



**CITY OF YUBA CITY
PLANNING COMMISSION
STAFF REPORT**

Date: November 13, 2019

To: Chair and Members of the Planning Commission

From: Development Services Department

Presentation By: Gary Pedroni, Contract Planner

Public Hearing: **General Plan Amendment (GPA) 19-02:** A proposal amending the existing general plan land use designation of the subject property from Office and Office Park to Community Commercial.

Rezoning (RZ) 19-02: A proposal to rezone the subject property from Office Commercial (C-O) to Community Commercial District (C-2).

Parcel Map (PM) 19-02: A proposal to create 2 lots of 1.00 acres and 1.08 acres.

Development Plan (DP) 19-01: Permit to allow for the development of a 9,100 square foot retail store (Dollar General) on northerly Parcel A of PM 19-02 (1 acre in size).

Environmental Assessment (EA) 19-06: Pursuant to California Environmental Act (CEQA) Article 19, Section 15070 (b)(1), staff prepared an environmental assessment including an Initial Study, Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP) for the project.

Project Location: The 1.82 acre property is located on the east side of Garden Highway, north of River Oaks Drive. (Assessor's Parcel Numbers 54-010-037 and 54-010-039)

Project Proposal: The General Plan Amendment, Rezoning, Parcel Map, and Development Plan, collectively known as the "Project", requires discretionary review by the City of Yuba City Planning Commission and City Council.

The Planning Commission is requested to take action on the Tentative Parcel Map 19-02, Development Plan 19-01, and Environmental Assessment 19-06, subject to the Conditions of Approval and Mitigation Measures, which includes a condition requiring the City Council's approval of the General Plan Amendment and Rezoning. Furthermore, the Planning Commission is requested to recommend to the City Council approval of General Plan Amendment 19-02 and Rezoning 19-02.

Background:

The subject property, which is currently vacant, is surrounded by a variety of land uses including industrial to the north, single family residential to the south, a stormwater basin to the east, and self-storage and single family residential to the west. This project is considered an infill project with the uses and intensities compatible with the existing surrounding adjacent uses.

Access and Public Improvements:

Primary access to the site will be provided by easement via the existing paved driveway on the adjacent property to the north, and secondary access from Garden Highway. The property is served by City services including water, sewer, and storm-water drainage.

Property Description:

The site is currently vacant, relatively flat, with no unique topographic features such as rock outcroppings or heritage-type trees. It has been plowed or mowed annually for fire safety reasons.

Bordering Uses:

Table 1: Bordering Information and Uses			
	<i>Existing General Plan Land Use Classification</i>	<i>Existing Zoning</i>	<i>Existing Land Use</i>
<i>Project Site</i>	Office and Office Park	Community Commercial	Vacant
<i>North</i>	Manufacturing, Processing and Warehousing	Industrial District (M-1) and (M-2)	Industrial
<i>East</i>	Parks Recreation and Open Space	Industrial District (M-2)	Storm water basin
<i>West</i>	Low Density Residential	Two Family Residential (R-2)	Self-storage and single family residential
<i>South</i>	Low Density Residential	Industrial District (M-2)	Single family residential

General Plan Land Use Designations:

Existing: Office and Office Park
Proposed: Community Commercial

Zoning:

Existing: Office Commercial (C-O) and Light Industrial (M-1)
Proposed: Community Commercial (C-2)

Previous Commission/Council Actions:

A lot line adjustment was recently approved resulting in the current parcel configuration. There have been no recent Planning Commission or City Council actions associated with this property.

Staff Comments/Analysis:

Compatibility with Neighboring Uses

A potential issue associated with the project is that nearby residences may have views of anticipated commercial development. Landscaping has been proposed consistent with City standards which will alleviate potential impacts with respect to this issue.

The planned commercial development will have lit parking lots. City ordinance limits the light standards to a maximum of 18 feet high as well as requiring that the light must be screened from direct view from the roadway. The lighting from the Project is not expected to be any greater than existing neighboring uses.

General Plan Amendment and Rezone:

The project is designed to provide a transition of uses that will be compatible with the existing neighboring uses. The project will not physically divide an established community. The site is surrounded by a variety of uses, including single-family residential and commercial uses. The proposed GPA and Rezone will further the goals and policies of the City's General Plan with respect to infill projects and economic development.

Parcel Map:

PM 19-02 proposes to subdivide the property into 2 parcels of 1.0 ac and 1.08 ac each. The proposed Dollar General store would be located on the northerly Parcel A (approximately 1 acre in size). It is anticipated that proposed Parcel B, 1.08 acres in size, would be developed in the future with a commercial endeavor such as an auto parts store. This type of facility was used when forecasting traffic impacts in the area.

Primary access to the site will be provided by easement via the existing paved driveway on the adjacent property to the north (frontage of 151 feet), and secondary access from Garden Highway (frontage of 270 feet). The property is served by City services including water, sewer, and storm-water drainage.

Development Plan:

The applicant intends to develop the property with the construction of a 9100 sq. ft. commercial retail structure (Dollar General), with a maximum height of 25 feet. The structure will be similar in design and finish as other Dollar General Stores in the region. Prominent features include metal roof, pre-finished awnings, stucco wall finish, faux shutters, and stone veneer. Percent of building coverage has been calculated at 17.3%.

The site will be designed for on-site delivery truck circulation and parking for 37 vehicles. In addition, there will be a dumpster enclosure, landscaping consistent with the City's Municipal Code, and on-site stormwater treatment. Primary access to the site will be provided by easement via the existing paved driveway on the adjacent property to the north, and secondary access from Garden Highway. Landscaping will be installed consistent with the City's Municipal Code and Design Guidelines applicable to new development.

Dollar General hours of operation are Monday through Sunday 8am to 10pm. Typically there will be 3 employees on-site during a normal shift and 4-5 customers at as time during peak hours.

Availability of City Services:

All City services, including water, sewer and storm-water drainage are available to serve this site.

Environmental Determination:

Pursuant to California Environmental Act (CEQA) Article 19, Section 15070 (b)(1), staff prepared an environmental assessment including an Initial Study, Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP) for the project.

Summary of Environmental Concerns:

Biological Resources - The site does not support sensitive habitats associated with special status plant or wildlife species. There are no wetlands or riparian habitats within the proposed footprint of the development.

Cultural Resources - No prehistoric or historic-era cultural resources were identified during the pedestrian survey or recorded inventory review.

Greenhouse Gas Emissions - Due to the small size of the project, it is not expected to create significant quantities greenhouse gas emissions.

Noise - A condition of approval has been recommended pursuant to Title 4, Chapter 17, and Section 4-17.10 (e) of the Yuba City Municipal Code which addresses potential construction-related noise impacts.

Traffic - K.D. Anderson & Associates, Inc. were retained by the applicant to prepare a traffic assessment (dated 5/17/19) associated with this project. The report concluded that it is not anticipated that the impacts of the project based on Yuba City's General Plan standards for traffic operations, truck circulation or safety would be significant, and no additional analysis or mitigation is required.

Based upon the attached environmental assessment (EA19-06), including the mitigation measures, all potential significant impacts are reduced to less than significant. The findings of the mitigated negative declaration are that, with the proposed mitigations for cultural resources, greenhouse gases, traffic and circulation, the project will not create any significant impacts on the environment. As a result, the filing of a MND is appropriate in accordance with the provisions of CEQA.

Recommended Actions:

1. **Project:** After reviewing and considering the Mitigated Negative Declaration prepared for this project, along with the proposed mitigation measures, the Planning Commission approves the following contingent upon City Council approval of GPA 19-02 and R 19-02:
 - PM 19-02 to create 2 lots of 1.00 acres and 1.08 acres;
 - DP 19-01 to allow for the development of a 9,100 square foot retail store (Dollar General) on northerly Parcel A of PM 19-02; and adopts,

- Environmental Assessment (EA) 19-06; including an Initial Study, Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP) for the project; and

Furthermore, the Planning Commission recommends approval of:

- GPA 19-02 amending the existing general plan land use designation of the subject property from Office and Office Park to Community Commercial; and
- RZ 19-02, rezoning the subject property from Office Commercial (C-O) to Community Commercial District (C-2).

Findings:

1. The Commission finds that on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration (MND) reflects the Council's independent judgment and analysis.
2. The Commission further finds that the project will not cause substantial environmental damage to fish and/or wildlife and their habitats, nor have the potential for adverse effect(s) on wildlife resources or the habitat upon which wildlife depends. The MND prepared for the project is in conformance with State and local environmental guidelines and a Notice of Determination will be recorded for EA 19-06 with the County Recorder.
3. The Commission finds the adoption of the proposed General Plan Amendment (GPA 19-02) and Rezone (R 19-02) are in the best interest of the City as such and recommends approval to the City Council.
4. **General Plan Amendment and Consistency:** The proposed Commercial land use designation allows for development of a diversity of commercial use types consistent with the City's General Plan. The conditions of approval of the Parcel Map ensure that the improvements will meet all City standards, which are based on General Plan policies.
5. **Rezoning:** The proposed rezone will be consistent with the General Plan designations being applied to the property.
6. **Parcel Map:** Yuba City Municipal Code Article 7 and the California Subdivision Map Act Section 66463 require that City deny the parcel map if it makes any of the following findings (the required findings are in italics).
 - a. *The proposed parcel map is not consistent with the applicable General Plan and/or specific plan:*

The General Plan is proposed to be amended. The lots proposed for those new designations are designed for the uses provide for in each of those designations. There is no specific plan applicable to this property.
 - b. *The design and improvement of the parcel map is not consistent with applicable general and specific plans or adopted City standards:*

The proposed parcel sizes, as shown on the submitted parcel map, are of adequate size to accommodate the uses that will be permitted on them. The

property will be improved with a circulation system to serve the new lots and the property location is suited for such uses as to be compatible with neighboring uses. Any new use that locates onto one of the new lots is required to meet all zoning, building and public works development standards and be consistent with the General Plan.

c. That the site is not physically suited for the density of development:

With the conditions of approval applied to this division of the property into two lots, all City public improvement standards are required to be met. All lot coverage, lot size, parking and landscaping standards will be met once the properties are developed.

d. That the site is not physically suited for the type of development.

Each new lot will meet the minimum lot sizes required by the relevant zone district. Those minimum lot sizes are well established and known to be large enough to accommodate the uses proposed for them.

e. That the design of the parcel map or likely improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat:

As provided earlier in this staff report and in the accompanying environmental document, there is not a potential for the project to cause significant environmental damage or impact to any fish or wildlife habitat.

f. That the design of the parcel map or the type of improvements is likely to cause serious public health problems:

Every new parcel will be connected to City water, sewer and storm drainage systems in order to avoid public health problems.

g. That the design of the parcel map or the type of improvements will conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision:

The property is served by improved public access ways, which are maintained by the City.

As provided above, none of the required findings that would require denial of the parcel map can be made. Therefore, the tentative parcel map may be approved.

Attachments:

1. Conditions of Approval and Mitigation Measures
2. Initial Study and Mitigation Monitoring Program
3. Site Plan, Architectural Elevations, and Landscape Plans

CITY OF YUBA CITY

Community Development – Planning
(530) 822-4700

PROJECT APPLICATION

PLEASE PRINT OR TYPE:

Applicant Name: Steve Powell, Woodcrest REV Phone: (760) 271-9400

Address: 1410 Main Street, Suite C, Ramona, CA 92065

(If more than one applicant, attach separate sheet with additional applicants' information.)

Property Owner's Name: Marilee Smith Decendent's Trust Phone: (415) 255-7024

Address: _____

Contact Person/Representative: Steve Powell Phone: (760) 271-9400

Address: 1410 Main Street, Suite C, Ramona, CA 92065

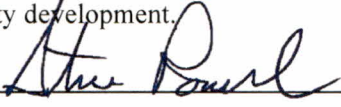
Assessor's Parcel No(s): 54-010-037 & portion of 54-010-039

Property Location/Description: Approximately 1.82 Acres on the east side of Garden Highway, north of River Oaks Dr.

Project area listed as an Identified Hazardous Waste Site? ☐ yes ☒ no

Proposal Description (use additional sheets if necessary): Proposed Boundary Adjustment (portion of 54-010-039); Proposed Subdivision, Proposed General Plan Amendment (Change of Zone from C-O to C-2), and Proposed 9,100 square foot Retail Store.

I/We acknowledge that the information provided above is correct. I/We agree to comply with all City and State laws regulating property development.

Applicant Signature*:  Date: 5/30/2019

Co-applicant Signature: _____

* If the applicant is not the property owner, a letter of authorization from the property owner is required.

For Internal (City) Use Only:

UP _____	VR _____	PM _____	SM _____	Date Received: _____
DP _____	Other _____			Receipt No.: _____
RZ _____	from _____	to _____		Fees: \$ _____
GP _____	from _____	to _____		
Application: EA# _____ or Exempt _____				GP Designation: _____
				Zoning: _____
Planning Commission: Approved <input type="checkbox"/> Denied <input type="checkbox"/> Date: _____				
City Council: Approved <input type="checkbox"/> Denied <input type="checkbox"/> Date: _____				
Resolution/Ordinance Number: _____				

YUBA CITY - GENERAL RETAIL
INFILL DEVELOPMENT

Property Address: _____ Garden Highway, Yuba City, CA 95991

APNs: 54-010-037 & portion of 54-010-039

PROJECT DESCRIPTION

The Project site fronts on the East side of Garden Highway, North of River Oaks Dr. approximately 300 feet., and South of Burns Dr. approximately 1,200 feet., in the City of Yuba City, Sutter County, California. The Project involves parcel APN 54-010-037 and a portion of APN 54-010-039. The subject parcels do not yet have an assigned address. The subject properties are designated *Office & Office Park* in the General Plan and zoned Office Commercial (C-O) and Light Industrial (M-1). The project will process a Lot Line Adjustment to incorporate a portion of 54-010-039 into 54-010-037 per EXHIBIT A, a "General Plan Amendment" to change the designation to *Community Commercial* and "Change of Zone" application to change the zoning to Community Commercial (C-2) per EXHIBIT B, and a two parcel subdivision (approximately 1 acre each) of the newly adjusted lot per EXHIBIT C.

PROPOSED DEVELOPMENT

Parcel A:

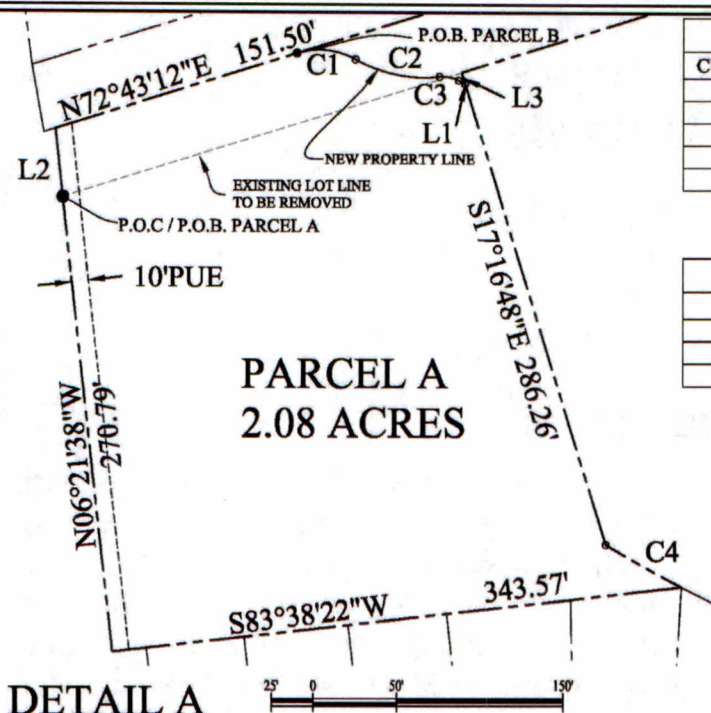
The Project proposes to construct a 9,100 sq. ft. commercial retail building (Dollar General), with a maximum height of 25 feet on Parcel A. The site will be designed for on-site delivery truck circulation and parking for 37 vehicles. In addition, there will be a dumpster enclosure, landscaping and on-site stormwater treatment. Primary access to the site will be provided by easement via the existing paved driveway on the adjacent property to the north, and secondary access from Garden Highway through Parcel B.

Dollar General hours of operation are Monday thru Sunday 8am to 10pm. Typically, there will be 3 employees during a normal shift and 4-5 customers at a time during peak hours.

Water and Sewer service will be provided by Yuba City Utilities.

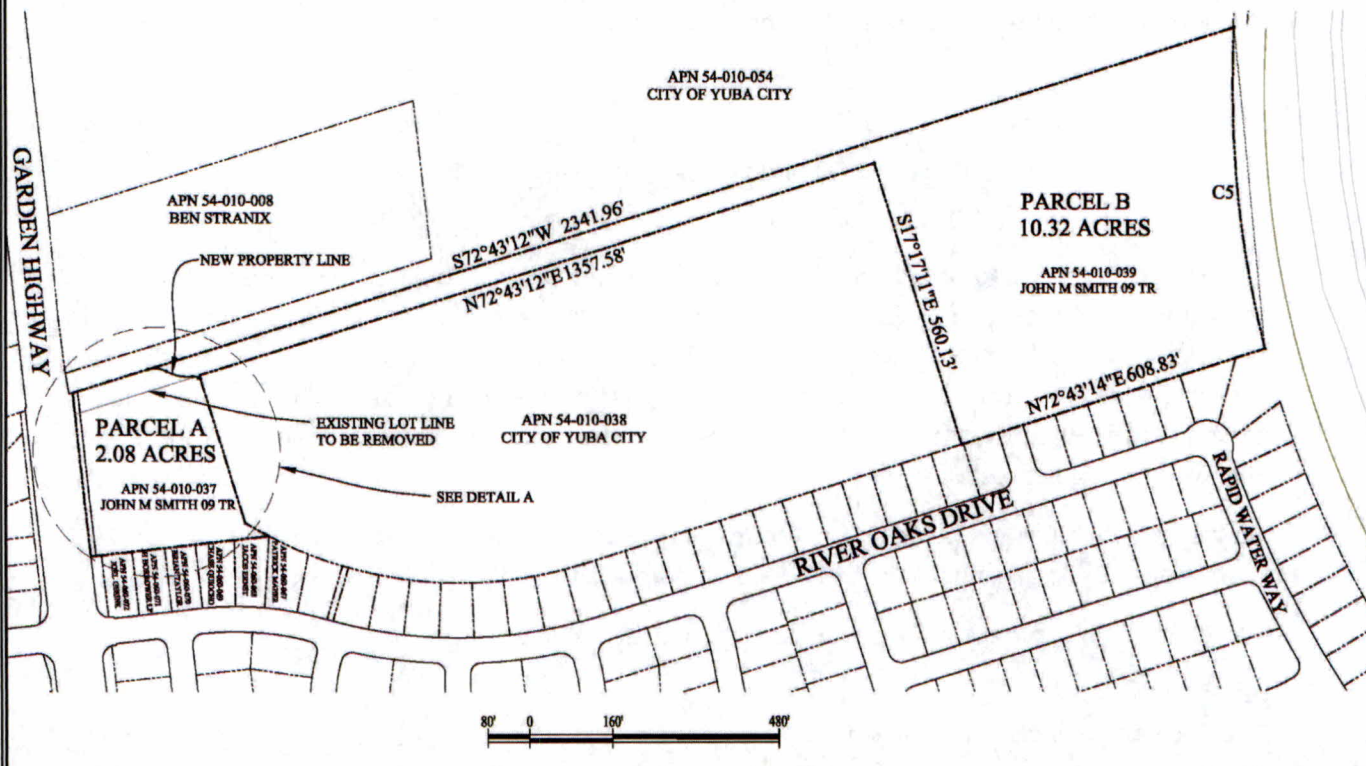
Parcel B:

The Project does not propose any development of Parcel B at this time. For project planning purposes, Parcel B will be evaluated based on a 6,500 sq. ft. Auto Parts Store for impacts related to the Project.



CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	CHORD DIRECTION
C1	36.28	45.00	35.30	S84°11'08"E
C2	52.04	85.00	51.23	S78°37'54"E
C3	11.88	20.00	11.71	S79°09'13"E
C4	52.01	800.00	52.00	S60°57'21"E
C5	615.52	2000.41	613.09	S05°25'12"E

LINE TABLE		
LINE	LENGTH	BEARING
L1	4.49	S62°08'08"E
L2	40.74	S06°21'41"E
L3	7.11	N17°16'48"W



DATE: 06/12/19

JOB NO: 19-148

DRAWN: JSM
19148mast

CHECKED: SMM



SCALE: 1"=160'

TITLE:

EXHIBIT "A"

JOHN M SMITH 2009 TRUST - LOT LINE ADJUSTMENT 2019-

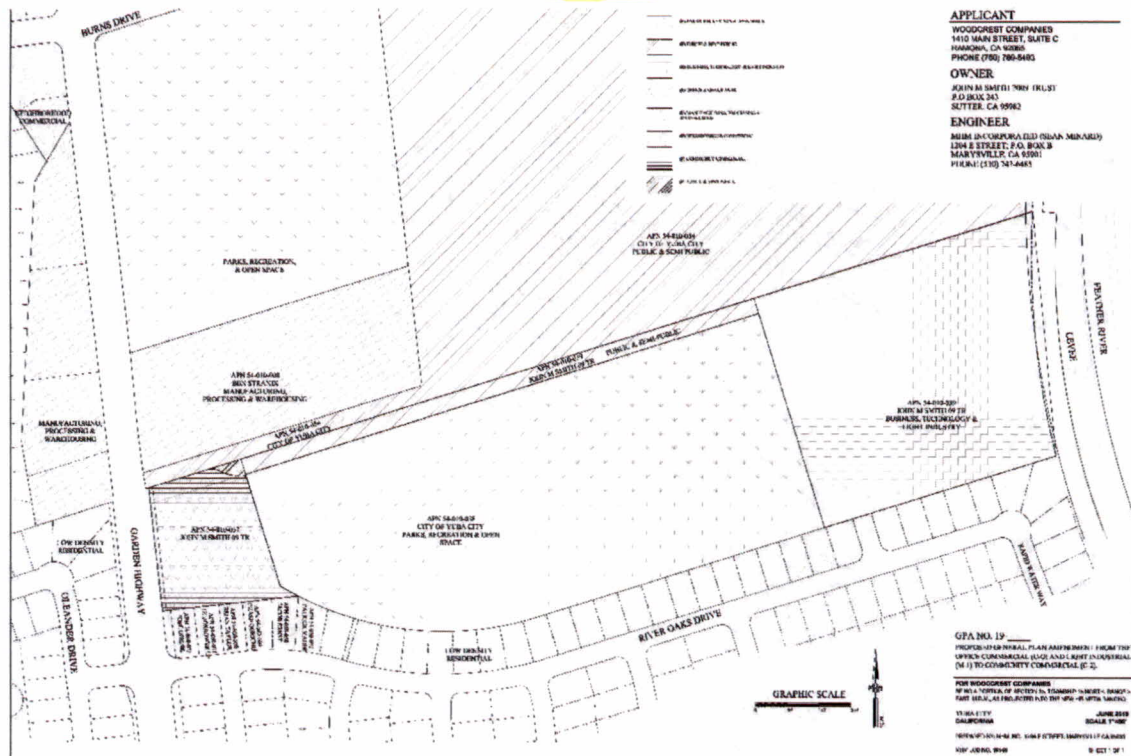
BEING A PORTION OF SECTION 35, TOWNSHIP 15 NORTH, RANGE 3 EAST,
M.D.M., AS PROJECTED INTO THE NEW HELVETIA RANCHO.

PREPARED BY: MHM, INC 1204 E STREET MARYSVILLE, CA 95901

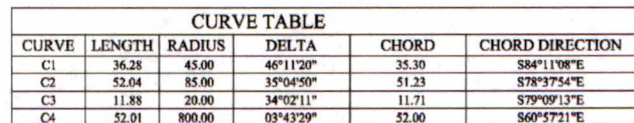
SHEET 1 OF 1



EXHIBIT B



Proposed Subdivision



Attachment 1:
Tentative Parcel Map 19-02
Conditions of Approval and Mitigation Measures

Conditions of Approval

General

1. Approval of Parcel Map (PM) 19-02 may become null and void in the event that development is not completed in accordance with all the conditions and requirements imposed on this tentative parcel map, the Zoning Ordinance, the most recently City-adopted Uniform Building Code, and all Public Works Standards and Specifications. The City shall not assume responsibility for any deletions or omissions resulting from the permit review process or for additions or alterations to construction plan not specifically submitted and reviewed and approved pursuant to this special permit or subsequent amendments or revisions.
2. The applicant/property owner agrees to defend, indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, damages, liability or actions arising out of or connected with this Agreement, except to the extent such liabilities are caused by actions of the City.
3. The effective approval date of this parcel map for purposes of this parcel map's expiration date, as described in Condition #4 below, shall not be until the effective date of the rezoning, if rezoning is approved and the Planning Commission date, if zoning is not approved.

Expiration and Development Impact Fees

4. Approval of PM 19-02 shall be null and void without further action if either the parcel map has not been recorded within two years of the approval date of PM 19-02 or that a request for an extension of time, pursuant to Section 66452.6 and as amended, of the California Subdivision Map Act and City subdivision standards, has been submitted to the City prior to the map's expiration date.
5. Development Impact Fees. Impact fees shall be paid pursuant to the Yuba City Municipal Code,

Planning Division

6. The parcel design on the parcel map shall be designed in conformance with the PM 19-02, as approved by the Planning Commission.
7. PM 19-02 shall comply with the Conditions of Approval.

Public Works Department

General

8. To help contain fugitive dust, construction sites shall be watered down during the construction phase of the project or as directed by the Public Works Department.

9. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
10. The Developer, at their expense, shall be solely responsible for all quality control associated with the project. The quality control shall include, but is not limited to, the following: survey work, potholing existing utilities, all geotechnical testing, soil reports, concrete testing, asphalt testing, and any other required special testing/inspections. The City will only perform necessary testing to ensure compliance.
11. Storage of construction material is not allowed in the travel way.
12. The improvement plans for the development of the subject property shall include all measures required to ensure that no drainage runoff resulting from the development of the property flow onto the adjacent residential or impede the drainage from those properties. The rear yards and/or side yards of the lots that are created by this development that are adjacent to existing residential development shall have the same finish grade elevation as those lots within tolerances as approved by the Public Works Department. If retaining walls are required, they shall be constructed of concrete or masonry block.
13. Existing and proposed grade elevations at perimeter of the proposed land development shall be shown on the tentative map per Section 8-2.604 of the Municipal Code. The Engineer of Record shall designate on the plans as to where any retaining walls are required and provide details of all proposed retaining walls. A retaining wall is required where grade differences between the proposed development and the surrounding land is greater than 6" (inches). The use of any type of wood as the retaining wall is not permitted.
14. An Improvement Agreement, if needed, outlining any costs (hot tap, connection fee, fair share contribution, etc.) associated with the development shall be accepted by the City prior to approval of plans.
15. The contractor shall obtain an Encroachment Permit from the City prior to performing any work within public rights of way.
16. Where an excavation for a trench and/or structure is 5 feet deep or more, the contractor shall conform to O.S.H.A. requirements. The contractor shall provide a copy of the approved O.S.H.A. permit, and shoring details and calculations prepared by California licensed structural engineer to the Public Works Department.
17. Striping, pavement markings and traffic signage shall be provided on all streets as necessary and as required by the Public Works Department. Signage restricting parking and red painted curbing shall be installed where appropriate.
18. The Developer shall place, within the property boundary, an in-line separator on the storm drain line prior to the point of connection to the storm drain line in the City right-of-way or shall provide other acceptable water quality feature. Property owner shall be responsible for all maintenance of the system or feature.
19. Required Improvement Plan Notes:

- a. "Any excess materials shall be considered the property of the contractor/owner and shall be disposed of away from the job site in accordance with applicable local, state and federal regulations."
 - b. "During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. The Contractor shall be responsible for all construction equipment to be equipped with manufacturers approved muffler baffles. Failure to do so may result in the issuance of an order to stop work."
 - c. "If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Sutter County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies."
 - d. "The Contractor(s) shall be required to maintain traffic flow on affected roadways during non-working hours, and to minimize traffic restriction during construction. The Contractor shall be required to follow traffic safety measures in accordance with the Caltrans "Manual of Traffic Safety Controls for Construction and Maintenance Work Zones." The City of Yuba City emergency service providers shall be notified, at least two working days in advance, of proposed construction scheduled by the contractor(s)."
 - e. "Soil shall not be treated with lime or other cementitious material without prior express permission by the Public Works Department."
20. Prior to final map recordation the property shall petition for formation of a Zone of Benefit of the Yuba City Lighting Maintenance District for the purpose of maintaining the street lights, Garden Highway landscaping, applicable drainage facilities, and the easement area at the access road.
 21. A condition required with the first building permit issued for the subject parcel(s) is that the development shall include the installation of a street light, on the east side of Garden Highway, at a location that is acceptable to the Public Works Director.
 22. The street lighting shall be energized prior to the issuance of Certificate of Occupancy.
 23. All public street lighting shall be dedicated to the City of Yuba City.
 24. A public utility easement shall be provided along the property frontage extending 10 feet behind the back of the sidewalk.
 25. Cross access easements shall be reserved in deeds or other acceptable format to facilitate all shared underground utilities, ingress and egress, parking, drainage, refuse collection, landscaping, and the maintenance thereof to the benefit of all parcels involved in the division. The document is to be recorded and tied to the divided parcels.

26. The Developer's Superintendent/Representative shall submit three sets of Pacific Gas and Electric approved utility plans showing joint trench locations and distribution lines prior to issuance of first building permit for each phase of construction, if required for development.
27. Prior to Certificate of Occupancy the curb, gutter, sidewalk, and lot drainage shall be inspected and approved by the City. Any curb, gutter and sidewalk which is not in accord with City standards or is damaged before or during construction, shall be replaced. All sidewalks along the City right-of-way shall be free of any non-control joint cracking. In addition, any concrete with cracks, chips, blemishes, and spalling greater than an inch in diameter shall be replaced from control joint to control joint.
28. Prior to the issuance of a certificate of occupancy, all reduced pressure backflow preventers shall be tested and a back-flow preventer certification performed by an AWWA licensed tester shall be submitted to the Public Works Department.

PROJECT SPECIFIC CONDITIONS

29. A condition required with the first building permit issued for the subject parcel(s) is that the Developer shall have the overhead electrical and communication facilities undergrounded from the west side of Garden Highway to the east side of Garden Highway in the vicinity of the access road at the north end of the development or pay an in lieu fee to the City of \$60,000.00 that the City may use at its discretion to reduce visual blight. If the Developer elects to underground and the utility companies are unable to perform the work prior to Certificate of Occupancy, the Developer may provide an acceptable security, to the City, for the undergrounding to ensure the completion of the work.
30. The Lot Line Adjustment, pertaining to the parcels, shall be filed at the County Recorder's Office prior to recordation of the map.
31. The structural section of the access road improvements (at the north end of the development), from the east right-of-way line of Garden Highway, to the northerly prolongation of the development's east property line, shall be designed to the following standards:
 - a. Use 4" minimum, of 'Type A' asphaltic concrete over 14" Class 2 aggregate base.
 - b. Provisions shall include the installation of curb and gutter, and any landscaping along project frontage.
32. The operation of noise-generating construction equipment before 6:00 a.m. or after 9:00 p.m. daily, except Sunday and State or federal holidays when the prohibited time is before 8:00 a.m. and after 9:00 p.m.

Proposed Mitigation Measures

Tribal Resources Mitigation 1: Unanticipated Discoveries

If potential tribal cultural resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find (or an appropriate distance based on

the apparent distribution of the TCR). A qualified cultural resources specialist meeting the *Secretary of Interior's Professional Qualifications Standards for Archaeology*, as well as Native American Representatives from traditionally and culturally affiliated Native American Tribes that have engaged in consultation for the Project will be invited to assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may include, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the Project area where they will not be subject to future impacts. The United Auburn Indian Community of the Auburn Rancheria (Tribe) does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the Tribe.

The types of treatment preferred by UAIC that protects, preserves or restores the integrity of a TCR may include Tribal Monitoring, or recovery of cultural objects, and reburial of cultural objects or cultural soil that is done in a culturally appropriate manner. Recommendations of the treatment of a TCR will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If articulated or disarticulated human remains are discovered during ground disturbing construction activities or ground disturbing activities, all work shall cease within 100 feet of the find, and the provisions provided in the Health and Safety Code Section 7054 shall apply. If the remains are determined by the County Coroner to be human and that of a Native American, then Public Resources Code 5097.98, 5097.99, 5097.991, and compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) shall be implemented.

