of the County Code (Erosion and Sediment Control) requires applicable erosion and sediment control measures as a condition of project approval. Pursuant to §13-10 an erosion and sediment control plan "...shall contain a description of temporary and permanent measures for... Dust control."

Permanent impacts are usually the product of land-use changes over pre-project conditions. For example, a residential development would be expected to increase the project site's indirect sources over pre-project conditions. A large manufacturing facility may be a substantial new direct source of criteria pollutants over pre-project conditions.

The proposed project would not generate fixed sources of criteria pollutants. The proposed project is expected to reduce the occurrence of vehicular traffic (an indirect source) in the project area.

Discussion of Potential Impacts to Air Quality:

a, c) Less Than Significant. The proposed project would not conflict with or obstruct implementation of the BCAQMD Air Quality Attainment Plans for Butte County. As identified in the project description, the Safe Routes to Schools programs encourage and enable non-vehicular trips to and from school sites. As such, the proposed project is expected to improve non-vehicular transportation conditions within the project area. The project is not expected to result in a long-term increase of criteria pollutants over pre-project conditions. Therefore, the proposed project would result in potential impacts that are considered less than significant.

Mitigation: None Required

b, d, e) Less Than Significant With Mitigation Incorporated. As described in the preceding paragraph, the proposed project would not result in long-term increases in the emissions of criteria pollutants.

The proposed project would result in the generation of short-term, construction-related emissions. Exhaust emissions from construction equipment would contain ozone precursors, PM₁₀ and PM_{2.5}. Additional particulate matter emissions, in the form of fugitive dust, could be generated during grading, earth moving and other similar activities.

The project site is within one-quarter mile of three school sites and is directly adjacent to existing church facilities and approximately 20 residential parcels.

The proposed project could generate construction-related exhaust and particulate matter emissions in a designated non-attainment area. Furthermore, these emissions would occur within close proximity to several school sites, church facilities and residences.

While the implementation of BMM and the development of an erosion and sediment control plan are standard conditions of grading permit acquisition, County Public Works projects are exempt from the grading permit process. In lieu thereof, the following mitigation measures shall be implemented to ensure compliance with applicable air quality standards:

MM 3.3.1 To comply with Chapter 13 of the County Code and BCAQMD Rules 200 and 205 (Air Quality Nuisances and Fugitive Dust respectively), the Public Works Department shall require implementation of all applicable BMM in project plans and specifications. As part of this requirement, the contractor shall submit a Pollution Control Plan that shall include, at a minimum, all applicable dust mitigation measures below:

- Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil conditions and wind exposure.
- Apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days, unless wind conditions dictate application in less than four days) to control dust emissions. Dust emissions should be controlled at the site for both active and inactive construction areas throughout the entire construction period (including holidays).
- Limit vehicle speeds to 15 mph on unpaved roads.
- Suspend land clearing, grading, earth moving, or excavation activities when wind speeds exceed 20 mph.
- If applicable, apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operation and hydro-seed the area.
- Cover inactive storage piles.
- Provide paved (or dust palliative treated) apron onto the project site.
- Following daily construction activities sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities.
- Upon completion of construction activities all exposed ground surfaces shall be treated sufficiently to minimize fugitive dust emissions (dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces).

Timing & Implementation: Contractor to prepare Pollution Control Plan for Public Works Department approval prior to notice to proceed. Implement plan actions during and post construction.

Enforcement & Monitoring: Butte County Department of Public Works and contractor through ongoing site inspections

MM 3.3.2 The contractor shall implement the following measures where applicable to reduce NOx emissions from construction equipment and ensure a level of reasonable control:

- Prior to commencement of any grading or construction, a NOx reduction plan shall be prepared and submitted for approval by the Public Works Department demonstrating that heavy-duty (> 50 horse-power) off-road vehicles to be used during construction, including owned, leased and subcontracted vehicles, will achieve a project-wide, fleet average 20 percent NOx reduction compared to the most recent CARB fleet average at the time of construction.
- Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit

technology, after-treatment products, and/or other options as they become available.

- The NOx reduction plan shall include a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory should include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment.

Timing & Implementation: Contractor to prepare NOx reduction plan prior to commencement of grading activities and implement plan actions during construction

Enforcement & Monitoring: Butte County Department of Public Works and contractor through ongoing site inspections

Implementation of all applicable mitigation measures and best management practices (BMPs), as identified in the BCAQMD Rule Book, County Code and CBC, shall be ensured through implementation of the above measures. Therefore, the requirements of **MM 3.3.1** and **MM 3.3.2** would ensure construction-generated exhaust and fugitive dust emissions are reduced to the maximum extent practicable.

The California Health and Safety Code (§42301.6) requires a public notice prior to construction of new sources of hazardous air emissions when the new source is within 1,000 feet of a school. The proposed project would not be a new source of hazardous emissions. Rather, upon completion, the project would result in improved pedestrian and cycling conditions in the area.

Potential pollutant concentrations during construction activities would occur at less than significant levels through implementation of **MM 3.3.1** and **MM 3.3.2**.

No new odor producing activities are proposed, other than those generated during construction activities. For example, diesel odors may be noticeable in the vicinity of the site. Construction-related odors would be short-term and maintained at a less than significant level with the incorporation of **MM 3.3.2**.

Conclusion:

The County Code requires the minimization of fugitive dust emissions as a standard condition of project approval. Furthermore, the Public Works Department requires contractors to implement applicable BCAQMD Mitigation Measures to ensure consistency with the adopted Attainment Plan. Finally, the County has adopted the standards of the California Building Code (CBC), as identified in Chapter 26 of the County Code. The CBC establishes grading standards, including best management practices for dust control, in Appendix Chapter 33 (Excavation and Grading). However, the project would remain exempt from the grading permit process. **Mitigation Measures 3.3.1 and 3.3.2** would be implemented in lieu of the standard conditions of approval that are implemented during the grading permit acquisition process.

Impacts to air quality as a result of the project would be construction related and temporary in nature. Implementation of **Mitigation Measures 3.3.1 and 3.3.2** would reduce these potential impacts to a level that is less than significant with mitigation incorporated.

3.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		X		
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Setting:

The project site is located along the southern alignment of Monte Vista Avenue, within the existing right of way. Most of the adjacent parcels have been developed with residences. The proposed facilities would be constructed on the south side of Monte Vista Avenue, primarily along an existing gravel shoulder dotted with residential driveways. Wyman Ravine Tributary 2 (WRT2) bisects the Monte Vista Avenue alignment near the eastern boundary of the APE. A series of large trees line the northern and southern boundaries of the existing roadway alignment. As the project would occur along an existing roadway, potential direct impacts to most biological resources would be precluded by the absence of suitable habitat.

Gallaway Consulting, Inc. (GCI) prepared a Draft Delineation of Waters of the US (Delineation) for the proposed project in November of 2007. The findings in the draft Delineation are preliminary, pending verification by the US Army Corps of Engineers (USACE). The Delineation identifies approximately 421 linear feet of pre-jurisdictional Waters of the US in the project site. These pre-jurisdictional waters,

all of which occur near the eastern boundary of the APE and WRT2, are comprised of seven (7) culverts, five (5) roadside ditches and one (1) intermittent, relatively permanent water.

In addition to the draft Delineation, GCI conducted a biological survey of the project site in November of 2007. The survey was conducted in order to identify special-status biological resources potentially occurring on, or adjacent to, the project site. Prior to conducting the field survey, GCI produced a list of special-status biological resources with a potential to occur in the project area. The list was generated from US Fish and Wildlife Service (USFWS), CA Department of Fish and Game (DFG) and CA Native Plant Society (CNPS) data.

