



**CITY OF OROVILLE
COMMUNITY DEVELOPMENT DEPARTMENT**

**INITIAL STUDY / MITIGATED NEGATIVE
DECLARATION**

FOR

**PURPLE LINE URBAN WINERY EXPANSION
(APNs: 012-290-006, 012-290-007 & 012-290-008)**

**USE PERMIT NO. 12-09 AMENDMENT
GENERAL PLAN AMENDMENT NO. 16-01**

September 14, 2016

1. ENVIRONMENTAL CHECKLIST

PROJECT INFORMATION													
1. Project Title:	Purple Line Urban Winery Expansion (UP 12-09 Amend & GPA 16-01)												
2. Lead Agency Name and Address:	City of Oroville, 1735 Montgomery Street, Oroville, CA 95965												
3. Contact Person and Phone Number:	Luis A. Topete, (530) 538-2408 or topetela@cityoforoville.org												
4. Project Location:	760 Safford Street (APN: 012-290-006); 0.23 acres 790 Safford Street (APN: 012-290-007); 0.14 acres Undeveloped Lot (APN: 012-290-008); .040 acres												
5. Project Sponsor's Name and Address:	George and Katherine Barber, 1218 Montgomery St, Oroville, CA 95965												
6. General Plan Designation:	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 33%;">Parcel</th> <th style="width: 33%;">Existing</th> <th style="width: 33%;">Proposed</th> </tr> </thead> <tbody> <tr> <td>012-290-006</td> <td>RBS</td> <td>RBS</td> </tr> <tr> <td>012-290-007</td> <td>MHDR</td> <td>RBS</td> </tr> <tr> <td>012-290-008</td> <td>MHDR</td> <td>RBS</td> </tr> </tbody> </table> <p style="font-size: small; margin-top: 5px;">* RBS: Retail and Business Services; MHDR: Medium High-Density Residential (14-20 du/acre)</p>	Parcel	Existing	Proposed	012-290-006	RBS	RBS	012-290-007	MHDR	RBS	012-290-008	MHDR	RBS
Parcel	Existing	Proposed											
012-290-006	RBS	RBS											
012-290-007	MHDR	RBS											
012-290-008	MHDR	RBS											
7. Zoning:	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 33%;">Parcel</th> <th style="width: 33%;">Existing</th> <th style="width: 33%;">Proposed</th> </tr> </thead> <tbody> <tr> <td>012-290-006</td> <td>C-2</td> <td>C-2</td> </tr> <tr> <td>012-290-007</td> <td>R-3</td> <td>C-2</td> </tr> <tr> <td>012-290-008</td> <td>R-3</td> <td>C-2</td> </tr> </tbody> </table> <p style="font-size: small; margin-top: 5px;">* C-2: Intensive Commercial; R-3: High-Density Residential ** Properties lie within the City's Downtown Historic Overlay (DH-O)</p>	Parcel	Existing	Proposed	012-290-006	C-2	C-2	012-290-007	R-3	C-2	012-290-008	R-3	C-2
Parcel	Existing	Proposed											
012-290-006	C-2	C-2											
012-290-007	R-3	C-2											
012-290-008	R-3	C-2											
8. Description of Project:	See "Project Description" (Page 6).												
9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)	See "Project Description" (Page 7).												
10: Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement)	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 60%;">Agency</th> <th style="width: 40%;">Permit/License</th> </tr> </thead> <tbody> <tr> <td>Department of Alcoholic Beverage Control</td> <td>Sale of Alcohol</td> </tr> <tr> <td>Butte County Environmental Health</td> <td>Retail Food</td> </tr> </tbody> </table> <p style="font-size: small; margin-top: 5px;">* Additional subsequent approvals and other permits may be required from local, regional, State, and federal agencies for additional project characteristics not known at this time.</p>	Agency	Permit/License	Department of Alcoholic Beverage Control	Sale of Alcohol	Butte County Environmental Health	Retail Food						
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Department of Alcoholic Beverage Control	Sale of Alcohol												
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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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



Signature

09.14.16

Date

DONALD RUST

Printed Name

Community Development Director

Title

city of orville

Agency

EVALUATION OF ENVIRONMENTAL IMPACTS

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

2. PROJECT DESCRIPTION

The project applicants, George and Katherine Barber, have applied for an amendment to Use Permit (UP) 12-09, a General Plan Amendment (GPA) 16-01, and a lot merger for the parcels identified as APNs: 012-290-006, 012-290-007 and 012-290-008. UP 12-09 was initially approved by the Planning Commission on April 22, 2013 for the construction of an urban winery and tasting room at 760 Safford Street (APN: 012-290-006). The property needed extensive improvements to become suitable for the intended use, including interior renovation, insulation, climate control, landscape improvements, security improvements to the fence, a security system for the building and improvements to the parking lot. Additionally, the small front office within the existing building was increased in size and remodeled into a suitable tasting room and storefront with ADA accessibility. The warehouse portion of the building is the location for making and storing wine and wine related equipment and products. As part of the approval for UP 12-09, the Planning Commission simultaneously approved GPA 12-01 and Rezone (ZC) 12-02 changing the General Plan land use designation of Medium High Density Residential (14-20 du/acre) to Retail and Business Services (RBS) and a Zoning designation of Medium Density Residential (R-2) to Intensive Commercial (C-2) for the ability to conduct commercial wine sales with a tasting room at 760 Safford Street, subject to the approval of a use permit (UP 12-09).

The property owners have since purchased 790 Safford Street (APN: 012-290-007), developed with an existing single-family home, and the adjacent undeveloped lot identified as APN: 012-290-008. The applicants have applied to merge these parcels with the existing winery. Both APN: 012-290-007 and 012-290-008 have a current General Plan designation of Medium High Density Residential (MHDR) and Zoning designation of High-Density Residential (R-3). As split zoning is not permitted on a single parcel, a recommendation will be forwarded to the Planning Commission to extend the C-2 Zoning designation of 760 Safford Street onto what is currently APN: 012-290-007 and 012-290-008 once the parcels are merged. To ensure consistency between the Zoning designation and underlying General Plan land use designation, the applicants have applied for a General Plan Amendment (GPA 16-01) to change the General Plan land use designation from MHDR to RBS.

The proposed expansion of the winery's operations onto APN: 012-290-007 and 012-290-008 includes the following:

Proposed Construction Activities

- Rehabilitating the existing single-family home at 790 Safford Street (APN: 012-290-007) to use as a commercial kitchen to cater events at the winery. Two bedrooms will remain and construction activities include new siding, a pitched roof, plumbing, electrical, and other repairs as needed.
- Eventual construction of 2,500 square feet of additional storage and processing space. Once built, most of the processing will take place in this new space.
- Construction plans include landscaping the entire outdoor space with plantings similar to the current landscaping at 760 Safford Street with the addition of grape plantings along the fence lines to enhance the "winery" look and feel. Proposed plantings include Russian sage, salvia grapes, pistache and Chinese maple trees, dogwood and silk trees.
- Landscaping will also include lawn areas for picnics and seating areas to be used for weddings, small venue concerts and other outside events.
- A water feature is also being proposed to provide additional photo opportunities during weddings and private events and as a sound barrier from traffic noise.
- Construction of a gazebo and two new bocce ball courts.
- Additional parking lot on the northwest section of the project site with an access driveway from Feather River Boulevard.

Additional Uses Proposed

- The additional space will be used for outdoor events, such as bocce ball leagues, weddings, small venue concerts, private parties/gathers, other festive gatherings/celebrations, etc., in

connection to the sale of alcoholic beverages through the winery. This space will be offered as rental space for such events.

- Applicants are considering kayak and bicycle rentals because of the project's proximity to the Feather River and local parks.
- The applicants have been approached by Butte College to use the winery as part of the education process in the viticulture curriculum.
- The applicants have also been approached by local vineyard operators to provide custom crush services, including making wine for other wineries and private consumers (private label). The applicants' current facility does not allow for this service to be offered due to the limited processing space. The proposed expansion will facilitate the increase in processing and bring additional revenue to the winery.

Hours of Operation

- Hours of operation will typically be five days per week (Wednesday – Sunday) from noon to 8:30pm.
- During concerts, bocce ball league events and private parties, closing times will be 10:00pm.

3. SURROUNDING LAND USES AND SETTING

The project site is located within the City's Historic Downtown Overlay and adjacent to Bedrock Park to the north and the Bedrock Skate and Bike Park to the northwest. The project is approximately 300 feet from the Feather River to the north. Directly to the west there are multi-family residences with two single-family residences directly to the east and the Feather River Recreation and Park District tennis courts across the street from the residences to the east and approximately 250 feet from the project site. Directly south of the property there are two apartment complexes and other multi-family and single-family residences, with an auto-body shop to the southwest of the project. Additionally, the project site is approximately 0.33 miles away from Highway 70 to the west, 0.25 miles to Rotary Park to the east, 0.5 miles from Riverbend Park to the west, and 0.6 miles to the Centennial Plaza and Municipal Auditorium to the east. In general, the property is surrounded by public uses to the north, residential and public uses to the east, residential uses to the southeast, retail and other business services to the southwest, with undeveloped land, Highway 70, and public uses to the west. The large 12.9 acres of mostly undeveloped property between the project site and Highway 70 is the City's Gateway Project area which is planned to be a large commercial development to serve as a destination point for recreational tourism and representing the entrance to Oroville's historic downtown.

Properties directly to the north and northwest of the project site are zoned Quasi / Public Quasi (PQ), R-3 to the east and southeast (including the single family homes), Limited Commercial (C-1) to the south and southwest (includes the multi-family residential properties), and R-3 to the west. Per the existing land use designations in the City's 2030 General Plan, properties directly to the north and northwest of the project site have a land use designation of Park, Medium High Density Residential (14-20 du/acre) to the east and southeast (including the single family homes), RBS to the south and southwest (includes the multi-family residential properties), and Medium High Density Residential to the west. Approximately 200ft to the west, just on the other side of the multi-family residences, the General Plan land use designations of the properties are RBS with a C-2 Zoning and these designations continue south along Feather River Boulevard.

Figure 1 – Vicinity Map

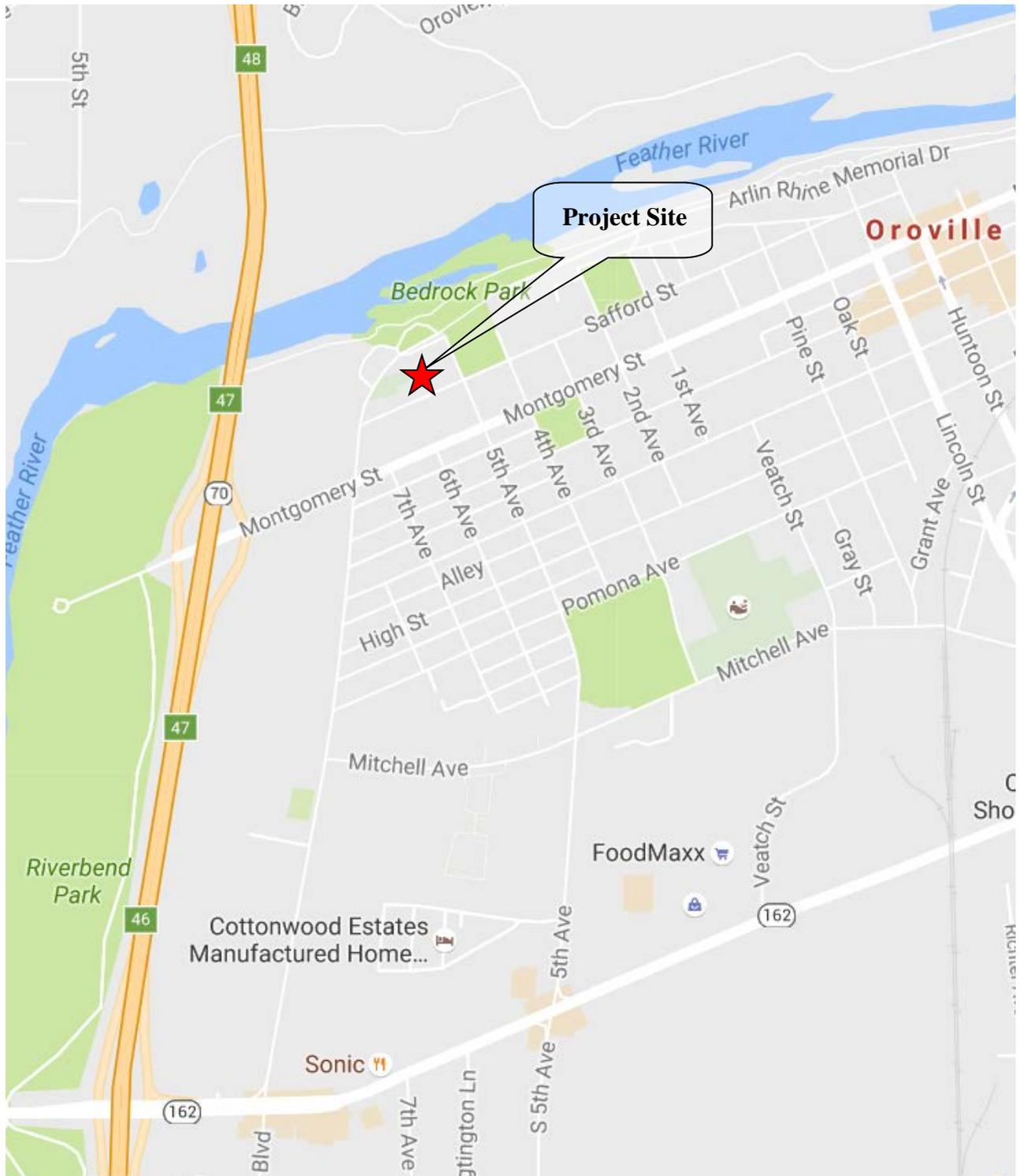


Figure 2 – Vicinity Map (Aerial)