Tribal Resources Mitigation 2: Post-Ground Disturbance Site Visit

A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the CEQA lead agency representative of the proposed earthwork start-date, in order to provide the CEQA lead agency representative with time to contact the United Auburn Indian Community (UAIC). A UAIC tribal representative shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of ground breaking activity. Construction activity may be ongoing during this time. Should the tribe choose not to perform a field visit within the first five days, construction activities may continue as scheduled, as long as the notification was made and documented. During this inspection, a site meeting of construction personnel will be held in order to afford the tribal representative the opportunity to provide tribal cultural resources awareness information.

Greenhouse Gas Mitigation Measure 1: Green House Gas Emissions

The site grading and construction process shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan.

Biological Resources Mitigation Measure 1: Nesting Raptors Survey

Pre-construction surveys for nesting raptors should be conducted on trees within 500 feet of the subject property if construction activities occur between March 1 and September 15 pursuant to California Department of Fish & Game requirements. These surveys should be accomplished no later than 7 days prior to commencement of grading activities.



Environmental Assessment 19-06

Initial Study and Negative Declaration for General Plan Amendment GP19-02, Rezone R 19-02, PM 19-02, and Development Permit DP19-01 for the Dollar General Retail Development

Prepared for:

City of Yuba City
1201 Civic Center Blvd.
Yuba City, CA 95993

Prepared By:

Gary Pedroni
Contract Planner
&
City of Yuba City
Development Services Department
Planning Division
1201 Civic Center Blvd.
Yuba City, CA 95993

October 25, 2019

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CITY OF YUBA CITY

Development Services Department
Planning Division

1201 Civic Center Blvd. Yuba City, CA 95993 Phone (530) 822-4700

2. Introduction

2.1. Introduction

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to identify any potential environmental impacts in the City of Yuba City, California (City), for developing a 2.08 acre undeveloped property located on the east side of Garden Highway, north of River Oaks Drive. The project includes the following components:

- 1: **General Plan Amendment 19-02** amending the existing general plan land use designation for the subject property from Office and Office Park to Community Commercial.
- 2: **Rezoning 19-02** to rezone the subject property from Office Commercial (C-O) to Community Commercial District (C-2).
- 3: **Parcel Map PM 19-02** that will create 2 lots of 1.00 acres and 1.08 acres.
- 4: **Development Permit DP19-01** which would allow for the development of a 9,100 square foot retail store (Dollar General) on the northerly Parcel A (1 acre in size).

The General Plan Amendment, rezoning, parcel map, and development permit, collectively known as the "Project", which is considered a project under the California Environmental Quality Act (CEQA), as the City has discretionary authority over the project. The project requires discretionary review by the City of Yuba City Planning Commission (who proffers a recommendation) and the City Council who delivers the final decision.

This IS/MND has been prepared in conformance with CEQA Guidelines Section 15070. The purpose of the IS/MND is to determine the potential significant impacts associated with the Project for the development of a Dollar General retail store. In addition, this document is intended to provide the basis for input from public agencies, organizations, and interested members of the public.

2.2. Regulatory Information

An Initial Study (IS) is an environmental assessment document prepared by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the California Code of Regulations Title 14 (Chapter 3, §15000 et seq.), commonly referred to as the CEQA Guidelines - Section 15064(a)(1) states an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant. A negative declaration may be prepared instead, if the lead agency finds that, with mitigation measures, there is no substantial evidence, in light of the whole record that the project will have a significant effect on the environment. A negative declaration is a written statement describing the reasons why a proposed project, not exempt from CEQA pursuant to §15300 et seq. of Article 19 of the Guidelines, would not have a significant effect on the

environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- A. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or
- B. The IS identified potentially significant effects, but:
 - a. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration and initial study is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
 - b. There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment. If revisions are adopted by the Lead Agency into the proposed project in accordance with the CEQA Guidelines Section 15070(b), a Mitigated Negative Declaration (MND) is prepared.

2.3. Document Format

This IS/MND contains four chapters, and one technical appendix. Chapter 1, Introduction, provides an overview of the proposed Project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of proposed Project objectives and components. Chapter 3, Impact Analysis, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible measures. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, List of Preparers, provides a list of key personnel involved in the preparation of the IS/MND.

2.4. Purpose of Document

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Pub. Res. Code, Section 21000 et seq.) and the State CEQA Guidelines (Title 14 CCR §15000 et seq.). CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The initial study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to use a previously prepared EIR and supplement that EIR, or prepare a subsequent EIR to analyze at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a negative declaration shall be prepared. If in the course of the analysis, it is recognized that a project may have a significant impact on the environment, but that

with specific recommended mitigation measures incorporated into the project, these impacts shall be reduced to less than significant, a mitigated negative declaration shall be prepared.

In reviewing all of the available information for the above referenced project, the City of Yuba City Development Services Department has analyzed the potential environmental impacts created by this project and a mitigated negative declaration has been prepared for this project.

2.5. Intended Uses of this Document

In accordance with CEQA, a good-faith effort has been made during preparation of this IS/MND to contact affected public agencies, organizations, and persons who may have an interest in the proposed project. In reviewing the Draft IS/MND, affected and interested parties should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the effects of the proposed project would be avoided or mitigated.

The Draft IS/ND and associated appendices will be available for review on the City of Yuba City website at <http://www.yubacity.net>. The Draft IS/MND and associated appendixes also will be available for review during regular business hours at the City of Yuba City Development Services Department (1201 Civic Center Boulevard, Yuba City, California 95993). The 20 day review period will commence on October 25, 2019 and end on November 13, 2019.

Written comments on the Draft IS/MND should be sent to the following address:

City of Yuba City
Attn: Gary Pedroni, Contract Planner
Development Services Department
1201 Civic Center Boulevard
Yuba City, CA 95991

E-mail: gpedroni@landlogistics.com
Phone: (707) 489-5746

3. Project Description

3.1. Project Title

Dollar General Retail Store – The Project

3.2. Lead Agency Name and Address

City of Yuba City
Development Services Department, Planning Division
1201 Civic Center Blvd.
Yuba City, CA 95993

3.3. Contact Person and Phone Number

Gary Pedroni, Contract Planner
(707) 489-5746
gpedroni@landlogistics.com

3.4. Project Location/Existing Use

The 1.82 acre undeveloped property is located on the east side of Garden Highway, north of River Oaks Drive.

3.5. Assessor's Parcel Number (APN)

Assessor's Parcel Numbers 54-010-037 and 54-010-039.

3.6. Project Applicant

Steve Powell, Woodcrest REV
1410 Main Street, Suite C
Ramona, Ca 92065
(760)271-9400

3.7. Property owner

Marilee Smith Descendant's Trust
(415) 255-7024

3.8. General Plan Designation

Existing: Office and Office Park
Proposed: Community Commercial

3.9. Zoning

Existing: Office Commercial/C-O and Light Industrial/M-1
Proposed: Community Commercial/C-2

3.10. Project description

GPA 19-02 proposes to amend the General Plan land use designation from Office and Office Park to Community Commercial.

RZ 19-02 proposes to rezone from C-O to C-2

PM 19-02 proposes to subdivide the property into 2 parcels of 1.0 ac and 1.08 ac each.

DP 19-01: The applicant intends to develop the property with the construction of a 9100 sq. ft. commercial retail structure (Dollar General), with a maximum height of 25 feet. The site will be designed for on-site delivery truck circulation and parking for 37 vehicles. In addition, there will be a dumpster enclosure, landscaping consistent with the City's Municipal Code, and on-site stormwater treatment. Primary access to the site will be provided by easement via the existing paved driveway on the adjacent property to the north, and secondary access from Garden Highway.

Dollar General hours of operation are Monday through Sunday 8am to 10pm. Typically there will be 3 employees on-site during a normal shift and 4-5 customers at as time during peak hours.

This project is considered an infill project with the uses and intensities compatible with the existing surrounding adjacent uses.

City services, including water, sewer, and drainage, will be provided.



Dollar General
54-010-037 and portion -039

1 inch = 150 feet

FIGURE 1: TPM 19-02

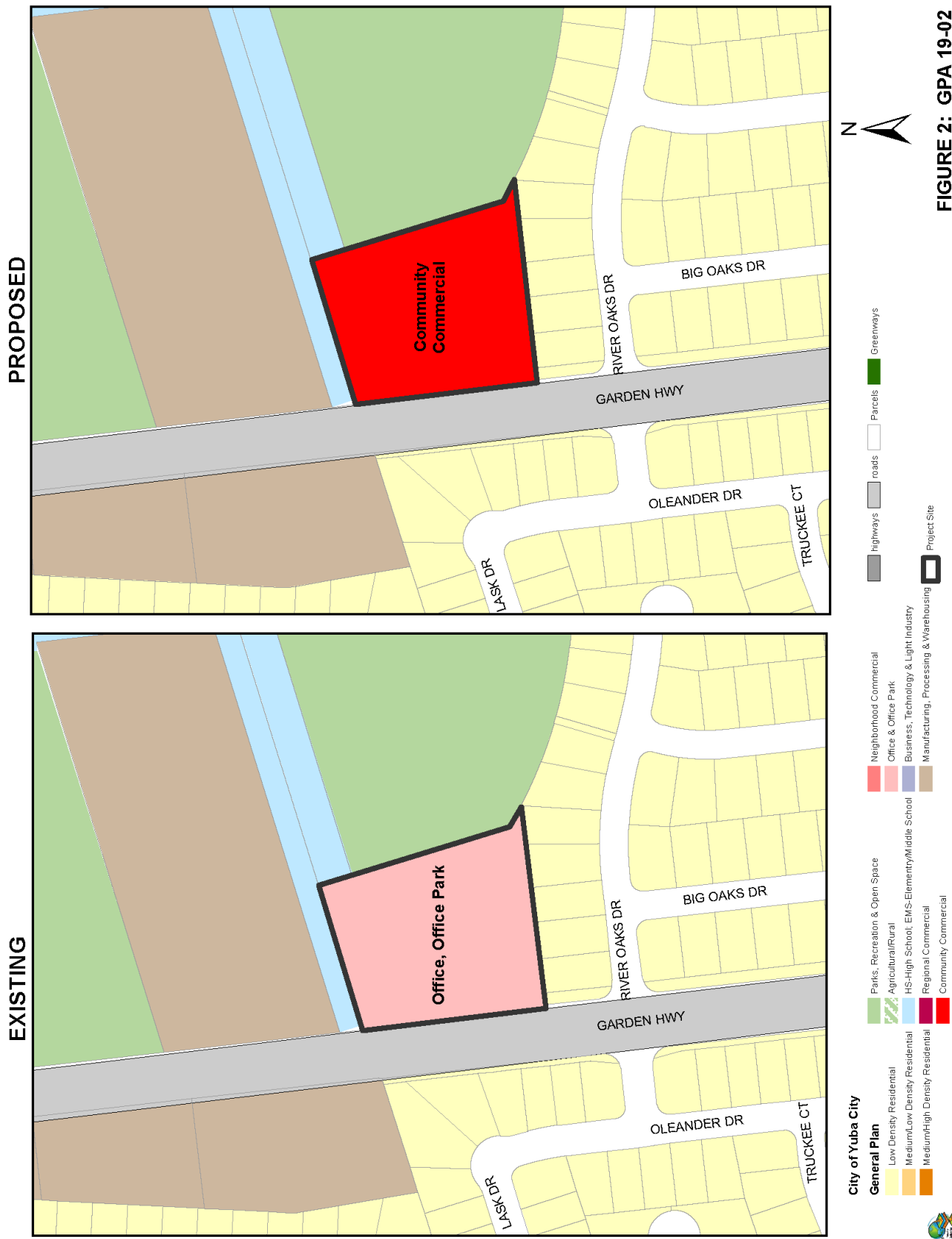
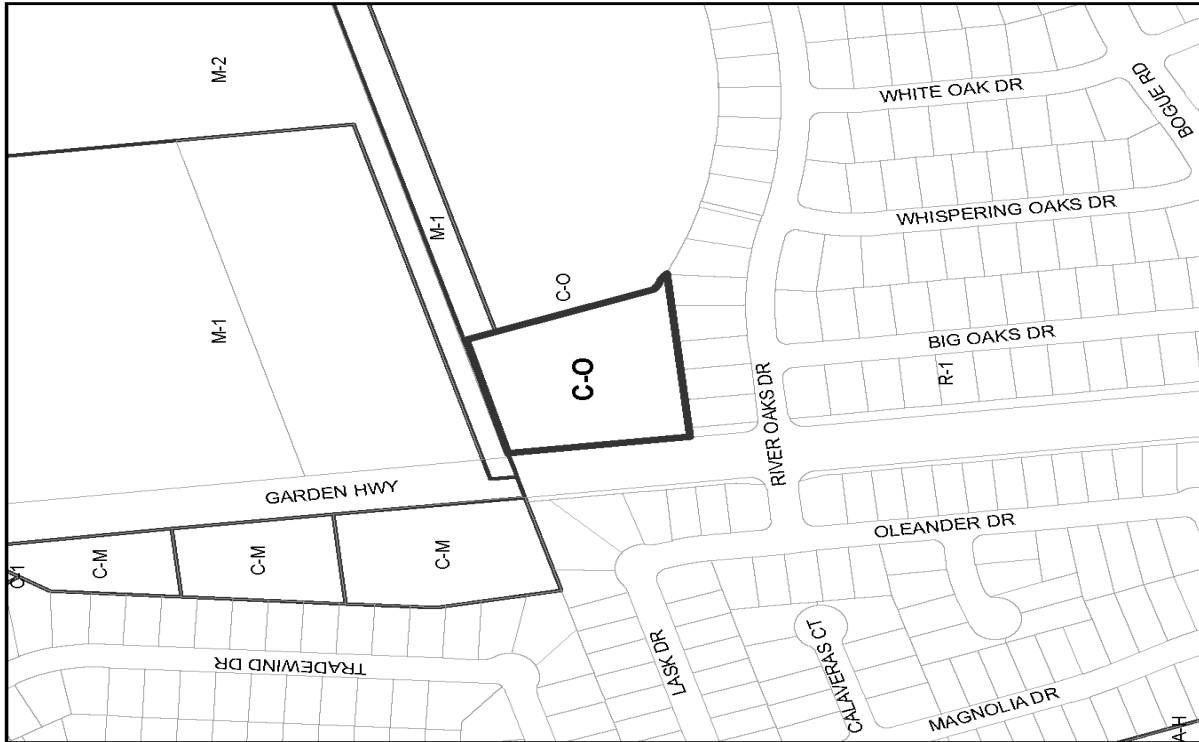
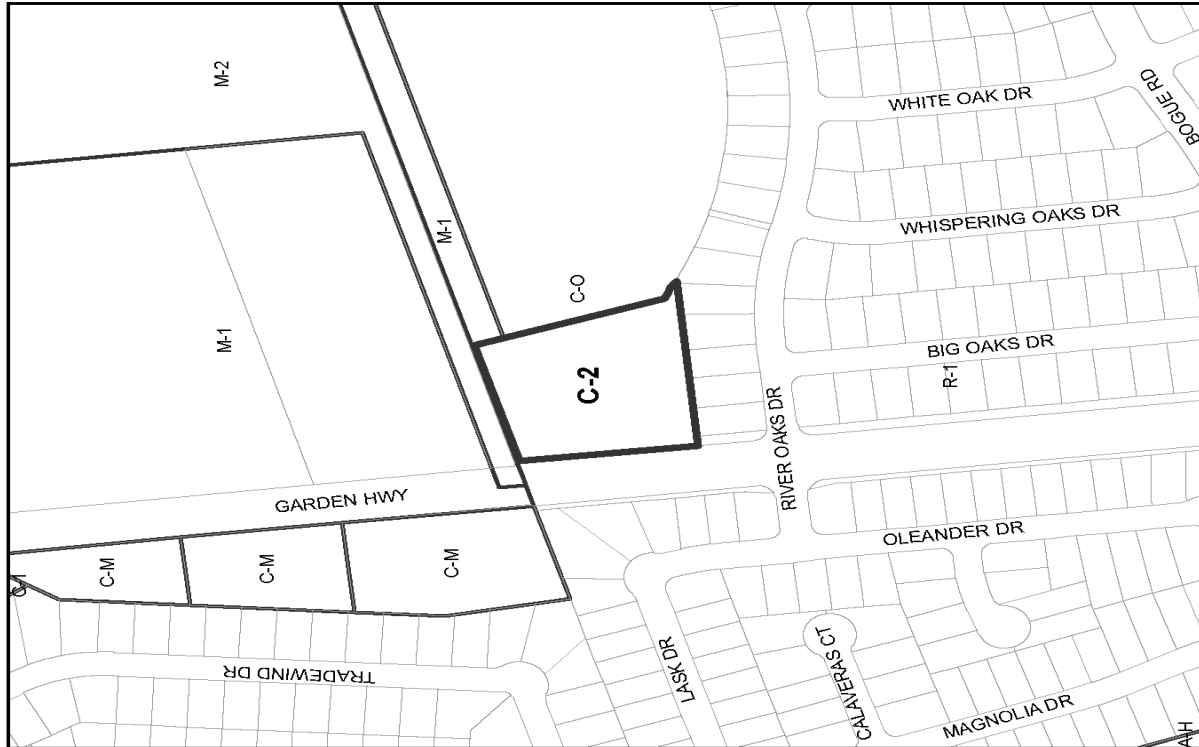


FIGURE 2: GPA 19-02

EXISTING



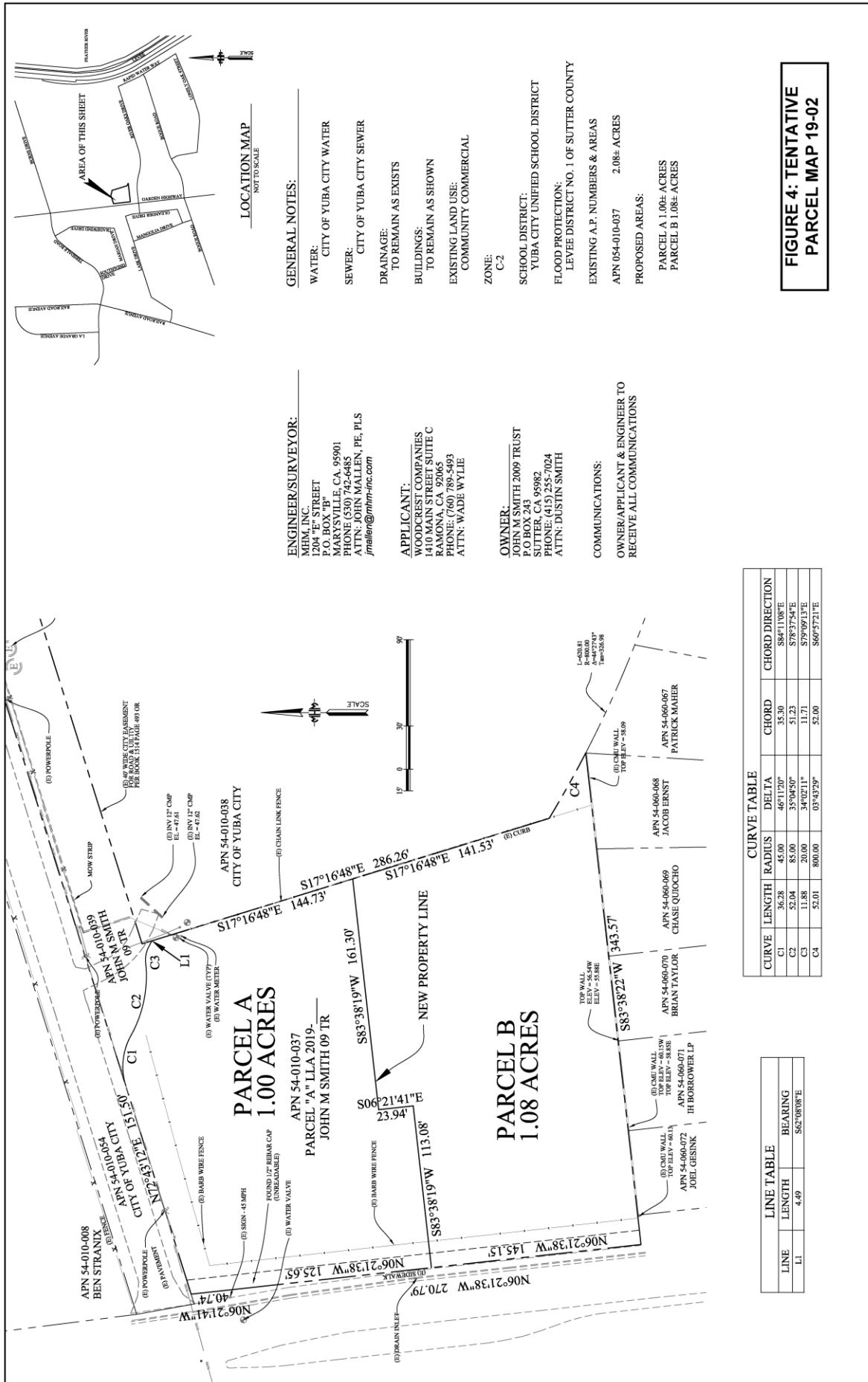
PROPOSED



City of Yuba City
 Zoning
 Project Site
 Parcels

FIGURE 3: REZONING 19-02





GENERAL NOTES:

WATER: CITY OF YUBA CITY WATER

SEWER: CITY OF YUBA CITY SEWER

DRAINAGE: TO REMAIN AS EXISTS

BUILDINGS: TO REMAIN AS SHOWN

EXISTING LAND USE: COMMUNITY COMMERCIAL

ZONE: C-2

SCHOOL DISTRICT: YUBA CITY UNIFIED SCHOOL DISTRICT

FLOOD PROTECTION: LEVEE DISTRICT NO. 1 OF SUTTER COUNTY

EXISTING A.P. NUMBERS & AREAS

APN 054-010-037 2.08± ACRES

PROPOSED AREAS:

PARCEL A 1.00± ACRES

PARCEL B 1.08± ACRES

ENGINEER/SURVEYOR:

MHM, INC.
1204 "E" STREET
P.O. BOX "B"
YUBA CITY, CA 95901
PHONE: (530) 742-6485
ATTN: JOHN MALLEN, PE, PLS
jmallen@mhm-inc.com

APPLICANT:

WOODCREST COMPANIES
1410 MAIN STREET SUITE C
RAMONA, CA 92065
PHONE: (760) 789-5493
ATTN: WADE WYLIE

OWNER:

JOHN M SMITH 2009 TRUST
P.O. BOX 44
SUTTER, CA 95982
PHONE: (415) 255-7024
ATTN: DUSTIN SMITH

COMMUNICATIONS:

OWNER/APPLICANT & ENGINEER TO
RECEIVE ALL COMMUNICATIONS

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD DIRECTION
C1	36.28	45.00	46°11'20"	35.30	S84°11'08"E
C2	52.04	85.00	35°04'50"	51.23	S78°37'54"E
C3	11.88	20.00	34°02'11"	11.71	S79°09'13"E
C4	52.01	800.00	03°43'29"	52.00	S69°57'21"E

LINE TABLE

LINE	LENGTH	BEARING
L1	4.49	S62°00'00"E



FRONT ELEVATION
(WEST ELEVATION GARDEN HWY) 1



REAR ELEVATION
(EAST ELEVATION) 2



RIGHT ELEVATION
(SOUTH ELEVATION) 3



LEFT ELEVATION
(NORTH ELEVATION) 4



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MEMBER
AMERICAN INSTITUTE OF ARCHITECTS

CLIENT



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RANCHO, CALIFORNIA 92085

CONTACT: WADE WYLLIE
P: 760-789-0480
WWW.WOODCRESTARCHITECTS.COM

PROJECT

A PROPOSED IN-ILL DEVELOPMENT LOCATED AT:

GARDEN HWY (CA 40), NEAR RIVER OAKS DR,
YUBA CITY, CA 95991

REVISIONS

NO	DESCRIPTION	DATE

SHEET TITLE

EXTERIOR COLOR
ELEVATIONS

DATE	BY	CHKD	APPD
08-26-10			
L. DATE			

3.11. Surrounding Land Uses & Setting

Table 1: Bordering Uses	
North:	Industrial
South:	Single family residential
East:	Stormwater basin
West:	Self-storage and single family residential

3.12. Other Public Agencies Whose Approval May be Required

- California Regional Water Quality Control Board

3.13. Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" 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 checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

Determination: On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as

described on the 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.

Gary Pedroni

Signature

October 25, 2019

Date

Gary Pedroni, Contract Planner

Printed Name/Position

3.14. Evaluation of Environmental Impacts:

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).

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.

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.

“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 Analysis,” as described below, may be cross referenced). A Mitigated Negative Declaration also requires preparation and adoption of a Mitigation Monitoring and Reporting Program (MMRP)

Earlier analysis 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. In this case, a brief discussion should identify and state where earlier analysis are available for review.

Impacts Adequately Addressed. The IS/MND should identify which effects from the above checklist were within the scope 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.

Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” the IS/MND should describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.

Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts. Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

Supporting Information Sources: A source list is attached, and other sources used or individuals contacted are cited in the discussion.

4. Environmental Checklist and Impact Evaluation

The following section presents the initial study checklist recommended by the California Environmental Quality Act (CEQA; Appendix G) to determine potential impacts of a project. Explanations of all answers are provided following each question, as necessary.

4.1. Aesthetics

Table 3-1: Aesthetics				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	

4.1.1. Environmental Setting/Affected Environment

Background views are generally considered to be long-range views in excess of 3 to 5 miles from a vantage point. Background views surrounding the project site are limited due to the flat nature of the site and the surrounding urban landscape. Overall, the vast majority of Sutter County is relatively flat, with the Sutter Buttes being the exception. The Sutter Buttes, located approximately 9 miles northwest of the project site, are visibly prominent throughout and can be seen from all over Yuba City and Sutter County. The Sutter Buttes comprise the long-range views to the northwest and are visible on a clear day from the majority of the City, except in areas where trees or intervening structures block views of the mountain range.

The City's Community Design Element, "establishes policies to ensure the creation of public and private improvements that will maintain and enhance the image, livability, and aesthetics of Yuba City in the years to come."

The following principles and policies are applicable:

- Maintain the identity of Yuba City as a small-town community, commercial hub, and residential community, surrounded by agricultural land and convey, through land uses and design amenities, Yuba City's character and place in the Sacramento Valley.
- Recognizing the livability and beauty of peer communities with highly designed visual landscapes, commit to a focus on the visual landscape of Yuba City.
- Maintain, develop, and enhance connections between existing and planned neighborhoods.

- Create and build upon a structured open space and parks network, centered on two large urban parks and the Feather River Corridor.
- Strive for lush, landscaped public areas marked by extensive tree plantings.
- Design commercial and industrial centers to be visually appealing, to serve both pedestrians and automobiles, and to integrate into the adjacent urban fabric.

In addition to the City's General Plan, the City provides Design Guidelines which apply to commercial and multi-family housing. The goal of the City's design guidelines is to ensure the highest quality of building design which are thoughtfully designed, compatible with the surroundings in terms of scaling, massing, detailing, and building styles. There are building designs that facilitate the pedestrian, automobile, bicycle, and transit experience. All design standards consider public safety, public interaction, and the preservation of architecturally significant historic resources.

4.1.2. Federal Regulatory Setting

Federal regulations relating to aesthetics include: Organic Administration Act (1897), Multiple Use – Sustained Yield Act (1960), Wilderness Act (1964), Federal Lands Policy and Management Act (1976), Wild and Scenic Rivers Act. The proposed Project is not subject to these regulations since there are no federally designated lands or rivers in the vicinity.

4.1.3. State Regulatory Setting

The California State Scenic Highway Program was created by the California Legislature in 1963 to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. These highways are identified in Section 263 of the Streets and Highways Code.

A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. A scenic corridor is the land generally adjacent to and visible from the highway. A scenic corridor is identified using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon. The corridor protection program does not preclude development, but seeks to encourage quality development that does not degrade the scenic value of the corridor. Jurisdictional boundaries of the nominating agency are also considered. The agency must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances make up the scenic corridor protection program. County roads can also become part of the Scenic Highway System. To receive official designation, the county must follow the same process required for official designation of state scenic highways. There are no designated state scenic highways in the view shed of the project site.

California Building Code Title 24 Outdoor Lighting Standards: Requirements vary according to which "Lighting Zone" the equipment is in. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the project is located in. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50 percent of the existing luminaires,

for each outdoor lighting application that is regulated by the Standards, must meet the lighting power allowances for newly installed equipment.

An important part of the Standards is to base the lighting power that is allowed on how bright the surrounding conditions are. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; when the surrounding conditions get brighter, more light is needed to see. The least power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4. By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government. The proposed Project is located in an urban area; thereby, it is in Lighting Zone 3.

4.1.4. Impact Assessment/Environmental Consequences:

a) Have a substantial adverse effect on a scenic vista?

There are no designated scenic vistas within the vicinity of the proposed Project, nor are any new buildings proposed as part of this project. However, approval of the subdivision could lead to various types of buildings being constructed on the property. As this is an infill project surrounded by existing development within the existing urban area, there are no near views of open spaces that will be interrupted. The aesthetics associated with new development that may result from this subdivision are expected to be complimentary to surrounding uses as any new commercial buildings must undergo a design review process by the City aimed at creating aesthetically pleasing buildings.

The applicant intends to develop the property with the construction of a 9100 sq. ft. commercial retail structure (Dollar General), with a maximum height of 25 feet. The structure will be similar in design and finish as other Dollar General Stores in the region. Prominent features include metal roof, pre-finished awnings, stucco wall finish, faux shutters, and stone veneer. The site will be designed for on-site delivery truck circulation and parking for 37 vehicles. In addition, there will be a dumpster enclosure, landscaping consistent with the City's Municipal Code, and on-site stormwater treatment. Primary access to the site will be provided by easement via the existing paved driveway on the adjacent property to the north, and secondary access from Garden Highway. Landscaping will be installed consistent with the City's Municipal Code and Design Guidelines applicable to new development. It is not anticipated that the development of this site will not create any significant impacts on the scenic views from this area.

The Sutter Buttes are more distant and, to some extent, can be seen over existing development. When these new parcels are built upon, the height of the new buildings are limited by zoning similar to the existing development, so the impact on the view of the Sutter Buttes will be less than significant.

A potential issue that should be addressed as part of the project, but is not an environmental issue for this document, is that nearby residences may have views of anticipated commercial development. A condition should be added to the project that requires the planting of shrubs or trees adjacent to southerly property line that will grow to screen those views.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The property is vacant, with flat topography, and mostly void of any vegetation. There are no rock outcroppings, large trees or historic buildings on the site. Most of the properties in this general vicinity

have been were previously developed. Moreover, there is not a designated scenic highway near the site. Therefore, there will be no significant impacts on scenic resources.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

See a) and b) above.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

The commercial development will have lit parking lots. City ordinance limits the light standards to a maximum of 18 feet high as well as the light must be screened from direct view from the roadway. The lighting from the Project is not expected to be any greater than existing neighboring uses. Therefore, any impacts from new outdoor lighting should be less than significant.

4.2. Agricultural and Forestry Resources

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

Table 3-2: Agricultural and Forestry Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forestland (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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

4.2.1. Environmental Setting/Affected Environment

Sutter County is located within the northern portion of California's Central Valley, known as the Sacramento Valley. It contains some of the richest soils in the State. These soils, combined with abundant surface and subsurface water supplies and a long, warm growing season, make Sutter County's agricultural resources very productive. Sutter County is one of California's leading agricultural counties, with 83 percent of the County's total land acreage currently being used for agricultural purposes. However, while Sutter County provides rich agricultural opportunities, the subject site is in an urban area and has been designated for urban uses for many years.

4.2.2. Federal Regulatory Setting

Farmland Protection Policy Act: The Natural Resources Conservation Service (NRCS), a federal agency within the U.S. Department of Agriculture (USDA), is the agency primarily responsible for implementation of the Farmland Protection Policy Act (FPPA). The FPPA was enacted after the 1981 Congressional report, *Compact Cities: Energy-Saving Strategies for the Eighties* indicated that a great deal of urban sprawl was the result of programs funded by the federal government. The purpose of the FPPA is to minimize federal programs' contribution to the conversion of farmland to non-agricultural uses by ensuring that federal programs are administered in a manner that is compatible with state, local, and private programs designed to protect farmland. Federal agencies are required to develop and review their policies and procure to implement the FPPA every two years (USDA-NRCS, 2011).

2014 Farm Bill: The Agricultural Act of 2014 (the Act), also known as the 2014 Farm Bill, repeals certain programs, continues some programs with modifications, and authorizes several new programs administered by the Farm Service Agency (FSA). Most of these programs are authorized and funded through 2018.

