

INITIAL STUDY and ENVIRONMENTAL CHECKLIST

FOR

2240 NORD AVENUE APARTMENTS PROJECT

March 2024

**Lead Agency:
City of Chico**



CITY of CHICO

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City of Chico Project No. PDP 23-01

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I. PROJECT SUMMARY

Date: March 2024

Project Title: 2240 Nord Avenue Apartments Project

Applicant: 2240 Nord Partnership

Lead Agency: City of Chico

Contact: Madison Driscoll, Associate Planner
City of Chico
Community Development Department
411 Main Street
Chico, California 95928
(530) 879-6800

Location: The project site, approximately 11.77 total acres, is located along the north side of Nord Avenue, east of W. Lindo Avenue, south of the Union Pacific railroad line, and west of an existing residential neighborhood, within the city limits of Chico in Butte County, California, at the property identified as Assessor's Parcel Numbers (APNs): 042-140-174 and 042-140-175 (portion of), located at 2240 Nord Avenue (Site; see Figure 1).

Coastal Zone: No

Affected Parcel(s): Assessor's Parcel Numbers (APNs): 042-140-174 and 042-140-175 (portion of)

City of Chico General Plan Land Use Designations (see Figure 2):

- Medium Density Residential (MDR)
- Neighborhood Commercial (NC)

City of Chico Zoning Designations (see Figure 3):

- Medium Density Residential (R2) with Airport Overflight (Traffic Pattern; -AOC), Corridor Opportunity Site (-COS), and Special Design Considerations (-SD5) zoning overlays
- Neighborhood Commercial (CN) with Airport Overflight (Other Airport Environs; -AOD), -COS, and -SD5 zoning overlays

Anticipated Permits and Approvals:

- 1) City of Chico:
 - a. Approval of Planned Development Permit (PDP) (Application No. 23-01; submitted to the City on June 21, 2023)
 - b. Adoption of the Initial Study, Mitigated Negative Declaration, and Mitigation and Monitoring Reporting Program
 - c. Issuance of Building Permit
- 2) Butte County Association of Governments (BCAG):
 - a. Approval of proposed bus stop location along Nord Avenue

Tribal Cultural Resources: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?:

On August 18, 2023, LACO Associates (LACO), on behalf of the Applicant, contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and the contact information for the representatives of the Native American tribes associated with the project area, and the Northeast Information Center (NEIC) at California State University, Chico to request a Records Search of the proposed project area. On September 12, 2023, a response was received from the NAHC, which indicated that the results of the SLF search were negative. Included with the letter was a Native American contact list of tribes who may have knowledge of cultural resources in the project area. A total of ten (10) tribal contacts from five (5) tribes are included on the contact list.

On September 17, 2023, a response was received from the NEIC, in which it was noted that the project area has been partially surveyed for cultural resources. No archaeological resources have been recorded within the project boundaries, although three (3) resources have been recorded within 1 mile of the Site. Additionally, NEIC stated that the area is archaeologically sensitive and has the potential for the discovery of additional resources. As the project area has not been surveyed for archaeological resources within the last ten (10) years, NEIC recommended that a professional consultant be contacted prior to ground disturbance.

On January 26, 2024, City staff sent a letter to the Mechoopda Tribe Cultural Center to inform them of the proposed development. City staff (Associate Planner Madison Driscoll) informed the Center that mitigation measure CUL-1 would be included. The Center sent an email agreeing to the mitigation measure and no further comments on February 27, 2024.

CEQA Requirement:

The proposed project is subject to the requirements of the California Environmental Quality Act (CEQA). The Lead Agency is the City of Chico. The purpose of this Initial Study (IS) is to provide a basis for determining whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration. This IS is intended to satisfy the requirements of the CEQA (Public Resources Code, Div. 13, Sec. 21000-21177) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387).

CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts (CEQA Section 20180(c) (2) and State CEQA Guidelines Section 15070(b) (2)).

Section 15063(d) of the State CEQA Guidelines states that an IS shall contain the following information in brief form:

- 1) A description of the project including the project location
- 2) Identification of the environmental setting
- 3) Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to provide evidence to support the entries
- 4) Discussion of means to mitigate significant effects identified, if any
- 5) Examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls
- 6) The name of the person or persons who prepared and/or participated in the Initial Study

II. PROJECT DESCRIPTION

2240 Nord Partnership (Applicant) is requesting approval of a Planned Development Permit (PDP) for construction of a 208-unit multi-family residential apartment complex at the approximately 11.77-acre property identified as Assessor's Parcel Numbers (APNs): 042-140-174 and 042-140-175 (portion of), located at 2240 Nord Avenue within the city limits of Chico in Butte County, California (Site; see Figure 1).

In compliance with the Special Design Considerations (-SD) overlay zone for three parcels on the north side of State Highway 32/Nord Avenue, between W. 8th Avenue and W. Lindo Avenue, including the subject Site, as specified in Section 19.52.070(D)(5)(a) of Division IV (Zoning Districts, Allowable Land Uses, and Zone-Specific) of Title 19 (Land Use and Development Regulations) of the Chico Municipal Code (CMC), the Applicant submitted a PDP application (Application No. 23-01) to the City of Chico (City) on June 21, 2023. Revised materials were submitted to the City on August 10, 2023, in response to City comments received on July 20, 2023, as well as a neighborhood meeting held on March 9, 2023. A Use Permit would typically be required for ground-level residential occupancy (except for accessible units required by the Building Code, which are allowed by right) within the Neighborhood Commercial (CN) zoning district, which comprises the northernmost portion of the Site (approximately 135 feet in width). However, the required use permit would not be required for the project and would instead be incorporated under the PDP.

A Boundary Line Modification (BLM; Application No. 23-06) was recently approved by the City on June 28, 2023, in order to adjust the Site boundaries and remove the boundary line currently separating APN: 042-140-174 and an approximately 2.77-acre portion of APN: 042-140-175, located on the east side of W. Lindo Avenue, adjacent to APN: 042-140-174. A new APN will be issued by the Butte County Assessor's Office for the subject Site; however, as of the date of this Initial Study, this is still in progress and the new APN has not yet been assigned.

Project Details

As previously described, the Applicant proposes construction of a 208-unit multi-family apartment complex on the subject Site. The proposed apartment complex would comprise a variety of unit types, including sixteen (16) 3-bedroom units, one hundred thirty-six (136) 2-bedroom units, and fifty-six (56) one-bedroom units, within twenty-one (21) individual apartment buildings oriented around the perimeter and center of the Site (see Figure 4). In total, there would be 208 units spread across 11.77 acres of land, resulting in a density of 17.7 units per acre. Each apartment building would be two-stories and approximately 31 feet in height, and contain four (4), eight (8), or twelve (12) units (see Figure 4 and Appendix B), as summarized in Table 1 below.

Table 1. Summary of Proposed Apartment Buildings

Building Type	Number of Buildings	Size of Building (in square feet)	Total Area (in square feet)
4-Unit	4	6,727	26,908
8-Unit	3	8,634	25,902
12-Unit	14	11,920	166,880
Total			219,690

Source: Russell Gallaway Associates, Inc. (RGA). December 1, 2023. Planned Development Architectural Site Plan (see Figure 4).

In addition, an approximately 3,208-square-foot single-story clubhouse, with community pool and shared outdoor spaces (including BBQ area and multi-use lawn area), would be located within the center of the Site. A dog park is also proposed within the southwestern portion of the Site.

The Site would also be fenced for security. Under the project, construction of 10-foot-high concrete masonry unit (CMU) sound walls is proposed along the Site's northern and eastern boundaries, to provide a visual and sound buffer between the Site and adjacent Union Pacific Railroad (UPRR) tracks, located north of the Site, and the existing "Westside Place" development to the east of the Site, respectively. Fencing with a decorative design would be provided along the Site's Nord Avenue and W. Lindo Avenue frontages. The project also includes expanded setbacks on the railroad (north) and Westside Place development (east) sides to allow for intensified tree planting to assist with buffering from the adjacent uses.

The Site was historically utilized as an almond orchard and previously contained a single-family residence, approximately 1,500 square feet in size and constructed in 1924, which was recently removed from the Site by the Chico Fire Department on November 20, 2023, as a training exercise. The Site also contained accessory structures, including a barn, which were previously removed from the Site. An on-site well and septic system associated with the former residence have been abandoned in accordance with Butte County Environmental Health requirements, and the proposed project would be developed with community utility services [described further under Section XVIX (Utilities and Service Systems)].

Project Design

The proposed apartment buildings would be a maximum of two stories and approximately 31 feet in height (see Appendix B-Architectural Elevations and Details). The project's architectural design features a modern farmhouse style with a contemporary color palette and contrasting neutral hues (see Appendix C-Building Color Palettes). The roofs would comprise composition shingles, with the siding comprising board and bat, horizontal lapped elements, vertical stacked stone, and plaster. At this time, windows would either be white with black trim or black-framed windows (set inward) may be utilized.

Site Access and Parking

Vehicular access and parking design follows a circular arrangement around the Site, and includes development of a 16-foot-wide drive aisle for Site ingress and egress, in accordance with Chico Fire Department requirements. The Site's primary entry would be along the Site's western boundary, via a gated entrance with separate 16-foot-wide entry and exit gates off W. Lindo Avenue. A dedicated controlled emergency vehicle access (EVA) would also be located within the northeastern portion of the Site and would connect to Ruskin Street within the adjacent Westside Place development to the east. Bollards would restrict non-emergency vehicle use at this access location. Access gates for pedestrians and bicycles (3 total) would be provided along the Site entrance and exit gates along W. Lindo Avenue, as well as along the Site's southern boundary along Nord Avenue.

A total of 368 parking spaces would be provided on-site under the project. In accordance with Table 5-4 (Parking Requirements) of Section 19.70.040 (Number of Parking Spaces Required) of Chapter 19.70 (Parking and Loading Standards) of the CMC, a total of 284 parking spaces would be required for the project, determined by proposed land use type ("multi-family housing in a Corridor Opportunity Site overlay site"), as shown in Table 2. Of the total parking spaces proposed, nine (9) spaces (2.4% of the total parking) would be accessible parking spaces and twenty-two (22) spaces would be designated for electric vehicles (including one (1) space that is both accessible and for electric vehicles; 6.0% of the total parking) (see Figure 4). As shown in Table 2, below, the project would result in a surplus of 84 parking spaces when compared to the

requirements established under CMC Section 19.70.040. Per CMC Section 19.70.040, multi-family housing projects within the -COS overlay zone do not require any guest parking spaces; however, with the surplus in parking proposed (84 spaces), there would be sufficient parking for both residents and guests at the subject Site.