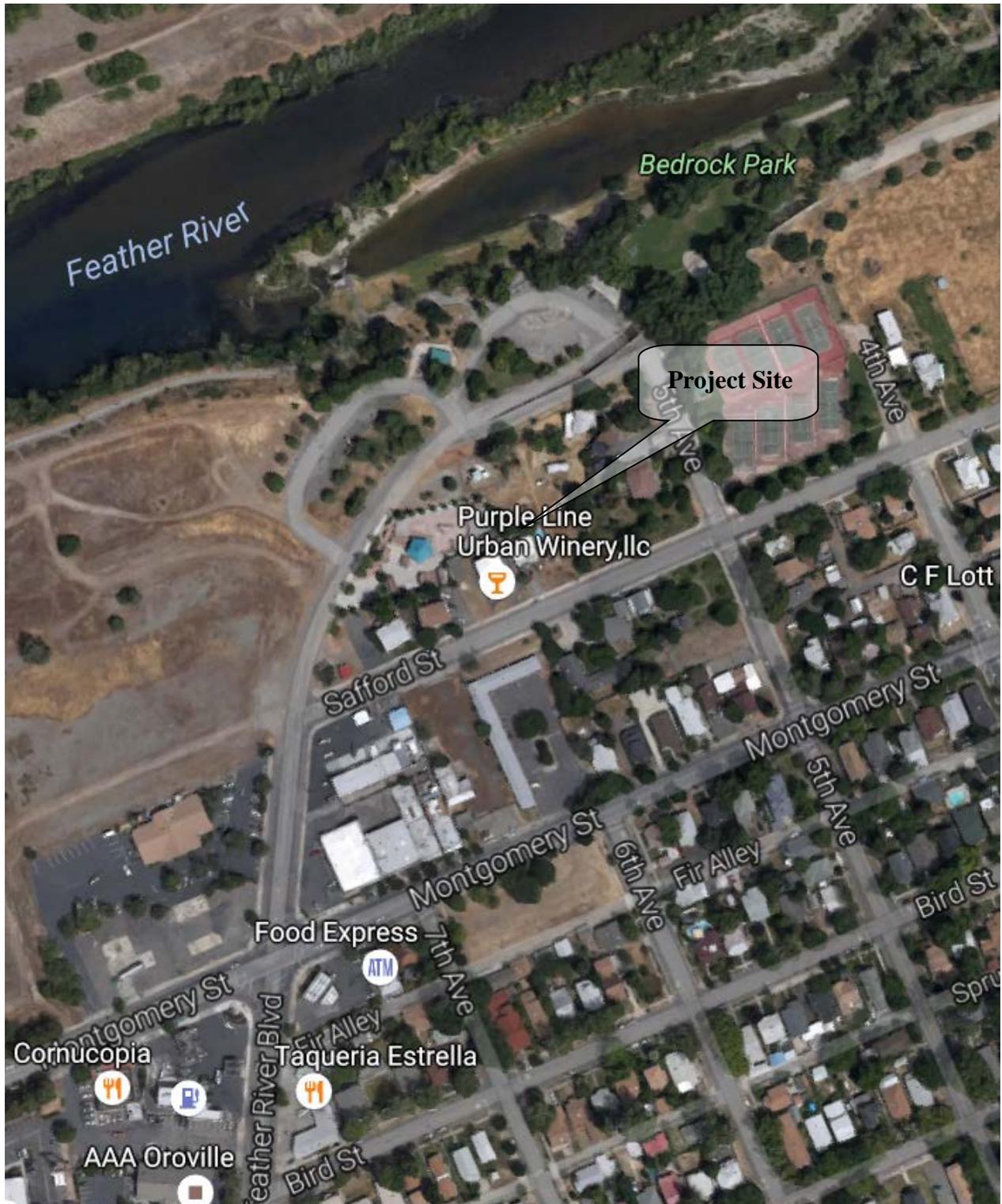
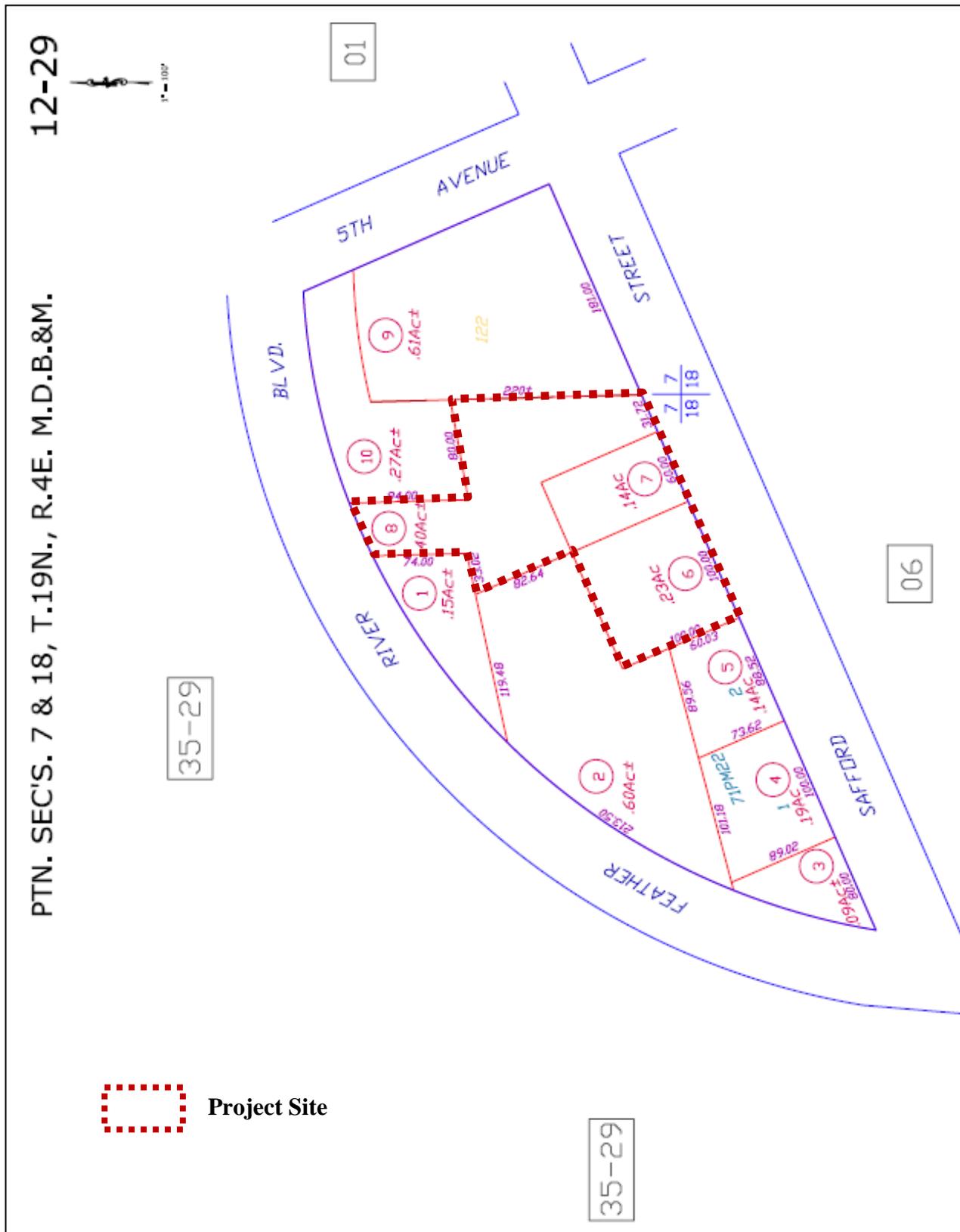


Figure 3 – Parcel Map



4. ENVIRONMENTAL CHECKLIST

4.1 AESTHETICS

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

DISCUSSION OF IMPACTS

a) *Would the project have a substantial adverse effect on a scenic vista?*

The City's 2030 General Plan Environmental Impact Report (GPEIR) addresses impacts on scenic vistas on pages 4.1-13 through 4.1-14, with views of the Feather River and Table Mountain of principle concern. There is no existing visibility of the Feather River from the project site. With existing vegetation and structures both onsite and in the surrounding vicinity, visibility of Table Mountain is minimal. Any new construction will be required to comply with all current development standards, including maximum height restrictions. The proposed project includes a relatively low level of site coverage, compared to what could be built, through ministerial review, under existing development standards. Therefore, the proposed project will have a **less than significant** effect on scenic vistas.

b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?*

There are currently no State-designated scenic highways in the Oroville Planning Area. Consequently, projects under the jurisdiction of the City of Oroville have no potential to impact scenic resources within a state designated scenic highway. Therefore, there is **no impact** to scenic resources within a State scenic highway.

c) *Would the project substantially degrade the existing visual character or quality of the site and its surroundings?*

The GPEIR addresses impacts on visual character on pages 4.1-10 through 4.1-14. The GPEIR found this impact to be less than significant based on implementation of policies and actions under Goals CD-1, CD-2, CD-5, and CD-6 of the 2030 General Plan. The project site and surrounding neighborhood, although not entirely built-out, lie in an urban environment. No improvements are proposed to the existing winery, however improvements are proposed to APN: 012-290-007 which has record of code enforcement violations for nuisance abatement, weed abatement and sub-standard housing. Thus, the proposed improvements to this property will improve the visual character and quality of this property. APN: 012-290-008 is currently vacant and also has a history of code enforcement violations regarding

weed abatement. As the proposed project includes the use of underutilized/vacant property for the expansion of a prospering business that will have to comply with the City's minimum development standards, including landscaping, the proposed improvements will improve the existing visual character and quality of the site and its surrounding. Therefore, this impact is considered to be **less than significant**.

d) *Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?*

The GPEIR addresses light and glare impacts on page 4.1-14. The GPEIR found this impact to be less than significant based on implementation of a policy under Goal OPS-5 of the 2030 General Plan which includes a policy (P5.4) to protect views of the night sky, minimize the effects of light pollution, and reduce day-time glare. In accordance with the GPEIR, the City's Municipal Code, Chapter 17 (Zoning Code), specifies performance standards for outdoor lighting on private property that all private developments are required to comply with. Such requirements include appropriate shielding to direct light away from the sky, surrounding properties and streets, and for reflections or glare outside of the subject property to be minimized. For sites, such as this project, that are within or adjacent to a residential district, or are separated by a street from a residential district, no light source shall produce an illumination level in the residential district greater than one-quarter foot-candle at any point measured 25 feet horizontally from the subject property. Thus, the City's lighting standards for private property minimize new sources of light or glare to a level that is considered **less than significant**.

4.2 AGRICULTURE AND FORESTRY RESOURCES

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

ENVIRONMENTAL SETTING

The 2030 General Plan specifies the Resource Management land use designation as areas primarily devoted to agricultural use. Agriculture is limited within the Oroville city limits, accounting for only 17 acres. Agricultural lands are typically used for row crops, orchards, and grazing. Grazing and pasture land account for most of the agriculture in the Oroville area, with much of the remainder in citrus and olive orchards. Figure 4.8-21 on page 4.8-21 of the GPEIR illustrates the location of agricultural lands in Oroville and Table OPS-1 specifies that there are no forest or

timberlands in Oroville. The GPEIR provides a comprehensive background on Agricultural Resources for Oroville, including regulatory background.

DISCUSSION OF IMPACTS

- a) ***Would the project 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?***

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. There would be **no impact**.

- b) ***Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

The project site is not zoned for agricultural use or under a Williamson Act contract. There would be **no impact**.

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

The project site is not zoned for forest or timberland. There would be **no impact**.

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

The project site does not contain forest land. There would be **no impact**.

- e) ***Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?***

The project site is not zoned for agricultural uses, nor is it currently in agricultural use, nor is it a forest land. There are no properties adjacent to or in the immediate vicinity of the project site that are forest lands, nor are there properties adjacent to or in the immediate vicinity zoned for, or currently used as farmland or other agricultural uses. Therefore, there would be **no impact**.

4.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

Oroville is located in south Butte County, within the Sacramento Valley Air Basin (SVAB), which includes Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, Tehama, Yolo, and Yuba counties, the western urbanized portion of Placer County, and the northeastern portion of Solano County. The basin is approximately 14,994 square miles with a population of more than two million people. The SVAB is bounded on the west by the Coast Ranges and on the north and east by the Cascade Range and Sierra Nevada. The San Joaquin Valley Air Basin is located to the south. Oroville, although north of the Sacramento metropolitan area, often suffers from transport of pollutants from the Sacramento area.

The SVAB has a Mediterranean climate characterized by hot, dry summers and cool, rainy winters. During summer, the wide, flat expanse of the Sacramento Valley provides an ideal environment for the formation of photochemical smog. Hot, cloudless days of low-velocity winds allow sunlight to combine with photochemically reactive hydrocarbons, or ozone precursors (reactive organic gases [ROG]), along with nitrogen oxides (NOx) produced throughout the Valley, resulting in an increase in ozone, particularly during late afternoons. Winds arising later may help dispel pollutants, but may also transfer it to other areas. There are no monitoring stations within the City of Oroville. The closest monitoring stations are in Chico and Paradise.