The Farm Bill builds on historic economic gains in rural America over the past five years, while achieving meaningful reform and billions of dollars in savings for the taxpayer. It allows USDA to continue record accomplishments on behalf of the American people, while providing new opportunity and creating jobs across rural America. Additionally, it enables the USDA to further expand markets for agricultural products at home and abroad, strengthen conservation efforts, create new opportunities for local and regional food systems and grow the bio-based economy. It provides a dependable safety net for America's farmers, ranchers and growers and maintains important agricultural research, and ensure access to safe and nutritious food for all Americans.

Forestry Resources: Federal regulations regarding forestry resources are not relevant to the proposed Project because no forestry resources exist on the project site or in the vicinity.

4.2.3. State Regulatory Setting

California Environmental Quality Act (CEQA) Definition of Agricultural Lands: Public Resources Code Section 21060.1 defines "agricultural land" for the purposes of assessing environmental impacts using the Farmland Mapping & Monitoring Program (FMMP). The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP provides analysis of agricultural land use and land use changes throughout California.

California Department of Conservation, Division of Land Resource Protection: The California Department of Conservation (DOC) applies the NRCS soil classifications to identify agricultural lands, and these agricultural designations are used in planning for the present and future of California's agricultural land resources. Pursuant to the DOC's FMMP, these designated agricultural lands are included in the Important Farmland Maps (IFM) used in planning for the present and future of California's agricultural land

resources. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP provides analysis of agricultural land use and land use changes throughout California. The DOC has a minimum mapping unit of 10 acres, with parcels that are smaller than 10 acres being absorbed into the surrounding classifications.

The list below provides a comprehensive description of all the categories mapped by the DOC. Collectively, lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland is referred to as Farmland.

- *Prime Farmland.* Farmland that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- *Farmland of Statewide Importance.* Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- *Unique Farmland.* Farmland of lesser quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- *Farmland of Local Importance.* Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.
- *Grazing Land.* Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
- *Urban and Built-up Land.* Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- *Other Land.* Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

California Land Conservation Act (Williamson Act): The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is promulgated in California Government Code Section 51200-51297.4, and therefore is applicable only to specific land parcels within the State of California. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space uses in return for reduced property tax assessments. Private land within locally designated agricultural preserve areas is eligible for enrollment under Williamson Act contracts. However, an agricultural preserve must consist of no less than 100 acres. In order to meet this requirement two or more parcels may be combined if they are contiguous, or if they are in common ownership.

The Williamson Act program is administered by the Department of Conservation (DOC), in conjunction with local governments, which administer the individual contract arrangements with landowners. The landowner commits the parcel to a 10-year period, or a 20-year period for property restricted by a Farmland Security Zone Contract, wherein no conversion out of agricultural use is permitted. Each year the contract automatically renews unless a notice of non-renewal or cancellation is filed. In return, the land is taxed at a rate based on the actual use of the land for agricultural purposes, as opposed to its unrestricted market value. An application for immediate cancellation can also be requested by the landowner, provided that the proposed immediate cancellation application is consistent with the cancellation criteria stated in the California Land Conservation Act and those adopted by the affected county or city. Non-renewal or immediate cancellation does not change the zoning of the property. Participation in the Williamson Act program is dependent on county adoption and implementation of the program and is voluntary for landowners.

Farmland Security Zone Act: The Farmland Security Zone Act is similar to the Williamson Act and was passed by the California State Legislature in 1999 to ensure that long-term farmland preservation is part of public policy. Farmland Security Zone Act contracts are sometimes referred to as “Super Williamson Act Contracts.” Under the provisions of this act, a landowner already under a Williamson Act contract can apply for Farmland Security Zone status by entering into a contract with the county. Farmland Security Zone classification automatically renews each year for an additional 20 years. In return for a further 35% reduction in the taxable value of land and growing improvements (in addition to Williamson Act tax benefits), the owner of the property promises not to develop the property into nonagricultural uses.

Forestry Resources: State regulations regarding forestry resources are not relevant to the proposed Project because no forestry resources exist on the project site or in the vicinity.

4.2.4. Impact Assessment/Environmental Consequences:

- 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?*

The proposed 2.08 acre Project site is located within the Yuba City urbanized area, surrounded by existing development. Because of the property’s small size and proximity to urban development, the property has not been farmed for many years. The property has for many years been designated by the City for urban uses, as provided in the General Plan and for which overriding considerations regarding the loss of agricultural land were made in the General Plan EIR. Because the site is small and within the urban area and surrounded by urban uses, the viability of the site being farmed would be problematic. Therefore the impact on agriculture land loss will be less than significant.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The proposed Project is currently zoned for urban type uses and is not in agricultural use nor is it near any agricultural properties that are under Williamson Act contracts. There will be no impact.

- c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4256), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

The proposed Project is located in the Sacramento Valley in a relatively flat area formerly used for agriculture but designated years ago for urban use. There are no forests or timberland located on the

project site or within the vicinity of the proposed Project. There will be no impact on existing zoning of forestland, and the proposed Project will not cause the rezoning of any forestlands.

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

There is no forested land on the Project site or within the vicinity of the proposed Project; therefore, there will 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 proposed Project is infill within an urbanized area of the City and has not been utilized as farmland for many years. While the underlying soils have agriculture qualities, the area was urbanized many years ago and its viability for agricultural use is problematic. There are no nearby agricultural uses that will be impacted by this project. There are no forestlands on the project site or in the vicinity. No properties within the area are within the Williamson Act. For these reasons there should be no significant impacts due to premature conversion of agricultural land that would result from this Project.

4.3. Air Quality

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

Table 3-3: Air Quality				
Would the project?	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standards or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

4.3.1. Environmental Setting/Affected Environment

Yuba City is located within the Sacramento Valley Air Basin (SVAB), which consists of the northern half of the Central Valley and approximates the drainage basin for the Sacramento River and its tributaries. The

SVAB is bounded on the west by the Coast Range, on the north by the Cascade Range, on the east by the Sierra Nevada, and on the south by the San Joaquin Valley Air Basin. The intervening terrain is flat, and approximately 70 feet above sea level. The SVAB consists of the counties of Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, Tehama, Yolo, and Yuba and portions of Placer and Solano Counties.

Hot dry summers and mild rainy winters characterize the Mediterranean climate of the Sacramento Valley. The climate of the SVAB is dominated by the strength and position of the semi-permanent high-pressure cell over the Pacific Ocean north of Hawaii. In summer, when the high-pressure cell is strongest and farthest north, temperatures are high and humidity is low, although the incursion of the sea breeze into the Central Valley helps moderate the summer heat. In winter, when the high-pressure cell is weakest and farthest south, conditions are characterized by occasional rainstorms interspersed with stagnant and sometimes foggy weather. Throughout the year, daily temperatures may range from summer highs often exceeding 100 degrees Fahrenheit and winter lows occasionally below freezing. Average annual rainfall is about 20 inches with snowfall being very rare. The prevailing winds are moderate in strength and vary from moist clean breezes from the south to dry land flows from the north.

In addition to prevailing wind patterns that control the rate of dispersion of local pollutant emissions, the region experiences two types of inversions that affect the vertical depth of the atmosphere through which pollutants can be mixed. In the warmer months in the SVAB (May through October), sinking air forms a "lid" over the region. These subsidence inversions contribute to summer photochemical smog problems by confining pollution to a shallow layer near the ground. These warmer months are characterized by stagnant morning air or light winds with the delta sea breeze arriving in the afternoon out of the southwest. Usually, the evening breeze transports the airborne pollutants to the north and out of the SVAB. During about half of the day from July to September, however, a phenomenon called the "Schultz Eddy" prevents this from occurring. Instead of allowing the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern to circle back south. This phenomenon exacerbates the pollution levels in the area and increases the likelihood of violating federal or State standards. The Schultz Eddy normally dissipates around noon when the Delta sea breeze begins. In the second type of inversion, the mountains surrounding the SVAB create a barrier to airflow, which can trap air pollutants in the valley. The highest frequency of air stagnation occurs in the autumn and early winter when large high-pressure cells lie over the valley. The air near the ground cools by radiative processes, while the air aloft remains warm. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows air pollutants to become concentrated in a stable volume of air. These inversions typically occur during winter nights and can cause localized air pollution "hot spots" near emission sources because of poor dispersion. The surface concentrations of pollutants are highest when these conditions are combined with smoke from agricultural burning or when temperature inversions trap cool air and pollutants near the ground. Although these subsidence and radiative inversions are present throughout much of the year, they are much less dominant during spring and fall, and the air quality during these seasons is generally good."

Local Climate: The climate of Sutter County is subject to hot dry summers and mild rainy winters, which characterize the Mediterranean climate of the SVAB. Summer temperatures average approximately 90 degrees Fahrenheit during the day and 50 degrees Fahrenheit at night. Winter daytime temperatures average in the low 50s and nighttime temperatures are mainly in the upper 30s. During summer, prevailing winds are from the south. This is primarily because of the north- south orientation of the valley and the location of the Carquinez Straits, a sea-level gap in the coast range that is southwest of Sutter County.

Criteria Air Pollutants: Criteria air pollutants are a group of pollutants for which federal or State regulatory agencies have adopted ambient air quality standards. Criteria air pollutants are classified in each air basin,

county, or in some cases, within a specific urbanized area. The classification is determined by comparing actual monitoring data with State and federal standards. If a pollutant concentration is lower than the standard, the area is classified as “attainment” for that pollutant. If an area exceeds the standard, the area is classified as “non-attainment” for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated “unclassified.”

Ambient Air Quality Standards: Both the federal and State government have established ambient air quality standards for outdoor concentrations of various pollutants in order to protect public health. The federal and State ambient air quality standards have been set at levels whose concentrations could be generally harmful to human health and welfare and to protect the most sensitive persons from experiencing health impacts with a margin of safety. Applicable ambient air quality standards are identified later in this section. The air pollutants for which federal and State standards have been promulgated and which are most relevant to air quality planning and regulation in the air basins include ozone, carbon monoxide, nitrogen oxides, suspended particulate matter, sulfur dioxide, and lead. In addition, toxic air contaminants are of concern in Sutter County. Each of these pollutants is briefly described below.

Ozone (O₃): is a gas that is formed when reactive organic gases (ROGs) and nitrogen oxides (NO_x), both byproducts of internal combustion engine exhaust and other processes undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant.

Carbon Monoxide (CO): is a colorless, odorless gas produced by the incomplete combustion of fuels. CO concentrations tend to be the highest during the winter morning, with little to no wind, when surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone, motor vehicles operating at slow speeds are the primary source of CO in the SVAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections.

Nitrogen Oxides (NO_x): is the generic term for a group of highly reactive gases, all of which contain nitrogen and oxygen in varying amounts. Many of the nitrogen oxides are colorless and odorless. However, one common pollutant, nitrogen dioxide (NO₂) along with particles in the air can often be seen as a reddish-brown layer over many urban areas. Nitrogen oxides form when fuel is burned at high temperatures, as in a combustion process. The primary manmade sources of NO_x are motor vehicles, electric utilities, and other industrial, commercial, and residential sources that burn fuels.

Nitrogen oxides can also be formed naturally.

Respirable Particulate Matter (PM₁₀) and Fine Particulate Matter (PM_{2.5}): consist of extremely small, suspended particles or droplets 10 microns and 2.5 microns or smaller in diameter. Some sources of suspended particulate matter, like pollen and windstorms, occur naturally. However, in populated areas, most fine suspended particulate matter is caused by road dust, diesel soot, and combustion products, abrasion of tires and brakes, and construction activities.

Sulfur Dioxide (SO₂): is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of the burning of high sulfur-content fuel oils and coal, and from chemical processes occurring at chemical plants and refineries.

Lead: occurs in the atmosphere as particulate matter. The combustion of leaded gasoline is the primary source of airborne lead. Since the use of leaded gasoline is no longer permitted for on-road motor vehicles, lead is not a pollutant of concern in the SVAB.

Toxic Air Contaminants (TACs): are known to be highly hazardous to health, even in small quantities. TACs are airborne substances capable of causing short-term (acute) and/or long-term (chronic or carcinogenic) adverse human health effects (i.e., injury or illness). TACs can be emitted from a variety of common sources, including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations.

TAC impacts are assessed using a maximum individual cancer risk (MICR) that estimates the probability of a potential maximally exposed individual (MEI) contracting cancer as a result of sustained exposure to toxic air contaminants over a constant period of 24 hours per day for 70 years for residential receptor locations. The CARB and local air districts have determined that any stationary source posing an incremental cancer risk to the general population (above background risk levels) equal to or greater than 10 people out of 1 million to be excessive. For stationary sources, if the incremental risk of exposure to project-related TAC emissions meets or exceeds the threshold of 10 excess cancer cases per 1 million people, the CARB and local air district require the installation of best available control technology (BACT) or maximum available control technology (MACT) to reduce the risk threshold. To assess risk from ambient air concentrations, the CARB has conducted studies to determine the total cancer inhalation risk to individuals due to outdoor toxic pollutant levels. The CARB has conducted studies to determine the total cancer inhalation risk to individuals due to outdoor toxic pollutant levels. According to the map prepared by the CARB showing the estimated inhalation cancer risk for TACs in the State of California, Sutter County has an existing estimated risk that is between 50 and 500 cancer cases per 1 million people. A significant portion of Sutter County is within the 100 to 250 cancer cases per 1 million people range. There is a higher risk around Yuba City where the cancer risk is as high as 500 cases per 1 million people. There are only very small portions of the County where the cancer risk is between 50 and 100 cases. This represents the lifetime risk that between 50 and 500 people in 1 million may contract cancer from inhalation of toxic compounds at current ambient concentrations under an MEI scenario.

4.3.2. Federal Regulatory Setting

Clean Air Act: The federal Clean Air Act of 1970 (as amended in 1990) required the U.S. Environmental Protection Agency (EPA) to develop standards for pollutants considered harmful to public health or the environment. Two types of National Ambient Air Quality Standards (NAAQS) were established. Primary standards protect public health, while secondary standards protect public welfare, by including protection against decreased visibility, and damage to animals, crops, landscaping and vegetation, or buildings. NAAQS have been established for six “criteria” pollutants: carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), ozone (O₃), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb).

4.3.3. State Regulatory Setting

California Air Resources Board: The California Air Resources Board (CARB) is the state agency responsible for implementing the federal and state Clean Air Acts. CARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen sulfide (H₂S), and vinyl chloride. The proposed Project is located within the Sacramento Valley Air Basin, which includes Butte, Colusa, Glenn, Tehama, Shasta, Yolo, Sacramento, Yuba Sutter and portions of Placer, El Dorado and Solano counties. Air basins are classified as attainment, nonattainment, or unclassified. The FRAQMD is comprised Sutter and Yuba Counties. Attainment is achieved when monitored ambient air quality data is following the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

California Clean Air Act: The CCAA requires that all air districts in the state endeavor to achieve and maintain CAAQS for Ozone, CO, SO₂, and NO₂ by the earliest practical date. The CCAA specifies that districts focus particular attention on reducing the emissions from transportation and area-wide emission sources, and the act provides districts with authority to regulate indirect sources. Each district plan is required to either (1) achieve a five percent annual reduction, averaged over consecutive 3-year periods, in district-wide emissions of each non-attainment pollutant or its precursors, or (2) to provide for implementation of all feasible measures to reduce emissions. Any planning effort for air quality attainment would thus need to consider both state and federal planning requirements.

CARB Portable Equipment Registration Program: This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program: The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off-road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NO_x) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NO_x emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act: Established in 2006, Assembly Bill 32 (AB 32) requires that California's GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in, having begun in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions level.

4.3.4. Regional Regulatory Setting

Feather River Air Quality Management District(FRAQMD): The FRAQMD is a bi-county District formed in 1991 to administer local, state, and federal air quality management programs for Yuba and Sutter Counties within the Sacramento Valley Air Basin. The goal of the FRAQMD is to improve air quality in the region through monitoring, evaluation, education and implementing control measures to reduce emissions from stationary sources, permitting and inspection of pollution sources, enforcement of air quality regulations and by supporting and implementing measures to reduce emissions from motor vehicles.

The FRAQMD adopted its Indirect Source Review guidelines document for assessment and mitigation of air quality impacts under CEQA in 1998. The guide contains criteria and thresholds for determining whether a project may have a significant adverse impact on air quality, and methods available to mitigate impacts on air quality. FRAQMD updated its Indirect Source Review Guidelines to reflect the most recent methods recommended to evaluate air quality impacts and mitigation measures for land use development projects in June 2010. This analysis uses guidance and thresholds of significance from the 2010 FRAQMD Indirect Source Review Guidelines to evaluate the proposed project's air quality impacts.

According to FRAQMD's 2010 Indirect Source Review Guidelines, a project would be considered to have a significant impact on air quality if it would:

- Generate daily construction or operational emissions that would exceed 25 pounds per day for reactive organic gases (ROG), 25 pounds per day for oxides of nitrogen (NO_x), or 80 pounds per

day for PM₁₀; or generate annual construction or operational emissions of ROG or NO_x that exceed 4.5 tons per year.

Northern Sacramento Valley Planning Area 2015 Air Quality Attainment Plan: As specified in the California Clean Air Act of 1988 (CCAA), Chapters 1568-1588, it is the responsibility of each air district in California to attain and maintain the state's ambient air quality standards. The CCAA requires that an Attainment Plan be developed by all nonattainment districts for O₃, CO, SO_x, and NO_x that are either receptors or contributors of transported air pollutants. The purpose of the Northern Sacramento Valley Planning Area 2015 Triennial Air Quality Attainment Plan (TAQAP) is to comply with the requirements of the CCAA as implemented through the California Health and Safety Code. Districts in the NSVPA are required to update the Plan every three years. The TAQAP is formatted to reflect the 1990 baseline emissions year with a planning horizon of 2020. The Health and Safety Code, sections 40910 and 40913, require the Districts to achieve state standards by the earliest practicable date to protect the public health, particularly that of children, the elderly, and people with respiratory illness.

Health and Safety Code Section 41503(b): Requires that control measures for the same emission sources are uniform throughout the planning area to the extent that is feasible. To meet this requirement, the NSVPA has coordinated the development of an Attainment Plan and has set up a specific rule adoption protocol. The protocol was established by the Technical Advisory Committee of the Sacramento Valley Basin-wide Air Pollution Control Council and the Sacramento Valley Air Quality Engineering and Enforcement Professionals, which allow the Districts in the Basin to act and work as a united group with the CARB as well as with industry in the rule adoption process. Section 40912 of the Health and Safety Code states that each District responsible for, or affected by, air pollutant transport shall provide for attainment and maintenance of the state and federal standards in both upwind and downwind Districts. This section also states that each downwind District's Plan shall contain sufficient measures to reduce emissions originating in each District to below levels which violate state ambient air quality standards, assuming the absence of transport contribution

Construction Generated Emissions of Criteria Air Pollutants: The District recommends the following best management practices:

- Implement the Fugitive Dust Control Plan.
- Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0,
- Visible Emissions limitations (40 percent opacity or Ringelmann 2.0).
- The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation.
- Limiting idling time to 5 minutes – saves fuel and reduces emissions.
- Utilize existing power sources or clean fuel generators rather than temporary power generators.
- Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
- Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (ARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with the ARB or the

District to determine registration and permitting requirements prior to equipment operation at the site.

4.3.5. Impact Assessment/Environmental Consequences:

a) Conflict with or obstruct implementation of the applicable air quality plan?

The Project will not create significant air quality problems as there are minimal site improvements planned as part of the Project, primarily limited to construction of an internal street and construction of a 9100 square foot retail store. Standards set by FRAQMD, CARB, and Federal agencies will apply to this Project. Prior to the initiation of construction, a Fugitive Dust Control Plan will be submitted to FRAQMD as a part of standard measures required by the District. An Indirect Source Review (ISR) application will be filed with the Air District to address emissions from construction. FRAQMD has not commented that the proposed Project will conflict with the FRAQMD's plans. Therefore, any air quality impacts will be less than significant.

When these new parcels are developed there will be increased traffic generated. However, this is a small project and FRAQMD did not comment that the increase in air pollutants from the new traffic would be significant. Furthermore, as an infill project, the increase in traffic will not be a significant.

There will construction associated with the Project. Typically, construction and operation related to a project generates emissions of various air pollutants, including criteria pollutants such as carbon monoxide (CO), ozone precursors such as nitrous oxides (NOX) and reactive organic gases (ROG) or Volatile Organic Compounds (VOC), particulate matter less than 10 microns in diameter (PM10), and PM2.5, as well as sulfur oxides (SOX). For example, typical emission sources during construction include equipment exhaust, dust from wind erosion, earthmoving activities, and vehicle movements.

Site grading will generally occur during daylight hours, Monday through Friday, excluding holidays. The aforementioned activities would involve the use of diesel and gasoline powered equipment that would generate emissions of criteria pollutants. The estimated grading period, however, will be very short. Due to the short grading period as well as it being a small 2.08-acre area that will be developed in increments, air quality impacts are not considered to be a significant impact.

The proposed Project is relatively small in size and operational emissions will be minimal. FRAQMD has not commented that the Project will exceed any of its emission standards. Therefore, the Project will not result in a significant contribution to the region's nonattainment status of ozone or PM, and will not violate an air quality standard or contribute substantially to an existing or projected air quality violation.

b) 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)?

The Project would result in limited generation of criteria pollutants during construction. However, during the short construction period, air quality impacts would be less than FRAQMD thresholds for non-attainment pollutants and operation of the project would not exceed the emissions thresholds for criteria pollutants. Accordingly, net increases of non-attainment criteria pollutants would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

The FRAQMD defines sensitive receptors as: facilities that house or attract children, the elderly, and people with illnesses, or others who are especially sensitive to the effects of air pollutants. The sensitive

receptors located adjacent or within 1,000 feet to the proposed Project are primarily single-family residences. FRAQMD states that if a project is located within 1,000 feet of a sensitive receptor location, the impact of diesel particulate matter shall be evaluated. According to the FRAQMD's Indirect Source Review Guidelines, "Construction activity can result in emissions of particulate matter from the diesel exhaust (diesel PM) of construction equipment". Best Management Practices (BMPs) that can be used to reduce the impact to sensitive receptors from off-road diesel equipment include:

- Install diesel particulate filters or implement other ARB-verified diesel emission control strategies on all construction equipment to further reduce diesel PM emissions beyond the 45% reduction required by the Districts Best Available Mitigation Measure for Construction Phase;
- Use equipment during times when receptors are not present (e.g. when school is not in session or during non-school hours; or when office buildings are unoccupied);
- Establish staging areas for the construction equipment that are as distant as possible from off-site receptors
- Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible;
- Use haul trucks with on-road engines instead of off-road engines even for on-site hauling;
- Equip nearby buildings with High Efficiency Particle Arresting (HEPA) filter systems at all mechanical air intake points to the building to reduce the levels of diesel PM that enter the buildings; and/or,
- Temporarily relocate receptors during construction.

The FRAQMD has not established a threshold of significance to evaluate the health risk resulting from projects that would locate sensitive receptors near existing non-permitted sources of TACs. In this case, the proposed Project would result in the limited generation of criteria pollutants during construction and maintenance; however, due to the Project's small size, these impacts would be less than FRAQMD's thresholds for criteria pollutants. Due to the temporary nature of construction, sensitive receptors in the vicinity of the proposed Project (potentially single-family residences to the west of this site) would not be subjected to long-term exposure to diesel particulate matter. Any exposure of sensitive receptors to pollutant concentrations would be less than significant.

d) Create objectionable odors affecting a substantial number of people?

The proposed Project will create properties designated for commercial uses. It is not anticipated that any of these uses will create any objectionable odors.

4.4. Biological Resources

Table 3-4: Biological Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

4.4.1. Environmental Setting/Affected Environment

The vacant parcel is located within an urbanized area, surrounded by urban uses. Many years ago, the site was cleared of any native vegetation and was farmed for many years after that. The property has been fallow for several years and is mowed at least annually to reduce the fire hazard.

4.4.2. Federal & State Regulatory Setting

Threatened and Endangered Species: State and federal “endangered species” legislation has provided California Department of Fish & Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Species listed as threatened or endangered under provisions of the state and federal endangered species acts, candidate species for such listing, state species of special concern, and

some plants listed as endangered by the California Native Plant Society are collectively referred to as “species of special status.” Permits may be required from both the CDFW and USFWS if activities associated with a proposed project will result in the “take” of a listed species. “Take” is defined by the state of California as “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill” (California Fish and Game Code, Section 86). “Take” is more broadly defined by the federal Endangered Species Act to include “harm” (16 USC, Section 1532(19), 50 CFR, Section 17.3). Furthermore, the CDFW and the USFWS are responding agencies under CEQA. Both agencies review CEQA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.

Migratory Birds: State and federal laws also protect most birds. The Federal Migratory Bird Treaty Act (16U.S.C., sec. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

Birds of Prey: Birds of prey are also protected in California under provisions of the California Fish and Game Code, Section 3503.5, which states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the CDFW.

Wetlands and Other Jurisdictional Waters: Natural drainage channels and adjacent wetlands may be considered “Waters of the United States” subject to the jurisdiction of the USACE. The extent of jurisdiction has been defined in the Code of Federal Regulations but has also been subject to interpretation of the federal courts.

Waters of the U.S. generally include:

- All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters, which are subject to the ebb and flow of the tide.
- All interstate waters including interstate wetlands.
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce.
- All impoundments of waters otherwise defined as waters of the United States under the definition.
- Tributaries of waters identified in the bulleted items above.

As determined by the United States Supreme Court in its 2001 Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers (SWANCC) decision, channels and wetlands isolated from other jurisdictional waters cannot be considered jurisdictional on the basis of their use, hypothetical or observed, by migratory birds. Similarly, in its 2006 consolidated Carabell/Rapanos decision, the U.S. Supreme Court ruled that a significant nexus between a wetland and other navigable waters must exist for the wetland itself to be considered a navigable, and therefore, jurisdictional water.

The USACE regulates the filling or grading of Waters of the U.S. under the authority of Section 404 of the Clean Water Act. The extent of jurisdiction within drainage channels is defined by “ordinary high-water

marks” on opposing channel banks. All activities that involve the discharge of dredge or fill material into Waters of the U.S. are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions or values. No permit can be issued until the Regional Water Quality Control Board (RWQCB) issues a Section 401 Water Quality Certification (or waiver of such certification) verifying that the proposed activity will meet state water quality standards.

CEQA Guidelines Section 15380: Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specific criteria that define “endangered” and “rare” as specified in CEQA Guidelines section 15380(b).

4.4.3. Local Regulatory Setting

The General Plan provides the following policies for the protection of biological resources within the Project area that could be relevant to this Project:

- 8.4-G-1 Protect special status species, in accordance with State regulatory requirements.
- 8.4-G-2 Protect and enhance the natural habitat features of the Feather River and new open space corridors within and around the urban growth area.
- 8.4-G-3 Preserve and enhance heritage oaks in the Planning Area.
- 8.4-G-4 Where appropriate, incorporate natural wildlife habitat features into public landscapes, parks, and other public facilities
- 8.4-I-1 Require protection of sensitive habitat area and special status species in new development site designs in the following order: 1) avoidance; 2) onsite mitigation; 3) offsite mitigation. Require assessments of biological resources prior to approval of any development within 300 feet of any creeks, sensitive habitat areas, or areas of potential sensitive status species.
- 8.4-I-2 Require preservation of oak trees and other native trees that are of a significant size, by requiring site designs to incorporate these trees to the maximum extent feasible.
- 8.4-I-3 Require to the extent feasible, use of drought tolerant plants in landscaping for new development, including private and public projects.

4.4.4. Impact Assessment/Environmental Consequences:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Because the 2.08 acre site has been mowed and plowed leaving minimal surface vegetation, the site is unlikely for foraging habitat. NOTE: In the urban area, vacant properties are often plowed or mowed to reduce vegetation for fire control purposes, as required by the City’s Fire Standards.

Raptor species, including the red-tailed hawk and barn owl, forage within the ruderal non-native grasslands (onsite). Native and non-native trees within the site are too small to provide nesting habitat for these species, and no nests have been observed to date. No potential biological constraints were

identified for this site. The site does not support sensitive habitats associated with special status plant or wildlife species. There are no wetlands or riparian habitats within the proposed footprint of the development.

According to the Yuba City General Plan EIR, the only designated special status vegetation species within Yuba City and its Sphere of Influence is the Golden Sunburst, a flowering plant that occurs primarily in non-native grasslands and is threatened mostly by the conversion of habitat to urban uses. The habitat area for this particular species occurs at the extreme eastern boundary of the Planning Area at the confluence of the Feather and Yuba Rivers. This property does not fall within this area, therefore no adverse impacts to special status species will occur as a result of this project. The Project is in compliance with the General Plan policies regarding the impacts on biological resources, with the exception of the previous removal of a heritage sized oak tree. This is further discussed in Part e), below.

The applicant provided a Biological Assessment prepared by Bole & Associates, dated June 25, 2019.

Findings of the report are as follows:

No potential biological constraints were identified for this site. The site does not support sensitive habitats associated with special status plant or wildlife species. There are no wetlands or riparian habitats within the proposed footprint of the development. Implementation of the following mitigation measure would ensure the reduction of impacts to a less than significant level.

Proposed Project Mitigation Measure:

Pre-construction surveys for nesting raptors should be conducted on trees within 500 feet of the subject property if construction activities occur between March 1 and September 15 pursuant to California Department of Fish & Game requirements. These surveys should be accomplished no later than 7 days prior to commencement of grading activities.

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

A field inspection determined that riparian habitat is absent from the proposed Project site. The site has also been mowed for fire protection reasons. The site is within the urban area with no nearby parks or other ungraded open spaces. Therefore, the impact on riparian areas or other sensitive natural communities would be less than significant.

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?

No wetlands or federal jurisdictional waters of the U.S. are present within the proposed Project area or general vicinity. The proposed Project is located in an urban area. There would be no impact.

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?

The proposed Project would not disturb any waterways. Therefore, migratory fish would not be affected. Nor are there any significant trees proposed to be removed that could be potential nesting habitat for raptors and migratory birds that may choose to nest in the vicinity of the Project. There would be no impact.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No trees or other biological resources that would be protected by local policies or ordinances occur on or near the proposed Project site. Therefore, there would be no impacts.

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?

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or any other approved local, regional, or state habitat conservation plans in the vicinity.

4.5. Cultural Resources

Table 3-5: Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.				X
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5.		X		
c) Directly or indirectly destroy unique paleontological resources or site or unique geologic features?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

4.5.1. Federal Regulatory Setting

National Historic Preservation Act of 1966 (as amended), Section 106: The significance of cultural resources is evaluated under the criteria for inclusion in the National Register of Historic Places (NRHP), authorized under the National Historic Preservation Act of 1966, as amended. The criteria defined in 36 CFR 60.4 are as follows:

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or
- That are associated with the lives of persons significant in our past; or
- That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded, or may be likely to yield, information important to prehistory or history.

Sites listed or eligible for listing on the NRHP are considered to be historic properties. Sites younger than 50 years, unless of exceptional importance, are not eligible for listing in the NRHP.

4.5.2. State Regulatory Setting

CEQA requires consideration of project impacts on archaeological or historical sites deemed to be "historical resources." Under CEQA, a substantial adverse change in the significant qualities of a historical resource is considered a significant effect on the environment. For the purposes of CEQA, a "historical resource" is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (Title 14 CCR §15064.5[a][1]-[3]). Historical resources may include, but are not limited to, "any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (PRC §5020.1[j]).

The eligibility criteria for the California Register are the definitive criteria for assessing the significance of historical resources for the purposes of CEQA (Office of Historic Preservation). Generally, a resource is considered "historically significant" if it meets one or more of the following criteria for listing on the California Register:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Is associated with the lives of persons important in our past.
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Has yielded, or may be likely to yield, information important in prehistory or history. (PRC §5024.1[c])

California Health and Safety Code Section 7050.5: Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Paleontological Resources: Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant

nonrenewable paleontological resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources. CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) Section 15126.4 (a)(1)). California Public Resources Code Section 5097.5 (see above) also applies to paleontological resources.

4.5.3. Native American Consultation

In September of 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the PRC regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. In particular, AB 52 now requires lead agencies to analyze project impacts on “tribal cultural resources” separately from archaeological resources (PRC § 21074; 21083.09). AB 52 also requires lead agencies to engage in additional consultation procedures with respect to California Native American tribes (PRC § 21080.3.1, 21080.3.2, 21082.3).

On July 5, 2019, the City supplied the following two Native American tribes with a project description and map of the proposed project area.