The results of the literature review and field survey conducted by GCI are presented in a Letter of Biological Findings. The existing level of development precludes most special-status species, natural communities or habitats within the project site. The Letter of Biological Findings identifies no potential for occurrence for the following types of special-status biological resources:

- Sensitive natural communities
- Plants
- Invertebrates
- Reptiles/Amphibians
- Fish
- Mammals

Discussion of Potential Impacts to Biological Resources:

a) Less Than Significant With Mitigation Incorporated. No candidate, sensitive, or special-status wildlife species were observed during the biological field survey of the project area. The potential for special-status species to occur within a 5-mile radius of the project site was identified during a pre-survey literature review. The USFWS, DFG and CNPS species lists identified numerous documented special-status species occurrences in the area surrounding the project site. However, as described above, the project site lacks the physical characteristics necessary to support most of the special-status species that are likely to occur in the general area.

Birds

The large trees in the project area are identified as potential nesting sites for raptors and migratory birds. The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703-712) prohibits the take, sale and harassment of migratory birds. Furthermore, birds in the orders *Falconiformes* and *Strigiformes* (raptors) are protected from take by §3503.5 of the California Fish and Game Code. The WRT2 corridor perpendicular to the project site is identified as potential foraging habitat for the yellow warbler, which is listed by the DFG as a California Species of Special Concern (CSC).

The yellow warbler could occur within the proposed project's APE, as there is potential foraging habitat for this species along WRT2. Pursuant to §1600 of the CA Fish and Game Code, a project must notify the DFG if it would "modify a river, stream, or lake." The proposed project would be required to obtain project approval from the DFG as a result of the proposed drainage improvements. Project approval from the DFG is indicative of an approved Streambed Alteration Agreement, or a waiver thereof. The performance standards of the DFG ensure adequate mitigation for any potential impacts to WRT2, which would include vegetation removal. Any potential impacts to the riparian vegetation along the south side of Monte Vista Avenue, which is potential foraging habitat for the yellow warbler, would be temporary and limited to a narrow strip that is perpendicular to the WRT2 corridor. Permanent impacts to potential foraging habitat are not expected. As such, the proposed project would generate potential impacts to the yellow warbler that would be temporary and less than significant.

Some of the large trees in the BSA provide suitable nesting habitat for special status migratory birds and/or raptors. Nesting birds could be disturbed by project activities if they were to occur in close proximity to the construction site. The potential to disturb nesting migratory birds and/or raptors

occurring adjacent to the project site is a potentially significant impact. Therefore, the following measure shall be implemented:

MM 3.4.1 If grading, construction or vegetation removal are proposed between March 1st and September 15th, a protocol-level, preconstruction field survey shall be conducted by a qualified biologist or ornithologist to identify whether special status birds are nesting in or adjacent to, the project site. The survey shall take place in April-May, or 30 days prior to construction activities, to determine the presence and location of nesting raptors/migratory birds in the project area. Should nesting special-status birds be observed and potentially impacted, appropriate mitigation or avoidance measures will be required in consultation with DFG. Direct take of active nests, eggs or birds is prohibited by the Fish and Game Code. Construction activities should not occur within 300 feet of active nests. If nesting special-status birds are not identified during the protocol-level field survey(s), no further action would be required relative to this mitigation measure. Relative to this mitigation measure, activities proposed between September 16th and February 29th do not require pre-construction surveys.

Timing & Implementation: Prior to construction activities, the Public Works Department shall ensure that all necessary field surveys are conducted. If no nesting raptors are identified during the field surveys, construction activities may proceed unconstrained, relative to this mitigation measure.

Enforcement & Monitoring: Public Works Department staff and a qualified biologist or ornithologist, if necessary, shall monitor construction activities to ensure implementation of the above measures.

Through implementation of **MM 3.4.1** the proposed project would ensure less than significant potential impacts to special-status birds nesting in the project area. Through obtaining project approval from the DFG, the proposed project would ensure compliance with the performance standards of §1600 of the Fish and Game Code. As such, potential impacts to yellow warbler foraging habitat would occur at less than significant levels.

No other potential impacts to special-status species are likely to occur as a result of the proposed project. Therefore, through implementation of the mitigation measures and adherence to the applicable standards and regulations of the agencies having jurisdiction, as listed in this study, the proposed project would result in potential impacts considered less than significant with mitigation incorporated.

b, c) Less Than Significant With Mitigation Incorporated. As described in the previous section, the proposed project would implement drainage improvements at the Monte Vista Avenue/WRT2 Intersection. Pursuant to §1600 of the CA Fish and Game Code, the project must obtain a Streambed Alteration Agreement, or a waiver thereof, from the DFG. The performance standards of the DFG's Streambed Alteration Program ensure less than significant potential riparian impacts relative to the CA Fish and Game Code.

As set forth in the Delineation, approximately 421 linear feet of pre-jurisdictional waters were identified on the project site.* The following table identifies the pre-jurisdictional water features identified in the draft Delineation:

* The acreages described in the draft Delineation should be considered preliminary, subject to review and modification by the USACE during the wetland delineation verification process.

Table 2: Jurisdictional Waters in draft Wetland Delineation

Type (Quantity)	Length (ft)	Acres
Culvert (7 features)	178.6	0.006
Roadside Ditch (5 features)	221.7	0.01
Intermittent (1 feature)	20.9	0.007
<i>Total</i>	<i>421</i>	<i>0.023</i>

The USACE regulates the discharge of dredged or fill material into waters of the United States under §404 of the Clean Water Act. “Waters of the U.S.” include a range of wet environments such as lakes, rivers, streams (including intermittent), mudflats, sandflats, wetlands (including vernal pools and swales), sloughs, and wet meadows.

The Clean Water Act (§401) mandates acquisition of water quality certification and authorization for placement of dredged or fill material in wetlands and Other Waters of the United States. In accordance with §401, criteria for allowable discharges into surface waters have been developed by the State Water Resources Control Board, Division of Water Quality. The project would require water quality certification from the Central Valley Regional Water Quality Control Board (RWQCB) as a condition of §404 permit acquisition.

The proposed project would occur along the shoulder of an existing roadway. However, water features in the APE could be impacted by the proposed project. Therefore, the following shall be implemented:

MM 3.4.2 All jurisdictional waters, which may be impacted by the project, shall be avoided during construction activities to the extent practicable through implementation of construction activity setbacks. Temporary impacts shall be mitigated through restoration of area and function of all impacted water features in the project site. To accomplish this, the following shall be required:

- The proponent shall enter into consultation with the USACE. If necessary, a Clean Water Act §404 permit will be obtained from the USACE before any filling, dredging, or modification of jurisdictional waters can occur. The permit will be conditional and will contain minimization and mitigation measures developed through consultation with the USACE.
- If a §404 permit will be required by the USACE, the county shall obtain necessary certification/approval from the RWQCB pursuant to §401 of the Clean Water Act.
- Per §1600 of the state Fish and Game Code, the applicant shall enter into consultation with the DFG. If necessary, a Streambed Alteration Agreement will be obtained before in-stream construction activities commence. If required, the agreement would contain site-specific minimization and mitigation measures identified through consultation with the DFG.

Timing & Implementation: Consultation agreements and permitting to occur prior to commencement of construction activities. Avoidance will occur during project construction. If identified through consultation with the regulatory agencies, mitigation will be conducted prior to project completion.

Enforcement & Monitoring: Butte County Department of Public Works, DFG, USACE and the RWQCB.