The SVAB's climate and topography contribute to the formation and transport of photochemical pollutants throughout the region. The region experiences temperature inversions that limit atmospheric mixing and trap pollutants, resulting in high pollutant concentrations near the ground surface. Generally, the lower the inversion base height from the ground and the greater the

temperature increase from base to top, the more pronounced the inhibiting effect of the inversion will be on pollutant dispersion. Consequently, the highest concentrations of photochemical pollutants occur from late spring to early fall, when photochemical reactions are greatest because of more intense sunlight and the lower altitude of daytime inversion layers.

The Butte County Air Quality Management District (BCAQMD) provides Butte County's current attainment status, for both state and federal designations, as follows:

Butte County Ambient Air Quality Attainment Status - September, 2014		
Pollutant	State Designation	Federal Designation
1-Hour Ozone	Nonattainment	---
8-Hour Ozone	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
24-Hour PM ₁₀	Nonattainment	Attainment
24-Hour PM _{2.5}	No Standard	Nonattainment
Annual PM ₁₀	Attainment	No Standard
Annual PM _{2.5}	Nonattainment	Attainment

* Source: BCAQMD 2014 CEQA Air Quality Handbook; Table ES-1

THRESHOLDS

The BCAQMD 2014 CEQA air quality handbook summarizes BCAQMD's thresholds for criteria air pollutants. Thresholds for criteria air pollutants are based upon District Rule 430 State New Source Review (SNSR), which incorporates stationary permitting significance thresholds for ambient air quality standards as required by California Health and Safety Code Section 40918. The BCAQMD has only established thresholds of significance for criteria air pollutants; while it provides guidance with regards to impacts related to toxic air contaminants, determination of significance is at the discretion of the lead agency and must be based upon substantial evidence in light of the whole of the record for the project in question. Application of the mitigation measures specified in the handbook are considered to reduce the impact to a less-than-significant level.

DISCUSSION OF IMPACTS

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

The California Clean Air Act requires preparation of air quality attainment plans for designated National and/or California Ambient Air Quality Standards nonattainment or maintenance areas. The currently applicable air quality plan for the District is the latest edition of the Northern Sacramento Valley Planning Area Air Quality Attainment Plan (at present, the 2012 Triennial Air Quality Attainment Plan). The BCAQMD 2014 CEQA air quality handbook provides guidance for applicants and lead agencies.

The BCAQMD has adopted screening criteria (Table 4-1) to determine whether or not modeling for criteria air pollutants is necessary. If the screening criteria are met by a proposed project, then further quantification of criteria air pollutants is not necessary and a less-than-significant impact for criteria air pollutants may be assumed. If a project exceeds the size provided by the screening criteria for a given land use type, then the BCAQMD recommends modeling and quantification of criteria air pollutants. For commercial projects of 15,000 square feet or more, BCAQMD recommends the emissions for the project be modeled. The project proposes the construction of an approximately 2,500 square foot storage and processing space, far below the 15,000 square foot threshold.

The greatest source of dust generation and potential air impacts will be during the construction of the approximately 5,000 square foot parking lot and access driveway. However, as project meets the screening criteria whereby further quantification of criteria air pollutants is not necessary, best practice measures to reduce impacts to air quality, and compliance with federal, state, regional and local air quality regulations, polices and rules as identified in the BCAQMD 2014 CEQA air quality handbook will be implemented, the project impacts will be reduced to a level that is considered **less than significant with mitigation incorporated**.

Mitigation Measure:

MM AIR-1: Best Practice Measures and Air Quality Regulations, Policies and Rules

1. The project applicants shall comply with all federal and state air quality regulations, in addition to all regional and local air quality regulations, policies and rules as identified in Appendix A of the District's CEQA Air Quality Handbook (2014), including those relevant to both construction and operational phases of the project, including but not limited to District Rule 200 (Nuisance) and District Rule 205 (Fugitive Dust Emissions).
2. The project applicants shall implement best practice measures as required by federal, state or local regulations to reduce impacts to air quality as found in Appendix C of the District's CEQA Air Quality Handbook (2014).

Responsibility: Project Applicant

Timing: Upon issuance of a grading permit and during construction activities.

Enforcement: City of Oroville / Butte County Air Quality Management District

b) *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Butte County is currently nonattainment for the State and Federal 8-hour ozone standards, the State 1-hour ozone standard, the State PM₁₀ 24-hour standard, the Federal 24-hour PM_{2.5} standard, and the State annual PM_{2.5} standard. Butte County is currently attainment for the State and Federal Carbon Monoxide standard, State and Federal Nitrogen Dioxide standard, State and Federal Sulfur Dioxide standard, Federal PM₁₀ 24-hour standard, State annual PM₁₀ standard, and the Federal annual PM_{2.5} standard. There is no standard for Federal 1-hour ozone, State 24-hour PM_{2.5}, or Federal annual PM₁₀.

Temporary air pollutant emissions associated with the development of the project would consist primarily of motor vehicle exhaust, dust and other emissions due to construction activities. Long-term emissions associated with the project would include those generated by indirect mobile sources (such as automobiles) and indirect stationary sources (such as lawn mowers for landscape maintenance). Reductions in emissions from these sources over time are primarily the product of advances in technologies and new regulations and legislation. As a result of the discussion and mitigation measures identified under item a), impacts to air quality standards are considered **less than significant**.

c) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?*

Butte County is currently nonattainment for the State and Federal 8-hour ozone standards, the State 1-hour ozone standard, the State PM₁₀ 24-hour standard, the Federal 24-hour

PM_{2.5} standard, and the State annual PM_{2.5} standard. The main source of PM₁₀ is dust generated during clearing, grubbing, grading and other construction activities. Impacts to air quality attributable to such construction activities would be temporary and therefore cease once construction is completed. Ozone, the primary ingredient of smog, is not directly emitted as a pollutant, but is formed in the atmosphere when reactive hydrocarbons and nitrogen oxides precursor emissions react in the presence of sunlight.

Per the BCAQMD 2015 Annual Air Quality Report, in Butte County, the two criteria pollutants of greatest concern are ozone (O₃) and fine particulate matter PM_{2.5}. Most recently, the EPA revised the 8-hour ozone standard in 2015. The Air Resources Board approved an 8-hour ozone concentration on April 28, 2005 which became effective in early 2006. In April of 2016, the U.S. EPA took final action to determine that Butte County attained the 2008 federal 8-hour ozone standard with a regulatory design value of 0.074 ppm. This came after years of gradual decline in overall ozone concentrations measured in the Sacramento Valley Air Basin. The U.S. EPA revised the 8-hour ozone standard in October 2015 to 0.070 parts per million (ppm). It is anticipated that Butte County will be designated nonattainment for the 2015 federal ozone standard; however, the U.S. EPA projects that Butte County will attain the 2015 federal ozone standard by 2025 with current emission trends.

Based on 2010-12 final data, EPA took final action in September 2013 to determine that the Chico nonattainment area in Butte County had attained the 2006 24-hour PM_{2.5} National Ambient Air Quality Standard (NAAQS or standard). Air quality data taken in 2015 at the Chico monitoring station exceeded the federal PM_{2.5} standard twice in early 2015. Residential woodsmoke was likely the contributing factor to those exceedances. The Paradise monitor unofficially exceeded the federal PM_{2.5} standard twice in September of 2015. This was likely due to wildfire smoke from the Valley and Butte fires. There were no exceedances of the federal PM_{2.5} standard anywhere in Butte County during the winter of 2015-2016 for the first time since PM_{2.5} monitoring began.

Emissions from the urbanized portion of the basin (Sacramento, Yolo, Solano, and Placer Counties) dominate the emission inventory for the Sacramento Valley Air Basin, and on-road motor vehicles are the primary source of emission in the metropolitan area. As the Sacramento Valley Air basin covers such a large area, development from Sacramento northward need to be included when looking at cumulative impacts. This would include development proposed for Roseville, Rocklin, Lincoln, Wheatland, Marysville, Yuba City, and numerous other cities. When the minimal construction activities that this project involves is considered alongside the other proposed development in the SVAB, the air quality emissions are not cumulatively significant. For the aforementioned reasons, along with the mitigation measures that have been proposed, the project's cumulatively considerable net increase of any criteria pollutant are considered **less than significant**.

d) Would the project expose sensitive receptors to substantial pollutant concentrations?

The BCAQMD 2014 CEQA air quality handbook defines sensitive receptors as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units.

Sensitive Receptor	Approximate Distance from Project Site
Residential Dwelling Units	Adjacent and in Surrounding Area
Bedrock Skate & Bike Park	Adjacent Property
Bedrock Park	250 feet
Feather River Recreation and Park District Tennis Courts	250 feet

Sank Park	680 feet
Rotary Park	1,225 feet
St. Thomas the Apostle Catholic School	1,848 feet
Bird Street Elementary School	2,006 feet
Barton's Infant Center (615 Pomona)	1,800 feet
Barton's Nursery School (645 Pomona)	1,800 feet

The greatest source of dust generation and potential air impacts will be during the construction activities. Although there are sensitive receptors in the immediate vicinity, the project will be required to comply with all appropriate measures during phases of construction, as identified under item a) above, to eliminate or limit the impacts to the sensitive receptors and adjacent properties. As a result of the proposed use of the property, the project is not expected to generate ongoing dust. Therefore, impacts to sensitive receptors due to pollutant concentrations are considered **less than significant**.

e) *Would the project create objectionable odors affecting a substantial number of people?*

Although offensive odors rarely result in health impacts to humans, they can lead to public distress and complaints. Given the somewhat subjective nature of human response to odors, the BCAWMD does not provide quantitative or formulaic methods to evaluate the presence of an impact. The significance of an odor impact is generally related to its intensity with distance from the source. Table 7.1, Screening Levels for Potential Odor Sources, of the BCAQMD's 2014 CEQA Air Quality Handbook represents screening distances for various odors sources. Of the facility types listed (sanitary landfill, wastewater treatment plant, food processing plants, etc.), no facility that substantially describes an urban winery was listed.

The proposed project may cause temporary odors from diesel exhaust. However, these odors would cease after construction is completed. The project includes the crushing of grapes, which can cause odors. However, the operations will take place in an enclosed facility (warehouse) and is only a minor portion of the project, with the majority of the winery expansion comprising the outdoor event venue. Any objectionable odors affecting the project area would fall under the control of local nuisance ordinances for the appropriate action to remedy any potential nuisance related to odor. Therefore, impacts associated with objectionable odors as a result of the project are considered **less than significant with mitigation incorporated**.

Mitigation Measure:

MM AIR-2: Odor Management Plan

1. The project applicants shall submit, to the satisfaction of the Director of Community Development, an odor management plan demonstrating how potential odors will be managed to ensure the crushing/processing operations do not produce objectionable odors.

Responsibility: Project Applicant

Timing: Prior to issuance of Final Occupancy for the new 2,500 sf processing space.

Enforcement: City of Oroville / Butte County Air Quality Management District

4.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The project site includes an existing urban winery and tasting room at 760 Safford Street (APN: 012-290-006), an existing single-family residential home at 790 Safford Street (APN: 012-290-007), and the adjacent undeveloped lot identified as APN: 012-290-008 that is approximately 0.40 acres in size and surrounded by developed properties.

DISCUSSION OF IMPACTS

- a) ***Would the project 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?***

The City's 2030 General Plan page 6-31 identifies special-status species as plants and animals that are legally protected under the State and/or federal Endangered Species Act

(ESA) or other regulations, and species that are considered by the scientific community to be sufficiently rare to qualify for such listing. Special-status plants and animals are species in the following categories:

- Species that are candidates for possible future listing as threatened or endangered under the federal ESA.
- Species listed or proposed for listing by the State of California as threatened or endangered under the California ESA.
- Species that meet the definitions of rare or endangered under CEQA.
- Plants listed as rare, plants about which more information is needed to determine their status, plants of limited distribution that may be included as special-status species on the basis of local significance or recent biological information, or plants considered to be “rare, threatened, or endangered in California,” under the California Native Plant Protection Act.

The project site consists of developed property and undeveloped property surrounded by property considered developed. The City of Oroville’s 2030 General Plan indicates that there are no species of special biological importance in the project’s vicinity, nor any known habitats for such species on-site. Thus, there will be **no impact** to species identified as a candidate, sensitive, or special status species.

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

The City’s 2030 General Plan does not identify any drainage corridor or potential vernal pool or vernal swale complex area on the project site nor is the project site adjacent to, or encompass, a river or stream. The Feather River is over 300ft away from the project site on the other side of the levy, and buffered by Bedrock Park and the existing parking lot for the park and Bedrock State Park. There are no identified sensitive natural communities, including riparian habitat, on the site or within the surrounding area that could be impacted by this project. Thus, there will be **no impact** to on any riparian habitat or other sensitive natural community.

- c) *Would the project 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 wetlands, etc.), through direct removal, filling, hydrological interruption or other means?***

The City’s 2030 General Plan does not identify any drainage corridor or potential vernal pool or vernal swale complex area on the project site nor is the project site adjacent to, or encompass, a federally protected wetland as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.). The Feather River is over 300ft away from the project site on the other side of the levy, and buffered by Bedrock Park and the existing parking lot for the park, and Bedrock Skate Park. Additionally, according to the U.S. Fish and Wildlife National Wetlands Inventory, the project site does not contain any federally protected wetlands nor are there any surrounding the site. Thus, the project will have **no impact** on federally protected wetlands.

- d) *Would the project 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?***

No wildlife movement corridors or nursery sites exist on the project site. The closest migratory corridor would be the Feather River, which lies over 300ft from the project site and will not be impacted by the proposed project. Thus, there would be **no impact**.