- United Auburn Indian Community of the Auburn Rancheria-Gene Whitehouse
- Lone Band of Miwok Indians

A response was received from the Auburn Rancheria which request that mitigation measures include UAIC’s standard mitigation measures for inadvertent discoveries when no tribal monitors are present and the option to conduct a post ground disturbance site visit.

4.5.4. Impact Assessment/Environmental Consequences:

a) a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.

There are no buildings on the site and there is no evidence that the site has ever been built on. The General Plan does not identify any historical significance to the property. Therefore, there would be no impacts on any historical resources, directly or indirectly.

b) Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5.

The applicant retained the services of Sean M. Jensen, M.A. to prepare a Archaeological Survey of the site. The report, dated 5/24/19, details the results of a cultural resources inventory survey involving a single parcel, and multiple easements, encompassing a total of approximately 2.5-acres, and situated adjacent to the east side of Garden Highway, a short distance north of River Oaks Drive, approximately 0.25-miles north of Bogue Road, within the City of Yuba City, Sutter County, California.

Findings: Existing records at the Northeast Information Center document that all of the present APE had been subjected to previous archaeological investigation, and that no cultural resources have been documented within the APE. As well, the present effort included an intensive level pedestrian survey. No prehistoric or historic-era cultural resources were identified during the pedestrian survey.

No formal cemeteries or other places of human internment are known to exist on the proposed Project site. No evidence of human remains at the Project site have been documented, and it is unlikely that buried human remains are present. However, there still remains the potential for previously unknown sub-surface resources to be present. In order to avoid potential impacts to unknown remains, the mitigation measures below shall be implemented to ensure impacts are less than significant:

Proposed Project Mitigation Measures:

The following mitigation measure applies to CEQA Guidelines section 15370 and is intended to address inadvertent discoveries made by construction personnel, agencies, or consultants at the work site when no archaeological or tribal monitor is present during ground disturbing activities.

Cultural Resources Mitigation 1 – Unanticipated Discoveries:

If potential tribal cultural resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find (or an appropriate distance based on the apparent distribution of the TCR). A qualified cultural resources specialist meeting the *Secretary of Interior's Professional Qualifications Standards for Archaeology*, as well as Native American Representatives from traditionally and culturally affiliated Native American Tribes that have engaged in consultation for the Project will be invited to assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may include, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the Project area where they will not be subject to future impacts. The United Auburn Indian Community of the Auburn Rancheria (Tribe) does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the Tribe.

The types of treatment preferred by UAIC that protects, preserves or restores the integrity of a TCR may include Tribal Monitoring, or recovery of cultural objects, and reburial of cultural objects or cultural soil that is done in a culturally appropriate manner. Recommendations of the treatment of a TCR will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If articulated or disarticulated human remains are discovered during ground disturbing construction activities or ground disturbing activities, all work shall cease within 100 feet of the find, and the provisions provided in the Health and Safety Code Section 7054 shall apply. If the remains are determined by the County Coroner to be human and that of a Native American, then Public Resources Code 5097.98, 5097.99, 5097.991, and compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) shall be implemented.

Cultural Resources Mitigation 2 – Post Ground Disturbance Site Visit:

A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the CEQA lead agency representative of the proposed earthwork start-date, in order to provide the CEQA lead agency representative with time to contact the United Auburn Indian Community (UAIC). A UAIC tribal representative shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of ground breaking activity. Construction activity may be ongoing during this time. Should the tribe choose not to perform a field visit within the first five days, construction activities may continue as scheduled, as long as the notification was made and documented. During this inspection, a site

meeting of construction personnel will be held in order to afford the tribal representative the opportunity to provide tribal cultural resources awareness information.

c) Directly or indirectly destroy unique paleontological resources or site or unique geologic features?

It is not anticipated that paleontological resources will be discovered at this location based upon a history of land disturbance in this area. Impacts are anticipated to be less than significant.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Regarding the likelihood of there being any remaining tribal cultural resources on this site, the site was farmed regularly for years, and in more recent years the land was plowed or mowed for vegetation control/fire prevention reasons.

In response to the City's inquiry, the United Auburn Indian Community of the Auburn Rancheria that mitigation measures include UAIC's standard mitigation measures for inadvertent discoveries when no tribal monitors are present and the option to conduct a post ground disturbance site visit.

Regarding the likelihood of there being any remaining tribal cultural resources on this site, the site was used for agricultural purposes for many years, and subsequently the property was cleared and graded. Because of considerable past ground disturbance, it is unlikely that any paleontological or archaeological artifacts or human remains exist in the area. Therefore, there is not expected to be any significant archeological or paleontological resources on these properties. While it is unlikely that any cultural resources remain due to prior property grading, and urbanization over the last 100 years, mitigation measures are provided in case any archaeological artifacts are discovered during the construction process.

Findings: No formal cemeteries or other places of human internment are known to exist on the proposed Project site. No evidence of human remains at the Project site have been documented, and it is unlikely that buried human remains are present. However, there still remains the potential for previously unknown sub-surface resources to be present. In order to avoid potential impacts to unknown remains, the mitigation measures below shall be implemented to ensure impacts are less than significant:

Proposed Project Mitigation Measures:

The following mitigation measure applies to CEQA Guidelines section 15370 and is intended to address inadvertent discoveries made by construction personnel, agencies, or consultants at the work site when no archaeological or tribal monitor is present during ground disturbing activities.

Cultural Resources Mitigation 1 – Unanticipated Discoveries:

If potential tribal cultural resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find (or an appropriate distance based on the apparent distribution of the TCR). A qualified cultural resources specialist meeting the *Secretary of Interior's Professional Qualifications Standards for Archaeology*, as well as Native American Representatives from traditionally and culturally affiliated Native American Tribes that have engaged in consultation for the Project will be invited to assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may include, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the Project area where they will not be subject to future impacts. The United Auburn Indian Community of

the Auburn Rancheria (Tribe) does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the Tribe.

The types of treatment preferred by UAIC that protects, preserves or restores the integrity of a TCR may include Tribal Monitoring, or recovery of cultural objects, and reburial of cultural objects or cultural soil that is done in a culturally appropriate manner. Recommendations of the treatment of a TCR will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If articulated or disarticulated human remains are discovered during ground disturbing construction activities or ground disturbing activities, all work shall cease within 100 feet of the find, and the provisions provided in the Health and Safety Code Section 7054 shall apply. If the remains are determined by the County Coroner to be human and that of a Native American, then Public Resources Code 5097.98, 5097.99, 5097.991, and compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) shall be implemented.

Cultural Resources Mitigation 2 – Post Ground Disturbance Site Visit:

A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the CEQA lead agency representative of the proposed earthwork start-date, in order to provide the CEQA lead agency representative with time to contact the United Auburn Indian Community (UAIC). A UAIC tribal representative shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of ground breaking activity. Construction activity may be ongoing during this time. Should the tribe choose not to perform a field visit within the first five days, construction activities may continue as scheduled, as long as the notification was made and documented. During this inspection, a site meeting of construction personnel will be held in order to afford the tribal representative the opportunity to provide tribal cultural resources awareness information.

4.6. Geology and Soils

Table 3-6: Geology and Soils				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault?			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	

iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				X
d) Be located on expansive soil, as defined in the California Building Code creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

4.6.1. Environmental Setting/Affected Environment

Topography and Geology: According to the Sutter County General Plan, Sutter County is located in the flat surface of the Great Valley geomorphic province of California. The Great Valley is an alluvial plain approximately 50 miles wide and 400 miles long in the central portion of California. The Great Valley's northern portion is the Sacramento Valley, drained by the Sacramento River, and its southern portion is the San Joaquin Valley, drained by the San Joaquin River. The geology of the Great Valley is typified by thick sequences of alluvial sediments derived primarily from erosion of the mountains of the Sierra Nevada to the east, and to a lesser extent, erosion of the Klamath Mountains and Cascade Range to the north. These sediments were transported downstream and subsequently laid down as a river channel, floodplain deposits, and alluvial fans.

Seismic Hazards: Earthquakes are due to a sudden slip of plates along a fault. Seismic shaking is typically the greatest cause of losses to structures during earthquakes. Earthquakes can cause structural damage, injury and loss of life, as well as damage to infrastructure networks such as water, power, gas, communication, and transportation lines. Other damage-causing effects of earthquakes include surface rupture, fissuring, settlement, and permanent horizontal and vertical shifting of the ground. Secondary impacts can include landslides, seiches, liquefaction, and dam failure.

Seismicity: Although all of California is typically regarded as seismically active, the Central Valley region does not commonly experience strong ground shaking resulting from earthquakes along known and previously unknown active faults. Though no active earthquake faults are known to exist in Yuba City, active faults in the region could generate ground motion felt within the county. Numerous earthquakes of magnitude 5.0 or greater on the Richter scale have occurred on regional faults, primarily those within the San Andreas Fault System in the region. There are several potentially active faults underlying the Sutter Buttes, which are associated with deep-seated volcanism.

The faults identified in Sutter County include the Quaternary Faults, located in the northern section of the County within the Sutter Buttes, and the Pre-Quaternary Fault, located in the southeast of the City, just east of where Highway 70 enters in to the County. Both Faults are listed as non-active faults, but have the potential for seismic activity.

Ground Shaking: As stated in the Sutter County Multi-Hazard Mitigation Plan, although the County has felt ground shaking from earthquakes with epicenters located elsewhere, no major earthquakes or earthquake related damage has been recorded within the County. Based on historic data and known active or potentially active faults in the region, parts of Sutter County have the potential to experience

low to moderate ground shaking. The intensity of ground shaking at any specific site depends on the characteristics of the earthquake, the distance from the earthquake fault, and on the local geologic and soils conditions. Fault zone maps are used to identify where such hazards are more likely to occur based on analyses of faults, soils, topography, groundwater, and the potential for earthquake shaking sufficiently strong to trigger landslide and liquefaction.

Liquefaction: Liquefaction, which can occur in earthquakes with strong ground shaking, is mostly found in areas with sandy soil or fill and a high-water table located 50 feet or less below the ground surface. Liquefaction can cause damage to property with the ground below structures liquefying making the structure unstable causing sinking or other major structural damage. Evidence of liquefaction may be observed in "sand boils," which are expulsions of sand and water from below the surface due to increased pressure below the surface.

Liquefaction during an earthquake requires strong shaking and is not likely to occur in the city due to the relatively low occurrence of seismic activity in the area; however, the clean sandy layers paralleling the Sacramento River, Feather River, and Bear River have lower soil densities and high overall water table are potentially a higher risk area if major seismic activity were to occur. Areas of bedrock, including the Sutter Buttes have high density compacted soils and contain no liquefaction potential, although localized areas of valley fill alluvium can have moderate to high liquefaction potential.

Landslides: Landslides are downward and outward movements of slope forming materials which may be rock, soil, artificial fill, or combinations of such materials. The size of landslides varies from those containing less than a cubic yard of material to massive ones containing millions of cubic yards. Large landslides may move down slope for hundreds of yards or even several miles. A landslide may move rapidly or so slow that a change of position can be noted only over a period of weeks or years. A similar, but much slower movement is called creep. The susceptibility of a given area to landslides depends on a great many variables. With the exception of the Sutter Buttes, Yuba City is located in a landslide-free zone due to the flat topography. The Sutter Buttes are considered to be in a low landslide hazard zone as shown in Bulletin 198 by the California Division of Mines and Geology.

Soil Erosion: Erosion is a two-step process by which soils and rocks are broken down or fragmented and then transported. The breakdown processes include mechanical abrasion, dissolution, and weathering. Erosion occurs naturally in most systems, but is often accelerated by human activities that disturb soil and vegetation. The rate at which erosion occurs is largely a function of climate, soil cover, slope conditions, and inherent soil properties such as texture and structure. Water is the dominant agent of erosion and is responsible for most of the breakdown processes as well as most of the transport processes that result in erosion. Wind may also be an important erosion agent. The rate of erosion depends on many variables including the soil or rock texture and composition, soil permeability, slope, extent of vegetative cover, and precipitation amounts and patterns. Erosion increases with increasing slope, increasing precipitation, and decreasing vegetative cover. Erosion can be extremely high in areas where vegetation has been removed by fire, construction, or cultivation. High rates of erosion may have several negative impacts including degradation and loss of agricultural land, degradation of streams and other water habitats, and rapid silting of reservoirs.

Subsidence: Subsidence is the sinking of a large area of ground surface in which the material is displaced vertically downward, with little or no horizontal movement. Subsidence is usually a direct result of groundwater, oil, or gas withdrawal. These activities are common in several areas of California, including parts of the Sacramento Valley and in large areas of the San Joaquin Valley. Subsidence is a greater hazard in areas where subsurface geology includes compressible layers of silt and clay. Subsidence due to groundwater withdrawal generally affects larger areas and presents a more serious hazard than does subsidence due to oil and gas withdrawal. In portions of the San Joaquin Valley, subsidence has exceeded

20 feet over the past 50 years. In the Sacramento Valley, preliminary studies suggest that much smaller levels of subsidence, up to two feet may have occurred. In most of the valley, elevation data are inadequate to determine positively if subsidence has occurred. However, groundwater withdrawal in the Sacramento Valley has been increasing and groundwater levels have declined in some areas. The amount of subsidence caused by groundwater withdrawal depends on several factors, including: (1) the extent of water level decline, (2) the thickness and depth of the water bearing strata tapped, (3) the thickness and compressibility of silt-clay layers within the vertical sections where groundwater withdrawal is occurring, (4) the duration of maintained groundwater level decline, (5) the number and magnitude of water withdrawals in a given area, and (6) the general geology and geologic structure of the groundwater basin. The damaging effects of subsidence include gradient changes in roads, streams, canals, drains, sewers, and dikes. Many such systems are constructed with slight gradients and may be significantly damaged by even small elevation changes. Other effects include damage to water wells resulting from sediment compaction and increased likelihood of flooding of low-lying areas.

Expansive Soils: Expansive soils are prone to change in volume due to the presence of moisture. Soft clay soils have the tendency to increase in volume when moisture is present and shrink when it is dry (shrink/swell). Swelling soils contain high percentages of certain kinds of clay particles that are capable of absorbing large quantities of water, expanding up to 10 percent or more as the clay becomes wet. The force of expansion is capable of exerting pressure on foundations, slabs, and other confining structures.

Soils: The Natural Resources Conservation Service (NRCS, formerly the Soil Conservation Service) has mapped over 40 individual soil units in the county. The predominant soil series in the county are the Capay, Clear Lake, Conejo, Oswald, and Olashes soils, which account for over 60 percent of the total land area. The remaining soil units each account for smaller percentages the total land area. The Capay and Clear Lake soils are generally present in the western and southern parts of the county. The Conejo soils occur in the eastern part closer to the incorporated areas of the county. Oswald and Olashes soils are located in the central portion of the county extending north to south, with scattered areas along the southeastern edge of the county. Soil descriptions for the principal soil units in the county are provided below. These descriptions, which were developed by the NRCS, are for native, undisturbed soils and are primarily associated with agricultural suitability. Soil characteristics may vary considerably from the mapped locations and descriptions due to development and other uses. Geotechnical studies are required to identify actual engineering properties of soils at specific locations to determine whether there are specific soil characteristics that could affect foundations, drainage, infrastructure, or other structural features.

4.6.2. Federal Regulatory Setting

Historic Sites Act of 1935: This Act became law on August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467) and has been amended eight times. This Act establishes as a national policy to preserve for public use historic sites, buildings and objects, including geologic formations.

National Earthquake Hazards Reduction Program: The National Earthquake Hazards Reduction Program (NEHRP), which was first authorized by Congress in 1977, coordinates the earthquake-related activities of the Federal Government. The goal of NEHRP is to mitigate earthquake losses in the United States through basic and directed research and implementation activities in the fields of earthquake science and engineering. Under NEHRP, FEMA is responsible for developing effective earthquake risk reduction tools and promoting their implementation, as well as supporting the development of disaster-resistant building codes and standards. FEMA's NEHRP activities are led by the FEMA Headquarters (HQ), Federal Insurance and Mitigation Administration, Risk Reduction Division, Building Science Branch, in strong partnership

with other FEMA HQ Directorates, and in coordination with the FEMA Regions, the States, the earthquake consortia, and other public and private partners.

4.6.3. State Regulatory Setting

California Alquist-Priolo Earthquake Fault Zoning Act: The Alquist-Priolo Earthquake Fault Zoning Act (originally enacted in 1972 and renamed in 1994) is intended to reduce the risk to life and property from surface fault rupture during earthquakes. The statute prohibits the location of mot types of structures intended for human occupancy across the traces of active faults and regulates construction in the corridors along active faults.

California Seismic Hazards Mapping Act: The Seismic Hazards Mapping Act is intended to reduce damage resulting from earthquakes. While the Alquist-Priolo Earthquake Fault Zoning Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including ground shaking, liquefaction, and seismically induced landslides. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other hazards, and cities and counties are required to regulate development within mapped Seismic Hazard Zones.

Uniform Building Code: The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the Uniform Building Code with necessary California amendments. The Uniform Building Code is a widely adopted model building code in the United States published by the International Conference of Building Officials. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

4.6.4. Impact Assessment/Environmental Consequences:

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?*

According to the Yuba City General Plan, no active earthquake faults are known to exist in Sutter County, although active faults in the region could produce ground motion in Yuba City (Dyett & Bhatia, 2004). The closest known fault zone is the Bear Mountain Fault Zone, located approximately 20 miles northeast of Yuba City (California Geological Survey [CGS], 2015). Potentially active faults do exist in the Sutter Buttes but those faults are considered small and have not exhibited activity in recent history. Because the distance from the City to the closest known active fault zone is large, the potential for exposure of people or structures to substantial adverse effects from fault rupture is low. Therefore potential impact from an earthquake is less than significant.

- ii. Strong seismic ground shaking?*

In the event of a major regional earthquake, fault rupture or seismic ground shaking could potentially injure people and cause collapse or structural damage to existing and proposed structures. Ground shaking could potentially expose people and property to seismic-related hazards, including localized liquefaction and ground failure. However, all new structures are required to adhere to current California Building Code standards. These standards require adequate design, construction and maintenance of

structures to prevent exposure of people and structures to major geologic hazards. General Plan Implementing Policies 9.2-I-1 through 9.2-I-8 and City adopted building codes reduce the potential impacts to less than significant.

iii. Seismic-related ground failure, including liquefaction?

The proposed Project is not located within a liquefaction zone according to the California Department of Conservation's California Geologic Survey regulatory maps. Regardless, all new structures are required to adhere to current California Building Code standards. These standards require adequate design, construction and maintenance of structures to prevent exposure of people and structures to major geologic hazards. Therefore, the potential impact from ground failure is less than significant.

iv. Landslides?

According to the Environmental Impact Report prepared for the General Plan, due to the flat topography, erosion, landslides, and mudflows are not considered to be a significant risk in the City limits or within the City's Sphere of Influence.

b) Result in substantial soil erosion or the loss of topsoil?

All 2.08 acres of ground would be disturbed during site grading. Even though the area is relatively flat, during site grading a large storm could result in the loss of topsoil into the City drainage system. However, as part of the construction of the subdivision, the applicant will be subject to the National Pollutant Discharge Elimination System. This triggers the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes Best Management Practices designed to prevent sediment and pollutants from contacting stormwaters moving offsite into receiving waters during the construction process. Assuming all of these standards are met the impacts would be less than significant.

c) Be located on a geological 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?

d) Be located on expansive soil, as defined in the California Building Code creating substantial risks to life or property?

The extreme southwest corner of the Yuba City Sphere of Influence is the only known area with expansive soils. The Project area is not located within that area and therefore will not be impacted by the presence of expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

New buildings will likely be built following the approval of the Project. All new buildings will be required to connect to the City's wastewater collection system. No septic systems will be utilized.

4.7. Greenhouse Gas Emissions

Table 3.7: Greenhouse Gas Emissions

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

4.7.1. Federal Regulatory Setting

The United States Environmental Protection Agency (USEPA) Mandatory Reporting Rule (40 CFR Part 98), which became effective December 29, 2009, requires that all facilities that emit more than 25,000 metric tons CO₂-equivalent per year beginning in 2010, report their emissions on an annual basis. On May 13, 2010, the USEPA issued a final rule that established an approach to addressing GHG emissions from stationary sources under the Clean Air Act (CAA) permitting programs. The final rule set thresholds for GHG emissions that define when permits under the New Source Review Prevention of Significant Deterioration and title V Operating Permit programs are required for new and existing industrial facilities.

In addition, the Supreme Court decision in *Massachusetts v. EPA* (Supreme Court Case 05-1120) found that the USEPA has the authority to list GHGs as pollutants and to regulate emissions of greenhouse gases (GHG) under the CAA. On April 17, 2009, the USEPA found that CO₂, CH₄, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride may contribute to air pollution and may endanger public health and welfare. This finding may result in the USEPA regulating GHG emissions; however, to date the USEPA has not propose regulations based on this finding.

4.7.2. State & Local Regulatory Setting

The City's Resource Efficiency Plan as designed under the premise that the City, and the community it represents, is uniquely capable of addressing emissions associated with sources under the City's jurisdiction and that the City's emission reduction efforts should coordinate with the state strategies of reducing emissions in order to accomplish these reductions in an efficient and cost effective manner. The City developed this document with the following purposes in mind:

- **Local Control:** The Efficiency Plan allows the City to identify strategies to reduce resource consumption, costs, and GHG emissions in all economic sectors in a way that maintains local control over the issues and fits the character of the community. It also may position the City for funding to implement programs tied to climate goals.
- **Energy and Resource Efficiency:** The Efficiency Plan identifies opportunities for the City to increase energy efficiency and lower GHG emissions in a manner that is most feasible within the community. Reducing energy consumption through increasing the efficiency of energy technologies, reducing energy use, and using renewable sources of energy are effective ways to reduce GHG emissions. Energy efficiency also provides opportunities for cost-savings.

- **Improved Public Health:** Many of the GHG reduction strategies identified in the Efficiency Plan also have local public health benefits. Benefits include local air quality improvements; creating a more active community through implementing resource-efficient living practices; and reducing health risks, such as heat stroke, that would be otherwise elevated by climate change impacts such as increased extreme heat days.

Demonstrating Consistency with State GHG Reduction Goals—A GHG reduction plan may be used as GHG mitigation in the General Plan to demonstrate that the City is aligned with State goals for reducing GHG emissions to a level considered less than cumulatively considerable.

4.7.3. Impact Assessment/Environmental Consequences:

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

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, similar to a greenhouse. The accumulation of GHGs has been implicated as a driving force for Global Climate Change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the climate caused by natural fluctuations and the impact of human activities that alter the composition of the global atmosphere. Both natural processes and human activities emit GHGs. Global Climate Change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation and temperature. Although there is disagreement as to the speed of global warming and the extent of the impacts attributable to human activities, the vast majority of the scientific community now agrees that there is a direct link between increased emission of GHGs and long-term global temperature. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity. GHG impacts are considered to be exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective (CAPCOA).

4.7.4. Greenhouse Mitigation Measure

Findings: The development of the site as a result of this Project will potentially create GHG emissions due to the use of motorized construction equipment and ongoing auto traffic generated by the project. Due to the small size of the project it is not expected to create significant quantities greenhouse gas emissions. However, on a cumulative scale, possible reasonable reductions could be applied to the project in order to further minimize those impacts. Specifically addressing this proposal, the City's Resource Efficiency Plan addresses greenhouse gas concerns and provides a description of greenhouse gas reduction measures.

Proposed Project Mitigation Measure: Pertaining to potential cumulative impacts associated with GHG emissions, site grading process shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan.

4.8. Hazards and Hazardous Materials

Table 3-8: Hazards and Hazardous Materials

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

4.8.1. Federal Regulatory Setting

U.S. Environmental Protection Agency (USEPA): The USEPA was established in 1970 to consolidate in one agency a variety of federal research, monitoring, standard setting and enforcement activities to ensure environmental protection. USEPA's mission is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. USEPA works to develop and enforce regulations that implement environmental laws enacted by Congress, is responsible for researching and setting national standards for a variety of environmental programs, and delegates to states and tribes the responsibility for issuing permits and for monitoring and enforcing compliance. Where national standards

are not met, USEPA can issue sanctions and take other steps to assist the states and tribes in reaching the desired levels of environmental quality.

Federal Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act: The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the USEPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle to grave” system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act: The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List (NPL). CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

Clean Water Act/SPCC Rule: The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq., formerly the Federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. As part of the Clean Water Act, the U.S. EPA oversees and enforces the Oil Pollution Prevention regulation contained in Title 40 of the CFR, Part 112 (Title 40 CFR, Part 112) which is often referred to as the “SPCC rule” because the regulations describe the requirements for facilities to prepare, amend and implement Spill Prevention, Control, and

Countermeasure (SPCC) Plans: A facility is subject to SPCC regulations if a single oil storage tank has a capacity greater than 660 gallons, or the total above ground oil storage capacity exceeds 1,320 gallons, or the underground oil storage capacity exceeds 42,000 gallons, and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the “Navigable Waters” of the United States. Other federal regulations overseen by the U.S. EPA relevant to hazardous materials and environmental contamination include Title 40, CFR, Chapter 1, Subchapter D – Water Programs and Subchapter I – Solid Wastes. Title 40, CFR, Chapter 1, Subchapter D, Parts 116 and 117 designate hazardous substances under the Federal Water Pollution Control Act: Title 40, CFR, Part 116 sets forth a determination of the reportable quantity for each substance that is designated as hazardous. Title 40, CFR, Part 117 applies to quantities of designated substances equal to or greater than the reportable quantities that may be discharged into waters of the United States.

The NFPA 70®: National Electrical Code® is adopted in all 50 states. Any electrical work associated with the Proposed Project is required to comply with the standards set forth in this code. Several federal regulations govern hazards as they are related to transportation issues. They include:

Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.

49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.

49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

4.8.2. State Regulatory Setting

California Environmental Protection Agency (CalEPA): The California Environmental Protection Agency (CalEPA) was created in 1991 by Governor's Executive Order. The six boards, departments, and office were placed under the CalEPA umbrella to create a cabinet-level voice for the protection of human health and the environment and to assure the coordinated deployment of State resources. The mission of CalEPA is to restore, protect, and enhance the environment to ensure public health, environmental quality, and economic vitality under Title 22 of the California Code of Regulations (CCR).

Department of Toxic Substances Control (DTSC): DTSC is a department of Cal/EPA and is the primary agency in California that regulates hazardous waste, cleans-up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC listed hazardous waste facilities and sites, DHS lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and which have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Unified Program: The Unified Program (codified CCR Title 27, Division 1, Subdivision 4, Chapter 1, Sections 15100- 15620) consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of the following six environmental and emergency response programs:

- Hazardous Waste Generator (HWG) program and Hazardous Waste On-site Treatment activities;
- Aboveground Storage Tank (AST) program Spill Prevention Control and Countermeasure Plan requirements;
- Underground Storage Tank (UST) program;
- Hazardous Materials Release Response Plans and Inventory (HMRRP) program;
- California Accidental Release Prevention (CalARP) program;
- Hazardous Materials Management Plans and Hazardous Materials Inventory Statement (HMMP/HMIS) requirements.

The Secretary of CalEPA is directly responsible for coordinating the administration of the Unified Program. The Unified Program requires all counties to apply to the CalEPA Secretary for the certification of a local unified program agency. Qualified cities are also permitted to apply for certification. The local Certified Unified Program Agency (CUPA) is required to consolidate, coordinate, and make consistent the administrative requirements, permits, fee structures, and inspection and enforcement activities for these six program elements in the county. Most CUPAs have been established as a function of a local environmental health or fire department.

Hazardous Waste Management Program: The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement, and Unified Program activities in accordance with California Health and Safety Code Section 25135 et seq. The main focus of HWMP is to ensure the safe storage, treatment, transportation, and disposal of hazardous wastes.

State Water Resources Control Board (SWRCB): The State Water Resources Control Board (SWRCB) was created by the California legislature in 1967. The mission of SWRCB is to ensure the highest reasonable quality for waters of the State, while allocating those waters to achieve the optimum balance of beneficial uses. The joint authority of water allocation and water quality protection enables SWRCB to provide comprehensive protection for California's waters.

California Department of Industrial Relations – Division of Occupational Safety and Health (Cal OSHA): In California, every employer has a legal obligation to provide and maintain a safe and healthful workplace for employees, according to the California Occupational Safety and Health Act of 1973 (per Title 8 of the CCR). The Division of Occupational Safety and Health (Cal/OSHA) program is responsible for enforcing California laws and regulations pertaining to workplace safety and health and for providing assistance to employers and workers about workplace safety and health issues. Cal/OSHA regulations are administered through Title 8 of the CCR. The regulations require all manufacturers or importers to assess the hazards of substances that they produce or import and all employers to provide information to their employees about the hazardous substances to which they may be exposed.

California Fire Code: The California Fire Code is Part 9 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The California Fire Code incorporates the Uniform Fire Code with necessary California amendments. This Code prescribes regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire explosion, and dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises and provisions to assist emergency response personnel.

4.8.3. Local Regulatory Setting

Sutter County Airport Comprehensive Land Use Plan: The SCACLUP was adopted in April 1994 by the Sacramento Area Council of Governments (SACOG). SACOG is the designated Airport Land Use Commission (ALUC) for Sacramento, Sutter, Yolo and Yuba Counties under the provisions of the California Public Utilities Code, Chapter 4, Article 3.5, Section 21670.1 Airport Land Use Commission Law. The purpose of the ALUC law is to (1) protect public health, safety, and welfare through the adoption of land use standards that minimize the public's exposure to safety hazards and excessive levels of noise, and (2) Prevent the encroachment of incompatible land uses around public-use airports, thereby preserving the utilities of these airports into the future.

4.8.4. Impact Assessment/Environmental Consequences:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The presence of hazardous materials anticipated with development of this Project are primarily related to construction and grading equipment which includes solvents, oil and fuel.

The applicant retained the services of Bole & Associates to prepare a Phase I Environmental Site Assessment (dated June 17, 2019) for the subject property.

Findings: The assessment concluded that;

- The subject property consists of an approximately 1.9-acre parcel of undeveloped land.
- No permanent structures, roads, or obvious improvements were noted on the subject property.
- No hazardous materials in any appreciable quantity were noted on the subject property.
- Historically the site has been used for agricultural purposes and undeveloped land, having never formally been developed for any commercial, retail, or industrial use.

Conclusion: The investigations did not reveal any Recognized Environmental Conditions associated with the subject property and it is the professional opinion of Bole and Associates that no further investigations are warranted at this time.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There are no schools located within one-half mile of the project.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section and, as a result, would create a significant hazard to the public or the environment?

The site is not on any listings of sites that are contaminated by hazardous wastes.

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?

The project is not located within the Sutter County Airport Land Use Plan.

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 airports or airfields located within the city limits of Yuba City. The closest private airstrip is the Vanderford Ranch Company Airport, located approximately six miles southwest of the City, well beyond any safety or hazardous zones. Therefore, there will be no impact from any private airstrips.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Yuba City Fire Department and Police Department, serve this area. Neither agency has expressed concern over impacts the project may have on any emergency response plans.

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?

The project site is located in an urban area that is surrounded by irrigated agricultural lands. There are no wildlands on the site or in the immediate area.

4.9. Hydrology and Water Quality

Table 3-9: Hydrology and Water Quality				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course or a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?				X

4.9.1. Federal Regulatory Setting

Clean Water Act: The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

Federal Emergency Management Agency (FEMA) Flood Zones: The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes. Flood hazard areas identified on the Flood

Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

4.9.2. State Regulatory Setting

State Water Resources Control Board: The State Water Resources Control Board (SWRCB) is the agency with jurisdiction over water quality issues in the State of California. The WRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The Project site is located within the Central Valley Regional Water Quality Control board.

Central Valley Regional Water Quality Control Board (CVRWQCB): administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). Additionally, CVRWQCB is responsible for issuing Waste Discharge Requirements Orders under California Water Code Section 13260, Article 4, Waste Discharge Requirements.

State Department of Water Resources: California Water Code (Sections 10004 et seq.) requires that the State Department of Water Resources update the State Water Plan every five years. The 2013 update is the most current review and included (but is not limited to) the following conclusions:

- The total number of wells completed in California between 1977 and 2010 is approximately 432,469 and ranges from a high of 108,346 wells for the Sacramento River Hydrologic Region to a low of 4,069 wells for the North Lahontan Hydrologic Region.