The proposed project would be required to adhere to the applicable performance standards of the USACE, the RWQCB and the DFG. Project approval from the listed agencies having jurisdiction is indicative of adherence to their applicable performance standards. As such, relative to the biological resources discussed in this section, the proposed project would generate potential impacts that are less than significant with mitigation incorporated.

d) Less Than Significant With Mitigation Incorporated. The MBTA (16 U.S.C. 703-712) and Fish and Game Code (§3500) prohibit the take, sale, and harassment of migratory birds and/or raptors. No special-status species were observed during the biological field survey of the project site. As described in this study, **MM 3.4.1** would ensure pre-construction surveys, which would identify nesting birds in the project area. If nesting special-status birds are identified during these surveys, the project will be required to consult the appropriate regulatory agency to identify appropriate mitigation. As such, potential impacts to migratory wildlife would occur at levels considered less than significant with mitigation incorporated.

To reduce the potential impacts to migratory birds and raptors **MM 3.4.1** shall be implemented. Implementation of this measure would ensure less than significant potential impacts to migratory corridors and/or nursery sites.

e, f) No Impact. The County has no policies, ordinances or plans which explicitly protect biological resources to which the proposed project would be held. However, ordinances identified in the County Code and policies set forth in the General Plan do establish County standards pertaining to biological resources. For example, Chapter 13 of the County Code (Grading and Mining) identifies the purpose of the Grading Article:

...is noted for its scenic natural beauty, for its streams, creeks, and vernal pools ...vegetation including rare and endangered plant species...fish and other wildlife, and for its sources of water... The purpose of this article is the control of erosion and siltation, the enhancement of slope stability, the protection of said resources and the prevention of related environmental damage by establishing standards and requiring permits for grading.

Policies 6.5.a through 6.5.d (Biological Habitat) in the Land Use Element of the General Plan further identify the County's standards with regard to biological resources. The proposed project would not conflict with any local plans or policies that protect biological resources. The project would be required to adhere to the mitigation measures and standard/permitting requirements of regulatory agencies, as set forth in this study. With regard to local plans, policies and ordinances, the proposed project would result in no impact.

No habitat conservation plans, Natural Community Conservation Plans or similar plans have been adopted that apply to the project area. Therefore, there would be no impact.

Mitigation: None Required

Conclusion:

The project could have potentially significant impacts on special status migratory birds and raptors, Waters of the State, Waters of the US and associated riparian habitat. However, the mitigation measures presented in this section of the Initial Study would ensure these potential impacts occur at levels that are less than significant with mitigation incorporated.

3.5 CULTURAL RESOURCES

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

Setting:

The project site is in an area of County jurisdiction, south of Oroville. This area of the County was likely occupied by the Konkow at the time of initial contact, with high-density occupation dating back approximately 4,000 years. Historic resources in the project area include evidence of early exploration and settlement activities by Spanish, Mexican and American citizens. These cultural resources may include artifacts associated with early settlement activities, the Gold Rush or the development of transportation facilities developed during the State's explosive growth in the wake of the Gold Rush.

Cultural Resource Associates (CRA) conducted an Archaeological Evaluation to identify the potential for cultural resources to occur in the project area. The evaluation included a records search at the Northeast Information Center at CSU, Chico, a Sacred Lands search with the Native American Heritage Commission (NAHC), consultation with local Native American groups, and a pedestrian field survey.

Records Search

The records search produced the following results:

- No prehistoric resources have been recorded within the project site
- No historic resources have been recorded within the project site
- The project site has not been previously surveyed by a professional archaeologist, though several surveys have been conducted in the vicinity of the project site

Consultation with Interested Parties

CRA contacted the NAHC in November of 2007 to identify whether the project area contains recognized sacred lands. The NAHC identified no sacred lands within the project area. The correspondence from the NAHC recommended further consultation with local Native American parties that may have an interest in the project site. None of the interested parties have raised concerns regarding the project's potential to impact cultural resources.

Field Survey

CRA conducted a field survey of the site in December of 2007 per CEQA and National Historic Preservation Act (NHPA) standards. The field survey identified no cultural resources (prehistoric or historic).

Discussion of Potential Impacts to Cultural Resources:

a and c) No Impact. As identified in the Archaeological Evaluation, there are no known historic resources within the project site. Furthermore, no evidence of prehistoric, archaeological, paleontological or protohistoric resources was identified within or immediately adjacent to the project site. These findings are based on a records search, consultation with interested parties and a field survey, conducted by a professional archaeologist. The proposed project would result in no impact.

Mitigation: None Required

b and d) Less than Significant with Mitigation Incorporated. The proposed project would not generate potentially significant impacts to any known cultural resources, including human remains. However, there is the potential for unknown/undocumented cultural resources, including human remains, to be uncovered during work activities. Pursuant to Health and Safety Code (§7050.5), the Coroner must be contacted if human remains are uncovered during construction activities. Previously unidentified human remains are subject to the regulations set forth in Public Resources Code (§5097.98). As the project site may contain currently unidentified cultural resources and/or human remains, the following mitigation measures shall be implemented:

MM 3.5.1 A note shall be placed on the final construction plans stating: *“Should cultural resources be encountered, the supervising contractor will stop all work within 100-feet of the find. The supervising contractor shall be responsible for reporting any such findings to the Public Works Department, and a qualified archaeologist will be contacted to conduct meetings with on-site employee, determine appropriate mitigation measures, and monitor the referenced mitigation measures.”*

All mitigation measures determined by the Public Works Department to be appropriate for this project shall be implemented pursuant to the terms of the archaeologist’s report.

Timing & Implementation: Prior to final construction plan approval and during work on site.

Enforcement & Monitoring: Butte County Department of Public Works, supervising contractor

MM 3.5.2 A note shall be placed on final plans stating: *“If human remains are unearthed during construction, the construction contractor must cease work within 100-feet of the discovery and notify the County Coroner per Health and Safety Code §7050.5. No further disturbance may occur until the Coroner has made the necessary findings as to the origins and disposition pursuant to Public Resource Code section 5097.98.”*

Timing & Implementation: Prior to final construction plan approval and during work on site.

Enforcement & Monitoring: Butte County Department of Public Works, supervising contractor

Implementation of these measures would ensure potential impacts to previously unidentified cultural resources and/or human remains occur at levels that are less than significant with mitigation incorporated.

Conclusion:

There are no known historic, paleontological or cultural resources or human remains in the project area. State Public Resources and Health and Safety Codes establish standards for projects that uncover previously unidentified cultural resources or human remains. In the event that construction activities uncover previously unknown or undocumented cultural resources and/or human remains, **Mitigation Measures 3.5.1 and 3.5.2** will ensure potential impacts are maintained at a less than significant level.

3.6 GEOLOGY AND SOILS

Would the project:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Setting:

Topography in the project area is relatively flat. The elevations at the Monte Vista Avenue/Autrey Lane and Monte Vista Avenue/Lower Wyandotte Road Intersections are approximately 290 and 265 feet above sea level respectively. The channel of WRT2 adjacent to the project site is approximately 260 feet above sea level. The Cleveland Hills Fault Zone, the only designated Alquist-Priolo Earthquake Fault Zone in Butte County, is located near the community of Wyandotte, south of Lake Oroville and east of Oroville.

As the project would not result in land use changes, the distribution of people in the project area would not be altered as a result of the proposed intersection improvements. Pursuant to §15382 of the CEQA Guidelines, a “Significant Effect on the Environment” is described as:

...a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project...