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

Goal OPS-9, Policy P9.5 of the City's 2030 General Plan requires the preparation of a site-specific tree management and preservation report by a certified arborist or urban forester for development proposals on sites that contain significant oak woodlands and related habitat, which this project does not contain. Per the City's tree preservation policy found in Section 17.12.060 of the City's Municipal Code, the requirements of tree preservation apply to two categories of protected trees defined as any tree on public property, or any tree on private property that has a trunk diameter of at least 24 inches at 54 inches above grade. The removal of any protected tree requires approval of a tree removal permit, as provided in Section 17.48.070. No tree removal permit has been applied for at this time and no removal of trees has been proposed. There are no additional local policies or ordinances protecting biological resources affecting the project site. Thus, there would be **no impact**.

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

There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan applicable to the project site. Therefore, there would be **no impact**.

4.5 CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either:				
1. a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, that is listed or eligible for listing on the California Register of Historical Resources, or included in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. a resource determined by a lead agency, in its discretion and supported by substantial evidence, to be significant according to the historical register criteria in Public Resources Code section 5024.1 (c), and considering the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The most common prehistoric site type found in Oroville is milling stations, followed by temporary campsites, and habitation sites, burial locations, and rock features. The location of prehistoric sites is correlated to the presence of major rivers in the Sacramento Valley with their associated areas of high ground and natural levees, and the creeks and minor drainages in the foothills of the Sierra Nevada Mountains and their adjacent interior valleys and grasslands. In Oroville, prehistoric sites tend to be located along the Feather River, its tributaries, and smaller drainages. Additionally, the GPEIR provides a comprehensive background on Cultural Resources for Oroville, including regulatory background.

DISCUSSION OF IMPACTS

- a) ***Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?***

There are no known resources that meet the definition of ‘historical resources’ as defined by Section 15064.5 of the California Code of Regulations (CCR) on or adjacent to the project site. Therefore, the project will not effect or have potential to cause a substantial adverse change in the significance of an historical resource. As no historical resources are known to present on the project site, there would be **no impact**.

b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

There are no known archeological resources on the project that would be impacted by the proposed project. Additionally, development of the project site would be required to comply with the Oroville General Plan. Policy 14.3 in the Open Space, Natural Resources and Conservation Element of the plan requires that historic or prehistoric artifacts found during construction be examined by a qualified consulting archaeologist or historian to determine their significance and develop appropriate protection and preservation measures, as necessary. Policy 14.7 requires that if cultural resources, including archaeological resources, are uncovered during grading or other on-site excavation activities, construction shall stop until appropriate mitigation is implemented. There are no parcel-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. Thus, the impact of the project to archeological resources is **less than significant**.

c) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*

There are no known unique paleontological resources or sites or unique geological features on the project site. Should paleontological resources be uncovered in the course of project development and construction, all activities would be required to stop in the immediate vicinity and the project applicant would be required to seek immediate consultation with a qualified paleontologist as required by Goal OPS-14, Policy 14.5 of the City’s General Plan. Additionally, as identified under item b) above, Goal OPS-14, Policy 14.7 of the City’s General Plan also specifies that if cultural resources, including archaeological or paleontological resources, are uncovered during grading or other on-site excavation activities, construction shall stop until appropriate mitigation is implemented. There are no parcel-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. These actions would ensure that impacts to unique paleontological resources and geologic features remain at a level that is considered **less than significant**.

d) *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

Implementation of the Oroville General Plan policies, including Policy 14.8 in the Open Space, Natural Resources, and Conservation Element Policy related to the discovery of human remains, and all policies and actions under Goal OPS-15, which call for the protection of the City’s Native American heritage, would reduce potential impacts to human remains. There are no parcel-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. Thus, impacts to human remains would be **less than significant**.

e) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either:*

1. ***a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, that is listed or eligible for listing on the California Register of Historical Resources, or included in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or***

Public Resources Code (PRC) Section 21074 defines a tribal cultural resource as a site, feature, place, cultural landscape, sacred place, and any object with cultural value to a California Native American Tribe (CNAT). A tribal cultural resource must be on or eligible for the California Register of Historical Resources (CRHR) or must be included in a local register of historical resources. The California State Parks Office of Historic Preservation does not list the project site as being, or having, California Historical Resources and the project site is not listed on any known local register of historical resources. Additionally, notification was sent to local Native American tribes, and tribes who requested formal notification, regarding project application and consultation under Assembly Bill 52 (AB 52), with no consultation requested at the end of the 30-day consultation request period pursuant to PRC Section 21080.3.1(b). Therefore, there is **no impact**.

2. ***a resource determined by a lead agency, in its discretion and supported by substantial evidence, to be significant according to the historical register criteria in Public Resources Code section 5024.1 (c), and considering the significance of the resource to a California Native American tribe.***

There is no substantial evidence, in light of the whole record, of a resource that may be considered significant based on the aforementioned criteria. Additionally, as identified above, notification was sent to local Native American tribes, and tribes who requested formal notification, regarding project application and consultation under AB 52, with no consultation requested at the end of the 30-day consultation request period pursuant to PRC Section 21080.3.1(b). Therefore, there is **no impact**.

4.6 GEOLOGY AND SOILS

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

ENVIRONMENTAL SETTING

The project site is located approximately six miles from one seismically active fault to the southeast, the Cleveland Hills fault, which was the site of a 5.7 magnitude earthquake in August 1975. While less seismically active than some areas of the state, Oroville is subject to hazards associated with earthquake fault activity. The potential secondary effects of seismic activity on the Cleveland Hill fault or other nearby faults could include ground shaking, liquefaction, slope collapse, landslides, and dam-related disasters, such as dam failure. Oroville is in Seismic Zone 3 on the California Building Code's seismic hazard map, the second-highest risk category. The project site has low topographic relief, and is not subject to landslide hazards. The site is in an area of generally moderate liquefaction potential and high potential for the presence of expansive soils. The GPEIR provides a comprehensive background on Geology and Soils for Oroville, including regulatory background.

DISCUSSION OF IMPACTS

a) ***Would the project 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.***

There are no Alquist-Priolo fault zones on the project site. There would be **no impact**.

ii) ***Strong seismic ground shaking?***

The project site could be subject to strong seismic ground shaking. However, compliance with the California Building Code and Oroville General Plan policies would require compliance with standards for seismic design, foundations, and drainage. Policy P1.4 in the Safety Element would ensure that new development incorporates design and engineering that minimizes the risk of damage from seismic events, consistent with state Building Codes and Historic Building Codes. There are no known site-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. This impact would be **less than significant**.

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

Liquefaction tends to occur in areas of sandy or silty soils with a high water table. The project site is in an area with a generally moderate potential for liquefaction and high potential for the presence of expansive soils, and generally located on flat terrain with no known faults within the project area. Any new development would be required to comply with all requirements of the Title 24 of the California Code of Regulations, known as the California Building Standards Code, to ensure protection of public health, safety, and general welfare of the occupant and public. Compliance includes, as applicable, geotechnical studies prior to development approval and mitigation of identified hazards to a level of insignificance as also required by Policy P1.2 of the Safety Element of the General Plan. The seismic effects of the project would be similar to those described in the GPEIR. There are no parcel-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. This impact would be **less than significant**.

iv) ***Landslides?***

The terrain on the project site is relatively level with no potential for landslides in or around the project area. Therefore, there is **no impact** associated with landslides.

b) ***Would the project result in substantial soil erosion or the loss of topsoil?***

The City Code requires all grading and excavation activities and all alterations, changes or additions to existing grading, excavations and fills, unless otherwise exempt, to obtain a permit through the City before conducting such work and to comply with all City grading, excavation, and sediment control standards. All grading, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the city Engineering Design Standards; the Municipal Code; the requirements of the Butte County Air Quality Management District and State Regional Water Quality Control Board; and any other applicable local, state and federal requirements. Therefore, the potential impact is considered **less than significant**.

- c) ***Would the project 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?***

The project site does not include unstable soils, and has low topographic relief, resulting in a low risk of landslide, lateral spreading, subsidence, liquefaction, or collapse. Any new development would be required to comply with all requirements of the California Building Standards Code to ensure protection of public health, safety, and general welfare. Compliance includes, as applicable, geotechnical studies prior to development approval and mitigation of identified hazards to a level of insignificance as also required by Policy P1.2 of the Safety Element of the General Plan. The effects of the project with respect to unstable soils would be similar to those described in the GPEIR. There are no parcel-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. This impact would be **less than significant**.

- d) ***Would the project 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?***

Per the City's 2030 General Plan, the site is in an area of high potential for the presence of expansive soils. Expansive soils generally have high clay content and are known to have the potential for shrinking and swelling with changes in moisture content, which can cause damage to overlying structures. Any new development would be required to comply with all requirements of the California Building Standards Code which addresses construction on expansive soils. Compliance includes, as applicable, geotechnical studies prior to development approval and mitigation of identified hazards to a level of insignificance as also required by Policy P1.2 of the Safety Element of the General Plan. Adherence to any recommended actions identified in a required geotechnical report and to all Building Code requirements for structures built on expansive soils is considered sufficient to reduce expansive soil impacts to a level that is considered **less than significant**.

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

The proposed project would not require the use of septic tanks nor alternative wastewater disposal systems. The existing winery is connected to a City sewer line located along Safford Street, and there is another City sewer line that is present along the north end of the property. Any future connections would tie in to the existing City sewer system. Therefore, there would be **no impact**.

4.7 GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The consensus among leading scientists is that without action to reduce greenhouse gas (GHG) emissions, climate change will pose a considerable threat to our way of life. Changes in the global climate have accelerated over the past 50 years. If current trends continue, the Oroville area is likely to experience future reductions in precipitation and snowmelt, as well as increases in temperatures, extreme heat events, and wildfire risk. These changes in the local climate could have significant and far reaching public health, economic, and environmental consequences for the Oroville community.

The City of Oroville (City) has long-recognized the need to promote sustainability and address the growing challenge of climate change. Efforts such as the Solar Energy Ordinance, 2010 City of Oroville Bicycle Transportation Plan (Bicycle Master Plan), and the City of Oroville Design Guidelines are already contributing to long-term GHG reductions throughout the community. The Oroville 2030 General Plan (2030 General Plan) also supports future carbon-reducing strategies and programs, including mixed used development, increased transit, and alternative energy.

In March of 2015 the City adopted a Climate Action Plan (CAP) and set a target to reduce GHG emissions from community activities to 11% below 2010 levels by 2020—a goal referred to in the CAP as the 2020 emissions reduction target. This target is consistent with larger statewide initiatives adopted through Assembly Bill 32, the California Global Warming Solutions Act. The CAP describes the City's plan for achieving its emissions reduction goal. The CAP also outlines a plan that will better prepare the City to address and adapt to potential economic, environmental, and social effects of climate change.

Oroville is a diverse community with multiple emissions-generating sources and activities. The City inventoried GHGs generated by the community in 2010 to identify these existing emissions sources and the magnitude of their emissions. The inventory indicates that in 2010, Oroville residents and businesses generated approximately 163,000 metric tons of carbon dioxide equivalent (MTCO_{2e}). This accounted for about 0.04% of California's GHG emissions in the same year. The transportation sector represents the largest source of community emissions (approximately 48% of the 2010 Inventory). The majority of on-road emissions in Oroville comes from personal and light-duty vehicles. Building energy consumption (primarily electricity and natural gas), which accounts for roughly 46% of total emissions, is the next most significant component of the 2010 Inventory. Roughly three-quarters of building energy emissions come from the commercial and industrial sector, with the remaining quarter generated by residential electricity and fuel consumption. Emissions generated by off-road equipment and through managing water, solid waste, and wastewater account for the remaining 6% of the 2010 Inventory.

As noted above, AB 32 is a legal mandate requiring that statewide GHG emissions be reduced to 1990 levels by 2020. In adopting AB 32, the legislature determined the necessary GHG reductions for the state to make in order to sufficiently offset its contribution to the cumulative climate change problem to reach 1990 levels. AB 32 is the only legally mandated requirement for the reduction of GHGs. As such, compliance with AB 32 is the basis upon which the City can base its significance threshold for evaluating the project’s GHG impacts. Therefore, for the proposed project, consistency with the adopted City of Oroville CAP is used as the significance threshold concerning project generation of GHG emissions since the policy provisions contained in the CAP were prepared with the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan. The proposed project would be considered to have a significant impact if it conflicts with the policies of the CAP.

DISCUSSION OF IMPACTS

a-b) The City of Oroville CAP is a strategic planning document that identifies sources of GHG emissions that result from the City’s municipal operations and from community-wide activities that occur within the City’s political boundary and reduces emissions through energy use, transportation, land use, water use, and solid waste strategies (referred to as “measures” in the CAP). The policy provisions contained in the CAP were prepared with the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan. Some project specific applicable emissions reductions strategies from the CAP are as follows:

Strategy	Description
S-2. Title 24 Standards for Commercial and Residential Buildings	Design buildings to conserve and reduce energy and water use. City building division ensures all applicable construction projects comply with Title 24 standards.
S-3. Lighting Efficiency and Toxics Reduction Act	Reduce electricity use from indoor and outdoor lighting. This is reviewed by the building division as part of the plan check and construction inspection process.
WR-1. Waste Diversion Goal	Divert from landfills at least 75% of waste generated in the City overall and 65% of construction and building materials and demolition debris. City building division requires a waste management plan demonstrating the recycle and diversion of construction debris away from the land fill (Ordinance No. 1721).

Section 15183.5(b) of Title 14 of the California Code of Regulations states that a plan for the reduction of GHG emission, such as the City’s CAP, may be used for tiering and streamlining the analysis of GHG emissions in subsequent CEQA project level evaluation provided that the CAP complies with the following:

- A. Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
- B. Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;
- C. Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;
- D. Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- E. Establish a mechanism to monitor the plan’s progress toward achieving the level and to require amendment if the plan is not achieving specified levels;
- F. Be adopted in a public process following environmental review.