- Based on the June 2014 California Statewide Groundwater Elevation Monitoring (CASGEM) basin prioritization for California's 515 groundwater basins, 43 basins are identified as high priority, 84 basins as medium priority, 27 basins as low priority, and the remaining 361 basins as very low priority.
- The 127 basins designated as high or medium priority account for 96 percent of the average annual statewide groundwater use and 88 percent of the 2010 population overlying the groundwater basin area.
- Depth-to-groundwater contours were developed for the unconfined aquifer system in the Central Valley. In the Sacramento Valley, the spring 2010 groundwater depths range from less than 10 feet below ground surface (bgs) to approximately 50 feet bgs, with local areas showing maximum depths of as much as 160 feet bgs.
- The most prevalent groundwater contaminants affecting California's community drinking water wells are arsenic, nitrate, gross alpha activity, and perchlorate.

California Government Code 65302 (d): The General Plan must contain a Conservation Element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, river and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any County-wide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the County or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or County. The conservation element may also cover:

- The reclamation of land and waters.
- Prevention and control of the pollution of streams and other waters.
- Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- Prevention, control, and correction of the erosion of soils, beaches, and shores.
- Protection of watersheds.
- The location, quantity and quality of the rock, sand and gravel resources.
- Flood control.

Sustainable Groundwater Management Act: On September 16, 2014 Governor Edmund G. Brown Jr. signed historic legislation to strengthen local management and monitoring of groundwater basins most critical to the state's water needs. The three bills, SB 1168 (Pavley) SB 1319 (Pavley) and AB 1739 (Dickinson) together makeup the Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act comprehensively reforms groundwater management in California. The intent of the Act is to place management at the local level, although the state may intervene to manage basins when local agencies fail to take appropriate responsibility. The Act provides authority for local agency management of groundwater, and requires creation of groundwater sustainability agencies and implementation of plans to achieve groundwater sustainability within basins of high and medium-priority.

4.9.3. Impact Assessment/Environmental Consequences:

a) Violate any water quality standards or waste discharge requirements?

Due to new development that would result from the Project, it is anticipated that there will be an increase in water consumption. Most of the City's public water supply comes from the Feather River. The water is pumped from the river to the Water Treatment Plant located in northern Yuba City. The plant also sometimes utilizes a well in addition to surface water supplies due to recent drought conditions. The project will have no impact on the quality of City water, as the expected uses stemming from the Project will be typical commercial uses which are not expected to violate any waste discharge standards.

Even though the area is relatively flat, during site grading a large storm could result in the loss of topsoil into the City drainage system. However as part of the construction of the subdivision, the applicant will be subject to the National Pollutant Discharge Elimination System. This triggers the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes City adopted Best Management Practices designed to prevent sediment and pollutants from contacting stormwaters moving offsite into receiving waters during the construction process. Complimenting this process, all storm water runoff associated with the dealership expansion is addressed through General Plan Implementing Policies 8.5-I-1 through 8.5-I-10 which require a wide range of developer and City actions involving coordination with the State Regional Water Quality Control Board, protecting waterways, and following Yuba City's adopted Best Management Practices for new construction. Assuming all of these standards are met the impacts on water quality would be less than significant.

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)?

While water consumption will increase with the project, due to the new uses that will locate on the new lots following completion of the Project, very little, if any, groundwater will be utilized as the City primarily utilizes surface water in its system.

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 that would result in substantial erosion or siltation onsite or offsite?

The project will drain into the existing drainage system and is eventually pumped into the Feather River. This Project will not alter that drainage pattern, but it will increase the amount of drainage into the system. This will be offset, however, as the Project will be required to pay the appropriate fees to the County Drainage system for its fair share of improvements to the drainage system. Also, as noted above, all new construction must involve use of Best Management Practices. Therefore, there will be no changes to the existing drainage pattern and there is not expected to be any significant impacts from additional storm water drainage from the site.

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 that would result in flooding on- or off-site.

The site drains into the existing County drainage system and will not cause changes to the existing drainage pattern. The drainage runoff flows into the system and is eventually pumped into the Feather River. The system is designed to accommodate drainage from urban development in this area of Yuba City. Also, the Project must pay a drainage impact fee as its fair share of costs towards the downstream improvements all the way to its confluence with the Feather River to accommodate the increased storm water runoff resulting from the development.

e) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

The existing drainage system was designed and improved to accommodate storm water drainage from this portion of the City. The amount of runoff from this project will incrementally increase the amount of runoff. But impacts from the additional drainage resulting from the new impervious surface area will be offset by payment of drainage impact fees that goes towards the project's fair share of the downstream improvements to the drainage system. Therefore, the impact for increased stormwater runoff would be less than significant.

f) Otherwise substantially degrade water quality?

The proposed project will not substantially degrade water quality. As noted under item a) above, development of the site will be required to meet all local and state standards and will adhere to the General Plan Implementing Policies which includes adherence to all Federal and State standards and the City adopted Best Management Practices. Those standards are intended to ensure that water quality degradation does not occur. Therefore, the impact on water quality would be less than significant.

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?

h) Place structures that would impede or redirect flood flows within a 100-year flood hazard area?

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?

According to the Federal Emergency Management Agency, this portion of the City is outside of the 100-year flood plain. It is classified as such because of the extensive series of levees and dams along the Feather River, which protects the City from potential flooding. Local drainage improvements, principally in this case the existing drainage system, provide storm water relief to this portion of the urban area.

j) Inundation by a seiche, tsunami, or mudflow?

The City is not close to the ocean or any big lakes so a seiche is unlikely to happen in or near the City. The City is located inland from the Pacific Ocean, so people or structures in the City would not be exposed to inundation by tsunami. Mudflows and landslides are unlikely to happen due to the relatively flat topography within the project area. Thus, it is unlikely that the project site would be subject to inundation by a seiche, tsunami, or mudflow or landslide. Therefore, there is no impact.

4.10. Land Use and Planning

Table 3-10: Land Use and Planning

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

4.10.1. Environmental Setting/Affected Environment

The project is on vacant property intended for urban development per the Yuba City General Plan. The site is surrounded by a variety of uses, including single-family residential and commercial uses. The project is designed to provide a transition of uses that will be compatible with the existing neighboring uses.

4.10.2. Federal Regulatory Setting

There are no federal or state regulations pertaining to land use and planning relevant to the proposed Project.

4.10.3. Local Regulatory Setting

Yuba City General Plan, Land Use Element: The Land Use Element of the General Plan establishes guidance for the ultimate pattern of growth in the City's Sphere of Influence. It provides direction regarding how lands are to be used, where growth will occur, the density/intensity and physical form of that growth, and key design considerations.

4.10.4. Impact Assessment/Environmental Consequences:

a) Physically divide an established community?

The project will not physically divide an established community. The site is surrounded by a variety of uses, including single-family residential to and commercial uses. The project is designed to provide a transition of uses that will be compatible with the existing neighboring uses.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The reason for the general plan amendment and the rezoning is to ensure that the project is consistent with the variety of neighboring uses.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

There are currently no adopted habitat conservation plans or natural community conservations plans within the City limits or the City's sphere of influence.

4.11. Mineral Resources

Table 3-11: Mineral Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

4.11.1. Federal Regulatory Setting

There are no federal regulations pertaining to mineral resources relevant to the proposed Project.

4.11.2. State Regulatory Setting

California Surface Mining and Reclamation Act of 1975: Enacted by the State Legislature in 1975, the Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., insures a continuing supply of mineral resources for the State. The act also creates surface mining and reclamation policy to assure that:

- Production and conservation of minerals is encouraged;
- Environmental effects are prevented or minimized;
- Consideration is given to recreational activities, watersheds, wildlife, range and forage, and aesthetic enjoyment;
- Mined lands are reclaimed to a useable condition once mining is completed; and
- Hazards to public safety both now and in the future are eliminated.

Areas in the State (city or county) that do not have their own regulations for mining and reclamation activities rely on the Department of Conservation, Division of Mines and Geology, Office of Mine Reclamation to enforce this law. SMARA contains provisions for the inventory of mineral lands in the State of California.

The State Geologist, in accordance with the State Board's Guidelines for Classification and Designation of Mineral Lands, must classify Mineral Resource Zones (MRZ) as designated below:

- MRZ-1. Areas where available geologic information indicates that there is minimal likelihood of significant resources.
- MRZ-2. Areas underlain by mineral deposits where geologic data indicate that significant mineral deposits are located or likely to be located.
- MRZ-3. Areas where mineral deposits are found but the significance of the deposits cannot be evaluated without further exploration.
- MRZ-4. Areas where there is not enough information to assess the zone. These are areas that have unknown mineral resource significance.

SMARA only covers mining activities that impact or disturb the surface of the land. Deep mining (tunnel) or petroleum and gas production is not covered by SMARA.

4.11.3. Impact Assessment/Environmental Consequences:

- 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?*
- 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?*

The property contains no known mineral resources and there is little opportunity for mineral resource extraction. The Yuba City General Plan does not recognize any mineral resource zones within the City's boundary, and no mineral extraction facilities currently exist within the City. Additionally, the site is surrounded by uses that are generally considered incompatible with mineral extraction facilities.

4.12. Noise

Table 3.12: Noise				
Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use				X

airport, would the project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

4.12.1. Environmental Setting/Affected Environment for Noise

Noise can be generally defined as unwanted sound. Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) which is measured in decibels (dB), with 0 dB corresponding roughly to the threshold of human hearing and 120 to 140 dB corresponding to the threshold of pain.

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude (sound power). The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the frequency/sound power level spectrum.

The typical human ear is not equally sensitive to all frequencies of the audible sound spectrum. As a consequence, when assessing potential noise impacts, sound is measured using an electronic filter that de-emphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to low and extremely high frequencies instead of the frequency mid-range. This method of frequency weighting is referred to as A-weighting and is expressed in units of A-weighted decibels (dBA). Frequency A-weighting follows an international standard methodology of frequency de-emphasis and is typically applied to community noise measurements.

Noise exposure is a measure of noise over a period of time. Noise level is a measure of noise at a given instant in time. Community noise varies continuously over a period of time with respect to the contributing sound sources of the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with the individual contributors unidentifiable. The background noise level changes throughout a typical day, but does so gradually, corresponding with the addition and subtraction of distant noise sources such as traffic and atmospheric conditions. What makes community noise constantly variable throughout a day, besides the slowly changing background noise, is the addition of short duration single event noise sources (e.g., aircraft flyovers, motor vehicles, sirens), which are readily identifiable to the individual receptor. These successive additions of sound to the community noise environment vary the community noise level from instant to instant, requiring the measurement of noise exposure over a period of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts.

4.12.2. Environmental Setting/Affected Environment for Groundborne Vibration

Vibration is the periodic oscillation of a medium or object. Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground borne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS), as in RMS vibration velocity. The PPV and RMS (VbA) vibration velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal and is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings.

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response. As it takes some time for the human body to respond to vibration signals, it is more prudent to use vibration velocity when measuring human response. The typical background vibration velocity level in residential areas is approximately 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels.

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day.

4.12.3. Federal Regulatory Setting

Federal Vibration Policies: The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 90 VdB without experiencing structural damage.⁹⁷ The FTA has identified the human annoyance response to vibration levels as 75 VdB.

4.12.4. State Regulatory Setting

California Noise Control Act: The California Noise Control Act was enacted in 1973 (Health and Safety Code §46010 et seq.), and states that the Office of Noise Control (ONC) should provide assistance to local communities in developing local noise control programs. It also indicates that ONC staff would work with the Department of Resources Office of Planning and Research (OPR) to provide guidance for the preparation of the required noise elements in city and county General Plans, pursuant to Government Code § 65302(f). California Government Code § 65302(f) requires city and county general plans to include a noise element. The purpose of a noise element is to guide future development to enhance future land use compatibility.

Title 24 – Sound Transmission Control: Title 24 of the California Code of Regulations (CCR) codifies Sound Transmission Control requirements, which establishes uniform minimum noise insulation performance standards for new hotels, motels, dormitories, apartment houses, and dwellings other than detached single-family dwellings. Specifically, Title 24 states that interior noise levels attributable to exterior sources shall not exceed 45 dBA CNEL in any habitable room of new dwellings Title 24, Part 2 requires an acoustical report that demonstrates the achievements of the required 45 dBA CNEL. Dwellings are designed so that interior noise levels will meet this standard for at least ten years from the time of building permit application.

4.12.5. Local Regulatory Setting

The City of Yuba City General Plan presents the vision for the future of Yuba City, and outlines several guiding policies and policies relevant to noise.

The following goals and policies from the City of Yuba City General Plan¹ are relevant to noise.

Guiding Policies

- 9.1-G-1 Strive to achieve an acceptable noise environment for the present and future residences of Yuba City.

¹ City of Yuba, 2004. *City of Yuba General Plan*. April 8, 2004.

- 9.1-G-2 Incorporate noise considerations into land use planning decisions, and guide the location and design of transportation facilities to minimize the effects of noise on adjacent land uses.
- Implementing Policies
- 9.1-I-1 Require a noise study and mitigation for all projects that have noise exposure greater than “normally acceptable” levels. Noise mitigation measures include, but are not limited to, the following actions:
 - Screen and control noise sources, such as parking and loading facilities, outdoor activities and mechanical equipment,
 - Increase setbacks for noise sources from adjacent dwellings,
 - Retain fences, walls, and landscaping that serve as noise buffers,
 - Use soundproofing materials and double-glazed windows, and
 - Control hours of operation, including deliveries and trash pickup, to minimize noise impacts.
- 9.1-I-3 In making a determination of impact under the California Environmental Quality Act (CEQA), consider an increase of four or more dBA to be "significant" if the resulting noise level would exceed that described as normally acceptable for the affected land use in Figure 5.
- 9.1-I-4 Protect especially sensitive uses, including schools, hospitals, and senior care facilities, from excessive noise, by enforcing “normally acceptable” noise level standards for these uses.
- 9.1-I-5 Discourage the use of sound walls. As a last resort, construct sound walls along highways and arterials when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility.
- 9.1-I-6 Require new noise sources to use best available control technology (BACT) to minimize noise from all sources.
- 9.1-I-7 Minimize vehicular and stationary noise sources and noise emanating from temporary activities, such as construction.

City of Yuba City Municipal Code: Title 4, Chapter 17, Section 4-17.10(e) of the Yuba City Municipal Code prohibits the operation of noise-generating construction equipment before 6:00 a.m. or after 9:00 p.m. daily, except Sunday and State or federal holidays when the prohibited time is before 8:00 a.m. and after 9:00 p.m.

Figure 1: Noise Exposure

LAND USE CATEGORY	COMMUNITY NOISE EXPOSURE - Ldn or CNEL (dBA)													
	50		55		60		65		70		75		80	
Residential – Low Density Single Family, Duplex, Mobile Home														
Residential – Multi-Family														
Transient Lodging – Motel/Hotel														
Schools, Libraries, Churches, Hospitals, Nursing Homes														
Auditorium, Concert Hall, Amphitheaters														
Sports Arena, Outdoor Spectator Sports														
Playgrounds, Neighborhood Parks														
Golf Courses, Riding Stables, Water Recreation, Cemeteries														
Office Buildings, Business, Commercial and Professional														
Industrial, Manufacturing, Utilities, Agriculture														
	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.													
	Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.													
	Normally Unacceptable: New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirement must be made and needed noise insulation features included in the design.													
	Clearly Unacceptable: New construction or development generally should not be undertaken.													
Source: State of California, Governor's Office of Planning and Research, 2003. General Plan Guidelines.														

4.12.6. Impact Assessment/Environmental Consequences:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

This Project will result in site disturbance and development. It is anticipated that there will be site grading and construction of new structures. Construction would involve temporary noise sources that are anticipated to last for a short period that could impact the nearby single-family residences located along the southern edge of this property. The noise source would include typical grading and paving equipment and miscellaneous equipment.

During construction, which is planned to occur during daylight hours, Monday through Friday, noise from construction activities would contribute to the noise environment in the immediate project vicinity. Activities involved in construction could generate maximum noise levels, as indicated in Table 3, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise control. However, due to the very limited duration of the construction activities, the effects from this activity are expected to be less than significant.

Table 2: Noise Levels of Typical Construction		
Type of Equipment (1)	dBA at 50 ft.	
	Without Feasible Noise Control (2)	With Feasible Noise Control
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75
(1)US Environmental Protection Agency. "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances." Figure IV.H-4. 1971.		
(2)Feasible noise control includes the use of intake mufflers, exhaust mufflers and engine shrouds operating in accordance with manufacturers specifications		

City ordinance and the conditions of approval applied to this Project require masonry walls be constructed adjacent to existing residential area located to the south of the Project. Therefore, the noise associated with the Project is expected to be less than significant.

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Table 4 describes the typical construction equipment vibration levels.

Table 3: Typical Construction Levels	
Equipment (1)	VdB at 25 ft2
Small Bulldozer	58
Vibratory Roller	94
Jackhammer	79
Loaded Trucks	86
(1) US Environmental Protection Agency. "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances." Figure IV.H-4. 1971.	

Vibration levels of construction equipment in Table 4 are at a distance of 25 feet from the equipment. As noted above, construction activities are limited to daylight hours. Infrequent construction-related vibrations would be short-term and temporary, and operation of heavy-duty construction equipment would be intermittent throughout the day during construction. Therefore, with the short duration of grading activities associated with the project, the temporary impact to any uses in the vicinity of the project would be less than significant.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*
- d) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Upon completion of construction activities, the proposed new buildings that will be devoted to commercial uses. These are typical uses found throughout the City and are not expected to be large noise generators nor are the potential uses significantly different than the existing neighboring uses. Therefore, the impact would be less than significant.

- 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?*
- 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?*

The project is not within an airport land use plan. There are no private airports or airfields located within the City limits of Yuba City. The closest private airstrip is the Vanderford Ranch Company Airport, located approximately six miles southwest of the City, well beyond any safety or hazard zones. Therefore, there will be no significant impacts from any private airstrips.

4.13. Population and Housing

Table 3-13: Population and Housing

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

4.13.1. Environmental Setting/Affected Environment

The proposed Project is located in an urbanized area of the City, and is surrounded by other residential, commercial and light industrial uses. This is essentially an in-fill project. All City services already serve the property.

4.13.2. Federal Regulatory Setting

There are no federal regulations, plans, programs or guidelines associated with population or housing that are applicable to the proposed Project.

4.13.3. State Regulatory Setting

California law (Government Code Section 65580, et seq.) requires cities and counties to include a housing element as a part of their general plan to address housing conditions and needs in the community. Housing elements are prepared approximately every five years (eight following implementation of Senate Bill [SB] 375), following timetables set forth in the law. The housing element must identify and analyze existing and projected housing needs and “make adequate provision for the existing and projected needs of all economic segments of the community,” among other requirements. The City adopted its current Housing Element in 2013.

4.13.4. Regional Regulatory Setting

State law mandates that all cities and counties offer a portion of housing to accommodate the increasing needs of regional population growth. The statewide housing demand is determined by the California Department of Housing and Community Development (HCD), while local governments and councils of governments decide and manage their specific regional and jurisdictional housing needs and develop a regional housing needs assessment (RHNA).

In the greater Sacramento region, which includes the City of Yuba City, SACOG has the responsibility of developing and approving an RHNA and a Regional Housing Needs Plan (RHNP) every eight years

(Government Code, Section 65580 et seq.). This document has a central role of distributing the allocation of housing for every county and city in the SACOG region. Housing needs are assessed for very low income, low income, moderate income, and above moderate households.²

As described above, SACOG is the association of local governments that includes Yuba City, along with other jurisdictions comprising the six counties in the greater Sacramento region. In addition to preparing the Metropolitan Transportation Plan and Sustainable Communities Strategy for the region, SACOG approves the distribution of affordable housing in the region through its RHNP. SACOG also assists in planning for transit, bicycle networks, clean air and serves as the Airport Land Use Commission for the region.³

4.13.5. Impact Assessment/Environmental Consequences:

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)?

As this is an infill project and properties around this project are already developed, the Project is not expected induce growth to nearby properties. All City infrastructure already serves the site, including sewer, water, storm water drainage, and roads.

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

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

The proposed project will not result in the displacement of any housing or population. There will be no impact.

² Sacramento Area Council of Governments. 2012. Regional Needs Housing Plan 2013-2021. Adopted September 20, 2012. Page 4. Table 1.

³ Sacramento Area Council of Governments. 2017. About SACOG. SACOG website. Available: <http://www.sacog.org/about/>. Accessed July 25, 2017.

4.14. Public Services

Table 3-14: Public Services

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government 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:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

4.14.1. Environmental Setting/Affected Environment

Law enforcement serving the various new uses is provided by the Yuba City Police Department. Fire protection is provided by the Yuba City Fire Department. Nearby parks and other urban facilities that may be utilized by new residents and customers and employees are also provided by Yuba City. The nearby Andros Karperos School and River Valley High School are part of the Yuba City Unified School District.

4.14.2. Federal Regulatory Setting

National Fire Protection Association: The National Fire Protection Association (NFPA) is an international nonprofit organization that provides consensus codes and standards, research, training, and education on fire prevention and public safety. The NFPA develops, publishes, and disseminates more than 300 such codes and standards intended to minimize the possibility and effects of fire and other risks. The NFPA publishes the NFPA 1, Uniform Fire Code, which provides requirements to establish a reasonable level of fire safety and property protection in new and existing buildings.

4.14.3. State Regulatory Setting

California Fire Code and Building Code: The 2013 California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety and assistance to fire fighters and emergency responders during emergency operations. The provision of the Fire Code includes regulations regarding fire-resistance rated construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, fire safety during construction and demolition, and wildland urban interface areas.

California Health and Safety Code (HSC): State fire regulations are set forth in Sections 13000 et seq. of the California HSC, which includes regulations for building standards (as set forth in the CBC), fire protection and notification systems, fire protection devices such as extinguishers, smoke alarms, childcare facility standards, and fire suppression training.

California Master Mutual Aid Agreement: The California Master Mutual Aid Agreement is a framework agreement between the State of California and local governments for aid and assistance by the interchange of services, facilities, and equipment, including but not limited to fire, police, medical and health, communication, and transportation services and facilities to cope with the problems of emergency rescue, relief, evacuation, rehabilitation, and reconstruction.

4.14.4. Impact Assessment/Environmental Consequences:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government 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: The Yuba City Fire Department provides fire protection services to the property. This proposal will result in additional commercial uses. However, due to the limited size of the Project, and that it is an infill development to areas already served, the Fire Department does not anticipate any significant increase in fire hazards to the area.

Police Protection: The Yuba City Police Department will provide police services to the site. The Police Department reviewed the proposal and did not express concerns.

Schools: The Yuba City Unified School District did not voice any concerns over the project. Commercial uses typically have a minimal direct impact upon schools

Parks: It is not anticipated that the commercial development associated with the Project will impact the demand for parks beyond that which already exists in this vicinity and therefore is not considered significant.

Other Public Facilities: As the existing City infrastructure already serves this property, impacts to public services and facilities, such as the City of Yuba City Water and Wastewater Treatment Facilities, would be less than significant.

4.15. Recreation

Table 3-15: Recreation

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

4.15.1. Environmental Setting/Affected Environment

Yuba City has 22 City-owned parks and recreational areas, managed by the City's Parks and Recreation Department. This consists of four community parks, 15 neighborhood parks, and three passive or mini parks.

4.15.2. Federal Regulatory Setting

There are no federal regulations regarding parks and open space that are applicable to the proposed Project.

4.15.3. State Regulatory Setting

State Public Park Preservation Act: The primary instrument for protecting and preserving parkland is the Public Park Preservation Act of 1971. Under the PRC section 5400-5409, cities and counties may not acquire any real property that is in use as a public park for any non-park use unless compensation or land, or both, are provided to replace the parkland acquired. This provides no net loss of parkland and facilities.

Quimby Act: California Government Code Section 66477, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. The required dedication and/or fee are based upon the residential density and housing type, land cost, and other factors. Land dedicated and fees collected pursuant to the Quimby Act may be used for developing new, or rehabilitating existing park or recreational facilities.

4.15.4. Local Regulatory Setting

The Yuba City General Plan and the City's Parks Master Plan provide a goal of providing 5 acres of public parkland per 1,000 residents, while it also requires 1 acre of Neighborhood Park for every 1,000 residents. The City's development impact fee program collects fees for new development, which is allocated for the acquisition and development of open space in the City.

4.15.5. Impact Assessment/Environmental Consequences:

- 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?*
- 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?*

It is not anticipated that the commercial development associated with the Project will impact the demand for recreation beyond that which already exists in this vicinity and therefore is not considered significant.

4.16. Transportation/Traffic

Table 3-16: Transportation Recreation				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

4.16.1. Federal Regulatory Setting

Federal Highway Administration: FHWA is the agency of the U.S. Department of Transportation (DOT) responsible for the Federally-funded roadway system, including the interstate highway network and portions of the primary State highway network. FHWA funding is provided through the Safe, Accountable, Flexible, Efficiency Transportation Equity Act: A Legacy for Users (SAFETEA-LU). SAFETEA-LU can be used to fund local transportation improvement projects, such as projects to improve the efficiency of existing roadways, traffic signal coordination, bikeways, and transit system upgrades.

Several federal regulations govern transportation issues. They include:

- Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.
- Title 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.
- Title 49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.
- **Federal Aviation Administration:** The Federal Aviation Administration (FAA) regulates aviation at regional, public, and private airports. The FAA regulates objects affecting navigable airspace.

4.16.2. State Regulatory Setting

State of California Transportation Department Transportation Concept Reports: Each District of the State of California Transportation Department (Caltrans) prepares a Transportation Concept Report (TCR) for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of the TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period, otherwise known as the "route concept" or beyond 20 years, for what is known as the "ultimate concept".

4.16.3. Impact Assessment/Environmental Consequences:

- 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?*
- 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?*

It is expected that the Project will generate additional traffic in this area.

K.D. Anderson & Associates, Inc. were retained by the applicant to prepare a traffic assessment (dated 5/17/19) associated with this project.

Conclusions of the report are as follows: Based on available information it is not anticipated that the impacts of the project based on Yuba City's General Plan standards for traffic operations, truck circulation or safety would be significant, and no additional analysis or mitigation is required. The design of the northern site access should be confirmed for truck turning once the probable routes of entering and exiting trucks are confirmed. Detailed information is included below.

Existing Conditions:

Traffic volume data was analyzed for three locations along Garden Highway:

- Garden Highway / Lincoln Road
- Garden Highway / Epley Drive
- Garden Highway / Burns Drive / Teesdale Road

The current Level of Service occurring at each intersection was determined, and the results are summarized in table below. As indicated, all three locations operate with Levels of Service that satisfy the City of Yuba City's minimum LOS D standard. The Level of Service reported at the Garden Highway / Lincoln Road intersection (i.e., LOS B) is identical to the results presented in a prior report based on April 2015 data. Current conditions are acceptable under City guidelines, and improvements are not needed.

TABLE 1 CURRENT PEAK HOUR INTERSECTION LEVELS OF SERVICE							
Intersection	Traffic Control	AM Peak Hour			PM Peak Hour		
		Average Delay (sec/veh)	LOS	Volume Warrant Satisfied?	Average Delay (sec/veh)	LOS	Volume Warrant Satisfied?
Garden Highway / Lincoln Road	Signal	11.3	B	n.a.	11.7	B	n.a.
Garden Highway / Epley Drive	EB Stop			No			No
Southbound left turn		11.4	B		9.5	C	
Westbound approach		22.1	C		17.2	A	
Garden Highway / Burns Drive	Signal	16.9	B	n.a.	14.5	B	n.a.
n.a. is not applicable to this location							

Projected Traffic:

The Dollar General Store will occupy about ½ of the project site. Another small retail or service use may be developed at some time. For this assessment, the study assumed a 6.5 ksf auto parts store occupies the southern parcel.

Trip Generation Rates. The Institute of Transportation Engineers (ITE) publication "*Trip Generation, 10th Edition*" provides information on the characteristics of various retail uses. The use most similar to Dollar General Store is "Variety Store" (Code 813). The second use would match ITE's "Auto Parts Sales" category. Table 2 identifies the trip generation rates reported by ITE and the forecasts for the two uses. Together these two businesses may generate 46 a.m. peak hour trips and 94 p.m. peak hour trips.

<p style="text-align: center;">TABLE 2 TRIP GENERATION RATES / FORECASTS</p>							
Land Use / Code	Unit	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Variety Store (813)	ksf	50%	50%	3.81	50%	50%	6.82
Auto Parts Sales (843)	ksf	55%	45%	1.73	48%	52%	4.91
Dollar General Store	9.1 ksf	18	17	35	31	31	62
Auto Parts Store	6.5 ksf	6	5	11	16	16	32
Total		24	22	46	47	47	94
Pass-By Trips	34%	<8>	<8>	<16>	<16>	<16>	<32>
Net New Trips		16	14	30	31	31	62
Source: ITE Trip Generation, 10 th Edition							

Truck Trips. The proposed project will receive regular deliveries from the Dollar General Stores regional distribution center serving this area of California. Typically 1-2 full-size trucks will visit the store each week, although smaller single unit trucks may visit each day. At typical Dollar General Stores some of the full-size trucks are expected to be STAA trucks (53') permitted on California highways under the Surface Transportation Authorization Act. However, when the regional routes providing access to individual stores are not designated for STAA, alternative vehicles are used.

Vehicle Trip Distribution / Assignment. The distribution of project traffic was determined based on knowledge of the distribution of residences in this area of Yuba City – Sutter County and on market characteristics of Dollar General Stores. Assuming a primary trade area that extends 1-2 miles from the site, we expect “new” traffic to be split north (50%) and south (50%). Pass-by trips will be drawn from passing traffic north/south along Garden Highway in proportion to the current peak hour volumes from each direction.

Effect on Current and Cumulative Levels of Service. Using the trip generation and distribution assumptions described above, the trips generated by the proposed project were assigned to the study area street system. As noted earlier, current operating Levels of Service are very good at intersections near the project, and current conditions are well within the LOS D threshold employed by the City of Yuba City to define acceptable traffic operations. It is expected that conditions to the south at the Bogue Road intersection will be similar. The limited amount of additional traffic associated with the Dollar General project would not be enough to cause current conditions to drop from LOS B beyond the LOS D threshold. It is anticipated that the project’s impact will be less than significant based on the General Plan Level of Service standards.

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?*

The project site is not within the Sutter County Airport Comprehensive Land Use Plan.

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

The project has frontage access on Garden Highway. Both Public Works Department and the Police Department have reviewed the project and have not expressed concerns with the Project access onto the Garden Highway. There are no dangerous curves in the vicinity and as the site is in an urbanized area, it is anticipated there will be no conflict with uses such as farm equipment.

e) **Result in inadequate emergency access?**

The Fire Department and Police Departments have reviewed the project plans and did not express concerns about emergency access to the property.

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?**

The Project will be required to improve the access onto the Garden Highway to full City standards, safely accommodating bus and truck traffic as well as completed sidewalks and related frontage improvements.

4.17. Tribal Cultural Resources

Table 3-17: Tribal Cult				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project cause of substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is :				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

4.17.1. Federal Regulatory Setting

This section describes the affected environment and regulatory setting for Tribal Cultural Resources (TCRs) in the Master Plan. The following analysis of the potential environmental impacts related to TCRs is derived primarily from the following sources:

- California Native American Heritage Commission Sacred Lands File Search, December 11, 2017.

- Ethnographic overview of the Nisenan culture.
- Environmental Impact Report for the City of Yuba City General Plan (2004).
- Consultation record with California Native American tribes under Assembly Bill 52 and Senate Bill 18.

4.17.2. State Regulatory Setting

Assembly Bill 52: Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to require that: 1) a lead agency provide notice to any California Native American tribes that have requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include TCRs, the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures and project alternatives.

Pursuant to AB 52, Section 21073 of the Public Resources Code defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes.

Section 21074(a) of the Public Resource Code defines TCRs for the purpose of CEQA as:

- 1) Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
 - b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or
 - c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria a and b also meet the definition of a Historical Resource under CEQA, a TCR may also require additional consideration as a Historical Resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their TCRs and heritage, AB 52 requires that CEQA lead agencies initiate consultation with tribes at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures.

4.17.3. Cultural Setting

The Nisenan (also referred to as Southern Maidu) inhabited the General Plan area prior to large-scale European and Euroamerican settlement of the surrounding area. Nisenan territory comprised the drainages of the Yuba, Bear, and American Rivers, and the lower drainages of the Feather River. The Nisenan, together with the Maidu and Konkow, their northern neighbors, form the Maiduan language

family of the Penutian linguistic stock (Shipley 1978:89). Kroeber (1976:392) noted three dialects: Northern Hill Nisenan, Southern Hill Nisenan, and Valley Nisenan. Although cultural descriptions of this group in the English language are known from as early as 1849, most of our current cultural knowledge comes from various anthropologists in the early part of the 20th century (Levy 1978:413; Wilson and Towne 1978:397).