Table 2. Required Number of On-Site Parking Spaces Required for Project

Land Use Type	Parking Space Requirement	Number of Units	Total Number of Spaces Required
<i>Multi-Family Housing within -COS Overlay Zone</i>			
1-Bedroom Unit	1 space per unit	56	56
2-Bedroom Unit	1.5 spaces per unit	136	204
3+ Bedrooms Unit	1.5 spaces per unit	16	56
<i>Total Parking Spaces Required</i>			<i>284</i>
<i>Total Number of Parking Spaces to Be Provided</i>			<i>368</i>
<i>Difference</i>			<i>+84</i>

Sources:

Chico Municipal Code, Table 5-4 (Parking Requirements) of Section 19.70.040 (Number of Parking Spaces Required) of Chapter 19.70 (Parking and Loading Standards).

Russell Gallaway Associates, Inc. (RGA). December 1, 2023. Planned Development Architectural Site Plan (see Figure 4).

In addition, fifty-two (52) 4-stall bike racks are proposed throughout the Site, offering 208 bicycle spaces. In accordance with Table 5-4 in Section 19.70.040 of the CMC, one (1) bicycle space is required for each multi-family unit, for a total of 208 bicycle spaces required. As proposed, the project would provide sufficient bicycle parking on-site in accordance with CMC Section 19.70.040.

Landscaping

Landscaping would feature native and adaptive plant species, well-suited to Chico's climate in order to help minimize maintenance needs, reduce the use of chemical fertilizers and pesticides, and conserve water. The on-site parking area is proposed to feature shade trees in compliance with the CMC. Evergreen trees would also be placed to create a buffer between the railroad and the project. Additionally, evergreen shrubs would also be used to provide screening between the proposed project and the existing adjacent Westside Place development. Two (2) existing trees located along the Site's southern boundary would be retained on-site and incorporated into the landscaping of the proposed project (see Appendix D – Landscape Plans).

An automated, low-volume drip irrigation system would be utilized on-site. The system would have the capability to adjust in real-time based on evapotranspiration data and is designed to meet all requirements outlined in the State of California's Model Water Efficient Landscape Ordinance (MWELO) and the CMC.

While the Site was historically, utilized as an almond orchard, the agricultural trees have been removed from the property. No additional tree removal would be required under the project.

Subdivision Improvements

As previously described, access and roadway improvements are proposed, including a new gated entry off of W. Lindo Avenue along the Site's western boundary, and a new single 16-foot-wide road and parking that would be designed in a circular design around the interior of the Site. The roadway would also provide a controlled EVA access with connection to Ruskin Street to the east of the Site. Improvements to the City of Chico's right-of-way would include the installation of curbs, gutters, and sidewalks along the Site's Nord and W. Lindo Avenue frontages and within the interior of the Site. A dedicated pedestrian walkway to the proposed bus stop location, centrally located along Nord Avenue, is also to be provided under the project.

All internal utilities would be placed underground.

Stormwater

Stormwater from the subject Site would be collected and transported through an underground piping system located on-site, which is designed to release water into an existing City storm drain system located to the north and east and adjacent to the Site.

Lighting

Lighting would be utilized to provide a safe and secure nighttime environment for the proposed project. Exterior lighting would be provided in the parking and common areas, as well as on the exterior of and between proposed buildings. All exterior lighting would be shielded, directed downward, and International Dark Sky Association-compliant to minimize lighting impacts on adjacent properties. Street lighting would be installed in compliance with City standards. A photometric plan detailing the location of lighting fixtures and anticipated lighting levels across the Site is provided in Appendix E – Photometric Plan.

Additional Community Facilities

Resident mailboxes would be clustered and located near the community clubhouse and pool facilities. Community trash facilities would be located in four (4) locations around the interior of the community, with each comprising 8-foot-tall CMU trash enclosures with metal gates and appropriately sized dumpsters for trash and recycling.

III. PROJECT SETTING AND LOCATION

As described above, the Site comprises a total of 11.77 acres, located at 2240 Nord Avenue within the city limits of Chico, California, and identified as Assessor's Parcel Numbers (APNs): 042-140-174 and 042-140-175 (portion of) (see Figure 1 and below). The Site is located along the north side of Nord Avenue, east side of W. Lindo Avenue, south of active railroad tracks (Union Pacific railroad line), and west of an existing residential neighborhood (Westside Place).



Project Location

Surrounding properties to the north, east, and south of the Site consist of a variety of residential types, including single-family, duplexes, and multi-family residential development. Also, to the south, across Nord Avenue, are commercial uses at the Glenwood Avenue/Nord Avenue and Arbor Drive/Nord Avenue intersections. West of the Site is barren agricultural land (former almond orchard) with a single-family residence and the Lindo Channel. Further to the southwest of the Site is primarily unincorporated and undeveloped agricultural land, located within the County of Butte's jurisdiction.

IV. ENVIRONMENTAL EFFECTS

An environmental checklist follows this section and addresses all potential adverse effects resulting from the proposed project. No significant adverse effects are expected from any of the proposed activities.

V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

An explanation for all checklist responses is included, and all answers take into account the whole action involved and the following types of impacts: off-site and on-site; cumulative and project-level; indirect and direct; and construction and operational. The explanation of each issue identifies (a) the threshold of significance, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. All mitigation measures required for the project are provided in the Mitigation and Monitoring Reporting Program (MMRP), enclosed as Appendix A.

In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the proposed project.

DETERMINATION: (To be completed by the Lead Agency on the basis of this initial evaluation)

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

Signature

Date

Madison Driscoll, Associate Planner

I. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

The Open Space and Environment Element and the Community Design Element of the City of Chico General Plan (2011, amended 2017) provides goals, policies, and programs related to conservation of natural resources, provision of open space and the urban design of the City. Goals CD-1, CD-3, CD-4, and CD-5 of the Chico General Plan seek to protect and enhance the City's natural attributes such as agriculture, foothills, trees, and creeks which contribute to Chico's overall character and identity. These goals are to be achieved, in part, through implementation of the City of Chico Design Manual which provides a review process of private and public development projects in accordance with Chapter 19.18 (Site Design and Architectural Review) of the City of Chico Municipal Code (CMC; 2023). The Design Manual is intended to guide the aesthetic qualities of development in Chico and maintain its dignified visual character by integrating timeless architectural and landscape design with the natural beauty of its surrounding environment.

The proposed apartment complex would comprise a variety of unit types, including sixteen (16) 3-bedroom units, one hundred thirty-six (136) 2-bedroom units, and fifty-six (56) one-bedroom units, within twenty-one (21) individual apartment buildings oriented around the perimeter and center of the Site. Each apartment building would be two-stories and approximately 31 feet in height, and contain four (4), eight (8), or twelve (12) units. An approximately 3,208-square-foot clubhouse, with community pool and shared outdoor spaces (including BBQ area and multi-use lawn area), would be located within the center of the Site. A dog park is also proposed within the southwestern portion of the Site, as well as access and roadway improvements (see Figure 4 and Appendix B). As previously described, the project's architectural design consists of a modern farmhouse style with a contemporary color palette and contrasting neutral hues. Building roofs would comprise composition shingles, with siding to comprise board and bat, horizontal lapped elements, vertical stacked stone, and plaster. At this time, windows would either be white with black trim or black-framed windows (set inward) may be utilized (see Appendices B and C).

The subject Site is currently undeveloped, although it historically contained an almond orchard, an approximately 1,500-square-foot single-family residence, and accessory structures, which have been removed from the Site.

Under the project, all exterior public and private lighting would be directed downward with full shields and International Dark Sky Association-compliant (see Appendix E). Lighting would be installed in compliance with City standards identified in Section 19.60.050 (Exterior Lighting) of the City's Municipal Code (2023).

I.a) Less Than Significant Impact. The proposed project is not located within a City- or County-mapped or designated scenic vista. However, views of the Site itself would change as a result of the project, although distant views would not change. With the proposed on-site development, the Site would change from an undeveloped, prior agricultural site (former almond orchard) to a developed condition, with 208 multi-family residential units and associated improvements. This change would be most noticeable to existing development located immediately adjacent to and which overlooks the Site, including existing residential development immediately to the south (across Nord Avenue), west (across W. Lindo Avenue), north (across UPRR line), and east (Westside Place) of the Site. The majority of the Site is currently designated for residential use under the City's General Plan (designated as MDR), which aligns with the surrounding uses. The northernmost portion of the Site (designated as Neighborhood Commercial, NC) would also allow for the proposed multi-family housing. The proposed project would provide quality housing built to modern standards and design, designed in accordance with City of Chico's Design Manual. Additionally, the proposed development would be consistent with surrounding residential development, located south, east, and north of the Site, across the UPRR tracks, including the existing Westside Place development, located immediately east of the Site.

The Site is visible from surrounding roadways, including but not limited to Nord Avenue (SR 32) and W. Lindo Avenue, surrounding properties in all directions, and the Union Pacific Railroad (UPRR) line, utilized for both freight transport and Amtrack passenger service. The project would be fenced for security, with a decorative design to be provided along the Nord Avenue and W. Lindo Avenue frontages. Additionally, views of the Site from both the railroad tracks and adjacent Westside Place development, located immediately east of the Site, would be partially obscured due to installation of a 10-foot-high concrete masonry unit (CMU) sound wall along the Site's northern and eastern boundaries, to provide a visual and sound buffer between the Site and adjacent UPRR tracks and the existing Westside Place development to the north and east of the Site, respectively. Expanded setbacks would also be provided along the northern and eastern property boundaries (along the railroad and Westside Place, respectively) to allow for intensified tree planting to further assist with minimizing visual impacts associated with the proposed development.

The size and scale of the proposed development is consistent with the existing development to the east (Westside Place). North of the Site, development comprises existing single-family residential development varying between one and two stories in height. Views of the Site are currently partially obstructed by existing trees. Development immediately south of the Site, across Nord Avenue, is predominately one story in height and the proposed development would be anticipated to partially obstruct current views to the north. As shown in the project's landscape plans (see Appendix D), two (2) existing trees are to remain along the project's southern property boundary, with additional trees to be planted along all property lines and within the interior of the Site to further minimize visual impacts associated with the development. As the project would utilize different building types, a selection of building color variations, and an enhanced landscape area to break up the streetscape, and is consistent with allowable uses under the Site's land use and zoning designations, as well as development in the vicinity of the Site, a **less than significant impact** would occur.