The City of Oroville's CAP meets the criteria listed above. Therefore, to the extent that a development project is consistent with the CAP requirements, potential impacts with regard to GHG emission for that project are considered to be less than significant.

The two parcels proposed for a General Plan amendment currently permit up to 20 du/acre under the existing Medium High Density Residential designation. The proposed C-2 designation, for the project to be permitted, involves augmenting the existing winery operations with a new commercial kitchen through rehabilitation of the existing home located 790 Safford Street (APN: 012-290-007), a new 2,500 square foot additional storage and processing space, gazebo, new parking lot, and landscaping of outdoor space for outdoor events. Considering the density of residential units that could be constructed, by right, under the current land use designation versus the less intensive nature (less construction activity, more lawn area, lower density, less infrastructure required, etc.) of the proposed project, the project is not expected to result in any new impact beyond those already anticipated, analyzed and mitigated in the GPEIR, which included the analysis of the CAP. The actions in the CAP, in most cases, mirror the adopted General Plan policies.

The project is not anticipated to result in or induce growth in population, employment, land use, or regional vehicle miles traveled beyond the growth (and therefore the emission projection) assumptions in the CAP. As discussed above, the City's CAP is consistent with AB 32 and AB 32 Scoping Plan reduction goals for local governments. GHG emissions due to construction activities would be temporary and negligible as compared to the baseline inventory for both community sectors and government operations. The project would therefore have a **less than significant** impact upon the environment due to its greenhouse gas emissions.

4.8 HAZARDS AND HAZARDOUS MATERIALS

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

ENVIRONMENTAL SETTING

Material that is toxic or hazardous is routinely transported through Oroville on local roads and railway lines and could be subject to accidental release. The project site is identified as "Urban Unzoned" in the City's Safety Element of the General Plan (Figure SAF-5) as its classification for parcels at risk from wildland fires. Thus, the project is not within a Fire Hazard Area. The project is located approximately three miles west of the Oroville Municipal Airport (OMA) and outside of the Airport Safety Zones. The GPEIR provides a comprehensive background on Hazards and Hazardous Materials for Oroville, including regulatory background.

DISCUSSION OF IMPACTS

- a-b)** The nature of the proposed project is not typically associated with the storage of large amounts of hazardous materials that would have an impact on surrounding properties or the public at large. The proposed project will not allow storage of hazardous materials on site any more than what is already allowed under the California Building and Fire Code. No routine transport, use or disposal of hazardous materials will be associated with the proposed project and there are no foreseeable conditions that would lead to a release of hazardous materials into the environment. Additionally, the effects of the project with respect to transport, use or disposal of hazardous materials would be similar to those described in the GPEIR. There are no site-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. This impact would be **less than significant**.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?***

The project is located within Oroville City Elementary School District. The nearby schools in the vicinity are St. Thomas the Apostle Catholic School (~0.35 miles) and the Bird Street Elementary School (~0.38 miles), all of which are greater than one-quarter mile distance from the proposed project site. As the nearest schools are located more than one quarter of a mile from the proposed project site, and there are no schools proposed for development within one-quarter mile of the project, there would be **no impact**.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

A review of the most recent publicly available California Environmental Protection Agency (Cal EPA) Cortese List Data Resources that provide information regarding the facilities or sites identified as meeting the "Cortese List" requirements (<http://www.calepa.ca.gov/sitecleanup/corteselist/default.htm>) was accessed on August 18, 2016, and the project site was not found to be listed as a hazardous materials site. As the project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5, there will be **no impact**.

- e) *For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?***

The closest airport is the Oroville Municipal Airport (OMA), which is located approximately three miles west of the project site. The project area is outside the Airport Influence Area, does not lie within any Airport Safety Zone, and is not located within the OMA Airport Land Use Commission's planning area. Thus, there will be **no impact**.

- 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?***

There are no private airstrips within the project vicinity. Thus, there would be **no impact**.

- g) *Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?***

The proposed project would not physically interfere with an adopted emergency response plan. There are numerous policies in the General Plan to address the City's emergency preparedness in the event of natural or man-made disasters. The Safety Element contains policies and actions to prepare residents and City staff to respond to emergencies. Taken together, these policies and actions and Oroville's Local Hazard Mitigation Plan would reduce the impact of emergency preparedness. Additionally, the effects of the project with respect to emergency response planning would be similar to those described in the GPEIR. There are no site-specific issues or issues particular to the project which would result in more severe impacts than those identified in the GPEIR. Therefore, there would be **no impact**.

- h) ***Would the project 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?***

The project site is identified as "Urban Unzoned" in the City's Safety Element of the General Plan (Figure SAF-5) as its classification for parcels at risk from wildland fires. Thus, the project is not within a Fire Hazard Area nor is the project adjacent to wildlands or in an urban area intermixed with wildlands. Thus, there will be **no impact** regarding exposure of people or structures to wildland fires.

4.9 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hydrology and Water Quality. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 on- or off-site flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The State Water Resources Control Board (SWRCB) has jurisdiction over nine Regional Water Quality Control Boards, whose charge it is to identify and implement water quality objectives. The Oroville area falls under the authority of the Central Valley Regional Water Quality Control Board (CVRWQCB), Region 5. The project site is located within the North Yuba groundwater sub-basin. Due to the amount of pumping, recharge from precipitation, stream percolation, infiltration of irrigation water, and subsurface inflow and outflow from the watershed, groundwater levels

fluctuate from year-to-year. Groundwater use in Oroville is generally limited due to local reservoir storage of surface water which is primarily used to supply most residents.

On February 5, 2013, the State Water Resources Control Board (Board) adopted Water Quality Order No. 2013-0001-DWQ entitled "National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004, Waste Discharge Requirements for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (collectively referred to as the "Small MS4 General Permit"). In 2015, the City of Oroville became a permittee subject to all the requirements contained in the Small MS4 General Permit which requires the City to effectively prohibit non-stormwater discharges from within the City's Small MS4 General Permit area into the City storm drain system in a manner consistent with the Clean Water Act, the Porter-Cologne Water Quality Control Act, and other Small MS4 Permit requirements, by reducing pollutants in stormwater discharges to the maximum extent practicable and by prohibiting non-stormwater discharges from entering the storm drain system. Implementation requires the installation of post-construction BMP's and stormwater facilities maintenance agreements for applicable development projects.

The project site is located within a Federal Emergency Management Agency (FEMA) Flood Zone X, determined to be areas outside of the 0.2% (500 year) annual chance floodplain. However, the project is within the Oroville Dam Inundation Area as defined in the City's General Plan. The GPEIR provides a comprehensive background on Hydrology and Water Resources for Oroville, including regulatory background.

DISCUSSION OF IMPACTS

a) Would the project violate any water quality standards or waste discharge requirements?

All land uses, whether undeveloped, agricultural, industrial or urban, have some type of water quality impacts. Water quality problems are typically characterized by erosion and sedimentation considerations, and concerns about contamination of ground or surface water. No discharge of waste associated with this project will violate any water quality standards or waste discharge requirements. This project, as with all City projects, will be required to comply with the City's water quality and waste discharge standards which includes Goal OPS-11 of the City's General Plan which encompasses policies and actions for the protection of water quality. Additionally, compliance with the Small MS4 Permit requirements will reduce pollutants in stormwater discharges to the maximum extent practicable and prohibit non-stormwater discharges from entering the storm drain system.

The existing winery is connected to a City sewer line located along Safford Street, and there is another City sewer line that is present along the north end of the property. Any future connections would tie in to the existing City sewer system. This impact would be **less than significant**.

b) Would the project 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)?

The proposed use will involve improvements which will result in the placement of impervious ground cover, such as the parking lot, gazebo, and 2,500 square feet of additional storage and processing space, thus reducing the level of impervious surfaces on the project site. However, there is no potential for this project to substantially deplete groundwater supplies or interfere substantially with groundwater recharge due to the low level of impervious ground cover proposed compared to the size of the North Yuba groundwater sub-basin. Furthermore, the current residential land use designation of Assessor Parcel Numbers 012-

290-007 and 012-290-008 permit a maximum site coverage of 65%, whereas the commercial land use designation being requested permits a maximum floor area ratio (FAR) of 0.4, thus limiting the amount of impervious surface currently permitted. Additionally, the proposed project will be far below the permitted FAR as the project involves a considerable amount of outdoor lawn area for the purpose of providing a venue for outdoor events. Thus, the proposed project will have a reduced impact to groundwater than what is currently permitted and previously reviewed under the GPEIR. The project will also be required to comply with Policy P11.2 of the Open Space, Natural Resources, and Conservation Element of the General Plan which calls for the minimization of impermeable paving that negatively impacts surface water runoff and ground water recharge rates.

There is no potential for this activity to significantly alter any recharge patterns as the surface area being covered with impervious material is minimal and compliance with the state mandated Model Water Efficient Landscape Ordinance will also promote on-site groundwater recharge through on-site storm water capture. The effects of the project with respect to groundwater would not be greater than described in the GPEIR. Thus, impacts related to groundwater supply and recharge are considered **less than significant**.

- c) ***Would the project 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?***

All drainage and improvement plans developed for this project must be designed in accordance with the standards of the City's Public Works Department. There is no stream or river traversing the project site that would be impacted by this project. Chapter 15.88 of the Oroville Municipal Code (OMC), regarding grading, excavation, and sediment control, applies to all grading activities, unless otherwise exempt as specified in this chapter. The regulations contained in Chapter 15.88 establish standards and specifications to control land disturbances and soil storage, minimize surface runoff, soil erosion and sedimentation, and protect against the degradation of soil fertility and watercourses, and prevent hazards to life, health and property. It also ensures prompt development, restoration and replanting and effective erosion control of property after land clearing and grading.

Additionally, the GPEIR identifies Policy P11.3 of the Open Space, Natural Resources, and Conservation Element of the General Plan as a policy that would reduce potential impacts by requiring the protection of surface and ground water resources from contamination from runoff containing pollutants and sediment, through implementation of the CVRWQCB BMPs. Compliance with these requirements would reduce the project's impacts on drainage patterns as well as onsite and offsite erosion and siltation to a level that is considered **less than significant**.

- d) ***Would the project 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 that would result in flooding on- or off-site?***

As the proposed project does involve the installation of impervious surfaces, the project would generate more surface runoff. However, there is no stream or river traversing the project site that would be impacted by this project. As part of the standards enforced through Chapter 15.88 of the OMC is that grading shall not create or contribute to flooding. Section 17.12.020 also specifies that parking spaces and access driveways shall be graded and drained in accordance with city engineering design standards to alleviate the creation of flooding and drainage problems for the subject property and any surrounding properties. Additionally, the GPEIR identifies policies in the Open Space, Natural Resources, and Conservation Element that would reduce potential impacts. Policy P11.2 ensures that impermeable paving that negatively impacts surface water runoff and ground water recharge

rates be minimized. The City also requires natural storm water runoff not to exceed the natural runoff rate that occurred prior to development. For the aforementioned reasons, the project's impacts to surface runoff and flooding will be reduced to a level that is considered **less than significant**.

- e) ***Would the project 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?***

Compliance with small MS4 General Permit requires the City to effectively prohibit non-stormwater discharges from within the City's Small MS4 General Permit area into the City storm drain system in a manner consistent with the Clean Water Act, the Porter-Cologne Water Quality Control Act, and other Small MS4 Permit requirements, by reducing pollutants in stormwater discharges to the maximum extent practicable and by prohibiting non-stormwater discharges from entering the storm drain system. Implementation requires the installation of post-construction BMP's and stormwater facilities maintenance agreements for applicable development projects. In addition to the discussion in item d) above, implementation of the Small MS4 General Permit requirements would reduce the project impacts from increased and/or polluted surface runoff to a level that is considered **less than significant**.

- f) ***Would the project otherwise substantially degrade water quality?***

The project would have no other effects on water quality outside of those previously described herein. The project's impacts to water quality are considered **less than significant**.

- g) ***Would the project 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?***

According to the current FEMA flood insurance rate maps revised on January 6, 2011, the project is not located within a 100-year flood hazard area. The proposed project is located within FEMA Flood Zone X, determined to be areas outside of the 0.2% (500 year) annual chance floodplain. Additionally, no housing is being proposed as part of this project. Thus, the project would have **no impact** to housing in terms of the 100-year flood hazard.

- h) ***Would the project place within a 100-year flood hazard area structures that would impede or redirect flood flows?***

As noted above, the proposed project is not within a 100-year flood hazard area as mapped by FEMA. Therefore, there is **no impact** related to structures impeding or redirecting flows.

- i) ***Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?***

The Oroville Dam, completed in the 1960s to capture and store water from the Feather River, is situated at the northeast corner of the Oroville Planning Area. According to Figure SAF-3 "Dam Inundation Areas" of the City's General Plan, the proposed project site is located within the Lake Almanor Dam and Oroville Dam inundation areas. A major seismic event would be the most likely cause of dam failure. However, the likelihood of dam failure is minimal as engineering studies conducted by the Department of Water Resources have indicated that the Oroville Dam could withstand an earthquake of an estimated magnitude of 6.5 on the Richter Scale, which is considered to be the largest credible event projected for the region. In addition, the California Office of Emergency Services has developed and approved a dam failure inundation map for the area below the Oroville Dam. Based on the

approved inundation map, the City of Oroville has adopted emergency procedures for the evacuation and control of populated areas below the dam.