The basic subsistence strategy of the Nisenan was seasonally mobile hunting and gathering. Acorns, the primary staple of the Nisenan diet, were gathered in the valley along with seeds, buckeye, salmon, insects, and a wide variety of other plants and animals. During the warmer months, people moved to mountainous areas to hunt and collect food resources, such as pine nuts. Bedrock and portable mortars and pestles were used to process acorns. Nisenan settlement patterns were oriented to major river drainages and tributaries. In the foothills and lower Sierra Nevada, Nisenan located their villages in large flats or ridges near major streams. These villages tended to be smaller than the villages in the valley. (Wilson and Towne 1978:389–390.)

Trade provided other valuable resources that were not normally available in the Nisenan environment. The Valley Nisenan received black acorns, pine nuts, manzanita berries, skins, bows, and bow wood from the Hill Nisenan to their east, in exchange for fish, roots, grasses, shells, beads, salt, and feathers (Wilson and Towne 1978). To obtain, process, and utilize these material resources, the Nisenan had an array of tools to assist them. Wooden digging sticks, poles for shaking acorns loose, and baskets of primarily willow and redbud were used to gather vegetal resources. Stone mortars and pestles were used to process many of the vegetal foods; baskets, heated stones, and wooden stirring sticks were used for cooking. Basalt and obsidian were primary stone materials used for making knives, arrow and spear points, clubs, arrow straighteners, and scrapers. (Wilson and Towne 1978.)

Nisenan settlement locations depended primarily on elevation, exposure, and proximity to water and other resources. Permanent villages were usually located on low rises along major watercourses. Village size ranged from three houses to 40 or 50 houses. Larger villages often had semi-subterranean dance houses that were covered in earth and tule or brush, and had a central smoke hole at the top and an entrance that faced east (Wilson and Towne 1978:388). Early Nisenan contact with Europeans appears to have been limited to the southern reaches of their territory. Spanish expeditions intruded into Nisenan territory in the early 1800s. In the two or three years following the gold discovery, Nisenan territory was overrun by immigrants from all over the world. Gold seekers and the settlements that sprang up to support them were nearly fatal to the native inhabitants. Survivors worked as wage laborers and domestic help and lived on the edges of foothill towns. Despite severe depredations, descendants of the Nisenan still live in their original land area and maintain and pass on their cultural identity.

4.17.4. Summary of Native American Consultation

c) Assembly Bill 52

On December 28, 2018 the City sent a project notification letter to the United Auburn Indian Community of the Auburn Rancheria (UAIC) and the Lone Band of Miwok Indians, which had previously requested notification of projects under the City's jurisdiction, pursuant to 21080.3.1(d) of the Public Resources Code. The tribes were provided a brief description of the project and its location, the lead agency contact information, and a notification that the tribe has 30 days to request consultation.

On January 18, 2019, the City received a letter from (UAIC), requesting consultation and provided mitigation measures. On January 21, 2019 the City sent UAIC a letter to initiate consultation. Because UAIC did not respond, as reported by the City on April 10, 2019 and again on May 23, 2019, the City

terminated consultation after a reasonable and good faith effort on May 23, 2019 but included the recommended mitigation measures as presented. A Cultural Resources Inventory Survey was prepared by Sean Jensen, M.A., dated May 24, 2019, which further analyzed potential impacts to archaeological resources at this location.

4.17.5. Tribal Cultural Resources within Project Area

In the absence of specific information from California Native American Tribes, information about potential impacts to TCRs or Native American Cultural Places was drawn from the ethnographic context (summarized above) and the results of a search of the Sacred Lands File of the NAHC. A recently conducted Cultural Resources Inventory for a project in the general vicinity included a sacred lands file search, records search with a 0.25 mile radius, and subsurface testing. No cultural resources were found during this study. It is additional documentation that this area is largely devoid of CTR's. The findings of this study, while not directly for the project area, are consistent with professional experience that buried Native American sites are not common (or are rarely found) this far away from the Feather River. We've also incorporated updated mitigation measure language.

The ethnographic information reviewed for the project, including ethnographic maps, does not identify any villages, occupational areas, or resource procurement locations in or around the current project area. Further, the areas of highest sensitivity are closer to the Feather River. In addition, the Sacred Lands File failed to identify any sacred lands or tribal resources in or near the project area.

4.17.6. Thresholds of Significance

AB 52 established that a substantial adverse change to a TCR has a significant effect on the environment. The thresholds of significance for impacts to TCRs are as follows:

Would the Project cause a substantial adverse change to a TCR, defined in Section 21074 as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a Native American tribe that are:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources;
- Included in a local register of historical resources as defined in subdivision k of Section 5010.1; and/or
- Determined by the City to be significant, as supported by substantial evidence, including:
 - A cultural landscape with a geographically defined boundary;
 - A historical resource as described in Section 21084.1 (either eligible for or listed on the California Register of Historical Resources or listed on a local registry);
 - A unique archaeological resource as defined in Section 21083.2; and/or
 - A non-unique archaeological resource as defined in Section 21083.2.

In assessing substantial adverse change, the City must determine whether or not the project will adversely affect the qualities of the resource that convey its significance. The qualities are expressed through integrity. Integrity of a resource is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association [CCR Title 14, Section 4852(c)]. Impacts are significant if the resource is demolished or destroyed or if the characteristics that made the resource eligible are materially impaired [CCR Title 14, Section 15064.5(a)]. Accordingly, impacts to a TCR would likely be

significant if the project negatively affects the qualities of integrity that made it significant in the first place. In making this determination, the City need only address the aspects of integrity that are important to the TCR's significance.

4.17.7. Impact Assessment/Environmental Consequences:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).*

The property is vacant of any structures. No known TCRs have been identified (as defined in Section 21074) within the proposed project area. Therefore, no resources listed for or eligible for listing in the California Register of Historical Resources or a local register are present. Therefore, it can be reasonably concluded that there would not be an impact related to this item.

- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The City solicited consultation with culturally affiliated California Native American tribes (regarding the proposed project in accordance with AB 52. No known TCRs have been identified (as defined in Section 21074) within the proposed project area. Given the level of previous disturbance within the Project area, it is not expected that any TCRs would remain. However, during grading and excavation activities, there is a potential to encounter native soils, which may contain undiscovered TCRs. In the unlikely event resources are discovered during ground disturbing activities that are associated with Native American culture, compliance with Mitigation Measures TCR-1 and TCR-2 would reduce the potential impacts to a less than significant level.

4.17.8. Tribal Cultural Resource (TCR) Mitigation Measures

TCR-01: Unanticipated Discoveries

If potential tribal cultural resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find (or an appropriate distance based on the apparent distribution of the TCR). A qualified cultural resources specialist meeting the *Secretary of Interior's Professional Qualifications Standards for Archaeology*, as well as Native American Representatives from traditionally and culturally affiliated Native American Tribes that have engaged in consultation for the Project will be invited to assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may include, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the Project area where they will not be subject to future impacts. The United Auburn Indian Community of the Auburn Rancheria (Tribe) does not consider curation of TCR's to be appropriate or respectful and request that materials not be permanently curated, unless requested by the Tribe.

The types of treatment preferred by UAIC that protects, preserves or restores the integrity of a TCR may include Tribal Monitoring, or recovery of cultural objects, and reburial of cultural objects or cultural soil

that is done in a culturally appropriate manner. Recommendations of the treatment of a TCR will be documented in the project record. For any recommendations made by traditionally and culturally affiliated Native American Tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If articulated or disarticulated human remains are discovered during ground disturbing construction activities or ground disturbing activities, all work shall cease within 100 feet of the find, and the provisions provided in the Health and Safety Code Section 7054 shall apply. If the remains are determined by the County Coroner to be human and that of a Native American, then Public Resources Code 5097.98, 5097.99, 5097.991, and compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) shall be implemented.

TCR-02: Post-Ground Disturbance Site Visit

A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the CEQA lead agency representative of the proposed earthwork start-date, in order to provide the CEQA lead agency representative with time to contact the United Auburn Indian Community (UAIC). A UAIC tribal representative shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of ground breaking activity. Construction activity may be ongoing during this time. Should the tribe choose not to perform a field visit within the first five days, construction activities may continue as scheduled, as long as the notification was made and documented. During this inspection, a site meeting of construction personnel will be held in order to afford the tribal representative the opportunity to provide tribal cultural resources awareness information.

After implementation of the above mitigation measures, it can be concluded that the Project would result in less than significant impacts to TCRs.

4.18. Utilities and Service Systems

Table 3-18: Utilities and Service Systems				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and			X	

resources, or are new or expanded entitlements needed?				
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the projected demand in addition to the existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

4.18.1. Environmental Setting/Affected Environment

Wastewater:

Yuba City owns, operates, and maintains the wastewater collection, treatment, and disposal system that provides sewer service to approximately 60,000 residents and numerous businesses. The remainder of the residents and businesses in the Yuba City Sphere of Influence (SOI) are currently serviced by private septic systems. In the early 1970s, the City's original sewage treatment plant was abandoned and the current Wastewater Treatment Facility (WWTF) was constructed.

Water:

The water supply source for the City is surface water from the Feather River with use of a backup groundwater well. The City of Yuba City is a public water agency with over 18,000 connections. City policy only allows areas annex within the city limits to be served by the surface water system. The site is served by to the City's water system.

Reuse and Recycling:

Solid waste generated in Yuba City is collected by Recology Yuba-Sutter. Recology offers residential, commercial, industrial, electronic, and hazardous waste collection, processing, recycling and disposal, as well as construction and demolition waste processing, diversion, and transfer to a disposal facility. The City's municipal solid waste is delivered to the Ostrom Road Landfill; a State-permitted solid waste facility that provides a full range of transfer and diversion services. This landfill has a remaining capacity of 39,223,000 cubic yards (90 percent remaining capacity reported in 2007).⁴

4.18.2. Federal Regulatory Setting

National Pollutant Discharge Elimination System: Discharge of treated wastewater to surface water(s) of the U.S., including wetlands, requires an NPDES permit. In California, the RWQCB administers the issuance of these federal permits. Obtaining a NPDES permit requires preparation of detailed information, including characterization of wastewater sources, treatment processes, and effluent quality. Any future development that exceeds one acre in size would be required to comply with NPDES criteria, including preparation of a Storm water Pollution Prevention Plan (SWPPP) and the inclusion of BMPs to control erosion and offsite transport of soils.

4.18.3. State Regulatory Setting

⁴ CalRecycle, 2017. Available: <http://www.calrecycle.ca.gov/SWFacilities/Directory/58-AA-0011/Detail/>. Accessed August 15, 2017.

State Water Resources Control Board (SWRCB): Waste Discharge Requirements Program. State regulations pertaining to the treatment, storage, processing, or disposal of solid waste are found in Title 27, CCR, Section 20005 et seq. (hereafter Title 27). In general, the Waste Discharge Requirements (WDRs) Program (sometimes also referred to as the “Non Chapter 15 (Non 15) Program”) regulates point discharges that are exempt pursuant to Subsection 20090 of Title 27 and not subject to the Federal Water Pollution Control Act. Exemptions from Title 27 may be granted for nine categories of discharges (e.g., sewage, wastewater, etc.) that meet, and continue to meet, the preconditions listed for each specific exemption. The scope of the WDRs Program also includes the discharge of wastes classified as inert, pursuant to Section 20230 of Title 27. Several programs are administered under the WDR Program, including the Sanitary Sewer Order and recycled water programs.

Department of Resources Recycling and Recovery (CalRecycle): The Department of Resources Recycling and Recovery (CalRecycle) is the State agency designated to oversee, manage, and track the 76 million tons of waste generated each year in California. CalRecycle develops laws and regulations to control and manage waste, for which enforcement authority is typically delegated to the local government. The board works jointly with local government to implement regulations and fund programs.

The Integrated Waste Management Act of 1989 (PRC 40050 et seq. or Assembly Bill (AB 939, codified in PRC 40000), administered by CalRecycle, requires all local and county governments to adopt a Source

Reduction and Recycling Element to identify means of reducing the amount of solid waste sent to landfills. This law set reduction targets at 25 percent by the year 1995 and 50 percent by the year 2000. To assist local jurisdictions in achieving these targets, the California Solid Waste Reuse and Recycling Access Act of 1991 requires all new developments to include adequate, accessible, and convenient areas for collecting and loading recyclable and green waste materials.

Regional Water Quality Control Boards: The primary responsibility for the protection of water quality in California rests with the State Water Resources Control Board (State Board) and nine Regional Water Quality Control Boards. The State Board sets statewide policy for the implementation of state and federal laws and regulations. The Regional Boards adopt and implement Water Quality Control Plans (Basin Plans), which recognize regional differences in natural water quality, actual and potential beneficial uses, and water quality problems associated with human activities.

National Pollutant Discharge Elimination System (NPDES) Permit: As authorized by the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into water of the United States. In California, it is the responsibility of Regional Water Quality Control Boards (RWQCB) to preserve and enhance the quality of the state’s waters through the development of water quality control plans and the issuance of waste discharge requirements (WDRs). WDRs for discharges to surface waters also serve as NPDES permits.

California Department of Water Resources: The California Department of Water Resources (DWR) is a department within the California Resources Agency. The DWR is responsible for the State of California's management and regulation of water usage.

4.18.4. Impact Assessment/Environmental Consequences:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

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?

The Project presently has all City services available to this site and they are designed to accommodate a project of this size. Further, all new development must pay water and wastewater connection fees which fund future improvements to the water and wastewater system. Therefore the impact on the wastewater collection system or the wastewater treatment plant is less than significant.

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?

The additional impermeable surface created by this project will generate additional storm water drainage. The property is within the Gilziser Drainage District and must pay the appropriate storm water drainage system impact fees which covers the project's fair share of the impact on the storm water collection system.

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

The City has adequate surface water supply or other water resources to provide water to the project area.

e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the projected demand in addition to the existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the solid waste disposal needs?

The landfill operated by Recology Yuba-Sutter has adequate landfill capacity for years to come.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Transportation and disposal of all waste due to the proposed Project's construction would be facilitated in accordance with all applicable federal, state and local statutes and regulations. There would be no significant impact.

4.19. Mandatory Findings of Significance

Table 3-19: Mandatory Findings of Significance				
Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or			X	

eliminate important example of the major periods of California history or prehistory?				
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)			X	
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

4.19.1. Impact Assessment/Environmental Consequences:

- 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 example of the major periods of California history or prehistory?*

The project site is on a previously disturbed site within the urbanized area and there is little plant or animal habitat value as the site has been plowed for vegetation control. Therefore the development of this 2.08 acre infill area will not significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate an important example of the major periods of California history or prehistory.

The applicant retained the services of Bole & Associates to prepare a Biological Assessment and Wetland Determination (dated June 25, 2019) for the subject property.

Findings: The assessment concluded that

- there are no wetland habitats within the boundaries of the property;
- Site development as proposed will not result in impacts to listed federal or state plant or wildlife species;
- No potential biological constraints were identified for this site. The site does not support sensitive habitats associated with special status plant or wildlife species. There are no wetlands or riparian habitats within the proposed footprint of the development.

Proposed Project Mitigation: Pre-construction surveys for nesting raptors should be conducted on trees within 500 feet of the subject property if construction activities occur between March 1 and September 15 pursuant to California Department of Fish & Game requirements. These surveys should be accomplished no later than 7 days prior to commencement of grading activities.

- 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)*

CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects.

Projected development associated with the Project will generate new traffic onto the Garden Highway. Based upon conclusions of the traffic assessment prepared by Anderson & Associates dated 5/17/19, traffic from the project will not adversely impact the level of service on streets and intersections in this vicinity. New construction will be required to pay transportation impact fees that offset any impacts the project may have on City streets. Therefore there are no significant cumulative traffic impacts.

Pertaining to potential cumulative impacts associated with GHG emissions, the site grading process shall comply with the GHG Reduction Measures provided in the adopted Yuba City Resource Efficiency Plan. The additional paving area may create some minor air quality and greenhouse gas, noise and hazardous material cumulative impacts, however those impacts have been found to be considered less than significant.

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

The proposed Project in and of itself would not create a significant hazard to the public or the environment. Construction-related air quality, noise, and hazardous materials exposure impacts would occur for a very short period and only be a minor impact during that time period. Therefore, the proposed project would not have any direct or indirect adverse impacts on humans.

The applicant retained the services of Bole & Associates to prepare a Biological Assessment and Wetland Determination (dated June 25, 2019) for the subject property.

Findings: The assessment concluded that

- there are no wetland habitats within the boundaries of the property;
- Site development as proposed will not result in impacts to listed federal or state plant or wildlife species;
- No potential biological constraints were identified for this site. The site does not support sensitive habitats associated with special status plant or wildlife species. There are no wetlands or riparian habitats within the proposed footprint of the development.

Proposed Project Mitigation: Pre-construction surveys for nesting raptors should be conducted on trees within 500 feet of the subject property if construction activities occur between March 1 and September 15 pursuant to California Department of Fish & Game requirements. These surveys should be accomplished no later than 7 days prior to commencement of grading activities.

5. Section References and/or Incorporated by Reference

According to Section 15150 of the CEQA Guidelines, an ND may incorporate by reference all or portions of another document that is a matter of public record. The incorporated language will be considered to be set forth in full as part of the text of the ND. All documents incorporated by reference are available for review at, or can be obtained through, the City of Yuba City Development Services Department located at the address provided above. The following documents are incorporated by reference:

Airport Land Use Commission. 1994. Sutter County Airport Comprehensive Land Use Plan. April 1994.

Airport Land Use Commission. 2011. Yuba County Airport Land Use Compatibility Plan. Adopted March 17, 2011

California Department of Conservation, Division of Land Resource Protection (CDC DLRP). 2014. Farmland Mapping and Monitoring Program – Sutter County Important Farmland 2012. August 2014.

California Department of Conservation, Division of Land Resource Protection (CDC DLRP). 2013. Sutter County Williamson Act FY 2013/2014.

Carollo. 2011. City of Yuba City 2010 Urban Water Management Plan. June 2011.

Yuba City, City of. 2016. City of Yuba City Municipal Code.
https://www.municode.com/library/ca/yuba_city/codes/code_of_ordinances

Dyett & Bhatia. 2004. City of Yuba City General Plan. Adopted April 8, 2004.

Yuba City General Plan, 2004 Environmental Impact Report. (SCH #2001072105).

Fehr & Peers Associates, Inc. 1995. Yuba-Sutter Bikeway Master Plan. December 1995.

“Determination of 1-in-200 Year Floodplain for Yuba City Urban Level of Flood Protection Determination,” prepared for Yuba City by MBK Engineers, November 2015.

Sutter County General Plan.

Feather River Air Quality Management District (FRAQMD) CEQA Significance Thresholds.

Yuba Sutter Transit Route Map.

California Department of Conservation, California Geological Survey. “Fault Zone Activity Map.” Alquist-Priolo Earthquake Fault Zones.

California Department of Toxic Substances Control (DTSC). 2016. EnviroStor. Available at <http://www.envirostor.dtsc.ca.gov/public/>

California Department of Conservation, Division of Land Resource Protection Farmland Mapping and Monitoring Program – Sutter County Important Farmland Map.

Federal Emergency Management Agency (FEMA), Flood Insurance Rate Maps.

Carollo. 2011. City of Yuba City 2010 Urban Water Management Plan. June 2011.

City of Yuba City Wastewater Master Plan.

Sutter County Airport Comprehensive Land Use Plan, April, 1994.

Yuba County Airport Land Use Compatibility Plan, Sept., 2010.

Fehr & Peers Associates, Inc. 1995. Yuba-Sutter Bikeway Master Plan. December 1995.

California Department of Transportation (Caltrans). 2011. California Scenic Highway Mapping System website. Updated September 7, 2011. Available at http://dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm

KD Anderson & Associates Traffic Assessment – May 17, 2019

Bole & Associates, Biological Assessment, June 25, 2019

S.M. Jensen, M.A., Archaeological Inventory, May 24, 2019

Bole & Associates, Phase I Environmental Assessment, June 17, 2019

6. Section Attachments

- A. Bole & Associates, Biological Assessment and Wetland Determination for Sutter County APN 054-010-037, June 25, 2019
- B. Anderson & Associates, Inc. Traffic Assessment for Dollar General Store on Garden Highway, Yuba City, CA, May 17, 2019



Bole & Associates
An Environmental Consulting Firm

June 25, 2019

WoodCrest Companies
Attn: Steve Powell
1410 Main Street, Suite C
Ramona, CA 92065

BIOLOGICAL ASSESSMENT AND WETLAND DETERMINATION FOR SUTTER COUNTY APN 054-010-037, LOCATED IN TOWNSHIP 15 NORTH, RANGE 3 EAST, NORTH OF THE INTERSECTION OF RIVER OAKS DRIVE AND GARDEN HIGHWAY, YUBA CITY, SUTTER COUNTY, CA 95991. MHBA FILE 0515-2019-3597.

INTRODUCTION

During May and June of 2019, a Biological Assessment was conducted on a 1.9-acre parcel of land (APN 054-010-037), located on the U.S. Geological survey (USGS) Olivehurst 7.5-minute topographic quadrangle Township 15 North, Range 5 East, (Enclosure B, Figure 1). Particular attention was focused upon the project's potential impact to federal and state special-status plants and wildlife species and their habitats. Historically, the project area has been undeveloped land.

A records search was completed prior to field surveys of the United States Fish & Wildlife Service's *Federal Endangered and Threatened Species List* (IPaC, NEPA) for the Olivehurst 7 ½ minute quadrangle (Enclosure D). The USFWS document lists plants and wildlife that have Federal special species status. The IPaC data base lists revealed several special status wildlife species with a potential to occur onsite. These species and their potential to use onsite habitats are future discussed in Table 1.

Field studies were conducted on foot making observations and noting habitat conditions, surrounding land uses, and plant and wildlife species. In accordance with guidance set forth in the United States Army Corps of Engineer's *1987 Wetlands Delineation Manual* a wetland determination was conducted. Field surveys were conducted to determine the presence of sensitive species, and/or suitable habitat for sensitive species (e.g. elderberry shrubs, riparian habitats, etc.). These surveys also included ocular reconnaissance of the entire study area and buffer zones for nesting (or burrowing) raptors and owls (*Strix occidentalis caurina*).

EXISTING SETTING

Habitat Description

The subject property is located in the northern Sacramento Valley within the northern portion of California's Great Central Valley. The site is uniformly level with an elevation of 53 feet above sea level. The vegetation series, according to Sawyer and Keeler-Wolf (1995), is California

Annual and Non-Native Grassland Series. A number of small diameter live oak, valley oak, and interior live oak trees and non-native ornamental trees are scattered throughout the non-native grasslands. There are no wetlands or riparian habitats within the footprint of the proposed development. A man-made stormwater drainage basin is located immediately adjacent to the east of the property and is used in conjunction with a nearby single-family housing development. This feature is offsite and will not be impacted by the proposed development. ditch flows in an easterly direction north of the northern boundary of the proposed development. The ditch is offsite and will not be impacted by the proposed development.

California Annual Grassland Series

Most of the dominant grasses are introduced, annual, non-native vegetation. Due to the phenology of these grasses they tend to dominate the landscape. Besides the brome, barley and ryegrass, other grasses found included barbed goatgrass (*Aegilops triuncialis*). Non-native forbs found at the site were yellow starthistle (*Centaurea solstitialis*), filaree (*Erodium* spp.), and vetch (*Vicia* spp.).

Wildlife Communities:

Open, ruderal grassland habitats generally provide marginal breeding, cover, and foraging habitat for wildlife species. A limited variety of bird, reptile and mammal species were observed during the recent surveys. Species observed in these habitats include American crow (*Corvus brachyrhynchos*), American robin (*Turdus migratorius*), western scrub jay (*Aphelocoma coerulescens*), turkey vulture (*Cathartes aura*), western meadowlark (*Sturnella neglecta*), black-tailed hare (*Lepus californicus*), coyote (*Canis latrans*), Botta's pocket gopher (*Thomomys bottae*) and the western fence lizard (*Sceloporus occidentalis*). Raptors observed include the black-shouldered kite (*Elanus caeruleus*), red-tailed hawk (*Buteo jamaicensis*), and the American kestrel (*Falco sparverius*).

Special Status Species:

The following discussion describes the plant and animal species that have been afforded special recognition by federal, state, or local resource agencies or organizations. Listed and special-status species are of relatively limited distribution and may require specialized habitat conditions. Listed and special-status species are defined as one of the following:

- Listed or proposed for listing under the state or federal Endangered Species Acts.
- Protected under other regulations (e.g., Migratory Bird Treaty Act).
- California Department of Fish and Game (CDFG) Species of Special Concern.
- Receive consideration during environmental review under CEQA.

Special-status species were considered for this analysis based on field survey results, a review of the Federal Endangered and Threatened Species list for Sutter County, California Natural Diversity Database (CNDDDB), CNPS literature, and database information provided by the U. S. Fish and Wildlife Service (IPaC Federal listed species data base for Olivehurst 7 ½ Minute

Quad). Over ten hours of onsite surveys did not reveal the presence of special status wildlife or plant species or their specific micro-habitat.

Sensitive Habitats:

Sensitive habitats include those that are of special concern to resource agencies and those that are protected under NEPA, Section 1600 of the California Fish and Game Code, or Section 404 of the Clean Water Act. A biologist from Marcus H. Bole & Associates conducted over ten hours of field survey of the study area during May and June of 2019. The project area was systematically surveyed to ensure total search coverage, with special attention given to identifying those portions of the study area with the potential for supporting special-status species and sensitive habitats. No sensitive habitats were found within the footprint of the proposed development.

Determination of Waters of the United States

The intent of this determination is to identify wetlands and “other waters of the United States” that are present within the Study Area that could fall under the regulatory jurisdiction of the U. S. Army Corps of Engineers (Corps) pursuant to Section 404 of the Clean Water Act. The *1987 Corps of Engineers Wetlands Delineation Manual* identifies several methodologies and combinations of methodologies that can be utilized in making jurisdictional determinations. Marcus H. Bole & Associates has employed the Routine On-Site Determination methodology for this study (as supplemented by the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*, dated December 2006). The Routine On-Site Determination method uses a three-parameter approach (vegetation, soils and hydrology) to identify and delineate the boundaries of jurisdictional wetlands. To be considered a wetland, all three positive wetland parameters must be present. These parameters include (1) a dominance of wetland vegetation, (2) a presence of hydric soils, and (3) hydrologic conditions that result in periods of inundation or saturation on the surface from flooding or ponding. Further description of these parameters is provided below:

1) Vegetation. Wetland vegetation includes those plants that possess physiological traits that allow them to grow and persist in soils subject to inundation and anaerobic soil conditions. Plant species are classified according to their probability of being associated with wetlands. Obligate (OBL) wetland plant species almost always occur in wetlands (more than 99 percent of the time), facultative wetland (FACW) plant species occur in wetlands most of the time (67 to 99 percent), and facultative (FAC) plant species have about an equal chance (33 to 66 percent) of occurring in wetlands as in uplands. For this study, vegetation was considered to meet the vegetation criteria if more than 50% of the vegetative cover was FAC or wetter. No wetland vegetation was noted on the subject property. No other wetland habitats were found near or within the project site during our onsite evaluations. There was no sign of vernal pools or vernal swales on the property.

2) Hydric Soils. Hydric soils are saturated, flooded, or ponded in the upper stratum long enough during the growing season to develop anaerobic conditions and favor the growth of wetland plants. Hydric soils include gleyed soils (soils with gray colors), or usually display indicators such as low chroma values, redoximorphic features, iron, or manganese concretions, or a combination of these indicators. Low chroma values are generally defined as having a value of 2

or less using the Munsell Soil Notations (Munsell, 1994). For this study a soil was considered to meet the hydric soil criteria for color if it had a chroma value of one or a chroma of two with redoximorphic features, or if the soil exhibited iron or manganese concretions. Redoximorphic features (commonly referred to as mottles) are areas in the soils that have brighter (higher chroma) or grayer (lower chroma) colors than the soil matrix. Redoximorphic features are the result of the oxidation and reduction process that occurs under anaerobic conditions. Iron and manganese concretions form during the oxidation-reduction process, when iron and manganese in suspension are sometimes segregated as oxides into concretions or soft masses. These accumulations are usually black or dark brown. Concretions 2 mm in diameter occurring within 7.5 cm of the surface are evidence that the soil is saturated for long periods near the surface. Onsite soils were identified as Conejo-Tisdale complex, 0 percent slopes; and Holillipah loamy sandy, 0 to 2 percent slopes. The soils are predominately alluviums derived from mixed rock sources. These are well drained soils; surface soils are moderately permeable. Onsite soils did not exhibit hydric indicators (see Enclosure C).

3) Hydrology. Wetlands by definition are seasonally inundated or saturated at or near the surface. In order for an area to have wetland hydrology, it has to be inundated or saturated for 5% of the growing season (approximately 12 days) (USDA, 1967). Indicators include visual soil saturation, flooding, watermarks, drainage patterns, encrusted sediment and plant deposits, cryptogammic lichens, and algal mats. No hydrologic indicators were noted onsite.

Wetland Determination Results

Using the methodologies described in the *1987 Wetland Delineation Manual*, Marcus H. Bole & Associates found no federal jurisdictional wetland habitats within the boundaries of the proposed site development.

POTENTIAL PROJECT IMPACTS

Site development as proposed will not result in impacts to listed federal or state plant or wildlife species. Impacts to common vegetation and wildlife habitats are as follows:

Common Vegetation and Wildlife Habitats:

Project implementation may result in unanticipated impacts to wildlife habitat.

Project implementation will result in alterations (removal) of ruderal grasslands and small diameter oak trees. These habitats are regionally widespread, and the common wildlife species utilizing these habitats would likely be displaced to adjacent offsite habitats and therefore not adversely affected by the project. This impact would be considered less than significant. The development of this site will not interfere with the movement of any native resident or migratory fish or wildlife species, or result in impacts to established native resident or migratory wildlife corridors. The project will not affect the use of native wildlife nursery sites.

Special-Status Species:

Special-status species were considered for this analysis based on field survey results, a review of the California Natural Diversity Database (CNDDB), the United States Fish & Wildlife Service's IPaC species list, and CNPS literature. Based on the specific habitat characteristics of subject property, no plant or wildlife species will be impacted by this project.

TABLE 1
LISTED AND SPECIAL-STATUS SPECIES EVALUATED FOR POTENTIALLY OCCURRING WITHIN OR NEAR THE SITE

Species	Federal (USFWS)	State (CDFG) & (CNPS)	Habitat	Potential for Occurrence
Birds				
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	T	STATE E CDFG SC	Riparian forest nester, along broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	None: there is no suitable habitat within the project site for this species. None observed during onsite surveys.
Tricolored blackbird (<i>Agelaius tricolor</i>)	None	State Candidate T	Highly colonial species, most numerous in central valley. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km. of colony	None: there is no suitable habitat within the project site for this species. None were observed during the habitat survey.
Other Raptors and Migratory Birds (includes hawks, owls, songbirds, etc.)	MBTA	CSC (some)	Forage and nest in a wide variety of habitats including riparian woodlands, annual grasslands, and wetlands.	Low: although open habitat occurs, the proximity to existing development precludes the presence of nesting birds. These species could periodically forage here. No raptor nests (stick nests) were observed during onsite surveys.
Invertebrates				
Vernal pool fairy shrimp (<i>Branchinecta lynchi</i>)	T	NONE	Vernal pools. Astatic rain-filled pools.	None: open grasslands do not provide potential habitat due to soil profiles. No vernal pools were observed onsite.
Vernal pool tadpole shrimp (<i>Lepidurus packardii</i>)	E	STATE NONE	Vernal pools. Astatic rain-filled pools.	None: open grasslands do not provide potential habitat due to soil profiles. No vernal pools were observed onsite.
Conservancy Fairy Shrimp (<i>Branchinecta conservatio</i>)	E	STATE NONE	Found in large, turbid pools, endemic to the northern two-thirds of the central valley.	None: open grasslands do not provide potential habitat due to soil profiles. No vernal pools were observed onsite.
California Linderiella (<i>Linderiella occidentalis</i>)	None	STATE None	Seasonal pool in unplowed grasslands with old alluvial soils underlain by hardpan or in sandstone depressions.	None: open grasslands do not provide potential habitat due to soil profiles. No vernal pools were observed onsite.