I.b) No Impact. The Site is not located within or adjacent to a scenic highway corridor and does not contain scenic resources, such as trees of scenic value, rock outcroppings, or historic buildings. There are no State-designated or eligible scenic highways within the vicinity of the Site. Per the California Department of

Transportation (Caltrans) State Scenic Highway Program (2020), there are no designated or "eligible" State scenic highways within or in close proximity to the City of Chico. The nearest highway to the Site (SR 32) is located immediately south of the Site and is not a designated or eligible State scenic highway. State Highway 70 is the nearest "eligible" State scenic highway, located approximately 17.3 miles east of the Site. The Site is currently undeveloped, with the former on-site almond orchard, single-family residence, and accessory structures previously removed from the Site. Additionally, the project would include streetscape features, including fencing with decorative features along the Site's Nord Avenue and W. Lindo Avenue frontages, 10-foot CMU block wall along the northern and eastern Site boundaries, and enhanced landscape areas to break up the streetscape, as well as different building sizes and modern design, including varying yet complimentary building materials and colors, featuring natural hues, board and bat, horizontal lapped elements, vertical stacked stone, and plaster. As such, there is no potential for the proposed project to impact a scenic resource within a State scenic highway and **no impact** would occur.

I.c) Less Than Significant Impact. See discussion under Question I.a, above. Although views of the Site would change under the project, the project would not substantially degrade the existing visual character or quality of public views of the Site and its surroundings, nor conflict with applicable zoning and other regulations governing scenic quality. As noted above, the Site is currently undeveloped, but was historically utilized as an almond orchard and previously contained an existing residence and accessory structures, which are no longer present on-site. Public views of the Site are currently experienced from surrounding roadways, including Nord Avenue to the south, W. Lindo Avenue to the west, and the UPRR line to the north of the Site, as well as from adjacent properties within the vicinity of the Site. The proposed 208-unit apartment complex project would be built to modern standards and design, and has been designed in accordance with City of Chico's Design Manual. The project would feature different building sizes, a selection of building color variations, and an enhanced setbacks and landscape area to break up the streetscape (see Appendices B-D). The project would also be consistent with the size and scale of surrounding development, including the Westside Place development immediately east of the Site. Additionally, the project would be consistent with all development standards, including but not limited to the maximum building height allowed under the Site's current zoning designations, which allow for building heights up to a maximum of 35 feet (see CMC Sections 19.42.030 and 19.44.030). As previously discussed, each building would be a maximum of two stories and approximately 31 feet in height. Since the project would adhere to the City's design and development standards that are intended to minimize visual and other impacts to the surrounding properties, a **less than significant impact** would occur.

I.d) Less Than Significant Impact. While the Site is current undeveloped and void of existing lighting sources, the project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. As noted above, the proposed multi-family apartment complex would include 208 units within 21 individual buildings, in addition to a variety of shared amenities, roadway and access improvements, and landscaping. Lighting would be installed in compliance with City standards identified in Section 19.60.050 (Exterior Lighting) of the City's Municipal Code (2023). Exterior lighting would be provided in the parking and common areas, as well as on the exterior of and between proposed buildings. Street lighting would be installed in compliance with City standards. Lighting would be utilized to provide an attractive, safe, and secure nighttime environment for the project. All exterior public and private lighting would be shielded, directed downward, and be International Dark Sky Association-compliant to minimize lighting impacts on adjacent properties. Although the project would introduce new light sources to the Site, all lighting will be installed consisted with consideration to adjacent residential land uses and adhere to the City's lighting standards as identified in Section 19.60.050 (Exterior Lighting) of the City's Municipal Code (2023). A photometric plan detailing the location of lighting fixtures and anticipated lighting levels across the

Site is provided in Appendix E. As detailed on the photometric plan, light spillage onto adjacent properties (including existing residential uses immediately north and east of the Site) would not occur. As all lighting to be installed on-site would be consistent with City standards, a **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **Less Than a Significant Impact** on Aesthetics.

II. AGRICULTURE 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

The Site has a General Plan land use designation of Medium Density Residential (MDR) and Neighborhood Commercial (NC) that runs along the northern edge of the parcel (see Figure 2). The Site, which comprises 11.77 acres, is currently undeveloped. The majority of the Site is currently designated for residential use under the City's General Plan (designated as MDR), which aligns with the surrounding uses. The northernmost portion of the Site (designated as NC) would also allow for the proposed multi-family housing. The Site would be consistent with surrounding single- and multi-family residential development, located south, east, and north of the Site, across the UPRR tracks.

The Site is designated as "Prime Farmland" per the Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (DOC, 2022). The surrounding area immediately adjacent to the Site to the north, east, south, and further to the west is designed as "Urban and Built-Up Land". Additionally, the Site is not under a Williamson Act contract (Butte-Interactive Maps, n.d.). The Site was predominately planted with mature almond trees that have been removed; however, two (2) non-agricultural trees have been retained and are proposed to be incorporated into the project's landscaping design.

Based on Site information provided by the Applicant/Property Owner, at the time the Site was purchased from the prior landowners in April 2023, the on-site almond orchard was no longer being farmed, irrigated, or managed as it was no longer cost effective.

II.a) Less Than Significant Impact. The proposed project would convert approximately 11.77 acres of Prime Farmland to a non-agricultural use. Currently, the Site is undeveloped, but was historically utilized as an almond orchard. Prior to the current landowner/Applicant purchasing the property in April 2023, the orchard was no longer being irrigated or farmed due to it not being profitable. It is important to note the former orchard was not a large operation and has been removed from the Site. Furthermore, the Site is not designated or zoned for agricultural use; rather, the Site is anticipated for residential development under the

City's General Plan and the proposed project is consistent with allowable uses under the Site's current land use and zoning designations.

The City of Chico analyzed the potential impacts associated with development of important farmlands that have been designated for non-agricultural uses in the Environmental Impact Report (EIR) prepared for the latest General Plan Update (GPU). Specifically, the City of Chico's EIR for the 2030 GPU, prepared in September 2010¹, notes that "...the proposed General Plan Land Use Diagram (see Figure 3.0-3 in Section 3.0, Project Description) does designate residential and mixed-use land uses in areas within important farmland areas (see Figure 4.2-3)...It is important to note that these areas are already identified for some level of urban development... The proposed General Plan Update and its Land Use Diagram would provide for this growth and would minimize outward expansion of the City's boundaries and would retain the current Greenline along the western boundary of the City...Thus, growth accommodated under the proposed General Plan Update would be confined to the immediate Chico area and would avoid growth effects of sprawl development patterns on agricultural areas...However, the proposed General Plan Update would still displace areas currently in agricultural production and result in the conversion of important farmland...The proposed General Plan policies and actions...do not completely offset the loss of important farmland and no feasible mitigation measures are available to avoid this impact" (pp.4.2-18-19). The City of Chico found the impacts to be significant and unavoidable. As such, environmental findings and Statements of Overriding Considerations were adopted by the City of Chico City Council in April 2011.

As the impacts associated with conversion of important farmland at the subject Site was previously assessed in the City's General Plan Update EIR and the proposed project would be consistent with the Site's land use and zoning designations, which allow for multi-family residential development, project impacts associated with conversion of prime farmland to non-agricultural use is considered to be , a **less than significant impact**

II.b) No Impact. The subject Site is not currently or planned to be designated or zoned for agriculture use. As noted above, the Site is designated and zoned as Medium Density Residential (MDR/R2) and Neighborhood Commercial (NC), indicating that the City anticipates residential development at the Site. Furthermore, the Site is not under a Williamson Act contract nor are surrounding parcels (Butte-Interactive Maps, n.d.). Therefore, the proposed project would not conflict with zoning for agricultural use or a Williamson Act contract. **No impact** would occur.

II.c) No Impact. The Site is neither designated nor zoned as forest land [as defined in Public Resources Code (PRC) Section 12220(g), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production [as defined by Government Code Section 51104(g)] or timberland, but rather designated and zoned primarily for residential use. **No impact** would occur.

II.d) No Impact. The proposed project would not result in result in the loss of forest land or conversion of forest land to non-forest use as the Site is not considered forest land and was previously utilized for an agricultural use (almond orchard), which has since been removed from the Site. No additional tree removal would occur under the project. Since the Site is not forested nor considered forest land, **no impact** would occur.

II.e) Less Than Significant Impact. The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural

¹ The Draft Environmental Impact Report for the Chico of Chico 2030 General Plan is available at the following link: <https://chico.ca.us/post/draft-eir-chico-2030-general-plan>.

use or conversion of forestland to non-forest use. Although the Site is classified as "Prime Farmland" under the FMMP of the DOC (2022), the surrounding area immediately adjacent to the Site is designated as "Urban and Built-Up Land". Additionally, the Site is neither designated nor zoned as forest land or timberland, nor is there any such land within the vicinity of the Site. Furthermore, the project would not impact other agricultural properties within the vicinity of the Site or jeopardize the continued use of such properties for agricultural use. A **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Agricultural and Forestry Resources.

III. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

The Clean Air Act of 1970 (CAA) (as amended 1977 and 1990, 42 U.S.C. 7401 et seq.) established national ambient air quality standards (NAAQS) and generally delegates the enforcement of these standards to the states. In California, the California Air Resources Board (CARB) is responsible for enforcing air pollution regulations. CARB has, in turn, delegated the responsibility of regulating stationary emission sources to local air agencies. Criteria air pollutants are a group of six common air pollutants [ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO₂) and nitrogen oxides (NO_x), sulfur dioxide (SO₂), particulate matter (PM), and lead] for which the U.S. Environmental Protection Agency (U.S. EPA) has set national ambient air quality standards (NAAQS), and for which California has set California ambient air quality standards (CAAQS). In addition to the criteria air pollutants identified by the U.S. EPA, California adds four state criteria air pollutants (visibility reducing particulates, sulfates, hydrogen sulfide, and vinyl chloride) (EPA, 2023; CARB-Common Air Pollutants, 2023).

The project Site is located within the 11-county Northern Sacramento Valley Air Basin (NSVAB), which includes all of Sacramento, Yolo, Yuba, Sutter, Colusa, Glenn, Butte, Tehama, and Shasta counties and parts of Solano and Placer counties. The NSVAB is subject to Butte County Air Quality Management District (BCAQMD) requirements. The BCAQMD is responsible for monitoring and enforcing local, state, and federal air quality standards in the County of Butte. Air quality standards are set for emissions that may include, but are not limited to, visible emissions, particulate matter, and fugitive dust. The BCAQMD is currently designated as "non-attainment," or in excess of allowable limits, for the State 24-hour PM₁₀ standard for breathable particulate matter of 10 microns or less (PM₁₀), State annual PM_{2.5} standard, and State 1- and 8-hour ozone standards, as well as "non-attainment" for the federal 8-hour ozone standard; however, the BCAQMD is in "attainment," or within allowable limits, with respect to the balance of the criteria pollutants (BCAQMD-Air Quality Standards, n.d.). The California Clean Air Act (CCAA) requires air districts, such as the BCAQMD, which have been designated as non-attainment for CAAQS for O₃, CO, SO₂, and/or NO₂ to prepare and submit a plan for attaining and maintaining the standards. Because Butte County is in "non-attainment" for O₃, the BCAQMD adopted the 2021 *Triennial Air Quality Attainment Plan*, prepared by the Sacramento Valley Air Quality Engineering and Enforcement Professionals (SCAQEEP), which assesses the progress made in implementing the previous 2018 triennial update and includes strategies and measures to assist the BCAQMD in reaching attainment of the CAAQS by the earliest practicable date. The CCAA requires that districts review their progress made toward attaining the CAAQS every three years (SCAQEEP, 2021).