There is a non-federal levee directly north of the project site. California Water Code Section 9130 required the Department of Water Resources (DWR) to prepare Levee Flood Protection Zone (LFPZ) maps by December 31, 2008. The LFPZ illustrates areas where flood levels would be more than 3 feet deep if a project levee (i.e. a levee that is part of the State Water Project) were to fail. DWR used information from several sources to prepare the published maps for LFPZ, including FEMA floodplain maps, FEMA Q3 data, US Army Corps of Engineer (USACE)'s 2002 Sacramento and San Joaquin River Basins Comprehensive Study, and local project-levee studies. The most recent LFPZ Sacramento River Basin map was updated on August 19, 2011, and although it includes a small portion of the City's General Plan Planning Area, the project site does not fall within an identified LFPZ. (http://www.water.ca.gov/floodmgmt/lrafmo/fmb/fes/levee_protection_zones/LFPZ_maps.cfm). Thus, impacts are considered **less than significant**.

j) ***Would the project be affected by inundation by seiche, tsunami or mudflow?***

Lake Oroville is a large body of water that could be susceptible to seiches. However, it has not been identified as a significant problem that would affect the Oroville area. The project is not located near a coastline to be subject to any tsunami hazard and the project site is in an area of low topographic relief, limiting mudflow hazard. Therefore, impacts related to hazards of seiche, tsunami, or mudflows, are considered **less than significant**.

4.10 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Land Use and Planning. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The project involves a request to amend Use Permit (UP) 12-09, a General Plan Amendment (GPA) 16-01, and a lot merger for the parcels identified as APNs: 012-290-006, 012-290-007 and 012-290-008. UP 12-09 was initially approved by the Planning Commission on April 22, 2013 for the construction of an urban winery and tasting room at 760 Safford Street (APN: 012-290-006). As part of the approval for UP 12-09, the Planning Commission simultaneously approved GPA 12-01 and Rezone (ZC) 12-02 changing the General Plan land use designation of Medium High Density Residential (MHDR: 14-20 du/acre) to Retail and Business Services (RBS) and a Zoning designation of Medium Density Residential (R-2) to Intensive Commercial (C-2).

The property owners have since purchased 790 Safford Street (APN: 012-290-007), developed with an existing single-family home, and the adjacent undeveloped lot identified as APN: 012-290-008. The applicants have applied to merge these parcels with the existing winery. Both APN: 012-290-007 and 012-290-008 have a current General Plan designation of Medium High Density Residential (MHDR) and Zoning designation of High-Density Residential (R-3). As split zoning is not permitted on a single parcel, a recommendation will be forwarded to the Planning Commission to extend the C-2 Zoning designation of 760 Safford Street onto what is currently APN: 012-290-007 and 012-290-008 once the parcels are merged. To ensure consistency between the Zoning designation and underlying General Plan land use designation, the applicants have applied for a General Plan Amendment (GPA 16-01) to change the General Plan land use designation from MHDR: 14-20 du/acre to RBS. There are no specific plans, habitat conservation plans, or other plans that are applicable to the project site.

DISCUSSION OF IMPACTS

a) *Would the project physically divide an established community?*

The project site is located adjacent to Bedrock Park to the north and the Bedrock Skate and Bike Park to the northwest. The project is approximately 300 feet from the Feather River to the north. Directly to the west there are multi-family residences with two single-family residences directly to the east and the Feather River Recreation and Park District tennis courts across the street from the residences to the east and approximately 250 feet from the project site. Directly south of the property there are two apartment complexes and other multi-family and single-family residences, with an auto-body shop to the southwest of the project. In general, the property is surrounded by public uses to the north, residential and public uses to the east, residential uses to the southeast, retail and other business services

to the southwest, with undeveloped land, Highway 70, and public uses to the west. There is no characteristic to this project that will lead to the physical division of an established community. There would be **no impact**.

- b) ***Would the project 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?***

Properties directly to the north and northwest of the project site are zoned Quasi / Public Quasi (PQ), R-3 to the east and southeast (including the single family homes), Limited Commercial (C-1) to the south and southwest (includes the multi-family residential properties), and R-3 to the west. Per the existing land use designations in the City's 2030 General Plan, properties directly to the north and northwest of the project site have a land use designation of Park, MHDR: 14-20 du/acre to the east and southeast (including the single family homes), RBS to the south and southwest (includes the multi-family residential properties), and MHDR: 14-20 du/acre to the west. Approximately 200ft to the west, just on the other side of the multi-family residences, the General Plan land use designations of the properties are RBS with a C-2 Zoning and these designations continue south along Feather River Boulevard. Thus, the requested General Plan Amendment from MHDR: 14-20 du/acre to RBS is a logical request that does not conflict with surrounding land use designations.

The large 12.9 acres of mostly undeveloped property between the project site and Highway 70 is the City's Gateway Project area which is planned to be a large commercial development to serve as a destination point for recreational tourism and representing the entrance to Oroville's downtown. With the project's proximity to the potential gateway project, Feather River Boulevard, Highway 70, and with the existing winery currently in operation, the location of the project would not conflict with the City's desired land uses for this locale and the applicants have applied for the appropriate land use entitlements needed for appropriate reviews and approvals to occur. Thus, the proposed project impacts are considered **less than significant**.

- c) ***Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?***

There are no habitat conservation or natural community conservation plans applicable to the project site. Therefore, there would be **no impact**.

4.11 MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Mineral Resources. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

Sand and gravel, stone and gold mining are the three primary mining industries in Butte County. Of these, the Butte County's Energy, Natural Resources and Recreation Element identifies only sand and gravel operations as present within Oroville's Planning Area, generally south of the City limits and not near the project site. Most of the sand and gravel mining operations within the Planning Area are located south of the Oroville city limits. There is one sand/gravel mine within the City limits on the north side of Ophir Road between Baggett Marysville Road and Baggett Palermo Road. The State Geologist has not yet mapped the mineral resources in Butte County.

DISCUSSION OF IMPACTS

- a) ***Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

No mineral resources of value to the region or state have been identified on the project site. Therefore, there is **no impact** relative to mineral resources as a result of the proposed project.

- b) ***Would the project 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?***

There are no locally important mineral resources identified on the project site. Therefore, there would be **no impact**.

4.12 NOISE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Noise. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

Chapter 9.20 of the OMC prescribes standards for and prohibits unnecessary, excessive and annoying noise levels from all sources. At certain levels, noises are detrimental to the health and welfare of the citizenry and, in the public interest, shall be systematically proscribed. It is the purpose of this chapter to prescribe standards for and to prohibit such unacceptable noises and to provide an effective and readily available remedy for violations of this chapter. The GPEIR provides a comprehensive background on Noise conditions in Oroville, including regulatory background.

DISCUSSION OF IMPACTS

- a) ***Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?***

The proposed project will cause a change in the General Plan land use designation from MHDR: 14-20 du/acre to RBS, and thus impact the maximum allowable noise levels allowed. For residential property, no more than 5 dB above the local ambient noise level at any point outside of the property plan is allowed. For multifamily residential property, noise levels are limited to no more than 5 dB above the local ambient 3 feet from any wall, floor, or

ceiling inside any dwelling unit on the same property, when the windows and doors of the dwelling unit are closed, except within the dwelling unit in which the noise source or sources may be located. With the proposed change in land use designation, commercial noise limits would apply which limit noise levels to no more than 8 dB above the local ambient at any point outside of the property plane.

All properties within City limits are required to comply with the noise limits as prescribed in Chapter 9.20 of the OMC. Any excessive noise disturbance brought to the City's attention will be required to comply with City noise level standards through appropriate enforcement mechanisms as deemed appropriate, such as notices to cease and desist followed by citations for noncompliance, or additional penalties that may be specified as conditions of a permit. Thus, impacts are considered **less than significant**.

b) *Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?*

No standards for groundborne vibration or groundborne noise have been established by the City of Oroville and the project is not located near a source of known groundborne noise. Construction equipment may have the potential to result in perceptible vibration at noise sensitive land uses and in extreme cases result in damage to structures. The General Plan includes Noise Goal NOI-2, to reduce noise levels from sources such as domestic uses, construction, and from mobile sources, including motor vehicles and aircraft. In support of this goal Policy P2.3 limits noise generating construction activities located within 1,000 feet of residential uses to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays and non-holidays. Policy 2.4 requires implementation of standards for construction noise control measures including the designation of a "noise coordinator" who would be responsible for responding to any local complaints about construction noise. With implementation and enforcement of these policies and regulations, this impact would be **less than significant**.

c) *Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

The proposed project would include an outdoor event venue which will likely be the greatest noise generating aspect of this project. The proposed hours of operation indicated by the applicant are Wednesday – Sunday from noon to 8:30pm. During concerts, bocce ball league events and private parties, closing times will be 10:00pm.

The City already has policies and regulations for the protection of City residents from unnecessary, excessive and annoying noise levels, as previously identified in item a) and b). Any noise violation or public nuisance may be reported to the City in writing by filing a complaint form, which then requires staff open a code enforcement case for the City to investigate if a violation is occurring. If so, the City will take appropriate enforcement measures, as deemed appropriate, such as notices to cease and desist followed by citations for noncompliance, or additional penalties as may be lawful. For these reasons, this impact is considered **less than significant**.

d) *Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

A temporary increase in noise levels associated with project construction would occur. This increase would cease once construction was completed. The City's Noise Ordinance regulates temporary and periodic noise associated with construction as specified in Section 9.20.060(C) of the OMC. Additionally, the General Plan includes Noise Goal NOI-2, to reduce noise levels from sources such as domestic uses, construction and from mobile sources, including motor vehicles and aircraft. In support of this goal Policy P2.3 limits noise generating construction activities located within 1,000 feet of residential uses to daytime

hours between 7:00 a.m. and 6:00 p.m. on weekdays and non-holidays. Policy 2.4 requires implementation of standards for construction noise control measures including the designation of a “noise coordinator” who would be responsible for responding to any local complaints about construction noise. For additional information, please reference item c) above. With implementation of these policies as required by the General Plan, and with implementation of the City’s Noise Ordinance, this impact is considered **less than significant**.

- e) ***For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?***

The closest airport is the OMA, which is located approximately three miles west of the project site. The project area is outside the Airport Influence Area, does not lie within any Airport Safety Zone, and is not located within the OMA Airport Land Use Commission’s planning area. Thus, there will be **no impact**.

- 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?***

There are no private airstrips within the vicinity of the project area. Therefore, there is **no impact** related to noise from private airstrips.

4.13 POPULATION AND HOUSING

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

ENVIRONMENTAL SETTING

The City's 2014-2022 Housing Element completed in June of 2014, identified 5,646 households in the City of Oroville with an estimated population of 15,979 as of 2013. These numbers do not reflect the South Oroville Annexations that were completed in 2015 which increased the City's population by 2,725 people and 1,144 households.

Pursuant to Government Code (GC) 65584 applicable to the Regional Housing Need Allocation (RHNA) process, the California Department of Housing and Community Development is required to determine the RHNA, by income category, for Council of Governments (COGs). RHNA is based on Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. COGs are required to allocate to each locality a share of housing need totaling the RHNA for each income category. Pursuant to GC 65583, localities are required to update their housing element to plan to accommodate its entire RHNA share by income category. The RHNA process is a key tool for local governments to plan for anticipated growth. The Regional Housing Needs Plan was adopted by the Butte County Association of Governments (BCAG) in 2013 and covers the projection period of January 2014 to June 2022. The total housing growth need for the City of Oroville during the 2014-2022 projection period is 1,793 units.

DISCUSSION OF IMPACTS

- a) ***Would the project induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?***

The project is not associated with the construction of any new roads or other public infrastructure. Project construction activities are limited to rehabilitating the existing single-family home at 790 Safford Street (APN: 012-290-007) to use as a commercial kitchen, 2,500 square feet of additional storage and processing space, gazebo, bocce ball courts, parking lot, landscaping and a water feature. There may be additional employees hired due to the business expansion, but this will not induce a substantial population growth in Oroville, either directly or indirectly. No home construction is associated with this project. Thus, there will be **no impact** associated with substantial population growth inducement.

b) *Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

790 Safford Street (APN: 012-290-007) has an existing single-family home that will be remodeled for use as a commercial kitchen to cater events at the winery. 760 Safford Street (APN: 012-290-006) is the location of the existing Purple Line Urban Winery and APN: 012-290-008 is undeveloped vacant property. The home is not currently occupied by a tenant. No replacement housing is warranted. Therefore, project impacts are **less than significant** related to existing housing.

c) *Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

As the only housing directly impacted by the project is 790 Safford Street (APN: 012-290-007), which is owned by the project applicants and currently uninhabited, the project would have **no impact** related to the displacement of people.

4.14 PUBLIC SERVICES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Public Services. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The project site is served by the Oroville Fire Department (OFD). The OFD has one fire station located at 2055 Lincoln Street. OFD's goals include response within five minutes travel time for 90 percent of fire and medical incidents, with a maximum of ten minutes travel time for 90 percent of all structure fires. OFD has an automatic mutual aid agreement with the Butte County Fire Department (California Department of Forestry and Fire Protection aka: CAL FIRE), the El Medio Fire Protection District and the Mooretown Fire Department.

The Oroville Police Department (OPD) operates a single central police station located at 2055 Lincoln Street that includes sworn personnel, non-sworn positions including community service officers, Municipal Law Enforcement Officers, a records technician, an administrative assistant and dispatchers.

The project site is served by the Oroville Elementary School District and the Oroville Union High School District.

In 2015, the City updated its parkland dedication requirement from 3 to 5 acres of parkland per 1,000 residents. Prior to the Southside Annexation, there was 278.8 acres of parkland within the City of Oroville.

The GPEIR provides a comprehensive background on Public Services for Oroville, including regulatory background.