Insects				
Valley elderberry longhorn beetle (<i>Desmocerus californicus dimorphus</i>)	T	STATE NONE	Prefers to lay eggs in elderberries (<i>Sambucus mexicana</i>) 2-8 inches in diameter.	None: botanical surveys did not reveal the presence of blue elderberry shrubs within or near the boundaries of the subject property.
Amphibians and Reptiles				
California red-legged frog (<i>Rana draytonii</i>)	T	CDFG SC	Lowlands & foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	None: there is no suitable habitat within the project site for this species. None observed during onsite surveys.
Giant garter snake (<i>Thamnophis gigas</i>)	T	STATE T	Prefers freshwater marsh and low gradient streams. Has adapted to drainage canals and irrigation ditches.	None: there is no suitable habitat within the project site for this species. None observed during onsite surveys.
Fishes				
Delta smelt (<i>Hypomesus transpacificus</i>)	T	E	Sacramento-San Joaquin delta.	None: there is no suitable habitat within the project site for this species.
Flowering Plants				
Hartweg's golden sunburst (<i>Pseudobahia babilifolia</i>)	E	STATE E CNPS 1B.1	Valley and Foothill grassland, cismontane woodland. Requires clay soils, often acidic. Predominantly on the northern slopes of knolls, but also along shady creeks or near vernal pools.	None: there is no suitable habitat within the project site for this species. None were observed during the habitat survey.
T = Threatened E = Endangered SC = Federal Species of Concern CSC = California Species of Special Concern MBTA = Federal Migratory Bird Treaty Act CNPS = California Native Plant Society CDFG SC = California Department of Fish & Game Species of Concern Source: USFWS IPac Species List for Redding Quadrangle and Proposed Project Site Boundaries.				

Other Raptors and Migratory Birds:

Raptor species, including the red-tailed hawk and barn owl forage within the ruderal non-native grasslands (onsite). Native and non-native trees within the site are too small to provide nesting habitat for these species, and no nests have been observed to date.

Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*):

The valley elderberry longhorn beetle (VELB) is a federal-listed threatened species. This species inhabits elderberry (*Sambucus sp.*) shrubs and trees associated with riparian habitats throughout the Central Valley and foothill regions of California. Botanical evaluations did not reveal the presence of elderberry shrub within the boundaries of the subject property.

Central Valley Vernal Pools:

Central Valley vernal pools provide habitat for several species of fairy shrimp (federal-listed threatened and endangered) as well as sensitive plant species native to California.

The California Department of Fish and Game, Natural Diversity Data Base does not identify suitable habitat for vernal pools or swales within 25 miles of the subject property, and no evidence of onsite vernal pooling was revealed during onsite surveys.

FINDINGS AND RECOMMENDATIONS

Findings:

Known potential biological constraints for the project site include:

1) No potential biological constraints were identified for this site. The site does not support sensitive habitats associated with special status plant or wildlife species. There are no wetlands or riparian habitats within the proposed footprint of the development.

Recommendations:

1) Pre-construction surveys for nesting raptors should be conducted on trees within 500 feet of the subject property if construction activities occur between March 1 and September 15 pursuant to California Department of Fish & Game requirements. These surveys should be accomplished no later than 7 days prior to commencement of grading activities.

Implementation of the above mitigation measure would ensure the reduction of impacts to a less than significant level.

This concludes our biological evaluation of the 1.9-acre Assessor Parcel Number (APN) 054-010-037, located on the U.S. Geological survey (USGS) Olivehurst 7.5-minute topographic quadrangle (Township 15 North, Range 3 East). The property has no formal street address but is located north of the intersection of River Oaks Drive and Garden Highway in Yuba City, California.

If you have any questions concerning our findings please feel free to contact me directly at: Bole & Associates, Attn: David Bole, 6898 Penny Way, Browns Valley, CA 95918, phone 530-415-6623, fax 530-633-0119, email: davidhbole@yahoo.com. For a complete copy of the Statement of Qualifications of the staff members conducting this evaluation please visit our website at: mhbole.com.

Respectfully Submitted:



David H. Bole, Principal
Environmental Scientist
Senior Wildlife Biologist

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LIST OF ENCLOSURES

ENCLOSURE A: SITE PHOTOS

ENCLOSURE B: SITE MAPS AND AERIAL PHOTOS

ENCLOSURE C: SOIL INFORMATION

ENCLOSURE D: FEDERAL SPECIES LISTS AND DATABASES

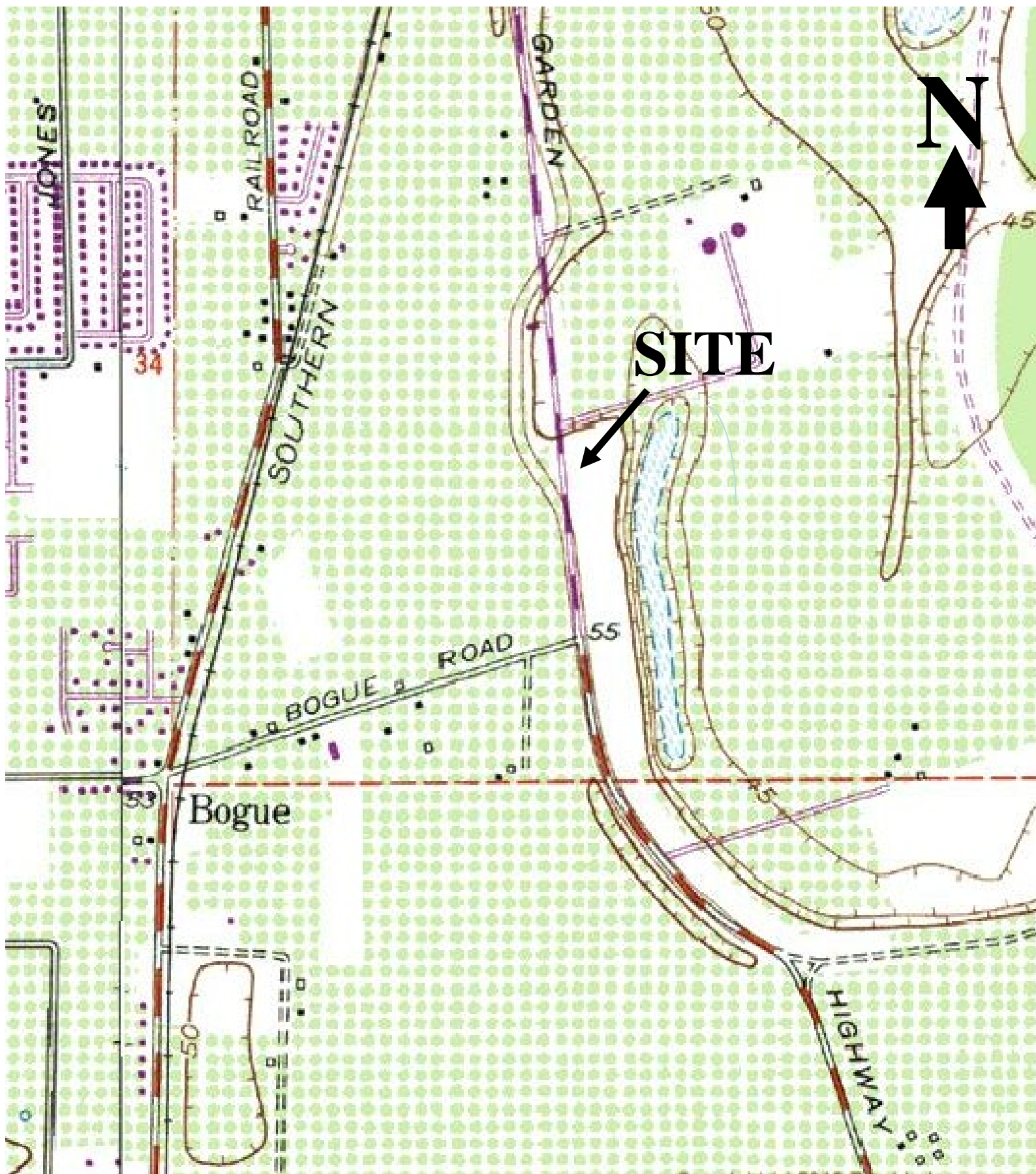
ENCLOSURE A: SITE PHOTOS



BOLE & ASSOCIATES
 6898 Penny Way, Browns Valley, CA 95918
 (530) 415-6623, email: davidhbole@yahoo.com

SITE: APN 54-010-037, YUBA CITY, CA
ITEM: SITE PHOTOS
DATE: 5/28/2019 **PLATE: 1**

ENCLOSURE B: SITE MAPS AND AERIAL PHOTOS



Site Location Map: APN 54-010-037, property located north of the intersection of Garden Highway and River Oaks Drive, Yuba City, Sutter County, CA 95991. Township 15 North, Range 3 East, Olivehurst (1973) USGS Quadrangle.

Figure 1



Site Location Map: APN 54-010-037, property located north of the intersection of Garden Highway and River Oaks Drive, Yuba City, Sutter County, CA 95991. Township 15 North, Range 3 East, Olivehurst (1973) USGS Quadrangle.

Figure 2



BOLE & ASSOCIATES

6898 Penny Way, Browns Valley, CA 95918
(530) 415-6623, email: davidhbole@yahoo.com

SITE: APN 54-010-037, YUBA CITY, CA 95991

ITEM: SITE MAP- AERIAL OVERLAY

FIGURE 3



U.S. Fish and Wildlife Service

National Wetlands Inventory

APN 54-010-037 NWI Map



U.S. Fish and Wildlife Service, National Standards and Support Team,
wetlands_team@fws.gov

June 17, 2019

Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

ENCLOSURE C: SOIL DATA

Soil Map—Sutter County, California
(APN 54-010-037 Soils Map)




MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sutter County, California

Survey Area Data: Version 15, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
126	Conejo-Tisdale complex, 0 percent slopes, MLRA 17	2.0	97.0%
133	Holillipah loamy sand, 0 to 2 percent slopes	0.1	3.0%
Totals for Area of Interest		2.1	100.0%

**ENCLOSURE D: USFWS SPECIAL STATUS SPECIES LIST
AND CDFG CNDDDB SPECIES TABLE**



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:

May 24, 2019

Consultation Code: 08ESMF00-2019-SLI-2275

Event Code: 08ESMF00-2019-E-07258

Project Name: APN 54-010-037

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2019-SLI-2275

Event Code: 08ESMF00-2019-E-07258

Project Name: APN 54-010-037

Project Type: DEVELOPMENT

Project Description: This is a development project. The site is proposed for development of a retail shop.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.104078773511205N121.6155215923765W>



Counties: Sutter, CA

Endangered Species Act Species

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is proposed critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

Reptiles

NAME	STATUS
Giant Garter Snake <i>Thamnophis gigas</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened

Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7850 Habitat assessment guidelines: https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf	Threatened

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp <i>Branchinecta conservatio</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

Flowering Plants

NAME	STATUS
Hartweg's Golden Sunburst <i>Pseudobahia bahiifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1704	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad> IS (Olivehurst (3912115))
> AND Federal Listing Status> IS (Endangered> OR Threatened> OR Proposed Endangered> OR Proposed Threatened> OR Candidate> OR All CNDDDB element occurrences> OR Delisted)
> AND State Listing Status> IS (Endangered> OR Threatened> OR Rare> OR All CNDDDB element occurrences> OR Delisted> OR Candidate Endangered> OR Candidate Threatened)

Name (Scientific/Common)	CNDDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Agelaius tricolor</i> tricolored blackbird	G2G3 S1S2	None Threatened	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	30 60	955 S:11	0	0	0	0	3	8	7	4	8	3	0
<i>Astragalus tener var. ferrisiae</i> Ferris' milk-vetch	G2T1 S1	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive		18 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	G3 S3	Threatened None	IUCN_VU-Vulnerable	52 65	768 S:3	0	0	0	2	0	1	0	3	3	0	0
<i>Buteo swainsoni</i> Swainson's hawk	G5 S3	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	30 60	2474 S:18	1	0	0	0	0	17	0	18	18	0	0
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	G5T2T3 S1	Threatened Endangered	BLM_S-Sensitive NABCI_RWL-Red Watch List USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern	50 50	156 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Delphinium recurvatum</i> recurved larkspur	G2? S2?	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive		100 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle	G3T2 S2	Threatened None		35 50	271 S:2	0	2	0	0	0	0	0	2	2	0	0
<i>Elanus leucurus</i> white-tailed kite	G5 S3S4	None None	BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern	60 60	180 S:1	1	0	0	0	0	0	0	1	1	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Erethizon dorsatum</i> North American porcupine	G5 S3	None None	IUCN_LC-Least Concern	47 47	508 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Great Valley Cottonwood Riparian Forest</i> Great Valley Cottonwood Riparian Forest	G2 S2.1	None None		35 35	56 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Great Valley Mixed Riparian Forest</i> Great Valley Mixed Riparian Forest	G2 S2.2	None None		33 33	68 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lepidurus packardii</i> vernal pool tadpole shrimp	G4 S3S4	Endangered None	IUCN_EN-Endangered	52 70	325 S:7	0	2	2	2	0	1	1	6	7	0	0
<i>Linderiella occidentalis</i> California linderiella	G2G3 S2S3	None None	IUCN_NT-Near Threatened	47 70	438 S:6	0	2	2	0	0	2	2	4	6	0	0
<i>Monardella venosa</i> veiny monardella	G1 S1	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden	100 100	4 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Oncorhynchus mykiss irideus pop. 11</i> steelhead - Central Valley DPS	G5T2Q S2	Threatened None	AFS_TH-Threatened		31 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Oncorhynchus tshawytscha pop. 6</i> chinook salmon - Central Valley spring-run ESU	G5 S1	Threatened Threatened	AFS_TH-Threatened	120 120	13 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Pseudobahia bahiifolia</i> Hartweg's golden sunburst	G2 S2	Endangered Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden		27 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Riparia riparia</i> bank swallow	G5 S2	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern	43 55	298 S:4	0	1	0	0	0	3	1	3	4	0	0
<i>Sagittaria sanfordii</i> Sanford's arrowhead	G3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive		126 S:1	0	0	0	0	0	1	1	0	1	0	0

May 17, 2019

Mr. Steve Powell
Woodcrest Companies
1410 Main Street, Suite C
Ramona, California 92065

**RE: TRAFFIC ASSESSMENT FOR DOLLAR GENERAL STORE ON GARDEN HIGHWAY,
YUBA CITY, CA**

Dear Mr. Powell:

Thank you for contacting our firm regarding the Dollar General Store proposed on Garden Highway in Yuba City. As we have discussed the proposed project is a 9,100 sf variety store to be located on Garden Highway in the area between Bogue Road and Teesdale Road (refer to Figure 1 vicinity map and Figure 2 site plan). You have asked for our opinion as to the possible significant traffic impacts associated with the project.

Approach

To provide our opinion we have investigated available information regarding existing traffic operating conditions. This existing setting has been described in terms of intersection operating Levels of Service at three intersections north of the site based on traffic volume counts and calculations made last year for the Recycling Industries Expansion project. The extent to which current conditions meet minimum Level of Service standards adopted by the City has been determined. The amount of automobile and truck traffic associated with the proposed project has been estimated. We have calculated the operating Level of Service at the site access and offered our opinion as to the likelihood that this additional traffic would create a significant traffic impact at off-site locations under City guidelines based on our nearly 40 years of experience preparing traffic impact analyses conducted under local and CEQA guidelines.

Existing Setting

Study Locations. Traffic volume data was available for three locations along Garden Highway:

- Garden Highway / Lincoln Road
- Garden Highway / Epley Drive
- Garden Highway / Burns Drive / Teesdale Road

Garden Highway. Garden Highway is a four-lane arterial street with varying center median area treatments. A raised landscaped median exists in the area of the project. The median is configured with a dedicated left turn lane at the Bogue Road intersection south of the project. A simple median opening exists in the area of the easement that will provide site access. That median opening is "flared" to accommodate turning traffic but while there is storage for waiting vehicles space for vehicle deceleration is not provided.

Current Traffic Volumes. Current conditions were evaluated based on the Level of Service occurring during typical weekday and a.m. / p.m. peak traffic hours based on traffic counts made the week of May 7, 2018. Traffic count worksheets are attached. Figure 3 shows current peak hour traffic at the project site based on that data.

Level of Service – Methodology / Standards. The operating Level of Service at each intersection was calculated using the methodology contained in the Highway Capacity Manual (HCM) using Synchro software. "Level of Service" is a qualitative measure of traffic operating conditions whereby a letter grade "A" through "F", corresponding to progressively worsening operating conditions, is assigned to an intersection or roadway segment. The City of Yuba City employs LOS D as its minimum standard, and a project that causes an acceptable Level of Service (i.e., LOS A-D) to deteriorate to an unacceptable level (i.e., LOS E or F) or appreciably worsens an unacceptable condition is typically judged to cause a significant impact.

Traffic Signal Warrants. The need for a traffic signal at an intersection controlled by stop signs is determined through review of Traffic Signal Warrants contained in the Manual of Uniform Traffic Control Devices (MUTCD).

Existing Traffic Conditions. The current Level of Service occurring at each intersection was determined, and the results are summarized in Table 1. As indicated, all three locations operate with Levels of Service that satisfy the City of Yuba City's minimum LOS D standard. The Level of Service reported at the Garden Highway / Lincoln Road intersection (i.e., LOS B) is identical to the results presented in a prior report based on April 2015 data. Current conditions are acceptable under City guidelines, and improvements are not needed.

TABLE 1 CURRENT PEAK HOUR INTERSECTION LEVELS OF SERVICE							
Intersection	Traffic Control	AM Peak Hour			PM Peak Hour		
		Average Delay (sec/veh)	LOS	Volume Warrant Satisfied?	Average Delay (sec/veh)	LOS	Volume Warrant Satisfied?
Garden Highway / Lincoln Road	Signal	11.3	B	n.a.	11.7	B	n.a.
Garden Highway / Epley Drive Southbound left turn Westbound approach	EB Stop	11.4 22.1	B C	No	9.5 17.2	C A	No
Garden Highway / Burns Drive	Signal	16.9	B	n.a.	14.5	B	n.a.
n.a. is not applicable to this location							

Project Characteristics

Project Description. The Dollar General Store will occupy about ½ of the project site. Another small retail or service use may be developed at some time. For this assessment we have assumed a 6.5 ksf auto parts store occupies the southern parcel.

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Trip Generation Rates. The Institute of Transportation Engineers (ITE) publication “*Trip Generation, 10th Edition*” provides information on the characteristics of various retail uses. The use most similar to Dollar General Store is “Variety Store” (Code 813). The second use would match ITE’s “Auto Parts Sales” category. Table 2 identifies the trip generation rates reported by ITE and the forecasts for the two uses. Together these two businesses may generate 46 a.m. peak hour trips and 94 p.m. peak hour trips.

TABLE 2 TRIP GENERATION RATES / FORECASTS							
Land Use / Code	Unit	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Variety Store (813)	ksf	50%	50%	3.81	50%	50%	6.82
Auto Parts Sales (843)	ksf	55%	45%	1.73	48%	52%	4.91
Dollar General Store	9.1 ksf	18	17	35	31	31	62
Auto Parts Store	6.5 ksf	6	5	11	16	16	32
Total		24	22	46	47	47	94
Pass-By Trips	34%	<8>	<8>	<16>	<16>	<16>	<32>
Net New Trips		16	14	30	31	31	62
Source: ITE Trip Generation, 10 th Edition							

Truck Trips. The proposed project will receive regular deliveries from the Dollar General Stores regional distribution center serving this area of California. Typically 1-2 full-size trucks will visit the store each week, although smaller single unit trucks may visit each day. At typical Dollar General Stores some of the full-size trucks are expected to be STAA trucks (53’) permitted on California highways under the Surface Transportation Authorization Act. However, when the regional routes providing access to individual stores are not designated for STAA, alternative vehicles are used.

Vehicle Trip Distribution / Assignment. The distribution of project traffic was determined based on knowledge of the distribution of residences in this area of Yuba City – Sutter County and on market characteristics of Dollar General Stores. Assuming a primary trade area that extends 1-2 miles from the site, we expect “new” traffic to be split north (50%) and south (50%). Pass-by trips will be drawn from passing traffic north/south along Garden Highway in proportion to the current peak hour volumes from each direction.

Using the trip generation and distribution assumptions described above, the trips generated by the proposed project were assigned to the study area street system. Figure 4 presents peak hour volumes accompanying development of the project. Figure 5 is Existing plus Project trips.

KDA

Assessment of Project Impacts

We have considered the likelihood that the project could have significant traffic impacts from the following perspectives.

Screen Line for Analysis. The City of Yuba City employs a trip generation threshold (i.e., 50 peak hour trips) to determine at a screen line level whether a traffic impact could possibly occur and whether a traffic impact analysis is justified. The Dollar General alone could generate 42 “new” p.m. peak hour trips. This estimate is below the 50 trips threshold. Based on this criteria we would not expect the project to have a significant impact to the regional street system.

Effect on Current Levels of Service. As noted earlier, current operating Levels of Service are very good at intersections near the project, and current conditions are well within the LOS D threshold employed by the City of Yuba City to define acceptable traffic operations. I expect that conditions to the south at the Bogue Road intersection will be similar. The limited amount of additional traffic associated with the Dollar General project would not be enough to cause current conditions to drop from LOS B beyond the LOS D threshold. We would not expect the project’s impact to be significant based on the General Plan Level of Service standards.

Site Access Level of Service. We calculated the Level of Service at the northern “full access” connection to Garden Highway. Traffic exiting the site and waiting to turn onto Garden Highway will experience delays that are indicative of LOS C in the p.m. peak hour with both uses occupied.

Traffic Signal Warrants. The project will add traffic to the Garden Highway / Epley Drive intersection, but the number of trips added on Garden Highway would not be sufficient to cause the resulting volumes to satisfy MUTCD peak hour warrants for signalization. Similarly, the volume of traffic at the northern access intersection fall well below satisfying traffic signal warrants.

Garden Highway Median Treatment. We considered whether the existing median opening was adequate for the projected traffic. As noted earlier, various treatments exist on Garden Highway with separate left turn lanes at intersections, median openings at low volume locations and two-way left-turn (TWLT) lanes at other locations where multiple driveways exist. Theoretically, the opening would need to be modified to provide a separate left turn lane if the number of cars waiting to turn left and the delays caused by northbound traffic was likely to create a queue of traffic that extended out of the opening and into the through travel lane. In this case, 25 left turns are anticipated in the p.m. peak hour, or a vehicle every two minutes. The LOS calculation made for the access intersection indicates that these motorists will experience short delays and provides an estimate of queue length as a byproduct of the calculation. No more than one vehicle is likely to be waiting to turn at a time. As the current opening design allows two vehicles to wait outside of the through travel lane, the median opening should be adequate.

Cumulative Traffic. We reviewed the Yuba City city-wide traffic model to determine how the volume of traffic on Garden Highway may change in the future. Review of model results for the p.m. peak hour suggests that traffic on Garden Highway in this area will increase by about 50% in the foreseeable future. This increase could affect the Level of Service at intersections on Garden Highway, and the Level of Service at the northern access would be LOS E in the p.m. While this exceeds the City’s LOS D minimum because traffic volumes are far below the level that satisfy traffic signal warrants, the impact is not significant.

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Truck Circulation. The local street system providing access to the site is currently used by trucks associated with the industrial area to the north. cursory review of the layout of these streets did not reveal any location where the turning requirements of trucks would not be accommodated. The project would not be expected to have an appreciable impact on overall circulation.

Site truck circulation has been reviewed. The Dollar General delivery door is at the northeast corner of the site. Trucks would need to enter from the north and then back into the east-west aisle, or enter from the south and drive past the east-west aisle before backing towards the delivery door. In the case of the northern arrival, it will be necessary to ensure that truck turning movements are accommodated at the easement's connection to Garden Highway.

Other Safety Factors. The project could add a small amount of traffic on streets in the vicinity of Yuba City Unified School District (YCUSD) schools. Riverbend School (K-8) is located at the corner of Garden Highway and Stewart Street south of the site. However, there are sidewalks along Garden Highway in the vicinity of the school, a signalized pedestrian crossing is available at the Garden Highway / Stewart Street intersection and the school access is not on Garden Highway but is actually on Stewart Street about ¼ mile to the west.

To the north there are no schools adjoining Lincoln Road or Garden Highway. The only location where residential access might generate school age pedestrians across Garden Highway is near the Garden Highway / Percy Avenue intersection, but the children of the Richards Housing area on the east side of Garden Highway are bussed to school. In any event, sidewalks and a signalized crossing exist in this area. Thus, the project's impact to student safety is not judged to be significant.

Conclusions. Based on available information we do not anticipate that the impacts of the project based on Yuba City's General Plan standards for traffic operations, truck circulation or safety would be significant, and no additional analysis is required. The design of the northern site access should be confirmed for truck turning once the probable routes of entering and exiting trucks are confirmed.

Please feel free to contact me if you have any question or need more information.

Sincerely Yours,

KD Anderson & Associates, Inc.



Kenneth D. Anderson, P.E.
President

Attachments: Evaluation Methodology, traffic counts, Level of Service worksheets,
YCUSD boundary map

Attachment 1

Evaluation Methodology

The following is a description of the methods used in this impact study to analyze intersection operations.

Level of Service Analysis Procedures. Level of Service (LOS) analysis provides a basis for describing existing traffic conditions and for evaluating the significance of project-related traffic impacts. Level of Service measures the quality of traffic flow and is represented by letter designations from A to F, with a grade of A referring to the best conditions, and F representing the worst conditions. The characteristics associated with the various LOS for intersections are presented in Table 1 and further discussed below.

Both signalized intersections and un-signalized stop sign controlled intersections have been analyzed using methods presented in the *Highway Capacity Manual (HCM)*. The “Synchro” traffic simulation software has been used to calculate the levels of service at study intersections using the HCM procedures. The calculations utilize a heavy vehicle percentage of 6%.

Un-signalized intersections with side street stop sign control have also been evaluated using *Highway Capacity Manual* procedures. At side street stop-sign-controlled intersections, the LOS is presented for turning movements experiencing the most delay. This is typically a left turn made from the minor street stop-sign-controlled approach onto the major street.

TABLE 1 LEVEL OF SERVICE DEFINITIONS		
Level of Service	Signalized Intersections	Unsignalized Intersection
“A”	Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec	Little or no delay. Delay ≤ 10 sec/veh
“B”	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec	Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh
“C”	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec	Average traffic delays. Delay > 15 sec/veh and ≤ 25 sec/veh
“D”	Significant congestions of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec	Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh
“E”	Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh
“F”	Total breakdown, stop-and-go operation. Delay > 80.0 sec	Intersection blocked by external causes. Delay > 50 sec/veh
Source: <i>Highway Capacity Manual (2010)</i>		

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Standards of Significance / Level of Service Thresholds. In this traffic assessment, the significance of the proposed projects impact on traffic operating conditions is based on a determination of whether project generated traffic is likely to result in roadway or intersection operating conditions below acceptable standards as defined by the governing agency. A project's impact on traffic conditions is considered significant if implementation of the project would result in LOS changing from levels considered acceptable to levels considered unacceptable, or if the project would significantly worsen an already unacceptable LOS without the project. Relevant policies for the study area consist of the following.

Yuba City General Plan (Adopted April 2004)

Implementing Policy 5.2-1-12 (*Traffic Level of Service*) of the General Plan's Transportation section states the following:

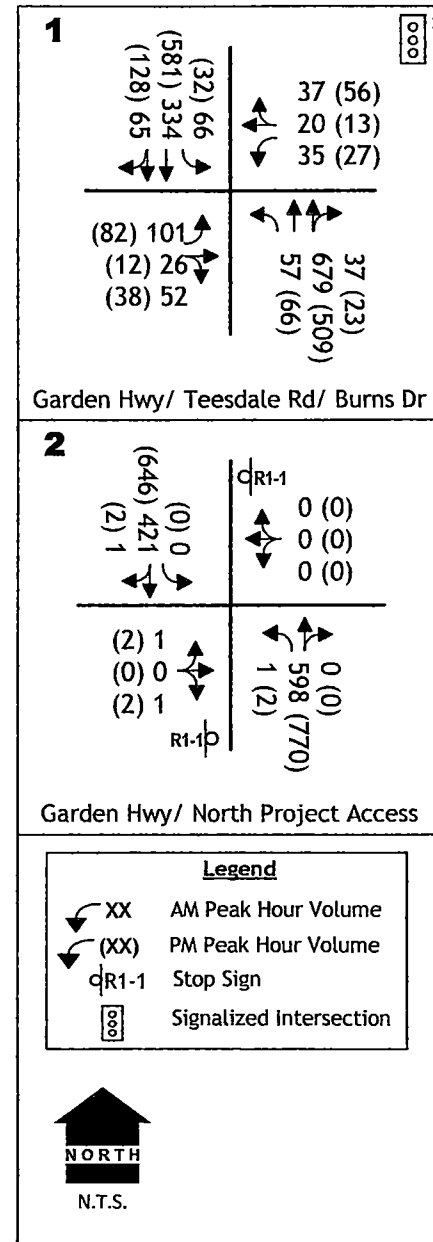
- Develop and manage the roadway system to obtain LOS D or better for all major roadways and intersections in the City. This policy does not extend to residential streets (i.e., streets with direct driveway access to homes) or bridges across the Feather River nor does the policy apply to state highways and their intersections, where Caltrans policies apply. Exceptions to LOS D policy may be allowed by the City Council in areas, such as downtown, where allowing a lower LOS would result in clear public benefits.
- No new development will be approved unless it can be shown that the required level of service can be maintained on the affected roadways.
- Based upon the above, the following standards and significance criteria have been used for this analysis to identify a significant impact.
- Cause level of service at a study intersection to degrade from LOS D or better to LOS E or F.
- Exacerbate the no project level of service at a study intersection operating at LOS E or F. Based upon direction provided by City staff for past studies in this area, exacerbation of unacceptable operations at a City signalized intersection is considered an impact if the proposed project causes an increase in the average vehicle delay of 5 seconds or more.

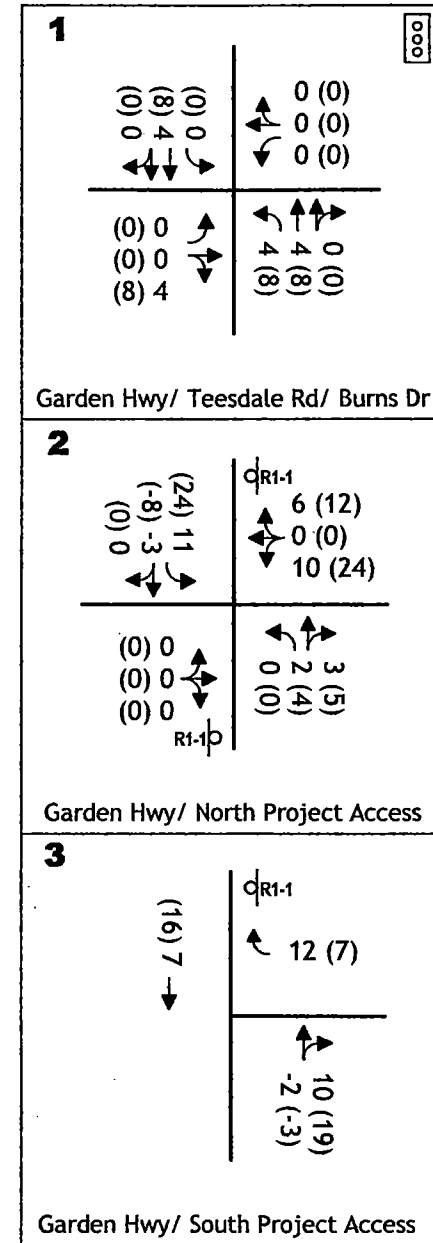
Signal Warrants. Traffic signal warrants are a series of standards which provide guidelines for determining if a traffic signal is an appropriate control. Signal warrant analyses are typically conducted at intersections of uncontrolled major streets and stop sign-controlled minor streets. If one or more signal warrants are met, signalization of the intersection may be appropriate. However, a signal should typically not be installed if none of the warrants are met, since the installation of signals would increase delays on the previously uncontrolled major street, and may increase the occurrence of particular types of accidents.