The proposed project would improve the curb, gutter, sidewalk and drainage conditions along the shoulder of an existing roadway. The project would not construct dwellings, structures or other occupied facilities. Similarly, it would not result in altered wastewater treatment or disposal conditions.

The Hazards and Safety Element of the County's General Plan identifies the geologic and pedologic characteristics of the project site as follows:

- Erosion Potential: Moderate
- Expansive Soils: High
- Landslide Potential: Low to None
- Liquefaction Potential: Generally Low

Discussion of Potential Impacts to Geology and Soils:

a.i – a.iv) Less Than Significant.

i) The Cleveland Hills Alquist-Priolo Earthquake Fault Zone is located approximately 3.75 miles east of the project site. Furthermore, the 1994 Fault Activity Map has classified the fault as inactive (Bryant, 2005). As such, potential impacts from known faults would not include rupture at the project site. There would be no impact.

ii) The project site is subject to potential ground shaking, generated by earthquakes both within and outside of Butte County. Ground shaking has the potential to impact infrastructure such as culverts, bridges and roadways. The project will be required to adhere to the design standards of the California Building Code (CBC), as adopted in Chapter 26 (Buildings) of the County Code. The design criteria specifically address appropriate standards for facilities that may be subjected to seismic events. By adhering to the required design criteria of the CBC, as adopted by County Code, there will be a less than significant impact with regards to seismic ground shaking.

iii) According to the County General Plan, the project site is not in an area of high liquefaction potential. Furthermore, the project would be required to adhere to County and CBC design standards. As such, potential impacts would be less than significant.

iv) The project will not cause or contribute to landslides. The project site is not within a documented landslide area.

Relative to these geology and soils factors, the proposed project would generate potential impacts that are less than significant.

Mitigation: None Required

b) Less Than Significant With Mitigation Incorporated. As a result of ground disturbances, there would be an increased potential for erosion during construction activities. The County General Plan indicates a moderate erosion potential in the project area. Potential erosion impacts arising from construction activities would be temporary and will cease once work is completed. As the project would result in the disturbance of the ground surface, which could result in potential erosion impacts, the following measure shall be implemented:

- MM 3.6.1** As part of the construction plans for the project; the contractor shall prepare a Pollution Control Plan to include all applicable storm water pollution and erosion control BMPs required during construction. As part of project plans and specifications, the Public Works Department shall prepare final erosion control plans and specifications for post-construction conditions to be implemented by the construction contractor.

Timing & Implementation: Prior to, during, and after construction

Enforcement & Monitoring: Butte County Department of Public Works, Contractor

In addition to **MM 3.6.1**, the project would be required to obtain approval from the RWQCB per §401 of the Clean Water Act (as identified in the Biological Resources section of this study). Project approval from the RWQCB is indicative of compliance with the Board's applicable water quality standards.

Furthermore, as described in the Air Quality section of this document, the project would be required to prepare an approved pollution control plan, which would include fugitive dust control measures. The County would require implementation of applicable erosion and sediment control BMPs as a condition of plan approval. Implementation of **MM 3.6.1**, in conjunction with **MM 3.3.1** and **3.4.2**, would ensure potential soil erosion impacts are maintained at a level that is less than significant with mitigation incorporated.

c-d) Less Than Significant. As described in the preceding paragraphs, the liquefaction and landslide potentials in the project area are classified as “generally low” and “low to none” respectively. The project would be required to adhere to the standards set forth in the CBC, as adopted by the County Code. There would be less than significant potential impacts resulting from landslide, lateral spreading, subsidence, liquefaction or collapse.

Mitigation: None Required

e) No Impact. No on-site wastewater disposal systems are proposed with this project.

Mitigation: None Required

Conclusion:

There is the potential for the project to result in impacts due to the presence of potentially expansive soils and the erosion potential on the project site. Adherence to the County’s standard construction protocols, including CBC compliance, and implementation of the mitigation measures presented in this section would ensure less than significant potential impacts.

3.7 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Setting:

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22, §66260.10 of the California Code of Regulations as:

...a substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed

Chemical and/or physical properties, such as toxicity, ignitability, corrosivity and reactivity, result in a substance being designated hazardous. Toxicity, ignitability, corrosivity, and reactivity are further defined the CCR (§66261.20-66261.24). The potential health effects of exposure to hazardous materials are influenced by variables such as the dosage, frequency and pathway of the exposure. The potential health effects are further influenced by individual susceptibility.

The transport of hazardous materials is regulated to varying degrees by federal and state agencies. The U.S. Department of Transportation (DOT) has the regulatory responsibility over interstate transportation of hazardous materials. DOT regulations (CFR Title 49) govern all means of such transportation.

State regulations concerning the transport or hazardous materials are contained in CCR, Title 22, Chapter 13. Two state agencies, the California Highway Patrol and Caltrans, have primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies.

As it proposes sidewalk, curb and gutter improvements within the existing right of way, the proposed project would not result in a land use that is significantly different than pre-project conditions. The project would not construct dwellings, occupied structures or land uses that could generate or emit hazardous materials. Likewise, the proposed project would not result in concentrations of people that would be considered spatially discrete from pre-project conditions. As such, the spatial relationships between the area's human population and potential hazards would not be impacted by the proposed project.

A series of state response, federal superfund and evaluation sites are identified west of the project site, in the vicinity of southern Oroville. The sites are concentrated in the corridor east of Lincoln Boulevard along the alignment of State Route 70. The nearest documented hazardous materials site is west of Lincoln Boulevard, approximately one mile from the project site.

Discussion of Potential Impacts from Hazards and Hazardous Materials:

a) Less Than Significant. Potentially hazardous materials commonly used during the construction of roadways and related facilities include asphalt, cement and motor vehicle fuels and oils. The neat cut and tie-in along the southern Monte Vista Avenue shoulder would likely incorporate hot mix asphalt. Hot mix asphalt is composed of aggregate and asphalt cement (AC), a viscous petroleum product. It cools rapidly and hardens once applied. The low potential for fire hazard associated with this material is eliminated once it hardens. The motor vehicle fuels and oils used during construction activities could present a hazard if spillage were to occur.

The release of hazardous materials into the environment is regulated through existing federal, state and county laws. These regulations require emergency response from local agencies to contain hazardous materials. The Butte County Interagency Hazardous Materials Team responds to hazardous materials emergencies in the project area.

The construction activities associated with the proposed project would be temporary. There would be no increased likelihood of the "routine" transport of toxic materials or substances once the project is completed. According to the Safety Element of the Butte County General Plan, "nearly all" of the hazardous waste that is transported in the County is carried by truck on the state highway system. Once completed, the proposed project would not be a facility that generates or emits hazardous materials. The routine transport, use, generation or disposal of hazardous materials stemming from the proposed project would result in potential impacts that are less than significant.

Mitigation: None Required

b) Less Than Significant With Mitigation Incorporated. Construction activities associated with the project would include refueling and minor onsite maintenance of construction equipment, which could lead to minor fuel and oil spills. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, state, and local laws including California Occupational Health and Safety Administration (CalOSHA) requirements. If any fuel spills occur, they would take place in areas that are largely undeveloped, and spills would be minor. Nevertheless, such spills are considered potentially significant unless mitigation is incorporated. Mitigation Measure 3.6.1, as described in Section 3.6 above (Geology and Soils), requires development of an approved Pollution Control Plan. Implementation of **MM 3.6.1** would ensure less than significant potential impacts resulting from the accidental release of hazardous materials into the environment.