DISCUSSION OF IMPACTS

a) *Fire Protection?*

As the project is within the City limits, the primary respondent is the OFD. The proposed project will involve the storage of large amounts of wine. Although wine contains alcohol, it

does not contain the necessary amounts to make it a flammable liquid. This project will be required to go through the appropriate permitting and inspection process for all construction activities and to obtain a business license/occupancy permit. As part of this permitting process, the applicant will be required to schedule an inspection with the City Building and Fire Departments, prior to final occupancy, to ensure that the Fire, Life and Safety needs of the site are satisfied. In addition, the City of Oroville has a fire suppression/protection impact fee for applicable new development prior to the issuance of building permits. For the aforementioned reasons, and as the proposed project is not expected to place significant additional demands on the OFD, project impacts are considered **less than significant**.

b) *Police Protection?*

The proposed project includes the sale of alcoholic beverages for both on-site and off-site consumption. As a result, the possibility of an alcohol related crime, such as drunk in public or driving under the influence, may increase by some level. However, it is common business practice to provide taxi-cab information and for employees to be mindful of the behavior of individuals, the amount of alcohol they have consumed, and their level of impairment. Although on-site consumption of alcohol is a part of the existing business and the proposed expansion, the main business activity is the sale of bottled wine, and on-site wine consumption is principally intended for individuals to sample wines to determine what type they would like to purchase. Although the outdoor event venue will increase the on-site consumption of alcohol, bottled wine sales will remain the primary business activity. Furthermore, the applicant will be required to comply with all local, state, and federal laws involving the sale and on-site consumption of alcohol, including but not limited to all requirements of the California Department of Alcoholic Beverage Control. Additionally, the City of Oroville has a law enforcement impact fee for applicable new development prior to the issuance of building permits. Therefore, potential impacts to police services from the project are considered **less than significant**.

c) *Schools?*

The proposed project is not associated with any additional housing as it is a proposed commercial business. The project would not generate enough employment for the project to have a significant impact on drawing new residents into the City of Oroville. As a result of no proposed housing and no significant employment opportunities being generated, this project will not impact the existing schools. There would be **no impact**.

d) *Parks?*

As mentioned above, the proposed project is not associated with any additional housing, and the proposed commercial project would not generate enough employment for the project to have significant impact on population growth. As a result, there will be no impact on the need for more park space to accommodate for an unexpected level of population growth as a result of this project. Thus, there would be **no impact**.

e) *Other Public Facilities?*

No impacts to service levels of other public facilities are foreseen with the development of this project.

4.15 RECREATION

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

ENVIRONMENTAL SETTING

Prior to the 2015 Southside Annexation, there was 278.8 acres of parkland within the City of Oroville. In total, the City maintains approximately 29.3 acres of parks not including the approximately 212-acre municipal golf course. The Feather River Recreation and Park District (FFRPD) has approximately 249.5 acres of parkland in the City for a total of 278.8 acres of parklands; these numbers do not account for parklands within the recent South Oroville Annexation areas. In addition to City and FFRPD facilities, there is a significant amount of State facilities in the Oroville area that are readily accessed by residents. These facilities include hiking and biking trails, water bodies, boat launches, open space, picnic areas, camping facilities, and fishing access.

DISCUSSION OF IMPACTS

- 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?***

The project site is located in the vicinity of several community parks. The Bedrock Park is adjacent to the project site to the north and the Bedrock Skate and Bike Park to the northwest. The project is approximately 300 feet from the Feather River to the north and the Feather River Recreation and Park District tennis courts are located across the street from the residences to the east and approximately 250 feet from the project site. Additionally, the project site is approximately 0.25 miles to Rotary Park to the east, 0.5 miles from Riverbend Park to the west, and 0.6 miles to the Centennial Plaza and Municipal Auditorium to the east. As part of an outing experience, is it possible that individuals may visit nearby parks or recreational facilities when visiting the winery. This possible marginal increase in park attendance is likely to involve passive recreation, and is not likely to involve heavy use of the facilities. Furthermore, the project will not generate enough employment for the project to have significant impact on parks and other recreational facilities in the area due to City population growth. Thus, the project is likely to marginally increase park attendance, and the impacts would therefore be **less than significant**.

- 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?***

The project does not include the construction or expansion of any recreational facilities. The project would not generate enough employment for the project to have a significant impact on drawing new residents into the City of Oroville and no housing construction is associated with this project. Thus, there is no need or requirement for the construction or expansion of recreational facilities. Therefore, there would be **no impact**.

4.16 TRANSPORTATION/TRAFFIC

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Transportation/Traffic. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

Access to the project site would be from both Safford Street to the south and Feather River Boulevard to the northwest, with the principle access onto Safford Street for access to the project being from Feather River Boulevard. Feather River Boulevard is classified as a "Collector" roadway up to Montgomery Street with a LOS A-C. Collectors are intended to "collect" traffic from local roadways and carry it to roadways higher in the street classification hierarchy such as arterials, highways, and freeways. These roadways also serve adjacent properties. No roadway classification is given for Feather River Boulevard north of Montgomery Street. Safford Street is classified as a "Local Street," which are roadways intended to serve adjacent properties only and should enhance community livability. They carry very little, if any, through traffic, and generally carry very low traffic volumes, usually less than 5,000 vehicles per day.

Local conditions and development patterns dictate that automobile travel is, and will remain, the primary mode of transportation in Oroville. The City's Circulation Element therefore addresses, as a central focus, the provision of a roadway network that has adequate capacity to serve current and projected traffic within the City. To achieve this, a number of circulation system improvements and a framework for their implementation are set forth in the Element. The GPEIR

provides a comprehensive background on Transportation/Traffic for Oroville, including regulatory background.

DISCUSSION OF IMPACTS

- a) ***Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?***

The project site is located approximately 300 feet from Feather River Boulevard, one of the major collectors in the City, and one street north of Montgomery Street, an arterial of the City designed to move large volumes of traffic and intended to provide high levels of mobility. The site is positioned very close to these major thoroughfares of the City that give the site great connectivity to the existing transportation network. In addition, both this section of Feather River Boulevard and Montgomery are operating at a LOS C or better.

The nearest intersection is at Montgomery Street and Feather River Boulevard, approximately 700 feet away from the project site. In the City's 2030 General Plan, this intersection is not considered to be in need of improvements. With the minimal construction of facilities and nature of the project, there will be minimal impact to the existing transportation network. As a result, an increase in traffic is likely but it will not be substantial in relation to the existing traffic load and capacity of the street system.

BCAG operates the B-Line of the Butte Regional Transit system, which serves the residents of Oroville and provides intercity/regional and local fixed-route services. The nearest transit stop is located south of Mitchell Avenue along Feather River Boulevard, approximately half a mile away. The project is not large enough to warrant sufficient demand to extend transit services closer to the project site. Additionally, no planned or existing bike trails will be impacted as a result of this project. The nearest bicycle path is a Class I paved bicycle path known as the Brad Freeman Trail traversing Bedrock Park and off the project site.

Additionally, all applicable traffic impact fees must be paid prior to the issuance of building permits. Impact fees are structured to be a fair share contribution of a project's potential impacts to City roadways, for future roadway improvements. Thus, project impacts are considered to be **less than significant**.

- b) ***Would the project conflict with an applicable congestion management program, including but not limited to a level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?***

It is a policy of the City's Circulation and Transportation Element of the General Plan (Goal CIR-2; Policy 2.1) to maintain a minimum operating standard of LOS D for all arterial, collector streets and intersections, with the exception of Oroville Dam Boulevard between Highway 70 and Olive Highway. Access to the project site would be from both Safford Street to the south and Feather River Boulevard to the northwest via a proposed access driveway, with the principle access onto Safford Street for access to the project being from Feather River Boulevard. The project site is also located one street north of Montgomery Street, an arterial of the City designed to move large volumes of traffic and intended to provide high levels of mobility. Both this section of Feather River Boulevard and Montgomery Street are operating at a LOS C or better. With the minimal construction of facilities and nature of the project, in addition to payment of all applicable traffic impact fees, there will be minimal impact to the existing level of service on City roadways. Additionally, Butte County does not

have a congestion management agency or congestion management plan. Therefore, the impacts would be **less than significant**.

- c) ***Would the project 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?***

The closest airport is the OMA, which is located approximately three miles west of the project site. The project area is outside the Airport Influence Area, does not lie within any Airport Safety Zone, and is not located within the OMA Airport Land Use Commission's planning area. Thus, there will be **no impact**.

- d) ***Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

The proposed project would not create dangerous curves or introduce incompatible uses. Per Policy P2.6 in the Circulation Element of the General Plan, new roadways must meet City standards. Compliance with the City of Oroville's roadway standards would ensure that no dangerous design features are created. However, no roadway construction or improvements are proposed or required for this project. There are no known hazardous design features in the existing roadway or nearby intersections that are expected to substantially increase as a result of this project. Furthermore, there will be no incompatible uses, equipment, or vehicles associated with this project that are expected to create any level of significant hazard. Thus, there will be **no impact**.

- e) ***Would the project result in inadequate emergency access?***

The proposed access driveway from Feather River Boulevard to the northwest section of the project site will be required to comply with the City's Fire Department minimum requirements for emergency vehicle access. As part of the plan review process, prior to issuance of building permits, the Fire Department will review drawings submitted for compliance with minimum fire code requirements, including access for emergency vehicles. Thus, the project would have a **less than significant** impact on emergency access.

- f) ***Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?***

BCAG operates the B-Line of the Butte Regional Transit system, which serves the residents of Oroville and provides intercity/regional and local fixed-route services. The nearest transit stop is located south of Mitchell Avenue along Feather River Boulevard, approximately half a mile away. The project is not large enough to warrant sufficient demand to extend transit services closer to the project site. Additionally, no planned or existing bicycle or pedestrian facilities will be impacted as a result of this project. The nearest bicycle path is a Class I paved bicycle path known as the Brad Freeman Trail, also designated for hiking, biking, and horse riding, traversing bedrock park and off the project site. Thus, there will be **no impact**.

4.17 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Utilities and Service Systems. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION OF IMPACTS

The City of Oroville and Oroville Planning Area are served by three wastewater collection agencies: City of Oroville, Thermalito Water and Sewer District (TWSD), and the Lake Oroville Area Public Utility District (LOAPUD). These three agencies have a Joint Powers Agreement with the Sewerage Commission-Oroville Region (SC-OR) to handle wastewater treatment and disposal. The existing winery is connected to a City sewer line located along Safford Street, and there is another City sewer line that is present along the north end of the property. Any future connections would tie in to the existing City sewer system.

The project site is served by the California Water Service Company – Oroville District (Cal Water Oroville) as the local water purveyor. Any increase in water supply would be provided by Cal Water who has a production potential of 10.7 million gallons per day (MGD), an amount more than adequate to meet the current maximum daily water demand of 6.3 MGD for the Cal Water Oroville area.

The City is subject to the National Pollutant Discharge Elimination System (NPDES) General Permit for Small Municipal Separate Storm Sewer Systems (MS4). Under this program, Oroville is required to develop and implement a comprehensive storm water management program to

promote storm water pollutant load reduction. The City's Grading Ordinance ensures erosion control measures are in place during land disturbance activities so as to comply with State and federal water quality regulations intended to reduce the amount of sediment in stormwater discharge. Additionally, the City currently collects development impact fees which are earmarked for specific stormwater improvement projects.

The City of Oroville contracts all solid waste collection and recycling services with Recology Butte-Colusa Counties who provides commercial and residential garbage and recycling collection, debris box service and compactor service for residents and businesses of Butte County. In addition, the company operates a materials recovery facility, a transfer station, a household hazardous waste facility, a scrap metal public drop-off center, a recycling buyback center, green waste recycling, and construction and demolition service. The City also contracts with Recology for the operation of a hazardous household waste facility and a buyback center in an effort to reduce the amount and toxicity of waste generated in Oroville. Waste generated within the City is collected and processed at the Oroville Transfer Station. Once processed, waste that cannot be recycled is transported to the Ostrom Road Landfill, which is located in Wheatland, California and operated by Recology Butte-Colusa Counties.

The GPEIR provides a comprehensive background on Public Utilities and Services for Oroville, including regulatory background. The 2013 Sanitary Sewer Master Plan (SSMP) contains additional, detailed information pertaining to the City's wastewater infrastructure.

a) *Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Under its current Waste Discharge Requirements issued by the Central Valley Regional Water Quality Board (CVRWQCB), SC-OR can discharge up to 6.5 MGD of wastewater discharge to the Feather River during periods of dry weather. As of 2006-2007, the SC-OR treatment plant receives an average dry weather flow of 2.9 MGD and an average wet weather flow of 3.3 MGD. Effluent discharge from the plant is expected to increase to approximately 5.2 MGD by 2025.

SC-OR has concerns over high winter inflows that have occurred during unusually high rainfall events. The source of these high sewage inflows has been attributed to infiltration and inflow (I&I). The I&I is a maintenance issue that will have to be addressed through ongoing maintenance of their respective sewer lines for all parties of the Joint Powers Agreement. New projects cannot be held responsible to fix an existing problem. Decreasing I&I is the responsibility of the three member agencies that are served by SC-OR. This is a regional issue that is beyond the scope of this project to address.