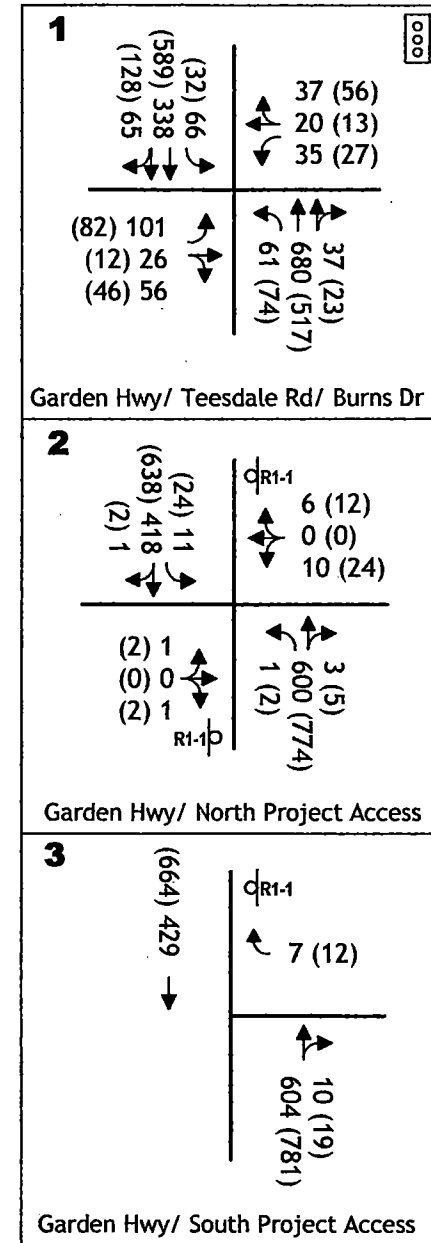
For traffic impact study in the City of Yuba City, available data is limited to peak hour volumes. Therefore, un-signalized intersections were evaluated using the Peak Hour Warrant (Warrant Number 3) from the *California Manual on Uniform Traffic Control Devices (2012)*. This warrant was applied where the minor street experiences delays in entering or crossing the major street for at least one hour of the day. It should also be noted that even if the Peak Hour Warrant is met, a more detailed signal warrant study is typically recommended before a signal is installed. The more detailed study should consider volumes during the eight highest hours of the day, pedestrian traffic, and accident histories.

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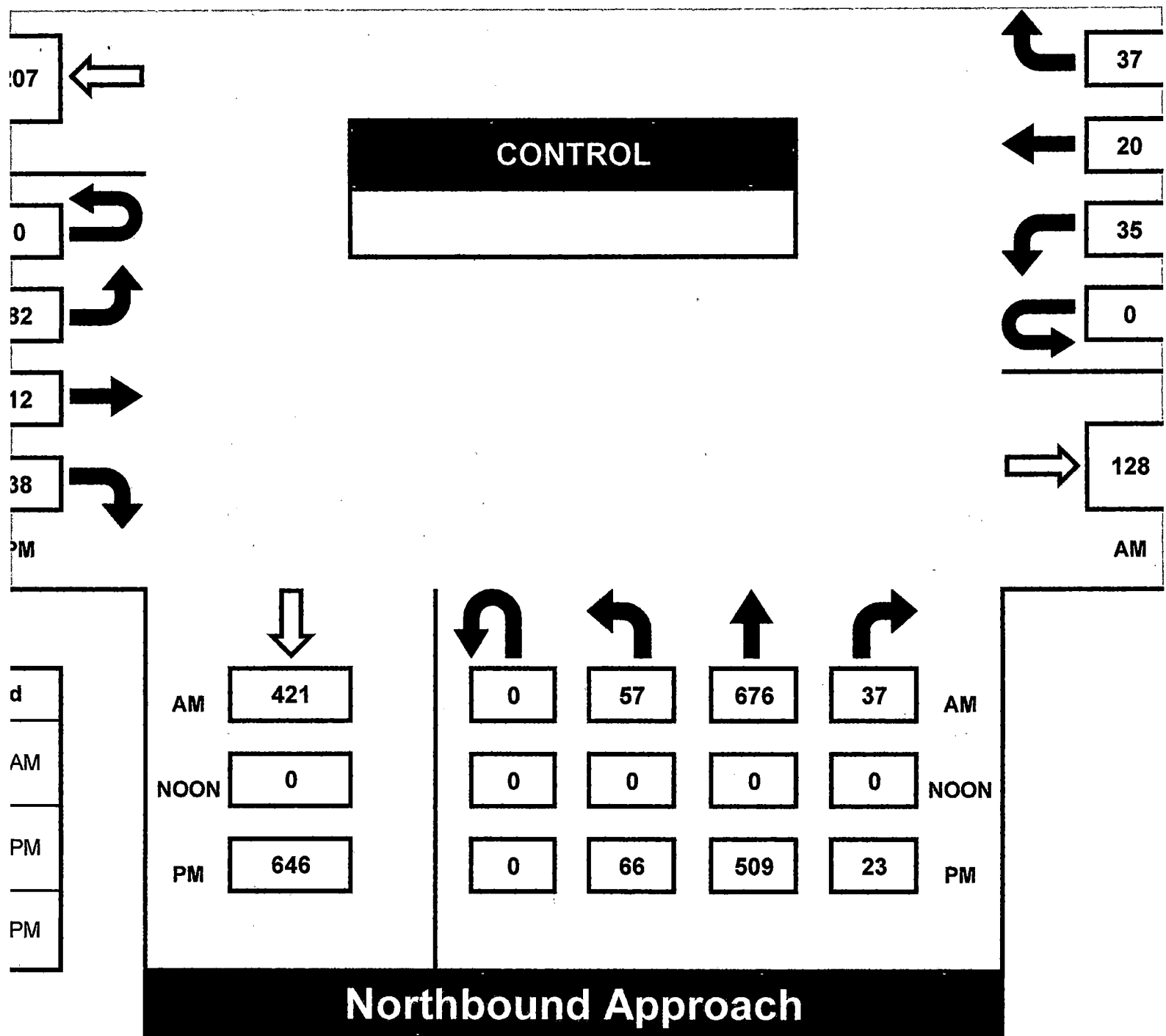






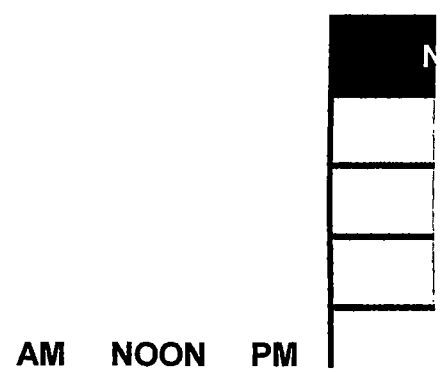
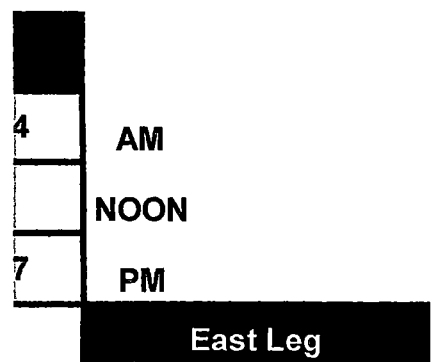
0	107	47	469	44	0	560	75	22	48	0	145	1229	0
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0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0	0	0
0	31	13	123	4	0	140	15	2	10	0	27	375	0
0	26	15	119	6	0	140	13	3	7	0	23	337	0
0	28	14	147	10	0	171	15	4	3	0	22	423	0
0	22	10	78	6	0	94	15	6	11	0	32	297	0
0	107	52	467	26	0	545	58	15	31	0	104	1432	0
0	25	17	123	2	0	142	21	2	8	0	31	408	0
0	25	13	128	5	0	146	20	4	10	0	34	414	0
0	31	13	141	9	0	163	18	4	13	0	35	426	0
0	15	23	117	7	0	147	23	2	7	0	32	319	0
0	96	66	509	23	0	598	82	12	38	0	132	1567	0
0	358	206	2060	111	0	2377	318	73	141	0	532	5447	0
0.0%		8.7%	86.7%	4.7%	0.0%		59.8%	13.7%	26.5%	0.0%			
0.0%	6.6%	3.8%	37.8%	2.0%	0.0%	43.6%	5.8%	1.3%	2.6%	0.0%	9.8%	100.0%	

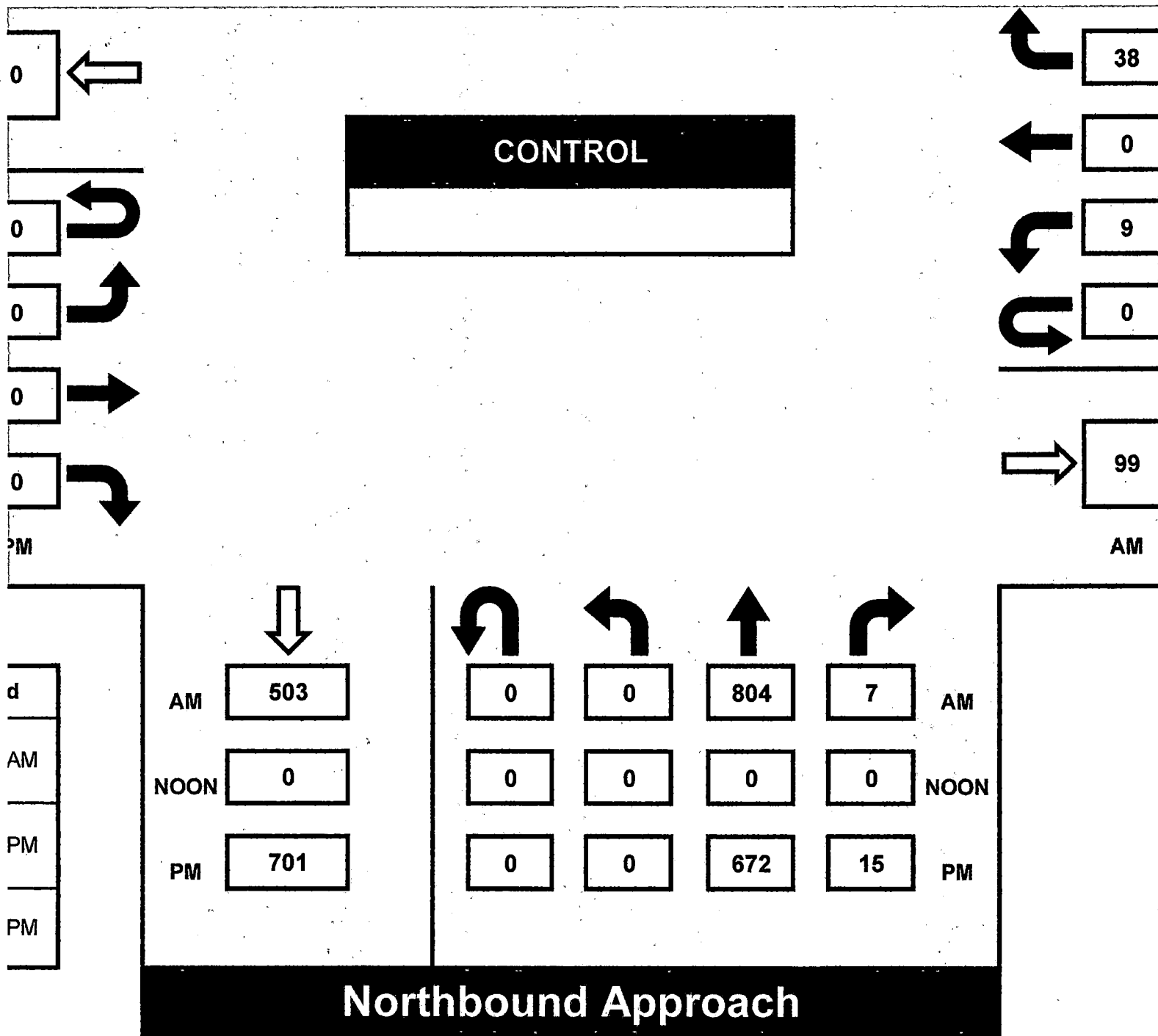
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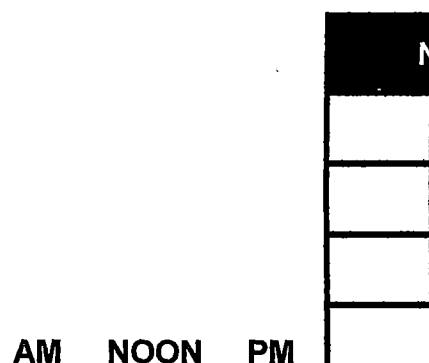
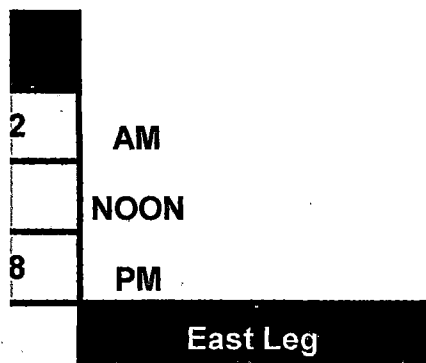
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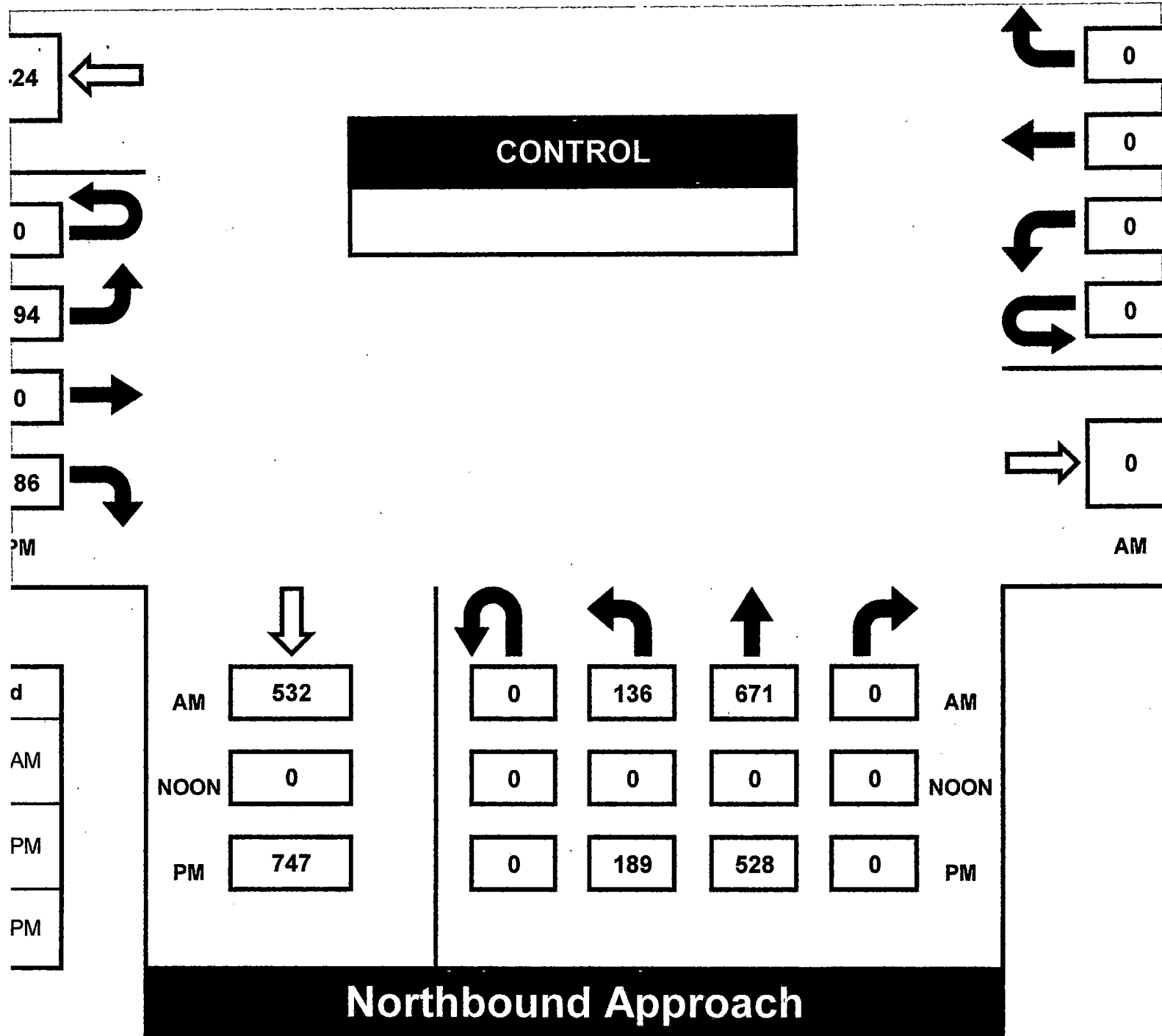


Outs

Total Vo



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Outs

Total Vo

1	AM
	NOON
2	PM
East Leg	

AM	NOON	PM

Intersection												
Int Delay, s/veh	0											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↕			↕			↖	↗		↖	↗	
Traffic Vol, veh/h	1	0	1	0	0	0	1	598	0	0	421	1
Future Vol, veh/h	1	0	1	0	0	0	1	598	0	0	421	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	30	-	-	30	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	0	1	0	0	0	1	650	0	0	458	1

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	1111	1111	459	1111	1111	650	459	0	0	650	0	0
Stage 1	459	459	-	652	652	-	-	-	-	-	-	-
Stage 2	652	652	-	459	459	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	186	209	602	186	209	469	1102	-	-	936	-	-
Stage 1	582	566	-	457	464	-	-	-	-	-	-	-
Stage 2	457	464	-	582	566	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	186	209	602	186	209	469	1102	-	-	936	-	-
Mov Cap-2 Maneuver	186	209	-	186	209	-	-	-	-	-	-	-
Stage 1	581	566	-	457	464	-	-	-	-	-	-	-
Stage 2	457	464	-	581	566	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	17.8	0	0	0
HCM LOS	C	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBL	EBT	EBR	WBL	WBT	WBR	SBL	SBT	SBR
Capacity (veh/h)	1102	-	-	284	-	-	-	-	-	936	-	-
HCM Lane V/C Ratio	0.001	-	-	0.008	-	-	-	-	-	-	-	-
HCM Control Delay (s)	8.3	-	-	17.8	0	0	-	-	-	-	-	-
HCM Lane LOS	A	-	-	C	A	A	-	-	-	-	-	-
HCM 95th %tile Q(veh)	0	-	-	0	-	0	-	-	-	-	-	-

Intersection												
Int Delay, s/veh	0											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔		↑	↑		↑	↑	
Traffic Vol, veh/h	2	0	2	0	0	0	2	770	0	0	646	2
Future Vol, veh/h	2	0	2	0	0	0	2	770	0	0	646	2
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	30	-	-	30	-	-
Veh in Median Storage, #	-	1	-	-	1	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	2	0	2	0	0	0	2	837	0	0	702	2

Major/Minor	Minor2		Minor1		Major1		Major2					
Conflicting Flow All	1544	1544	703	1545	1545	837	704	0	0	837	0	0
Stage 1	703	703	-	841	841	-	-	-	-	-	-	-
Stage 2	841	841	-	704	704	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	94	115	438	93	115	367	894	-	-	797	-	-
Stage 1	428	440	-	359	380	-	-	-	-	-	-	-
Stage 2	359	380	-	428	440	-	-	-	-	-	-	-
Platoon blocked, %								-	-	-	-	-
Mov Cap-1 Maneuver	94	115	438	92	115	367	894	-	-	797	-	-
Mov Cap-2 Maneuver	220	238	-	219	238	-	-	-	-	-	-	-
Stage 1	427	440	-	358	379	-	-	-	-	-	-	-
Stage 2	358	379	-	426	440	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	17.5	0	0	0
HCM LOS	C	A		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	894	-	-	293	-	797	-	-
HCM Lane V/C Ratio	0.002	-	-	0.015	-	-	-	-
HCM Control Delay (s)	9	-	-	17.5	0	0	-	-
HCM Lane LOS	A	-	-	C	A	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0	-	0	-	-

Intersection												
Int Delay, s/veh	0.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↔			↔			↑	↑		↑	↑	
Traffic Vol, veh/h	1	0	1	10	0	6	1	600	3	11	418	1
Future Vol, veh/h	1	0	1	10	0	6	1	600	3	11	418	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	30	-	-	30	-	-
Veh in Median Storage, #	-	1	-	-	1	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	0	1	11	0	7	1	652	3	12	454	1

Major/Minor	Minor2		Minor1		Major1		Major2	
Conflicting Flow All	1138	1136	455	1135	1135	654	455	0
Stage 1	479	479	-	656	656	-	-	-
Stage 2	659	657	-	479	479	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-
Pot Cap-1 Maneuver	179	202	605	179	202	467	1106	-
Stage 1	568	555	-	454	462	-	-	-
Stage 2	453	462	-	568	555	-	-	-
Platoon blocked, %	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	175	199	605	177	199	467	1106	-
Mov Cap-2 Maneuver	302	315	-	308	318	-	-	-
Stage 1	567	548	-	454	462	-	-	-
Stage 2	446	462	-	560	548	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	14	15.7	0	0.2
HCM LOS	B	C		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	1106	-	-	403	353	932	-	-
HCM Lane V/C Ratio	0.001	-	-	0.005	0.049	0.013	-	-
HCM Control Delay (s)	8.3	-	-	14	15.7	8.9	-	-
HCM Lane LOS	A	-	-	B	C	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0	0.2	0	-	-

HCM 6th TWSC
3: GARDEN HWY & SOUTH PROJECT ACCESS

AM EXISTING PLUS PROJECT
05/17/2019

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations		↑	↑			↑
Traffic Vol, veh/h	0	7	604	10	0	429
Future Vol, veh/h	0	7	604	10	0	429
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	8	657	11	0	466

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	- 663	0	0
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	- 6.22	-	-
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	- 3.318	-	-
Pot Cap-1 Maneuver	0 461	-	0
Stage 1	0	-	0
Stage 2	0	-	0
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	- 461	-	-
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.9	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBT
Capacity (veh/h)	-	461	-
HCM Lane V/C Ratio	-	0.017	-
HCM Control Delay (s)	-	12.9	-
HCM Lane LOS	-	B	-
HCM 95th %tile Q(veh)	-	0.1	-

Intersection												
Int Delay, s/veh	0.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↔			↔			↑	↑		↑	↑	
Traffic Vol, veh/h	2	0	2	24	0	12	2	774	5	24	638	2
Future Vol, veh/h	2	0	2	24	0	12	2	774	5	24	638	2
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	30	-	-	30	-	-
Veh in Median Storage, #	-	1	-	-	1	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	2	0	2	26	0	13	2	841	5	26	693	2

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1600	1596	694	1595	1595	844	695	0	0	846	0	0
Stage 1	746	746	-	848	848	-	-	-	-	-	-	-
Stage 2	854	850	-	747	747	-	-	-	-	-	-	-
Critical Hdwy	7.12	6.52	6.22	7.12	6.52	6.22	4.12	-	-	4.12	-	-
Critical Hdwy Stg 1	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.12	5.52	-	6.12	5.52	-	-	-	-	-	-	-
Follow-up Hdwy	3.518	4.018	3.318	3.518	4.018	3.318	2.218	-	-	2.218	-	-
Pot Cap-1 Maneuver	85	107	443	86	107	363	901	-	-	791	-	-
Stage 1	405	421	-	356	378	-	-	-	-	-	-	-
Stage 2	353	377	-	405	420	-	-	-	-	-	-	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	80	103	443	83	103	363	901	-	-	791	-	-
Mov Cap-2 Maneuver	197	218	-	207	225	-	-	-	-	-	-	-
Stage 1	404	407	-	355	377	-	-	-	-	-	-	-
Stage 2	340	376	-	390	406	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	18.4	22.7	0	0.4
HCM LOS	C	C		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR
Capacity (veh/h)	901	-	-	273	242	791	-	-
HCM Lane V/C Ratio	0.002	-	-	0.016	0.162	0.033	-	-
HCM Control Delay (s)	9	-	-	18.4	22.7	9.7	-	-
HCM Lane LOS	A	-	-	C	C	A	-	-
HCM 95th %tile Q(veh)	0	-	-	0	0.6	0.1	-	-

HCM 6th TWSC
3: GARDEN HWY & SOUTH PROJECT ACCES

PM EXISTING PLUS PROJECT
05/17/2019

Intersection						
Int Delay, s/veh	0.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations		↑	↑			↑
Traffic Vol, veh/h	0	12	781	19	0	664
Future Vol, veh/h	0	12	781	19	0	664
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	13	849	21	0	722

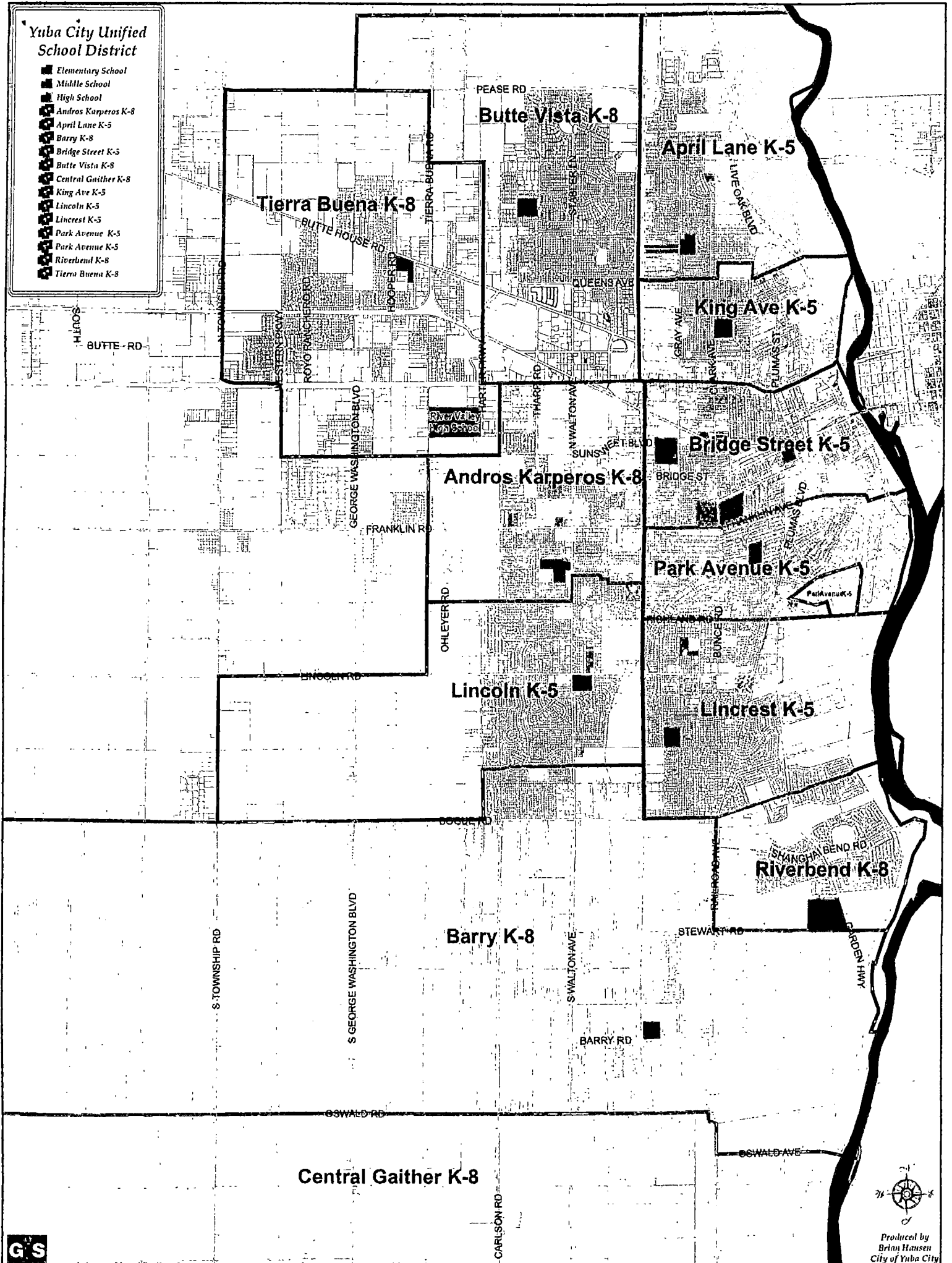
Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	- 860	0	0
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	- 6.22	-	-
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	- 3.318	-	-
Pot Cap-1 Maneuver	0 356	-	0
Stage 1	0	-	0
Stage 2	0	-	0
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	- 356	-	-
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	15.5	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWB	NBT	SBT
Capacity (veh/h)	-	- 356	-	-
HCM Lane V/C Ratio	-	- 0.037	-	-
HCM Control Delay (s)	-	- 15.5	-	-
HCM Lane LOS	-	- C	-	-
HCM 95th %tile Q(veh)	-	- 0.1	-	-

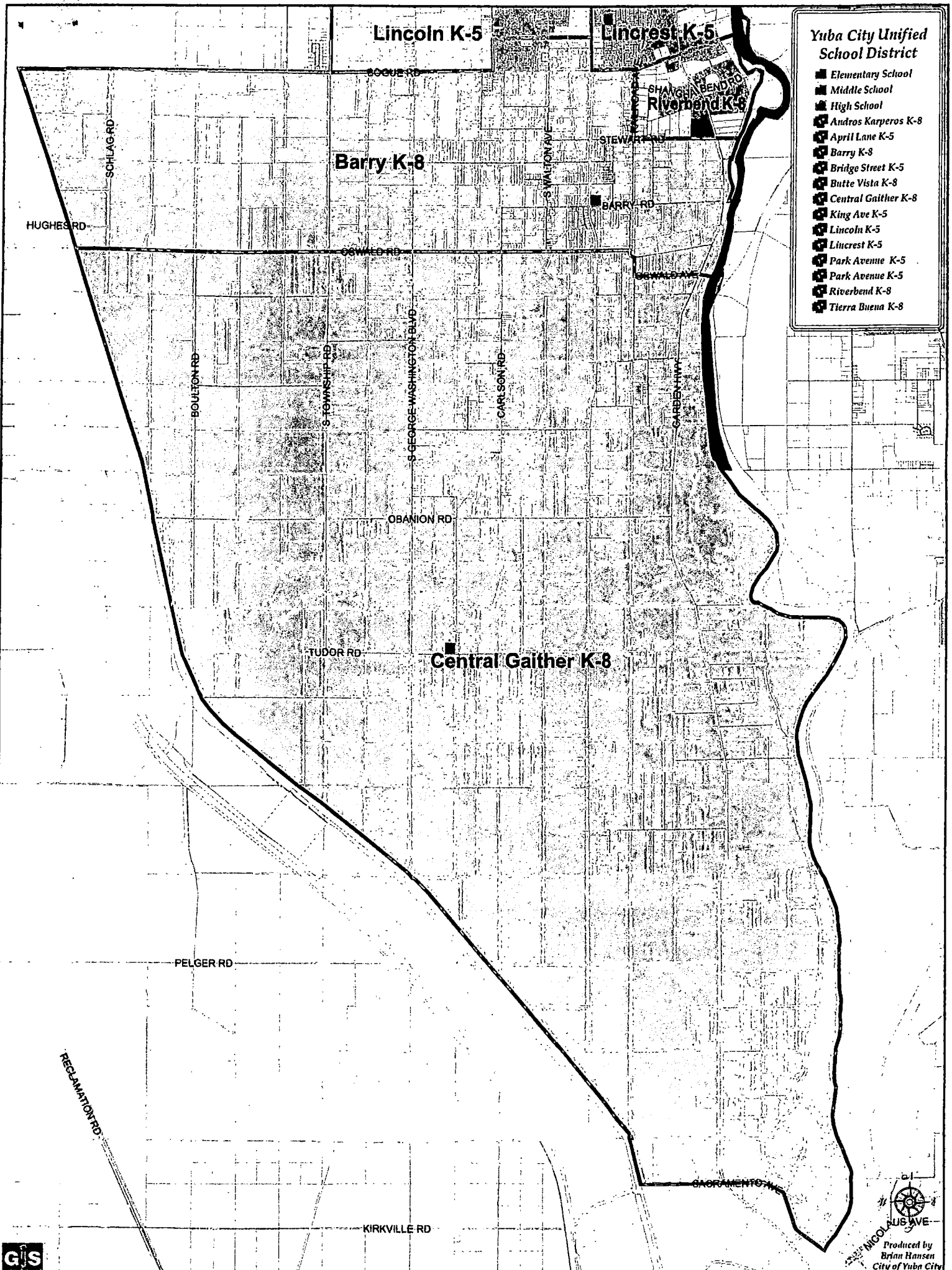
**Yuba City Unified
School District**

- Elementary School
- Middle School
- High School
- Andros Karperos K-8
- April Lane K-5
- Barry K-8
- Bridge Street K-5
- Butte Vista K-8
- Central Gaither K-8
- King Ave K-5
- Lincoln K-5
- Lincrest K-5
- Park Avenue K-5
- Park Avenue K-5
- Riverbend K-8
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Lincoln K-5

Lincrest K-5

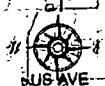
Barry K-8

Central Gaither K-8

Riverbend K-8

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