Mitigation: Mitigation Measure 3.6.1

c) Less Than Significant With Mitigation Incorporated. The proposed improvements along the south side of Monte Vista Avenue would provide pedestrian facilities in the vicinity of several schools. Helen M. Wilcox Elementary School is approximately 500 feet south of the project site. Golden Hills Elementary School is approximately 1,000 feet south of the project site. The Las Plumas High School campus is located in the northwest quadrant of the Monte Vista Avenue/Autrey Lane Intersection. Oakdale Heights Elementary School is immediately west of the Las Plumas High School campus.

The CEQA Guidelines (§15186: School Facilities) link PRC §21151.4 and §21151.8 to ensure projects do not impact schools through the emission of toxic substances. The Guidelines refer to the construction of facilities that would be expected to generate potentially significant emissions, not the construction activities themselves. Any potential impacts that could be generated by the project would be temporary, as they would be the result of construction activities, not the long-term functioning of the proposed facilities. The proposed project would not generate the long-term likelihood of increased hazardous emissions. Potential impacts generated by air quality emission and/or the accidental release of toxic substances during construction of the proposed project would be reduced to less than significant levels through implementation of **MM 3.3.1, MM 3.3.2 and MM 3.6.1**. Therefore, with regard to hazardous emissions near a school, the project would generate potential impacts that are considered less than significant with mitigation incorporated.

Mitigation: Mitigation Measures 3.3.1, 3.3.2 and 3.6.1

d-f) No Impact. There are no properties or sites listed on the Cortese list within or near the project location. The nearest listed site, as identified by the Department of Toxic Substances Control (DTSC), is approximately one (1) mile west of the project site.

The project is not located near a public airport, public use airport, or airport land-use plan. The Oroville Municipal Airport is approximately four (4) miles west of the project site. Likewise, the project site is not located near a private airstrip.

The proposed project would result in no impact relative to these potential hazards.

Mitigation: None Required

g) Less Than Significant. The proposed project will not block or restrict a designated evacuation route or access to an emergency facility. Once completed, the project would provide improved pedestrian conditions and a more efficient flow of traffic. The proposed project is expected to reduce pedestrian-vehicle conflicts and related disruptions on the project site. The County Code and CBC address emergency vehicle access to, and passage through, construction sites. Potential emergency response impacts during construction activities would not be significant. Therefore, potential emergency response impacts generated by the proposed project would be less than significant.

Mitigation: None Required

h) Less Than Significant Impact. The project site is an existing roadway and shoulder. The proposed project would not generate structures or dwelling units. There would not be an increase in human populations, either transient or resident, within the project site upon project completion. Through the improvements proposed, emergency response conditions will likely be improved in the project area.

Mitigation: None Required

Conclusion:

There are no potentially significant impacts resulting from hazards or hazardous materials, with the exception of the potential for spillage of materials related to refueling of equipment and oil changing activities. **Mitigation Measures 3.3.1, 3.4.2 and 3.6.1** will ensure that potential impacts are reduced to less than significant levels.

3.8 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Violate any water quality standards or waste discharge requirements?		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		X		
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?		X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X		
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Setting:

Butte County is part of the Sacramento River Basin Watershed. Numerous streams and rivers drain the western slopes of the Sierra Nevada and Cascades, emptying into the Sacramento River. Surface water quality is good to excellent, except for local degradation as streams pass through urbanized areas. Large quantities of high quality ground water exist in the recent alluvial and Tuscan Formation strata of the

valley floor. In the foothill and mountain areas, ground water is generally not abundant and occurs mostly in fracture zones. Various areas of the Sacramento Valley have flooding potential, depending on elevation and proximity to streams and floodplains. Most streams and rivers of substantial flow have been controlled by the construction of levee and diversion systems.

The lands adjacent to Wyman Ravine and WRT2 have been largely identified as flood zones by the Federal Emergency Management Agency (FEMA). The designated flood zone along WRT2 bisects Monte Vista Avenue near the eastern boundary of the APE. The project site is located on Flood Insurance Rate Map (FIRM) 06007C0985D.

According to the Safety Element of the City of Oroville General Plan, the project site is not within the Oroville Dam Inundation Area. Similarly, the Safety Element of the County's General Plan does not identify the failure of water detention facilities as a hazard in the vicinity of the project site.

As first described in the Biological Resources Section of this document (§3.4), the project will be required to adhere to the requirements of §404 and §401 of the Clean Water Act and §1600 of the CA Fish and Game Code. The project will require a National Pollution Discharge Elimination System permit as part of the §401 water quality certification requirements. A §404 permit is contingent on sufficient evidence that a project would not pose a threat to water quality or quantity leaving the proposed project's site. Additionally, the County has adopted the California Building Code (CBC) as part of the development standards set forth in the County Code. Adherence to the building and grading standards of the County Code is indicative of adherence to the standards of the CBC. Adherence to these permitting requirements and building/grading standards would include incorporation of appropriate, site-specific BMPs.

Discussion of Potential Impacts to Hydrology and Water Quality:

a) Less Than Significant With Mitigation Incorporated. The proposed project will require compliance with §401 of the Clean Water Act. Obtaining certification or an agreement from the RWQCB is indicative of potential water quality impacts that would occur at less than significant levels. As identified in §3.4 of this document (Biological Resources), the project will be required to implement **MM 3.4.2**, which would ensure consultation with the RWQCB per §401 of the Clean Water Act prior to construction activities. Additionally, **MM 3.6.1** would ensure the project implements all required storm water pollution control and erosion control BMPs. Implementation of **MM 3.4.2** and **3.6.1** would ensure potential impacts occur at levels that are considered less than significant with mitigation incorporated. **Mitigation: Mitigation Measures 3.4.2 and 3.6.1**

b) No Impact. The project will not require connection to any existing or new water facilities. The project would not result in the construction of new dwellings or structures, water extraction facilities or a substantial increase in impervious surfaces. There would be no impact. **Mitigation: None Required**

c) Less Than Significant With Mitigation Incorporated. This project will require roadway improvements, curb, gutter and sidewalk installation and related infrastructure improvements. The installation of these facilities has the potential to result in erosion and adverse impacts on water quality.

The increased impermeable surface resulting from the additional paved areas may cause a slight increase in the amount of water leaving the site at peak flows. This increase is not substantial when compared to the size of the total watershed. Furthermore, the improvements are proposed in the area of an existing roadway shoulder and residential driveways. The permeability of the hard-packed gravel in the project site is not significantly greater than the proposed facilities.

Metals, oils, greases, and other contaminants from construction activities may run off-site into surface waters. To limit any sediments and pollutants from impacting drainages in the area, project-specific BMPs pursuant to CBC, County and RWQCB standards and standard specifications will be implemented.

Long term soil stability and erosion control will be obtained through mechanical and vegetational methods.

There is the potential for erosion of soils and siltation of waterways as a result of the construction activities and the nature of the proposed project. Construction activities will be performed in accordance with Appendix 33 (Excavation and Grading) of the CBC, as required by Chapter 26 of the County Code, to ensure that development incorporates appropriate design provisions to protect waterways and reduce erosion.

Mitigation Measures 3.3.1, 3.4.2 and 3.6.1 would further ensure the avoidance of potential drainage impacts. The proposed project would generate potential impacts that are less than significant with mitigation incorporated.