Additionally, the City of Chico's *Climate Action Plan Update Plan* (2021; CAP), prepared by Rincon Consultants, Inc. in 2021, provides specific actions to reduce greenhouse gas emissions to achieve the City's target of carbon neutrality² by 2045. Although the CAP's primary goal is the reduction of GHG emissions, the numerous State, regional, and local GHG reduction measures included in the CAP would also help to improve overall air quality [see Section VIII (Greenhouse Gas Emissions) of this Initial Study, below, for further discussion].

An *Analysis of Impacts to Air Quality/Greenhouse Gas from Proposed Residential Development* (AQ/GHG Assessment) was prepared by Environmental Permitting Specialists (EPS), dated November 29, 2023 (see Appendix F), to assess the potential air quality impacts, impacts to public health, and impacts from greenhouse gas (GHG) emissions anticipated under construction and operation of the proposed multi-family residential development.

The project and its emission sources are subject to BCAQMD rules and regulations contained in the most recent version of the *Butte County Air Quality Management District Rules and Regulations*. During anticipated future construction at the Site, the contractor would be expected to use heavy construction machinery and temporary air pollutant emissions would be associated with grading, excavation, and construction on the Site; however, the project would be required to comply with an array of rules and regulations established by the BCAQMD. These include, but are not limited to the following:

- **Rule 200 – Nuisance:** To protect the public health, Rule 200 prohibits any person from discharging such quantities of air contaminants that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public.
- **Rule 201 – Visible Emissions:** Prohibits individuals from discharging into the atmosphere from any single source of emissions whatsoever any air contaminant whose opacity exceeds certain specified limits.
- **Rule 202 – Particulate Matter Concentration:** Requires a person to take every reasonable precaution not to cause or allow the discharge of particulate matter from being airborne in excess of 0.3 grains per cubic foot of gas.
- **Rule 205 – Fugitive Dust:** Requires a person to take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates; from construction, handling, or storage activity; or any wrecking, excavation, grading, clearing of land, or solid waste disposal operation.
- **Rule 270 – Wood Burning Devices:** This rule prohibits the sale, supply, or installation, of a used wood burning device in any new or existing interior space unless it is a BCAQMD approved device.
- **Rule 230 – Architectural Coatings:** Sets volatile organic compound limits for coatings that are applied to stationary structures or their appurtenances. The rule also specifies storage and cleanup requirements for these coatings.
- **Rule 231 – Cutback and Emulsified Asphalt:** Asphalt paving operations that may be associated with implementation of the project would be subject to Rule 231. This rule applies to the manufacture and use of cutback asphalt and emulsified asphalt for paving and maintenance operations.
- **Rule 500 – Stationary Source Permit Fees:** The BCAQMD regulates criteria air pollutant emissions from new and modified stationary sources through this rule.

² Carbon neutrality refers to achieving net-zero carbon dioxide equivalent emissions, such that any GHG emissions created are offset by GHG sequestering activities.

For example, pursuant to these rules, all construction equipment would be required to be maintained in good working condition and the contractor would be required to minimize the amount of fugitive dust generated by construction of the project. BCAQMD's thresholds of significance are provided in Table 3, below.

Table 3. BCAQMD Air Quality Significance Thresholds

Criteria Pollutant and Precursors	Construction Related		Operation Related
	Average Daily Emissions (lbs/day)	Annual Emissions (tons/year)	Average Daily Emissions (lbs/day)
Reactive organic gases (ROG)	137	4.5	25
Nitrogen oxides (NOx)	137	4.5	25
Particulate matter (PM _{2.5})	80	No Threshold	80
Particulate matter (PM ₁₀)	80	No Threshold	80

Source: Butte County Air Quality Management District (BCAQMD). 2021. California Environmental Quality Act Air Quality Guidelines. Available at: <https://bcaqmd.org/wp-content/uploads/CEQA-Handbook-Appendices-2014.pdf>.

Under the AQ/GHG Assessment, air quality impacts anticipated under construction and operation of the project were modeled using the California Emissions Estimator Model (CalEEMod) program and compared to the BCAQMD significance thresholds, shown in the table above. The analysis assumes the proposed project would break ground on June 1, 2024, and be constructed over a period of approximately 13 months (assuming 5 workdays per week), with an estimated completion date of June 30, 2025. Full occupancy of the project is expected in 2026 (EPS, 2023). It is important to note that project construction would likely halt during the wet, winter months, but would overall take a total of approximately 13 months to complete, based on standard assumption of the CalEEMod program associated with the proposed use. The analysis also assumes that heavy equipment, such as tractors, loaders, backhoes, rubber-tired dozers, forklifts, paving equipment, and rollers would be required during the site preparation, grading, building construction, and paving phases of the project development, with generator sets and air compressors to be utilized during building construction and architectural coating phases (EPS, 2023). Since vehicles are known to be a major pollution contributor, producing significant amounts of nitrous oxides (NO_x), carbon monoxide (CO), ozone (O₃), and particulate matter (PM_{2.5} and PM₁₀), vehicle use must also be considered when evaluating potential air quality impacts of a proposed project. Average daily traffic volumes were estimated at 1,402 daily trips by W-Trans using the "Multifamily Housing (Low-Rise) Not Close to Rail Transit" (ITE LU #220) category from ITE's *Trip Generation 11th Edition* and applying it to the proposed 208 dwelling units [see Section XVII (Transportation) for further discussion].

Results of the CalEEMod analyses for the construction and operational phases of the project are provided in Tables 4 and 5 below. The CalEEMod results in their entirety are included in Appendix F.

Table 4. Summary of Project Level Impacts – Construction Phase

Pollutant	Daily Emissions (lbs/day)		Annual Emissions (tons/year)		Significant Impact?
	Project Emissions	Threshold	Project Emissions	Threshold	
Reactive organic gases (ROG)	17.2	137	0.42	4.5	no
Nitrogen oxides (NO _x)	4.41	137	0.28	4.5	no
Particulate matter (PM _{2.5})	1.78	80	0.06	No Threshold	no
Particulate matter (PM ₁₀)	3.49	80	0.11	No Threshold	no

Source: Environmental Permitting Specialists. November 29, 2023. Analysis of Impacts to Air Quality/Greenhouse Gas from Proposed Residential Development. (see Appendix F)

Table 5. Summary of Project Level Impacts – Operational Phase

Pollutant	Daily Emissions (lbs/day)		Significant Impact?
	Project Emissions	Threshold	
Reactive organic gases (ROG)	13.4	25	no
Nitrogen oxides (NO _x)	8.73	25	no
Particulate matter (PM _{2.5})	2.57	80	no
Particulate matter (PM ₁₀)	9.60	80	no

Source: Environmental Permitting Specialists. November 29, 2023. Analysis of Impacts to Air Quality/Greenhouse Gas from Proposed Residential Development. (see Appendix F)

As shown in Tables 4 and 5, above, the anticipated emissions associated with construction and operation of the 208 new multi-family residential units and associated development would be below all daily and annual thresholds of significance for reactive organic gases (ROG), nitrogen oxides (NO_x), and particulate matter (PM_{2.5} and PM₁₀).

Toxic Air Contaminants

The AQ/GHG Assessment also evaluated impacts associated with toxic air contaminants (TACs). Per Section 39655 of the California Health and Safety Code, a TAC is defined as “...an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health.” Additionally, substances listed as federal hazardous air pollutants (HAPs) under Section 7412 of Title 42 of the United States Code are also TACs under the air toxics program pursuant to Section 39657(b) of the California Health and Safety Code. CARB has formally identified over 200 substances and groups of substances as TACs, which includes 189 federal HAPs. Examples of TACs include benzene, nickel, formaldehyde, and asbestos, to name a few (CARB-CARB Identified Toxic Air Contaminants, 2023). TACs are known to be released from the combustion of fuels such as gasoline, diesel, and natural gas. Results of the AQ/GHG Assessment indicate the project would not be a significant source of TACs during both the construction and operational phases of the project (EPS, 2023).

III.a) Less Than Significant Impact. The Site is located in the NSVAB. Air quality within the NSVAB is regulated by the BCAQMD. Standards for air quality are documented in *BCAQMD Rules and Regulations*. The proposed project would emit pollutants into the NSVAB during short-term construction and long-term operational activities. However, as shown in Tables 4 and 5, above, the anticipated emissions associated with construction and operation would be well-below the BCAQMD significance thresholds. As such, the pollutant levels emitted by the project would not conflict with the adopted BCAQMD air quality policies or the CAP.

Although BCAQMD significance thresholds would not be exceeded for construction and operation of the project with implementation of standard emissions reduction measures, at all times, site preparation and construction activities at the Site would be required to occur in compliance with the policies included in Rule 205 (Fugitive Dust Emissions) of the Butte County AQMD *Rule Book*. A **less than significant impact** would occur.

III.b) Less Than Significant Impact. Any use or activity that generates unnecessary emissions or airborne particulate matter may be of concern to BCAQMD and has the potential to create significant project-specific and cumulative effects to air quality. However, as noted in the discussion above, the BCAQMD is currently designated as “non-attainment,” or in excess of allowable limits, for the State 24-hour PM₁₀ standard for breathable particulate matter of 10 microns or less (PM₁₀), State annual PM_{2.5} standard, and State 1- and 8-hour zone standards, as well as “non-attachment” for the State 8-hour ozone standard; however, the BCAQMD is in “attainment,” or within allowable limits, with respect to the balance of the criteria pollutants (BCAQMD-Air Quality Standards, n.d.). Because Butte County is in “non-attainment” for ozone, the BCAQMD adopted the 2021 *Triennial Air Quality Attainment Plan* to achieve the State ozone standards by identifying the major contributors of ozone and identifying control measures that can be implemented to reduce ambient ozone levels. Additionally, with employment of standard emissions reduction measures during construction and operation of the project, no thresholds of significance would be exceeded. Further, the project would be subject to and designed in accordance with regulations of the BCAQMD and the CAP. As a result, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment. A **less than significant impact** would occur.