SC-OR's operating permit from the CVRWQCB requires that SC-OR notify the CVRWQCB when the plant is within 48 months of reaching its permitted capacity. At the time notification, SC-OR will utilize the improvements outlined in its Sanitary Sewer Management Plan to initiate a review and update of the CVRWQCB treatment and discharge permit. SC-OR will be required to work with the CVRWQCB to complete an approved plan and renew its treatment and discharge permit. The City also collects applicable development impact fees for sewer capacity and service connection fees on behalf of SC-OR for projects within the City limits. This impact would be **less than significant**.

b) *Would the project 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?*

The existing winery is connected to a City sewer line located along Safford Street, and there is another City sewer line that is present along the north end of the property. Any future sewer connections would tie in to the existing City sewer system and applicable impact fees

for sewer collection facilities would be collected. Wastewater collected by the City's sewer system flows to the SC-OR facility where it undergoes conventional treatment and is then discharged into the Feather River. The SC-OR treatment facility has a design hydraulic and treatment capacity of 10.6 million gallons of effluent per day (mgd) with a permitted capacity of 6.5 mgd. As of 2006-2007, the SC-OR treatment plant currently receives an average dry weather flow of 2.9 MGD and an average wet weather flow of 3.3 MGD. Effluent discharge from the plant is expected to increase to approximately 5.2 MGD by 2025, which is below its permitted capacity. Thus, any wastewater treatment or additional sewer connections that result from this project will not trigger, individually or collectively based on the GPEIR development projections, need for the construction of new wastewater treatment facilities or expansion of existing facilities.

As identified above, SC-OR is currently complying with their discharge permit, however, SC-OR has concerns over high winter inflows that have occurred during unusually high rainfall events attributed to infiltration and inflow (I&I). However, new projects cannot be held responsible to fix an existing problem that is the responsibility of the three member agencies that are served by SC-OR. This is a regional issue that is beyond the scope of this project to address. This project alone does not trigger the need for the expansion of the SC-OR facility nor is this project responsible for solving existing I&I problems.

The project site is served by the California Water Service Company – Oroville District (Cal Water Oroville) as the local water purveyor. Any increase in water supply would be provided by Cal Water who has a production potential of 10.7 million gallons per day (MGD), an amount more than adequate to meet the current maximum daily water demand of 6.3 MGD for the Cal Water Oroville area. Currently, Cal Water has no plans for expansion of their water treatment facility. This impact would be **less than significant**.

- c) ***Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

The City of Oroville currently maintains six regional detention basins. These were constructed along different branches of Dry Creek to retain peak stormwater events. To accommodate the impacts of increased impervious surfaces from new development, the City of Oroville requires installation of stormwater detention ponds or underground storage tanks to retain the peak stormwater runoff. As the proposed project would introduce impervious surfaces, including a 2,500 square feet structure, gazebo, a new paved access driveway and parking lot, the project will generate new surface runoff. However, large quantities of stormwater will be captured onsite through the amount of open lawn area and landscaping proposing. Compliance with the state mandated Model Water Efficient Landscape Ordinance will promote on-site groundwater recharge through on-site stormwater capture.

Furthermore, the current residential land use designation of Assessor Parcel Numbers 012-290-007 and 012-290-008 permit a maximum site coverage of 65%, whereas the commercial land use designation being requested permits a maximum floor area ratio (FAR) of 0.4, thus limiting the amount of impervious surface currently permitted to be construction through non-discretionary approvals. Additionally, the proposed project will be far below the permitted FAR as the project involves a considerable amount of outdoor lawn area for the purpose of providing a venue for outdoor events. Thus, the proposed project will reduce stormwater runoff than what is currently permitted and previously reviewed under the GPEIR. The project will also be required to pay applicable development impact fees which are earmarked for specific stormwater improvement projects. This impact would be **less than significant**.

- d) ***Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?***

The project site is served by the California Water Service Company – Oroville District (Cal Water Oroville) as the local water purveyor. In 2005, the population served by Cal Water Oroville was estimated at 10,000 individuals and was projected to increase to approximately 16,700 individuals by the year 2025. Approximately 30 percent of their water supply is drawn from groundwater pumped from four wells, with the rest coming from surface water sources including the west fork of the Feather River. The surface water resources are purchased from PG&E and are then processed through a conventional treatment plant. Currently, there is no set limit on the amount of water that may be purchased. Cal Water Oroville operates four wells, a treatment facility and distribution pipeline. Currently, there are no plans for expansion of the water treatment facility.

Any increase in water supply would be provided by Cal Water who has a production potential of 10.7 million gallons per day (MGD), an amount more than adequate to meet the current maximum daily water demand of 6.3 MGD for the Cal Water Oroville area. Currently, Cal Water has no plans for expansion of their water treatment facility. This impact would be **less than significant**.

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

As previously identified, the SC-OR treatment facility has a design hydraulic and treatment capacity of 10.6 million gallons of effluent per day (mgd) with a permitted capacity of 6.5 mgd. As of 2006-2007, the SC-OR treatment plant currently receives an average dry weather flow of 2.9 MGD and an average wet weather flow of 3.3 MGD. Effluent discharge from the plant is expected to increase to approximately 5.2 MGD by 2025, which is below its permitted capacity. Historically, SC-OR has not issued will-serve letters or formally reserved capacity at its facility for approved projects, and access to available treatment capacity is allocated on a "first come, first served" basis.

SC-OR's operating permit from the CVRWQCB requires that SC-OR notify the CVRWQCB when the plant is within 48 months of reaching its permitted capacity. At the time notification, SC-OR will utilize the improvements outlined in its Sanitary Sewer Management Plan to initiate a review and update of the CVRWQCB treatment and discharge permit. SC-OR will be required to work with the CVRWQCB to complete an approved plan and renew its treatment and discharge permit. The City also collects applicable development impact fees for sewer capacity and service connection fees on behalf of SC-OR for projects within the City limits. This impact would be **less than significant**.

- f) ***Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?***

The City of Oroville contracts all solid waste collection and recycling services to Recology Butte-Colusa Counties who provides commercial and residential garbage and recycling collection, debris box service and compactor service for residents and businesses of Butte County. In addition, the company operates a materials recovery facility, a transfer station, a household hazardous waste facility, a scrap metal public drop-off center, a recycling buyback center, green waste recycling, and construction and demolition service. Waste generated within the City is collected and processed at the Oroville Transfer Station, which receives an average of over 200 tons of material per day. This facility is permitted to receive 975 tons per day. This existing permit volume exceeds the service area's needs for the foreseeable future, so there are no current plans for expansion of this facility. Once processed, waste that cannot be recycled is transported to the Ostrom Road Landfill, which is located in Wheatland, California and operated by Recology Butte-Colusa Counties. The landfill receives approximately 26,000 tons of waste annually and its expected capacity of

41.8 million cubic yards is expected to be reached in 2066. There are no planned expansions or deficiencies at the Ostrom Road Landfill at this time. Since there is adequate long-term capacity at the landfill serving the project, this impact would be **less than significant**.

g) *Would the project comply with federal, State and local statutes and regulations related to solid waste?*

The 2030 General Plan includes a goal, policies and actions to help meet the State-mandated 50-percent recycling goal and to encourage recycling to minimize the amount of solid waste generated by residents and businesses. Policy 9.3 in the Public Facilities and Services Element of the 2030 General Plan calls for reducing the use of non-biodegradable and non-recyclable materials by encouraging Oroville residents, businesses and industries to seek waste reduction at the source. Action 9.2 calls for the periodic update of the Source Reduction and Recycling Ordinance to make sure it reflects community and State solid waste and recycling goals. Action 9.6 calls for the adoption of a construction and demolition debris recycling ordinance consistent with the model ordinance promulgated by the California Integrated Waste Management Board. City Ordinance No. 1721 requires submittal of Waste Management Plans for applicable projects, which includes new structures of 500 square feet or more of gross floor area. To assure compliance with the Waste Management Plan, applicants are required to provide original receipts from Recology Butte-Colusa Counties indicating actual weights and volumes received. These receipts must be provided prior to the issuance of a final occupancy permit. As the proposed project would be required to comply with these policies and actions, and any other applicable federal, state or local statutes and regulations related to solid waste, this impact would be **less than significant**.

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Mandatory Findings of Significance.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Authority: Public Resources Code Sections 21083, 21083.5.

Reference: Government Code Sections 65088.4.

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

DISCUSSION OF IMPACTS

- 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?***

The project site consists of developed property and undeveloped property surrounded by property considered developed. The City of Oroville’s 2030 General Plan indicates that there are no species of special biological importance in the project’s vicinity, nor any known habitats for such species on-site. The City’s 2030 General Plan also does not identify any drainage corridor or potential vernal pool or vernal swale complex area on the project site nor is the project site adjacent to, or encompass, a river or stream. There are no identified sensitive natural communities, including riparian habitat, on the site or within the surrounding area that could be impacted by this project. Additionally, no wildlife movement corridors exist on the project site. The closest migratory corridor would be the Feather River, which lies over 300ft from the project site and will not be impacted by the proposed project. Furthermore, there is no adopted Habitat Conservation Plan, Natural Community

Conservation Plan, or other approved habitat conservation plan applicable to the project site.

There are no known resources that meet the definition of "historical resources" as defined by Section 15064.5 of the California Code of Regulations (CCR) on or adjacent to the project site. There are no known archeological resources on the project that would be impacted by the proposed project. Additionally, development of the project site would be required to comply with the Oroville General Plan. Policy 14.3 in the Open Space, Natural Resources and Conservation Element of the plan requires that historic or prehistoric artifacts found during construction be examined by a qualified consulting archaeologist or historian to determine their significance and develop appropriate protection and preservation measures, as necessary. Policy 14.7 requires that if cultural resources, including archaeological resources, are uncovered during grading or other on-site excavation activities, construction shall stop until appropriate mitigation is implemented.

There are no known unique paleontological resources or sites or unique geological features on the project site. Should paleontological resources be uncovered in the course of project development and construction, all activities would be required to stop in the immediate vicinity and the project applicant would be required to seek immediate consultation with a qualified paleontologist as required by Goal OPS-14, Policy 14.5 of the City's General Plan. The California State Parks Office of Historic Preservation does not list the project site as being, or having, California Historical Resources and the project site is not listed on any known local register of historical resources. Additionally, notification was sent to local Native American tribes, and tribes who requested formal notification, regarding project application and consultation under AB 52, with no consultation requested at the end of the 30-day consultation request period pursuant to PRC Section 21080.3.1(b). Therefore, impacts are considered **less than significant**.

- 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?***

Project specific and cumulative impacts were evaluated based on the proposed project and conditions on the project site, as described in Sections 4.1 through 4.17. It was determined that the project would have a less than significant impact on aesthetics, cultural resources, geology and soils, greenhouse gas emission, hazards and hazardous materials, hydrology and water quality, land use planning, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. The project was determined to have no impact on agricultural and forestry resources, biological resources, and mineral resources. A less than significant impact, with mitigation incorporated, was determined for air quality. Generally, cumulative impacts would be similar to those identified in the GPEIR. The project's potential to have impacts that are individually limited, but cumulatively considerable, are considered **less than significant**.

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

Based on the evaluation of physical effects described in Sections 4.1 through 4.17, there would be no substantial adverse effects on human beings, either directly or indirectly. This impact would be **less than significant**.

5. REFERENCES

1. Butte County. *Airport Land Use Compatibility Plan*. Adopted December 20, 2000.
2. Butte County. *Butte County General Plan 2030*. Adopted October 26, 2010; Amended November 6, 2012.
3. Butte County Air Quality Management District (BCAQMD). *Air Quality Summary For 2015*. 2015.
4. Butte County Air Quality Management District (BCAQMD). *CEQA Air Quality Handbook*. 2014.
5. Butte Local Agency Formation Commission. *Municipal Service Review for Domestic Water and Wastewater Service Providers*. Adopted June 1, 2006.
6. Butte Local Agency Formation Commission. *Municipal Service Review for the Wastewater Service Providers – Oroville Region*. Adopted November 5, 2009.
7. California Air Resources Board. *Air Quality Standards and Area Designations*. Website. <http://www.arb.ca.gov/desig/desig.htm>. 2016.
8. California Department of Forestry and Fire Protection. *Wildland Hazard and Building Codes*. Website. http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones. 2016.
9. California Department of Toxic Substances Control. *Envirostor Database*. <http://www.envirostor.dtsc.ca.gov/public/>. 2016.
10. California State Water Resources Control Board. *GeoTracker Database*. <http://geotracker.waterboards.ca.gov/>. 2016.
11. City of Oroville. *City of Oroville Bicycle Transportation Plan*. Adopted August 3, 2010.
12. City of Oroville. *City of Oroville Community Climate Action Plan*. Adopted March 31, 2015.
13. City of Oroville. *City of Oroville Zoning Map*. Adopted March 31, 2015.
14. City of Oroville. *Draft Post-Construction Standards Plan for the Small MS4 General Permit, City of Oroville Guidance Document on Storm Water Post-Construction Design Measures for Developers and Plan Checkers*. 2015.
15. City of Oroville. *Oroville Balanced Mode Circulation Plan*. Adopted March 31, 2015.
16. City of Oroville. *Oroville Municipal Code*. Webpage. <http://qcode.us/codes/oroville/>. 2016.
17. City of Oroville. *Oroville Zoning Ordinance*. Adopted March 31, 2015.
18. City of Oroville. *Oroville Sustainability Updates Supplemental EIR*. SCH No. 2014052001. Certified March 31, 2015.
19. City of Oroville. *Oroville 2030 General Plan*. Adopted March 31, 2015.

20. City of Oroville. *Oroville 2030 General Plan EIR*. SCH No. 2008022024. Certified June 2, 2009.
21. City of Oroville. *2014-2022 Housing Element*. Adopted June 3, 2014.
22. Feather River Recreation and Park District. *2020 Master Plan*. April 2011.
23. Federal Emergency Management Agency. Flood Insurance Rate Map, Map No 06007C0960E. Revised January 6, 2011.
24. U.S. Fish and Wildlife Services. *National Wetland Inventory*. Webpage. <https://www.fws.gov/wetlands/Data/Google-Earth.html>. 2016