Mitigation: Mitigation Measures 3.3.1, 3.4.2 and 3.6.1

d) Less Than Significant With Mitigation Incorporated. Drainage patterns and surface runoff amounts are the result of a number of factors including slope, soil permeability, vegetation, and surface type. Changes to these factors that occur as the result of new development can result in a substantial increase in runoff amounts. Substantial increases in runoff can cause flooding or contribute to flooding in a flood-prone area, exceed the capacity of existing or planned storm water or create new sources of polluted runoff. Pursuant to Chapter 13 of the County Code (Grading and Mining), all projects that propose earth moving activities, which would significantly alter drainage patterns, are required to obtain a grading permit and/or submit a grading and drainage plan. As Public Works projects are exempt from the grading permit process, **MM 3.3.1, MM 3.4.2 and MM 3.6.1** would ensure that applicable design, grading, and wetland mitigation practices be implemented. These mitigation measures would ensure consultation with the RWQCB pursuant to §401 of the Clean Water Act and the RWQCB anti-degradation policy. The project contractor would be required to develop a pollution control plan, with site-specific BMPs identified. Therefore, potential impacts resulting from flooding and polluted runoff would be considered less than significant with mitigation incorporated.

Mitigation: Mitigation Measures 3.3.1, 3.4.2 and 3.6.1

e) Less Than Significant With Mitigation Incorporated. **Mitigation Measures 3.3.1, 3.4.2, and 3.6.1** would ensure that sediment generated by project construction does not result in potentially significant impacts. **MM 3.3.1** requires development of a pollution control plan, subject to County review, to ensure compliance with the CBC and County Code. Consultation and water quality certification from the RWQCB, if required through adherence to **MM 3.4.2**, would ensure that proper design, grading and water quality mitigation practices are implemented pursuant to the Clean Water Act. **MM 3.6.1** requires development of an approved, site-specific pollution control plan with applicable storm water pollution and erosion control BMPs. As such, there will be a less than significant impact resulting from flooding and polluted runoff. Thus, the standard conditions of approval and the mitigation measures identified in this section would ensure less than significant potential impacts.

Mitigation: Mitigation Measures 3.3.1, 3.4.2, and 3.6.1

f) Less Than Significant Impact. Please see the preceding discussion of permits and requirements related to water quality. The permitting requirements of the USACE and the RWQCB are intended to ensure projects do not generate water quality or quantity impacts. Adherence to the additional standards set forth by the CBC and the County Code would further ensure the project does not generate potentially

significant impacts. Therefore, the proposed project would generate potential impacts considered less than significant.

Mitigation: None Required

g) No Impact. The proposed project includes roadway sidewalk and drainage improvements. It would not place any housing within a 100- year floodplain. There would be no impact.

Mitigation: None Required

h) Less Than Significant Impact. A portion of the project site is within an area delineated with an “A” prefix on the corresponding FIRM. This area of the project site coincides with WRT2. No occupied structures or dwellings are proposed as part of the project. The proposed facilities include roadway, sidewalk, and drainage improvements. The project would be required to adhere to the Flood Hazard Prevention section of the County Code (Ch. 26, Article IV) as a standard condition of approval. The project would be required to provide certification from a registered engineer that the proposed facilities would not impact flood waters (through increasing flood levels, diverting flood waters, or other means). Furthermore, the proposed project would be required to provide certification that the proposed facilities could withstand likely flows (both hydrostatic and hydrodynamic). Acquisition of the necessary permits, certifications and/or agreements, as described in this study, would ensure less than significant potential impacts.

Mitigation: None Required

i) No Impact. The proposed project includes improvements to the existing roadway and installation of sidewalks and related facilities. It would not expose people or structures to a significant risk of loss of property, injury or death from flooding, including flooding as a result of the failure of a levee or dam. There would be no impact.

Mitigation: None Required

j) No Impact. Seiche, tsunami and mudflow effects have not been recorded in any Butte County reservoirs within the jurisdiction of the State’s Division of Safety of Dams. Additionally there are no reservoirs or other large bodies of water in the vicinity of the proposed project. There would be no impact.

Mitigation: None Required

Conclusion:

The project has the potential to impact hydrology and water quality. However, the mitigation measures set forth in this document (**MM 3.3.1**, **MM 3.4.2** and **MM 3.6.1**) would ensure that potential impacts to hydrology and water quality occur at levels that are considered less than significant.

3.9 LAND USE AND PLANNING

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

Setting:

The proposed project site is in an area of Butte County jurisdiction, south of Oroville. The adjacent land use designations are primarily low and medium density residential. The adjacent zoning district is primarily R-1. The adjacent public schools are within the public/quasi-public district. The project site is almost entirely the existing right of way along the south side of Monte Vista Avenue.

Discussion of Potential Impacts to Land Use and Planning:

a) No Impact. As it proposes pedestrian facilities and related roadway and drainage improvements, this project will not physically divide an established community. Indeed, it is likely to increase connectivity between surrounding residential developments and the adjacent school sites, while improving the safety conditions within the project area. The project would result in no impact.

Mitigation: None Required

b) No Impact. This project does not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project is consistent with the Butte County General Plan, with regard to avoiding or mitigating potential environmental impacts. The project would generate no impact.

Mitigation: None Required

c) No Impact. No adopted habitat conservation or natural community conservation plans would be impacted by the proposed project. There would be no impact.

Mitigation: None Required

Conclusion:

The project would not generate potential impacts relative to land use and planning.

3.10 MINERAL RESOURCES

Would the project:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Setting:

There are no mineral resource sites within the project area. The California Geological Survey’s (Department of Conservation) map “Fifty-Year Aggregate Demand Compared to Permitted Aggregate Resources” (2006) does not identify extraction facilities in the vicinity of the project site. The project area is not identified in the General Plans of Butte County or the City of Oroville as an important mineral resource site.

Discussion of Potential Impacts to Mineral Resources:

a-b) No Impact. No mineral resources or resource recovery sites are known to exist on the project site. There would be no impact.

Mitigation: None Required

Conclusion:

The project would not result in potential impacts to mineral resources.

3.11 NOISE

Would the project result in:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Setting:

Noise is traditionally defined as “unwanted” sound. The magnitude of sound, whether wanted or unwanted, is usually described by sound pressure (a dynamic variation in atmospheric pressure). The human auditory system is sensitive to fluctuations in air pressure above and below the barometric static pressure. These fluctuations are defined as sound when the human ear is able to detect pressure changes within the audible frequency range. The ambient noise in the project area is generated primarily by traffic on Monte Vista Avenue.

The sound level at a particular instant is not likely to be a good measure of noise levels that vary in both time and space, such as noise generated by a mobile source. To better accommodate and assess the time varying noise levels typically associated with traffic patterns, a time-averaged, single-number descriptor known as the “Level equivalent” (L_{eq}) is frequently employed. The L_{eq} is expressed in decibels (dBA) and represents the average energy content of sounds over a specified time period. It includes both steady background sounds and transient, short-term sounds. It represents the level of a steady sound which, when averaged over the sampling period, is equivalent in energy to the time-varying (fluctuating) sound level over the same period of time.

Discussion of Potential Impacts related to Noise:

a-d) Less Than Significant. During the construction phases of the project, noise from construction activities will temporarily and intermittently dominate the noise environment in the immediate area of construction. Construction noise is regulated by state and county regulations, which include CBC standards for construction-generated noise attenuation. Noise levels generated during construction shall

comply with applicable local, state, and federal regulations and all equipment shall be fitted with adequate mufflers according to the manufacturer's specifications.

Table 3 summarizes typical noise levels produced by construction equipment commonly used on roadway construction projects. As indicated, equipment involved in construction is expected to generate noise levels ranging from 70 to 90dBA at a distance of 15 meters (50 feet). Noise produced by construction equipment would be reduced over distance at a rate of 6dBA per doubling of distance.