III.c) Less Than Significant Impact. Sensitive receptors are generally considered to be people that have an increased sensitivity to air pollution or environmental contaminants, or places where such people may normally be found. These may include, but are not limited to, preschools and daycare centers, K-12 schools, nursing homes, hospitals, and residential dwelling units. The nearest sensitive receptors to the Site include single-family residential neighborhoods located immediately east, north (across the UPRR tracks), and south (across Nord Avenue/SR 32) of the Site. As provided in Tables 4 and 5, emissions associated with construction and operation of the proposed project would not be anticipated to exceed BCAQMD’s thresholds of significance. Additionally, results of the AQ/GHG Assessment indicate the project would not be a significant source of TACs during both the construction and operational phases of the project (EPS, 2023). However, temporary exhaust from construction equipment may, for short periods of time over the approximately 13-month construction period, which may impact residents living near the Site. With required compliance with *BCAQMD Rules and Regulations* and maintaining all equipment in good working condition, potential fugitive dust would be controlled and exhaust emissions would be minimized. A **less than significant impact** would occur.

III.d) Less Than Significant Impact. The project would not create substantial emissions (such as odors or dust) adversely affecting a substantial number of people. Temporary odors and dust, typical of construction sites and equipment use, may be generated during the construction phase. In order to reduce potential impacts on nearby sensitive receptors, including residences located immediately east, north (across the UPRR tracks),

and south (across Nord Avenue/SR 32) of the Site, the project contractor would be required to comply with BCAQMD standards and regulations and maintain all equipment in good working condition, which would ensure that potential fugitive dust is controlled and exhaust emissions are minimized. In addition, truck idling on-site would also be required to be limited to five minutes or less, pursuant to State law, further reducing potential impacts. A **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Air Quality.

IV. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

The Site is currently undeveloped. Historically, the Site was utilized as an almond orchard and contained an approximately 1,500-square-foot single-family residence and accessory structures; however, the agricultural trees and buildings have been removed from the property. The Site is located approximately 330 feet southeast of the Lindo Channel and surrounding freshwater forested/shrub and riverine wetland habitat (USFWS, 2023).

A *Biological Resources Assessment* (Biological Assessment) was prepared by Gallaway Enterprises on August 31, 2023 (see Appendix G), to evaluate and document if any special status species and suitable habitat for such species occurs within the biological survey area (BSA; 11.96 acres). The BSA is noted to be comprised of annual grassland (0.06 acres) within the northwestern corner of the Site; barren habitat comprising exposed soils within the majority of the Site (11.67 acres), and urban habitat (0.23 acres), which was noted to surround an existing residence located with the southern portion of the subject Site (which has since been removed). The Biological Assessment notes that a variety of species may use the grassland and urban habitats; however, the Report states that the barren habitat type provides only low-quality habitat for wildlife. During the field survey, no special status plant or wildlife species were observed on-site. In addition, the Site is noted to not contain any designated critical habitat, sensitive natural communities, or aquatic resources within or adjacent to the Site (Gallaway, 2023).

Based on the Site survey, habitat assessment, and review of several databases [including the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC), California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB), and the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants], the Biological Assessment concludes there is no potential for any special status plant species to occur on-site. However, suitable habitat for migratory birds and raptors protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC) is present within the subject Site (Gallaway, 2023), including two (2) existing trees located within the southern portion of the Site to be retained and incorporated into the project's landscaping design. In addition, some bird species also nest on the ground. The former almond orchard has been removed from the Site and no additional trees would be removed under the project.

As ground disturbing and construction activities have the potential to affect sensitive bird species, including those protected under the MBTA and CFGC, the Biological Assessment includes several recommendations for the project in order to avoid and minimize impacts to these species with the potential to occur on-site (further discussed below).

In addition, since the anticipated multi-family residential development would disturb more than one acre of land during construction, the project would be subject to the requirements of General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ), administered by the State Water Resources Control Board (SWRCB), which requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific Best Management Practices (BMPs) to be implemented to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Such BMPs may include straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas, limit ground disturbance to the minimum necessary, and stabilize disturbed soil areas as soon as feasible after construction is completed.

IV.a) Less Than Significant with Mitigation Incorporated. As described above, although there is not the potential for any special status plant species to be located on-site and the majority of the study area (11.67 acres) was identified as barren habitat during the survey performed for the Biological Assessment, suitable habitat for migratory birds and raptors protected under the MBTA and CFGC was identified within the Site boundaries (Gallaway, 2023). Ground disturbing and construction activities have the potential to affect special status bird species. Should project development activities occur outside of the bird nesting season (February 1 to August 31), no impacts to such species would be anticipated. However, if project activities cannot be initiated outside of the bird nesting season, several recommendations are included in the Biological Assessment to minimize potential impacts, including conducting pre-construction surveys and halting project activities until young have fledged or the nest fails, and a qualified biologist determines the nest(s) to no longer be active, included as Mitigation Measure BIO-1, below. A **less than significant impact with mitigation incorporated** would occur.

IV.b-c) Less Than Significant Impact. As previously discussed, the Site is located approximately 330 feet southeast of the Lindo Channel and surrounding freshwater forested/shrub and riverine wetland areas; however, pursuant to the U.S. Fish and Wildlife Service's (USFWS) National Wetland Mapper (USFWS, n.d.), the Site is not known to contain any creeks/streams or wetlands on-site, nor were any aquatic resources found within the BSA during the biological survey. Additionally, no critical habitat or sensitive natural communities have been identified on-site (Gallaway, 2023).

As discussed above, since the project comprises more than one acre, the project would be subject to the Construction General Permit Order 2009-0009-DWQ, which requires preparation of a SWPPP and implementation of standard BMPs during construction of the project. Such BMPs may include installation of straw bales, fiber rolls, and/or silt fencing structures, limiting ground disturbance to the minimum necessary, and stabilizing disturbed soil areas as soon as feasible after construction is completed, which would aid in assuring the minimization of erosion and avoiding runoff into sensitive habitat areas (including the nearby identified wetland areas) during construction of the proposed project. In addition, stormwater from the subject Site would be collected and transported through an underground piping system located on-site which is designed to release water into an existing City storm drain system located to the north and east and adjacent to the Site, further minimizing potential impacts. A **less than significant impact** would occur.

IV.d) Less Than Significant with Mitigation Incorporated. The proposed project would not significantly impact the movement of any native resident or migratory fish or impede the use of native wildlife sites. As described above, the Biological Assessment concluded the Site does not contain any designated critical habitat, sensitive natural communities, or aquatic resources within or adjacent to the Site, and the Site's barren habitat types provides only low-quality habitat for wildlife (Gallaway, 2023). In addition, the Site is primarily surrounded by residential and commercial development and would not be anticipated to be utilized as a wildlife corridor.

However, as previously discussed, ground disturbing and construction activities have the potential to affect special status bird species, including those protected under the MBTA and CFGC. Should project development activities occur outside of the bird nesting season (February 1 to August 31), no impacts to such species would be anticipated. However, if project activities cannot be initiated outside of the bird nesting season, several recommendations are included in the Biological Assessment to minimize potential impacts, including conducting pre-construction surveys and halting project activities until young have fledged or the nest fails, and a qualified biologist determines the nest(s) to no longer be active, included as Mitigation Measure BIO-1, below. A **less than significant impact with mitigation incorporated** would occur.

IV.e) Less Than Significant Impact. The City of Chico has several policies and regulations pertaining to the protection of biological resources, including tree removal and preservation regulations. Specifically, the Open Space and Environment Element of the City of Chico 2030 General Plan (Chapter 10) contains goals, policies, and actions related to the preservation of biological resources within the community. Chapter 2 (Sustainability) of the City's General Plan also contains a policy (Policy SUS-6.4) related to the planting and maintenance of trees within the community. Additionally, Chapter 16.66 (Tree Preservation Regulations) of the City of Chico's Municipal Code contains the City's tree removal and preservation requirements. Under the City's Tree Preservation Regulations (CMC Chapter 16.66), trees greater than 18 inches in diameter, in addition to certain species that are greater than 6- and 12-inches DBH, are to be preserved, except for trees that present an immediate hazard to life or property. In addition, certain tree species (including but not limited to fruit and nut trees) are excluded from the preservation requirements.

As previously discussed, the Site was historically utilized as an almond orchard. The agricultural trees have since been removed from the Site. Under CMC Chapter 16.66, almond trees are excluded from the City's tree preservation regulations. The two remaining trees on-site would be incorporated into the project's landscaping design (see Appendix D). In addition, the Applicant is required to prepare a tree protection plan to ensure that on-site trees to remain under the project, including their root systems, would be

adequately protected from potential harm during demolition, grading, and construction (CMC Sections 16.66.100-110).

The Site does not contain any streams, wetlands, or riparian habitats. However, during construction of the project, BMPs to prevent erosion and the discharge of sediment would be required to ensure the adequate. However, as previously described above and determined in the Biological Assessment, suitable habitat for migratory birds and raptors protected under the MBTA and CFGC was identified within the Site boundaries and project construction, including associated ground disturbing activities, have the potential to affect special status bird species. Should project development activities occur outside of the bird nesting season (February 1 to August 31), no impacts to such species would be anticipated. However, if project activities cannot be initiated outside of the bird nesting season, in accordance with Mitigation Measure BIO-1, the Applicant shall conduct pre-construction surveys and halt project activities until young have fledged or the nest fails, and a qualified biologist determines the nest(s) to no longer be active. With mitigation incorporated, the project would not conflict with any local policies or ordinances related to the protection of biological resources and a **less than significant impact** would occur.

IV.f) No Impact. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, as there are no such plans applicable to the Site. **No impact** would occur.

MITIGATION MEASURES

BIO-1: Project activities, including site grubbing, vegetation removal, and all other ground disturbing activities, shall be initiated outside of the bird nesting season (February 1 – August 31). If project activities cannot be initiated outside of the bird nesting season, then the following shall occur:

1. A qualified biologist shall conduct a pre-construction survey within the Site boundaries and within 250 feet of the Site, where accessible, within seven (7) days prior to the initiation of project activities.
 - a. If no active nests are identified during the survey period or if construction is initiated during the non-breeding season (September – January), grading and construction may proceed.
 - b. If an active [i.e., containing egg(s) or young] nest is observed on-site and/or within 250 feet of the Site where impacts could occur, a species-specific protection buffer shall be determined by a qualified biologist in coordination with CDFW and/or USFWS, based on the species, nest type, and tolerance to disturbance. Project activities shall be prohibited within the buffer zone(s) until the young have fledged or the nest fails, and a qualified biologist has determined the nest to no longer be active. The buffer zone(s) shall also be fenced with temporary orange construction fencing.
2. A report of findings shall be prepared by the qualified biologist and submitted to the City for review and approval prior to initiation of grading and construction during the nesting season (February - August). The report would either confirm absence of any active nests or confirm establishment of a designated buffer zone for any active nests. Supplemental reports would be submitted to the City for review and approval where buffer zones have been required to allow construction to proceed within these zones after any young birds have fledged.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Biological Resources.