Table 3: Maximum Decibels at 50 feet

Equipment	Maximum dBA	Equipment	Maximum dBA
Scrapers	89 dBA	Backhoes	80 dBA
Bulldozers	85 dBA	Pneumatic tools	85 dBA
Heavy Trucks	88 dBA	Concrete pump	82 dBA

Source: Federal Transit Administration, 1995

By adhering to existing noise attenuation standards, which is a standard condition of project approval, there will be a less than significant impact resulting from construction-related noise.

The type of construction activities on the project site will be primarily surface grading and leveling. There are not expected to be any pile driving activities. The proposed construction activities are not expected to generate excessive groundborne noise or vibrations. Construction-generated noise would cease upon project completion. There would be less than significant potential impacts.

Substantial permanent increases in ambient noise levels in the project vicinity above levels existing without the project are not expected to occur. The proposed project would promote increased non-vehicular commutes to and from the area schools. As such, traffic-generated noise may decrease as a result of the proposed project. Noise impacts from construction related activities will end once the project is complete.

Temporary or periodic noise levels may be increased in the area as a result of this project. Construction activities would be required to adhere to construction activity noise standards, such as proper equipment maintenance and limiting the hours of noise-generating activities.

The proposed project would result in potential noise-related impacts that are less than significant.

Mitigation: None Required

e, f) No Impact. The site is not located within two (2) miles of an airport. People working on the project site would not be exposed to excessive noise impacts from airport activities. Similarly, the site is not located in the vicinity of a private airstrip. People working on the project site will not be exposed to excessive noise levels from private airstrips. The proposed project would result in no impact.

Mitigation: None Required

Conclusion:

Potential impacts resulting from project-related noise would be limited to the construction phase, temporary and intermittent in nature. The project would not result in permanent increases in noise levels, nor would it create structures or residences subject to indoor and outdoor decibel thresholds. The proposed project would result in potential noise impacts that would be less than significant.

3.12 POPULATION AND HOUSING

Would the project:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Setting:

The project involves pedestrian facilities and related improvements to a roadway in a residential area of the county. The proposed project is consistent with the Safe Routes to School program. The project would not increase development capacity of, or access to, undeveloped land. The proposed project would not install infrastructure that could result in increased growth patterns.

Discussion of Potential Impacts to Populations and Housing:

a - c) No Impact. The project would involve sidewalk, curb/gutter and roadway improvements. There are no new homes, structures, or extensions of roadways associated with this project. Therefore there would be no impact by inducing population growth.

The proposed project would not displace any homes. Similarly, it would not displace any people or necessitate the construction of replacement housing.

Relative to population and housing, the proposed project would generate no impact.

Mitigation: None Required

Conclusion:

There would be no population and housing impacts as a result of the project.

3.13 PUBLIC SERVICES

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:	Potentially Significant	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

Setting:

The project is located in a residential area of County jurisdiction, south of Oroville. There are several utilities, both overhead and underground within the project area. The project proposes curb, gutter, sidewalk and roadway improvements. Underground utilities may require relocation to accommodate the proposed improvements. Construction activities, including signage, traffic control and emergency access, will be conducted pursuant to CBC and County standards. Chapter 10 of the County Code (Highways and Streets) identifies emergency vehicle access standards for construction sites. Once completed, the project is expected to improve level of service, safety and general traffic/pedestrian conditions within the project area.

The proposed project would not construct dwelling units, buildings, businesses, or other similar facilities that would result in an increased human population in the project area. Thus, the project is not expected to result in increased demand on public, solid waste, storm water, wastewater or other similar services.

Discussion of Potential Impacts to Public Services:

a - e) Less Than Significant Impact. Temporary delays to roadway traffic would be likely during project construction. However, emergency vehicles will be given the right of way in the event of their presence at the project site.

No changes in fire protection are proposed as part of this project. No changes in police protection are proposed as part of this project. The project would result in improved access to nearby schools. When completed, the project is expected to improve the safety conditions per Safe Routes to School standards. The proposed project would not add to the population in the region. It would not result in the construction of recreational facilities, nor would it affect the need for parks in the area.

Mitigation: None Required

Conclusion:

The proposed modifications and improvements along the south side of the Monte Vista Avenue roadway would require acquisition of the appropriate permits and agreements, pursuant to §404 and §401 of the Clean Water Act and §1600 of the CA Fish and Game Code. The project would not increase the demand on public services or result in changes to existing service providers in the project area. Potential impacts would be less than significant.

3.14 RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Setting:

The project site is located in an area of County jurisdiction, south of Oroville. The project does not propose dwelling units, businesses or other structures that might increase the area’s human population. The project would improve pedestrian, drainage and traffic conditions in the vicinity of public schools, which may be used recreationally during non-school hours. However, the demand for recreational facilities in the area would not change upon project completion.

Discussion of Potential Impacts to Recreation:

a, b) No Impact. The project does not involve the construction of residences or other structures that would be inhabited, occupied or used by people. Therefore, it would not generate an additional demand for parks and recreational facilities.

The project does not include the development of recreational facilities, or other structures that would necessitate the development of additional recreational facilities.

Mitigation: None Required

Conclusion:

The project would have no impact relative to recreation issues.

3.15 TRAFFIC AND TRANSPORTATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Setting:

The project is proposed in a residential area of Butte County jurisdiction. Monte Vista Avenue is an important east-west connection between the residences to the east of the project site and Lincoln Boulevard to the west. Weekday traffic volumes tend to increase notably during the morning and afternoon hours due to the proximity of the area's schools.

The proposed project would improve the south side of the existing Monte Vista Avenue segment within the project site. The improvements are proposed within the Safe Routes to School framework, which would ensure the facilities are constructed to applicable standards. For example, the proposed pedestrian facilities would be constructed to current ADA design standards. Similarly, the proposed improvements would be constructed according to applicable County and Caltrans design standards.

Discussion of Potential Impacts to Traffic and Transportation:

a) Less Than Significant. The project would not generate additional traffic as it would not construct facilities, residential, commercial or otherwise, that would generate additional vehicular traffic. The project is designed to alleviate congestion, drainage and safety deficiencies that have been identified at the project site. The project is not expected to result in additional vehicular trips or impacts to the area's levels of service. Congestion and safety conditions are expected to improve upon project completion. Thus, these potential traffic impacts would be less than significant.

Mitigation: None Required

e) Less Than Significant. Emergency vehicles could experience delays in the project area during the construction phase. However, emergency vehicle access to, and passage through, the project site would be ensured through adherence to applicable standards. As described in Section 3.13 of this document (Public Services), the project will be required to adhere to pertinent construction site standards, including those of the County Code and the CBC. Temporary traffic control activities during the construction phase of the proposed project would not prevent emergency vehicle movement throughout the area. Upon completion, the project will allow for safer passage, loading and smoother flow for emergency vehicles.

Mitigation: None Required

b, c, d, f, g) No Impact. As previously described, the Safe Routes to School programs promote non-vehicular commutes to and from schools. Consistency with the state and federal programs is indicative of improved traffic/pedestrian conditions following project completion. The proposed project is intended to promote increased pedestrian, bicycle and other non-vehicular commutes to the area schools. The proposed facilities would also improve the safety conditions within the project area by lessening potential vehicle/pedestrian conflicts.

The proposed project would construct improvements along an existing roadway shoulder. Oroville's municipal airport, which is over four miles west of the project site, is the nearest airport. There are no airports or private airstrips in the vicinity of the project area.