V. 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 pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

Cultural Resources Survey

A *Cultural Resources Inventory Survey* (Cultural Report) was prepared by Genesis Society on September 13, 2023 (on file and confidential). Per the Cultural Report, existing records at the Northeast Information Center (NEIC) at the California State University, Chico campus document that of the entirety of the present Area of Potential Effects (APE) had been subjected to previous archaeological investigation. One (1) historic-era cultural resource (on-site residence; P-04-4755) was previously documented within the APE by the California Department of Transportation (Caltrans) in July 2021. The residence was present on-site at the time of the Cultural Report (September 2023), but has since been removed from the Site. As previously discussed, the single-family residence was approximately 1,500 square feet in size and constructed in 1924, and was recently removed from the Site by the Chico Fire Department on November 20, 2023, as a training exercise. As described in the Cultural Report and in accordance with PRC Section 5024.1(c)(1-4), a resource is considered historically significant if it retains "substantial integrity" and meets at least one of the following criteria: 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; 2) Is associated with the lives of persons important in our past; 3) 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; and/or 4) Has yielded, or may be likely to yield, information important in prehistory or history. However, Caltrans determined the identified resource was not eligible for inclusion on the National Register of Historic Places (NRHP) nor the California Register of Historic Resources (CRHR) (Genesis, 2023), which indicates the former single-family residence was not found to meet any of the above-listed eligibility criteria.

Fieldwork was conducted in August 2023, in which the APE was surveyed via an intensive pedestrian survey, in which parallel transects were walked at 20-meter intervals. Disturbance to the ground surface, within the APE, was noted to range from moderate to substantial. Additionally, per the Cultural Report, the entire property has been subjected to a century of farming and ranching activities, including the planting, removal, and replanting of almond orchards. Deep ripping has occurred throughout the APE. Further, construction of the single-family residence in 1924 and the construction and subsequent demolition of related ancillary buildings have further contributed to ground disturbance within the APE (Genesis, 2023).

Finally, adjacent road construction and placement of both buried and overhead utilities within the property have further contributed to the disturbance of both surface and subsurface soils within the APE. No evidence of prehistoric use or occupation was observed, nor were any historical or unique archaeological resources identified within the APE. While no resources were identified on-site during the survey and no such resources were identified during former agricultural and residential-related construction activities at the Site, the

presence of buried cultural materials on the subject property remains a possibility. As such, recommendations are provided in the Cultural Report in the event of inadvertent discovery of cultural materials and human remains (Genesis, 2023), further described below.

Native American Heritage Commission Outreach

On August 8, 2023, LACO Associates (LACO), on behalf of the Applicant and City of Chico (City), contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and the contact information for the representatives of the Native American tribes associated with the project area. On September 12, 2023, a response was received from the NAHC, which indicated that the results of the Sacred Lands File (SLF) search were negative. Included with the letter was a Native American contact list of tribes who may have knowledge of cultural resources in the project area. A total of ten (10) tribal contacts are included on the NAHC contact list, which includes representatives from the Konkow Valley Band of Maidu Indians, Mechoopda Indian Tribe, Mooretown Rancheria of Maidu Indians, Nevada City Rancheria of the Nisenan Tribe, and the Washoe Tribe of Nevada and California.

Northeast Information Center Outreach

In addition, on August 8, 2023, LACO, on behalf of the Applicant and City, contacted the Northeast Information Center (NEIC) at California State University, Chico to request a Records Search of the proposed project area. On September 17, 2023, a response was received from the NEIC, in which it was noted that the project area has been partially surveyed for cultural resources. No archaeological resources have been recorded within the project boundaries, although three (3) resources have been recorded within 1 mile of the Site. It is further noted that the project is located in a region utilized by Konkow populations at the time of Euro-American contact. Additionally, indigenous populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game. Furthermore, NEIC notes that historically, Euro-Americans utilized the region for mining and transportation opportunities. NEIC states that the area is archaeologically sensitive and has the potential for the discovery of additional resources. As the project area has not been surveyed for archaeological resources within the last ten (10) years, NEIC recommends that a professional consultant be contacted prior to ground disturbance.

Tribal Outreach

On January 26, 2024, City staff sent a letter to the Mechoopda Tribe Cultural Center to inform them of the proposed development. City staff (Associate Planner Madison Driscoll) informed the Center that mitigation measure CUL-1 would be included. The Center sent an email agreeing to the mitigation measure and no further comments on February 27, 2024.

Please note that copies of the Cultural Report and correspondence are not enclosed with this Initial Study, due to the confidential nature of the information.

V.a-c) Less Than Significant with Mitigation Incorporated. As described above, one (1) historic-era cultural resource (P-04-4755) was previously documented within the APE, although the resource was determined to not be eligible for the NRHP or the CRHR. Aside from this resource, no additional historical or cultural resources were observed within the APE. Additionally, while the Site previously contained a residence that was constructed in 1924 and was recently removed from the Site, it was not considered historically significant, as the residence did not possess one or more of the attributes or qualities contained in PRC Section 15064.5, including:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. 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 value.
4. Has yielded, or may be likely to yield, information important in prehistory or history (Genesis, 2023).

Although the entire property has been utilized for farming and ranching activities for more than a century, there remains the possibility of inadvertent discovery of historical and/or archaeological resources, and human remains on-site, especially during ground disturbing activities associated with construction of the proposed project. As such, the Cultural Report includes recommended protocol in the event of inadvertent discovery of such resources, which has been incorporated as Mitigation Measure CUL-1. A **less than significant impact with mitigation incorporated** would occur.

MITIGATION MEASURES

CUL-1: In the event that grading or other ground disturbance activities uncover any bones, pottery fragments or other potential cultural resources, the developer or their supervising contractor shall cease all work within 100 feet of the area of the find and notify the Community Development Department at 879-6800. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained by the developer to evaluate the significance of the find. Community Development Department staff shall notify the Mechoopda Indian Tribe of Chico Rancheria (Tribe) if the find is determined to be of pre-historic origin. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Department, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Cultural Resources.

VI. ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

On October 7, 2015, Governor Edmund G. Brown, Jr. signed into law Senate Bill (SB) 350, known as the Clean Energy and Pollution Reduction Act of 2015 (De León, Chapter 547, Statutes of 2015), which sets ambitious annual targets for energy efficiency and renewable electricity aimed at reducing greenhouse gas (GHG) emissions. According to the Final Commission Report of the California Energy Commission (CEC), dated October 2017, SB 350 requires the CEC to establish annual energy efficiency targets that will achieve a cumulative doubling of statewide energy efficiency savings and demand reductions in electricity and natural gas final end uses by January 1, 2030. This mandate is one of the primary measures to help the State achieve its long-term climate goal of reducing GHG emissions to 40 percent below 1990 levels by 2030. The proposed SB 350 doubling target for electricity increases from 7,286 gigawatt hours (GWh) in 2015 up to 82,870 GWh in 2029. For natural gas, the proposed SB 350 doubling target increases from 42 MM therms in 2015 up to 1,174 MM therms in 2029 (CEC, 2017).

The project would be responsible for an incremental increase in the consumption of energy resources during the construction phase of the project (including site preparation, construction, paving, and architectural coatings) through the use of construction equipment and tools on-site. All project construction equipment would be required to comply with the California Air Resources Control Board (CARB) emissions requirements for construction equipment, which includes measures to reduce fuel-consumption, such as imposing limits on idling and requiring of replacement of older engines.

The development of the 208-unit multi-family apartment complex, with clubhouse, pool, and common areas, would also include the installation of new infrastructure, such as internal roads, as well as the extension of utilities (including, but not limited to: water, wastewater, and electrical systems). The residential units would be serviced by Pacific Gas and Electric Company (PG&E) for electrical and natural gas services. The project would result in increased energy demand in the area due to the operation of new homes and infrastructure, which would also result in increased greenhouse gas emissions [discussed in Section VIII (Greenhouse Gas Emissions), further below]. Development of the proposed project would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations (2019), which contains energy conservation standards applicable to residential and non-residential buildings throughout California. The Building Energy Efficiency Standards are designed to ensure new and existing buildings achieve energy efficiency by reducing wasteful, uneconomic, inefficient, or unnecessary consumption of energy and enhance outdoor and indoor environmental quality.

VI.a-b) Less Than Significant Impact. As stated above, the proposed project involves the construction of a 208-unit multi-family apartment complex on an undeveloped site. During both construction and operation of the project, consumption of energy resources would be required for the movement of equipment and

materials during construction, as well as for operation of the newly constructed residential units (e.g., heating and cooling, cooking, lighting, etc.).

The proposed project would consume energy, but it would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy or wasteful use of energy resources, nor would the proposed project conflict with or obstruct a State or local plan for renewable energy or energy efficiency. The projected energy demand would not be excessive relative to total countywide demand or relative to other land use projects and would not inherently be a source of wasteful energy demand. Additionally, each multi-family residential building to be developed on-site would contain solar collectors, which would minimize the energy demand required for each future residential unit.

Furthermore, any development to occur at the Site, including the proposed project, would be subject to Part 6 (California Energy Code) and Part 11 [California Green Building Standards Code (commonly known as "CalGreen")] of Title 24 of the California Code of Regulations (2022), which contains energy conservation standards applicable to residential and non-residential buildings throughout California to ensure new and existing buildings achieve energy efficiency and preserve outdoor and indoor environmental quality. For residential development of the type proposed, these standards require that each residential building include a solar photovoltaic system to ensure that each unit has net zero energy demand. For non-residential buildings, the standards require that they be solar ready. For both residential and non-residential development, the standards address a range of energy efficiency requirements for multiple building features including, but not limited to: building envelope, mechanical systems, lighting, electrical power distribution, heating and cooling, etc. Because the project would comply with the fundamental state regulations for energy efficiency, the project would not conflict with or obstruct a state or local plan for energy efficiency, and a **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Energy.

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

DISCUSSION

As provided in Annex B (City of Chico) of the *Butte County Local Hazard Mitigation Plan Update* (2019), the City is located at the northeast edge of the Sacramento Valley, one of the richest agricultural areas in the world. The Sierra Nevada mountains are located to the east, with Chico's city limits extending several miles into the foothills. To the west, the Sacramento River is situated five miles from the city limit. Chico lies on the Sacramento Valley floor close to the foothills of the Cascade Range and the Sierra Nevada range with Big Chico Creek being the demarcation line between the Cascade Range (to the north) and the Sierra Nevada range (to the south). The City's terrain is generally very flat with increasingly hilly terrain beginning at the eastern city limits (2019).

Per the Safety Element of the Chico 2030 General Plan (2017), the City of Chico and the surrounding area are relatively free from significant seismic and geologic hazards. There are no known or inferred active faults within the City (2017). The only known active fault in Butte County is the Cleveland Hills Fault, the site of the August 1975 Oroville Earthquake, which had a magnitude of 5.7. Due to the proximity of the City to the Cleveland Hills Fault, the City can expect low to medium intensity shocks on occasion. In addition, landslide potential is influenced by a number of factors, including geology, water influences, and topography. Landslides have the potential to occur in the foothill portions of the community. Much of the City of Chico is

mapped to have expansive soils that swell when water is absorbed and shrink when dried, with the Site mapped to be in an area with moderate to highly expansive soils (see Figure S-3 *Expansive Soils* in the Chico 2023 General Plan). Expansive soils have the potential to cause structural damage to foundations and roads if the necessary construction techniques and materials are not used (City of Chico General Plan, 2017). Goal S-3 of the City's General Plan (2017) seeks to protect lives and property from seismic and geologic hazards by enforcing Policy S-3.1 (Potential Structural Damage), which aims to prevent damage to new structures caused by seismic, geologic, or soils conditions. Further, due to Chico's inland location, the City is not at risk for tsunamis or seiches.

A *Soils Report Investigation* (Soils Report) was prepared by Streamline Engineering, dated October 16, 2023 (see Appendix H), to assess the subsurface conditions of the Site near the proposed building locations and provide the design parameters required to support the proposed on-site construction. Per the Soils Report, test pits were taken at the Site in August 2023 and soils encountered in the top 7 feet of the test holes were found to consist primarily of silty sand. At the time of the field investigation, no groundwater was encountered on-site in the test holes. The Soils Report determined the on-site soils do not have significant expansion potential, nor are they prone to liquefaction. In addition, the Soils Report includes recommendations related to site clearing and grubbing, site preparation, engineered fill construction, utility trench backfill, drainage and landscaping, foundation design, interior concrete slabs on grade for moisture sensitive areas, retaining walls, special inspections, site geology and seismicity, and soil expansion (Streamline, 2023), which would be implemented under construction of the project.

VII.a.i) Less Than Significant Impact. The Site is not located within an earthquake fault zone designated by the Chief of the California Geological Survey (CGS) pursuant to the Alquist-Priolo Act (California Department of Conservation 2022). As noted above, the only known active fault in Butte County is the Cleveland Hills fault. The nearest fault is the Monocline Fault, which is approximately 5.76 miles east of the Site. Since the Site is not located within a mapped Alquist-Priolo special studies zone, the potential for surface rupture on the Site from an active fault, within the design life of the on-site residential development, is considered low. A **less than significant impact** would occur.

VII.a.ii) Less Than Significant Impact. As noted above, there are no mapped faults or Alquist-Priolo special studies zones traversing the Site. However, since the Site is situated within a seismically active region and given the proximity of known active faults to the Site, the Site will likely experience low to medium intensity ground shaking during the economic life span of any development on the Site.

Any development to occur on-site, including development of the proposed multi-family residential apartment complex, would be required to comply with the Chico 2030 General Plan (2017), CMC, recommendations of the Soils Report (see Appendix H), and the most recent version of the California Building Code (CBC) at the time of development, which includes design criteria for seismic loading and other geologic hazards, including design criteria for geologically induced loading that governs sizing of structural members and provide calculation methods to assist in the design process. Thus, while shaking impacts would be potentially damaging, they would also tend to be reduced in their structural effects due to CBC criteria that recognize this potential. The CBC includes provisions for buildings to structurally survive an earthquake without collapsing and includes measures such as anchoring to the foundation and structural frame design. General Plan policies (Policy S-3.1 and Action S-3.1.1) specifically require that all new buildings in the City be built under the seismic requirements of the CBC and that damage to new structures from seismic conditions be prevented to the maximum extent feasible. Therefore, a **less than significant impact** would occur.

VII.a.iii) Less Than Significant Impact. Since the Site is not located within a mapped Alquist-Priolo special studies zone, the potential for surface rupture on the Site from an active fault, within the design life of the future residential development at the Site, is considered low. According to Annex B (City of Chico) of the *Butte County Local Hazard Mitigation Plan Update* (2019), earthquakes and liquefaction were identified as occasional/unlikely to occur in the future with a high vulnerability. Due to Chico's inland location, the City is not at risk for tsunamis or seiches; however, earthquakes can cause liquefaction within the City, and the Site is mapped within an area of moderate to high potential for expansive soils. However, as previously described, the Soils Report determined the on-site soils do not have significant expansion potential, nor are they prone to liquefaction (Streamline, 2023). Proper excavation and site preparation, as well as adherence to the requirements of the Chico 2030 General Plan, CMC, CBC, and Soils Report, would reduce potential seismic and geological risks, including seismic related ground failure. A **less than significant impact** would occur.

VII.a.iv) Less Than Significant Impact. As noted above, landslide potential is influenced by a number of factors, including geology, water, and topography. Landslides have the potential to occur in the foothill portions of the community to the east; however, the Site is not located in or near the foothill portions of the community. Required conformance with the latest requirements of the Chico 2030 General Plan, CMC, CBC, and Soils Report, would reduce potential seismic and geological risks, including potential impacts associated with landslides. A **less than significant impact** would occur.

VII.b) Less Than Significant Impact. On-site development would require excavation and groundbreaking activities. All development activities would be subject to local and State regulations regarding environmental protections, including Chapter 18R.08.050 *Storm Drainage* of the Chico Municipal Code (Code) and the General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ, also known as the CGP). The CGP requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific Best Management Practices (BMPs) to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. These BMPs may include erosion control measures such as limiting construction during the rainy season, limiting ground disturbance to the minimum necessary, and stabilizing disturbed soil areas as soon as feasible after construction is completed, and sediment control measures such as straw bales, fiber rolls, and/or silt fencing structures to reduce the potential for sedimentation of stormwater. Chapter 18R.08.050 *Storm Drainage* of the Chico Municipal Code additionally contains provisions, which require development projects to minimize pollutants in stormwater runoff, in part, through the implementation of BMPs described above. Through compliance with Chapter 18R.08.050 of the CMC and the CGP, the project would not result in substantial soil erosion or the loss of topsoil. A **less than significant impact** would occur.

VII.c) Less Than Significant Impact. As discussed in Section VII.a.iii), above, the Site is not located within a mapped Alquist-Priolo special studies zone, the potential for surface rupture on the Site from an active fault, within the design life of the proposed residential development at the Site, is considered low. Based on the results of the Soils Report and field exploration, it was determined that the Site's soils not prone to liquefaction (Streamline, 2023). There is potential for landslides in the foothill portions of the community; however, the Site is not located in or near the foothill portions of the community. Goal S-3 of the City's General Plan (2017) seeks to protect lives and property from seismic and geologic hazards by enforcing Policy S-3.1 (Potential Structural Damage), which aims to prevent damage to new structures caused by seismic, geologic, or soils conditions. With adherence to the latest requirements of the Chico 2030 General Plan, CMC, CBC, and Soils Report, potential seismic and geological risks would be minimized and a **less than significant impact** would occur.

VII.d) Less Than Significant Impact. Expansive soils generally comprise cohesive, fine-grained clay soils and represent a significant structural hazard to buildings founded on them, especially where seasonal fluctuations in soil moisture occur at the foundation-bearing depth.

As indicated by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service's (NRCS) Web Soil Survey (2019), the soil types underlying the Site include the following:

- Almendra loam, 0 to 1 percent slopes (Soil Type #418; northern portion of Site; approximately 29.5% of the Site); and
- Vina fine sandy loam, sandy substratum, 0 to 2 percent slopes, MRLA 17 (Soil Type #425; southernmost portion of Site; approximately 70.5% of the Site) (NRCS, 2019)

A Plasticity Index of less than 15 represents a low potential for soil expansion. As previously discussed, the Site is mapped within an area of moderate to high potential for expansive soils as shown in Figure S-3 *Expansive Soils* in the Chico 2023 General Plan. However, based on the soil data provided by the NRCS Web Soil Survey, both soil types underlying the subject Site comprise a Plasticity Index of less than 15 – (Soil Type #418-Plasticity Index of 12.3, and Soil Type #425-Plasticity Index of 4.4) (NRCS, 2019). Furthermore, based on test pits taken at the subject Site, the Soils Report determined that on-site soils were predominately comprised of silty sand, classified as "SM Silty Sand", and, as a result, there is not a significant expansion potential associated with the Site's soils (Streamline, 2023).

Proper excavation and site preparation, as well as adherence to the latest requirements of the Chico 2030 General Plan, CMC, CBC, and Soils Report, would reduce potential seismic and geological risks, including potential impacts associated with expansive soils, and a **less than significant impact** would occur.

VII.e) No Impact. The project would be served by community water and sanitary sewer systems. Under the proposed project, the existing well and septic system that previously served a former single-family residence on-site would be abandoned in accordance with Butte County Environmental Health requirements, and the proposed project would be developed with and supported by community utility services. As a result, **no impact** would occur.

VII.f) Less Than Significant Impact. There are no known paleontological resources or unique geologic features on the subject Site and ground disturbance has already occurred on portions of the Site. Additionally, the Site is not listed within an area identified as containing paleontological resources nor is it located in close proximity to any known paleontological resources. There is no data indicating that there may be a potential for the project to uncover fossils or fossil-bearing deposits during project development. As such, a **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Geology and Soils.

VIII. 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 (GHG), either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

The project Site is located within the Northern Sacramento Valley Air Basin (NSVAB) and is subject to Butte County Air Quality Management District (BCAQMD) requirements. The BCAQMD is responsible for monitoring and enforcing federal, State, and local air quality standards in the County of Butte.

The Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32, is a State law that establishes a comprehensive program to reduce GHG emissions from all sources throughout the State. AB 32 requires the State to reduce its total GHG emissions to 1990 levels by 2020, a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. Pursuant to the AB 32 Scoping Plan (last reviewed in 2018), the California Air Resources Board (CARB) must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The following major GHGs and groups of GHGs being emitted into the atmosphere are included under AB 32: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃). The 2020 GHG emissions statewide limit set by AB 32, equal to the 1990 level, is 431 million metric tonnes of carbon dioxide equivalent (MMTCO_{2e}) (CARB, 2018). Pursuant to Senate Bill (SB) 32 and Executive Order S-3-05, California has a reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

Under AB 32, the California Air Resources Board (CARB) was required to develop a Scoping Plan identifying how California will reduce its GHG emissions to achieve established targets. The Scoping Plan was first approved in 2008 and is required to be updated at least every 5 years (CARB – AB 32 (About), 2022). The *Draft 2022 Scoping Plan Update* was released for public review on May 10, 2022, and was finalized on November 16, 2022. The final *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) assesses the State's progress in achieving the 2030 statutory targets, while also presenting a plan for the State to reach carbon neutrality by 2045 or earlier.³

Health and Safety Code Section 38505 identifies seven GHG that the CARB is responsible for monitoring and regulating in order to reduce emissions, including: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and nitrogen trifluoride (NF₃). CO₂ is the primary GHG emitted in California and accounted for 80.2 percent of total GHG emissions in 2020 (CARB – GHG Descriptions, 2022).