The purpose of the project is to improve the pedestrian, drainage and traffic conditions of an intersection the adjacent roadway. When completed, the project would provide separate pedestrian facilities and smoother flow for vehicles. Additionally, the project is intended to rectify existing deficiencies, consistent with the Safe Routes to School programs. Upon completion, access to area schools, intersection safety and the area's drainage conditions are expected to be improved over pre-project conditions.

The project would not create the need for onsite or offsite parking. The improved connectivity between area schools and residential developments is expected to improve non-vehicular movement within the project area. The project proposes pedestrian facilities and related improvements that would make the project site safer for use by bicyclists and pedestrians. The proposed improvements would also make driving easier for busses and other public transit vehicles that may use the roadway. The proposed project would create a pedestrian and bicycle link to existing and proposed school access facilities in the area.

Mitigation: None Required

Conclusion:

The project would have no significant adverse impacts on transportation. The proposed project would improve traffic flow and make travel safer for motor vehicles, bicyclists and pedestrians in the project area. Pursuant to Safe Routes to School requirements, the project would bring conditions up to applicable design and safety standards, including ADA compliance. Therefore, the proposed project would generate potential traffic impacts that are less than significant.

3.16 UTILITIES AND SERVICE SYSTEMS

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

Setting:

The project would not generate wastewater or solid waste products. The project would not generate structures, such as dwellings or businesses, which would create additional demand on potable water supplies.

Discussion of Potential Impacts to Utilities and Service Systems:

a, b, d-g) No Impact. The project would not include any uses that would require increased wastewater treatment or solid waste disposal. The proposed south side roadway and sidewalk improvements would not generate impacts relative to landfill capacity, wastewater treatment or solid waste generation. Therefore, there would be no impact.

Mitigation: None Required

c) Less than Significant with Mitigation Incorporated. The project would not require expansion of stormwater facilities outside the project site. Roadside drainages located in the project area may be temporarily disturbed during construction activities. The applicable permitting and agreement requirements of the USACE, RWQCB and the DFG are required by **MM 3.4.2** of this document. Pursuant to the performance standards of the regulatory agencies, the project would not be permitted to affect the quantity or quality of the storm water leaving the project site. Improved onsite drainage is a major component of the proposed project. The proposed curb, gutter and drainage improvements are

intended to address existing drainage deficiencies within the project site. Adherence to applicable design standards and approval from pertinent agencies having jurisdiction, as identified in this study, would ensure potential impacts that are less than significant with mitigation incorporated.

Mitigation: Mitigation Measure 3.4.2

Conclusion:

Impacts to public utilities as a result of the proposed project would be less than significant.

3.17 MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion of Mandatory Findings of Significance Potential Impacts:

a) Less Than Significant With Mitigation Incorporated:

Construction activities could contribute to fugitive dust and air quality degradation. **MM 3.3.1** would reduce potential fugitive dust impacts potential to a level of less than significant. **MM 3.3.2** would reduce potential NOx emissions to a level considered less than significant. Similarly, the project’s potential impacts generated due to the proximity of sensitive receptors (area schools) would be reduced to less than significant levels through implementation of **MM 3.3.1** and **MM 3.3.2**.

Project-related activities could negatively impact special status species, habitat, and water features. **MM 3.4.1** would ensure less than significant impacts to special-status migratory birds and raptors. **MM 3.4.2** would ensure potential impacts to jurisdictional waters remain at levels that are less than significant. **MM 3.4.1** and **MM 3.4.2** would ensure less than significant impacts to migratory corridors and nursery sites.

Construction activities have the potential to disturb undocumented cultural resources and/or human remains. **MM 3.5.1** and **MM 3.5.2** are provided to reduce the significance of potential impacts to levels that are less than significant.

Project construction could generate impacts from soil erosion, storm water pollution and the loss of topsoil. **MM 3.3.1**, as identified in the Air Quality section, would ensure implementation of applicable fugitive dust control measures. **MM 3.4.2**, as identified in the Biological Resources section, would ensure project approval from the USACE and RWQCB per the Clean Water Act. **MM 3.6.1** would require preparation of an approved pollution control plan. In addition, as part of project plans and specifications, the Public Works Department is to prepare final erosion control plans and specifications for post-construction conditions to be implemented by the construction contractor. These measures would ensure erosion, stormwater pollution or siltation potential impacts that are less than significant. Construction related activities have the potential to cause significant impacts resulting from the accidental release of hazardous materials into the environment. Implementation of **MM 3.6.1**, which addresses spill prevention, would reduce potential accidental release impacts to a level of less than significant.

The project is proposed in close proximity to several schools. **MM 3.3.1, MM 3.3.2 and MM 3.6.1** would ensure the potential impacts are less than significant relative to hazardous materials being generated in the vicinity of area schools during construction activities.

Project related activities have the potential to violate water quality, drainage, erosion and/or siltation standards. **MM 3.3.1, MM 3.4.2 and MM 3.6.1** are set forth in the Air Quality, Biological Resources and Geology and Soils sections respectively. These measures would ensure adherence to §404 of the Clean Water Act, §401 of the Clean Water Act and §1600 of the state Fish and Game Code. The measures would also require an approved pollution control plan to include all applicable storm water pollution and erosion control BMPs prior to issuance of a notice to proceed to the construction contractor. Thus, these potential impacts would be reduced to a level that is less than significant.

b) Less Than Significant. As a Safe Routes to Schools project, the anticipated long-term effects of the proposed improvements are primarily beneficial in nature. The anticipated benefits include improved pedestrian facilities, fewer pedestrian-vehicle conflicts, increased non-vehicular school commutes, improved drainage and ADA compliance. These improvements are consistent with applicable Safe Routes to School requirements and the performance standards of the agencies having jurisdiction within the project site. Non-vehicular access to the area's public schools will be better delineated, more direct and safer in nature. The project would not contribute to population increase, or an increase in demand for public facilities and services.

Mitigation: None Required

c) Less Than Significant With Mitigation Incorporated. The Air Quality and Hazards/Hazardous Materials Sections of this study identify potential environmental effects that could cause hazards to human beings in the project area. **MM 3.3.1** requires implementation of all applicable BMM in compliance with Chapter 13 of the County Code and BCAQMD Rules 200 and 205. This measure will reduce air quality nuisances and fugitive dust impacts to less than significant levels. **MM 3.3.2** requires preparation of an approved NOx reduction plan that is to ensure a level reasonable control. Potential impacts resulting from the accidental release of hazardous materials during construction activities were identified in the Hazards/Hazardous Materials section. However, **MM 3.6.1** would ensure these potential impacts are reduced to less than significant levels through development of an approved pollution control plan.

Adherence to applicable Caltrans and California Building Code (CBC) standards and specifications will ensure less than significant impacts related to the potential for strong seismic ground shaking. The project would be required to adhere to CBC and County construction activity standards, which describe appropriate signage and traffic control actions for construction sites. The project would be required to adhere to the applicable design and safety standards of the CBC. The project proposes to bring the site up to applicable ADA standards pertaining to sidewalks, curbs, tie-ins and related facilities.

Through implementation of the required mitigation measures and adherence to the standard conditions of approval of the regulatory agencies, as identified in this document, the project would result in potential impacts that are less than significant.

Conclusion:

The project will be required to adhere to the relevant standards, regulations and policies of all local, regional, state and federal agencies, as described in this document. Through observation of the standard conditions of approval, adherence to existing design and construction standards and the implementation of the mitigation measures identified in this document, potentially significant impacts related to the project would be reduced to a level that is less than significant.

4. DETERMINATION

4.1 DETERMINATION

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	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 the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

Signature:	Date:
Printed Name: Mike Crump Title: County of Butte Director of Public Works	