CARB, in its *California Greenhouse Gas Emissions for 2000 to 2020 Report* (2022), states that GHG emissions within the State of California have generally followed a declining trend since the peak in 2004. In 2020,

³ The CARB 2022 Scoping Plan is available for review at: <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>.

statewide GHG emissions were 369.2 million metric tons of CO₂ equivalent (MMTCO₂e), 35.3 MMTCO₂e lower than 2019 levels and 61.8 MMTCO₂e below the 2020 statewide GHG limit of 431 MMTCO₂e. Notably, State GHG emissions dropped below the 2020 GHG limit in 2014 and have remained below since that time. It is noted that the 2019 to 2020 decrease in emissions is likely due in large part to the impacts of the COVID-19 pandemic, and economic recovery from the pandemic may result in emissions increases over the next few years (CARB-California, 2022). The transportation sector remains the largest source of GHG emissions in the State, accounting for approximately 38 percent of the State's GHG emissions in 2020. As shown in Table 6 below, the transportation sector remains the largest source of GHG emissions in the State, accounting for approximately 38 percent of the State's GHG emissions in 2020 (CARB-Current, 2022).

Table 6. California's GHG Emissions by Economic Sector in 2020

Economic Sector	Percentage of California's Total GHG Emissions (2020)
Transportation	38%
Industrial	23%
Electricity	16%
Agriculture & Forestry	9%
Residential	8%
Commercial	6%
Total	100%

Source: California Air Resources Board (CARB). 2022. Current California GHG Emission Inventory Data. 2000-2020 GHG Inventory (2022 Edition). Available at: <https://ww2.arb.ca.gov/ghg-inventory-data>.

Construction on-site, including anticipated construction of 208 multi-family residential units within 21 individual apartment buildings and associated development (including clubhouse and interior roadway, parking, and pedestrian improvements), would be subject to Part 6 (California Energy Code) of Title 24 of the California Code of Regulations, which contains energy conservation standards applicable to residential and non-residential buildings throughout California. Notably, State law requires the installation of solar for all new residential construction, which would be included under development of the Site. The Building Energy Efficiency Standards are designed to ensure new and existing buildings achieve energy efficiency by reducing wasteful, uneconomic, inefficient, or unnecessary consumption of energy and enhance outdoor and indoor environmental quality.

City of Chico Climate Action Plan

In 2012, the Chico City Council adopted a Climate Action Plan (*2020 Climate Action Plan*; 2020 CAP), which set forth objectives and actions to be undertaken in order to meet the City's emission reduction target. The City's 2020 CAP contained GHG emission reduction targets that exceeded the goals established under the State Global Warming Solutions Act of 2006 (AB 32, Health & Safety Code, Section 38501[a]). The CAP established an overall GHG reduction goal of 25 percent (as opposed to 15 percent) below 2005 base-year emission levels to be achieved by 2020. The City has subsequently tracked progress toward meeting this 25 percent reduction goal by conducting high-level community-wide emissions inventories, consistent with guidance contained in the U.S. *Community Protocol for Accounting & Reporting GHG Emissions*, developed by the International Council for Local Environmental Initiatives.

Development and implementation of the CAP are directed by a number of goals, policies, and actions in the City's General Plan (including SUS-6, SUS-6.1, SUS-6.2, SUS-6.2.1, SUS-6.2.2, SUS-6.2.3, S-1.2, and OS-4.3). Growth and development assumptions used for the CAP are consistent with the level of development anticipated in the General Plan EIR. The actions in the CAP, in most cases, mirror adopted General Plan

policies calling for energy efficiency, water conservation, waste minimization and diversion, reduction of vehicle miles traveled, and preservation of open space and sensitive habitat.

To track progress in meeting citywide GHG reduction goal, the City conducted a GHG emissions inventory of community-wide GHG emissions for each year between 2005 and 2017. In April 2020, the City of Chico finalized an update to its GHG inventory and forecast from 1990 to 2045 in order to support the City's CAP Update. The results of the GHG emissions inventories completed for 2005 through 2017 show a strong decreasing trend in Chico's emissions over time. The inventory shows that Chico's mass GHG emissions have decreased 27 percent overall since 2005, despite a population increase of approximately 27 percent over the same time period, exceeding the 2020 CAP reduction target of 25 percent below 2005 levels by 2020. The overall GHG reduction is the equivalent of taking 9,326 passenger vehicles off the road for one year, or preserving 292 acres of U.S. forest from conversion to cropland. Table 7, below, shows the City's GHG emissions by sector in 2017 (CAP, 2021).

Table 7. City of Chico's GHG Emissions by Emissions Sector in 2017

Economic Sector	2017 GHG Emissions (MTCO ₂ e)	Percentage of Chico's Total GHG Emissions (2017)
Residential Electricity	30,757	6%
Commercial Electricity	32,658	7%
Residential Natural Gas	64,769	14%
Commercial Natural Gas	31,926	7%
Gasoline	181,031	39%
Diesel	101,854	22%
Landfill Waste	23,372	5%
Total	466,366	100%

Source: City of Chico. 2021. Climate Action Plan Update. Available at: <https://chico.ca.us/post/climate-action-plan-update>.

Additionally, on a per capita basis, the City's emissions decreased 42 percent between 2005 and 2017 (8.8 MT CO₂e per person in 2005 to 5.07 MT CO₂e per person in 2017; City of Chico, 2020).

Major reductions were seen in the energy and transportation sectors. Reductions in the transportation sector were driven primarily by reductions in diesel and gasoline consumption, whereas reductions in the energy sector were driven entirely by a reduction in emission factors, despite little change in actual electricity usage (City of Chico, 2020).

City of Chico Climate Action Plan Update

The City adopted a CAP Update in 2021 (CAP Update), including a GHG emissions inventory and forecast. The CAP Update is intended to guide the City of Chico towards reducing GHG emissions consistent with the State goal of reducing GHG emissions 40 percent below 1990 levels by 2030 (established by SB 32). By achieving this goal, substantial progress would be made toward meeting the State's long-term goal of carbon neutrality by 2045 (established by EO B-55-18). Under CEQA, local agencies must evaluate the environmental impacts of new development projects, including impacts from GHG emissions associated with construction and operation. Per CEQA Guidelines Section 15183.5(b), a qualified GHG reduction plan must:

- Quantify existing and projected GHG emissions within the plan area.
- Establish a reduction target based on SB 32.
- Identify and analyze sector specific GHG emissions from Plan activities.
- Specify policies and actions (measures) that local jurisdictions will enact and implement over time to achieve a specified reduction target.

- Establish a tool to monitor progress and amend if necessary.
- Adopt in a public process following environmental review.

The CAP Update fulfills these requirements and is therefore a “qualified” GHG reduction plan per CEQA.

California Emissions Estimator Model (CalEEMod) Analysis

As previously described under Section III (Air Quality), an *Analysis of Impacts to Air Quality/Greenhouse Gas from Proposed Residential Development* (AQ/GHG Assessment) was prepared by Environmental Permitting Specialists (EPS) in November 2023 (see Appendix F) to assess the potential air quality impacts, impacts to public health, and impacts from GHG emissions anticipated under construction and operation of the proposed multi-family residential development. CalEEMod was utilized to quantify potential criteria pollution and GHG emissions associated with both construction and operation of the proposed project. The model quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutants and GHG emissions along with calculating the benefits achieved from measures chosen by the user (n.d.). The results of the CalEEMod analysis are included as an appendix to the AQ/GHG Assessment, included in Appendix F.

Since the proposed project would increase development on the subject Site, it is anticipated that emissions in the vicinity of the project Site would be anticipated to increase. According to the AQ/GHG Assessment and associated CalEEMod results for the proposed project and as shown in Table 8, below, construction activities would result in approximately 127 metric tons of CO₂e (MTCO₂e) over the anticipated 13-month construction period (assuming 5 workdays per week), and the project's operational emissions of CO₂ equivalent gasses would be approximately 2,119 MTCO₂e per year, respectively. It is anticipated that mobile sources would account for approximately 86 percent of the project's anticipated annual operational emissions. The GHG emissions anticipated under the project would equate to approximately 0.027 percent (construction) and 0.459 percent (operational) of the City of Chico's total GHG emissions recorded in 2017, and approximately 0.00003 percent (construction) and 0.00058 percent (operational) of California's total GHG emissions recorded in 2020, respectfully.

Table 8: Construction, Operational, and Mobile Greenhouse Gas Emissions of the Proposed Project

Emission Category	CO ₂ e Emissions (MT/yr)
Construction ¹	127
Operational	2,119
Area	2.36
Energy	236
Mobile	1,821
Waste	48.0
Water	11.1
Refrigerant	0.26

Notes:

CO₂e= Carbon Dioxide Equivalents

¹= Analysis assumes a 13-month construction period, beginning on June 1, 2024, and ending on June 30, 2025. Once construction activities are completed, construction emissions would cease at the Site and only operational emissions would be anticipated at the Site.

Source: Environmental Permitting Specialists. November 29, 2023. Analysis of Impacts to Air Quality/Greenhouse Gas from Proposed Residential Development. (see Appendix F).

VIII.a-b) Less Than Significant Impact. A significant amount of GHG emissions is not anticipated under the proposed project, nor would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As noted above, construction and operation of the proposed project would result in approximately 127 and 2,119 MTCO₂e per year, respectively, which would account for less than one percent of the City's total GHG emissions recorded in 2017 and of the State's total GHG emissions recorded in 2020. Mobile sources are anticipated to account for approximately 86 percent of the project's anticipated annual operational emissions.

As described in Section III, Air Quality, above, the project would be required to comply with BCAQMD standards and regulations and maintain all construction equipment in good working condition, which would minimize GHG emissions associated with the project.

The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. There are several goals, policies, actions related to air quality and the reduction of GHG emissions included in Chapter 2 (Sustainability Element) of the City of Chico 2023 General Plan. In addition, the City has an adopted Climate Action Plan (CAP), updated in 2021, which identifies programs and actions to reduce GHG emissions within the City and aid the City in achieving its goal of carbon neutrality by 2045. In accordance with the Governor's Office of Planning and Research's (OPR) General Plan Guidelines and Technical Advisories (2023) and Section 15064(h)(3) of the CEQA Guidelines, projects that are consistent with the CAP, may be found to cause a less than significant impact under CEQA.

As noted above, the City's CAP Update was adopted in 2021. The CAP Update includes 13 measures aimed at achieving the necessary GHG reductions in Chico, summarized in Table 9, below.

Table 9. City of Chico CAP GHG Reduction Measure Summary

Measure Number	Measure Description
Energy	
E-1	Procure carbon-free electricity for the community through a CCA by 2024 and maintain opt-out rates of 5% for residential and 15% for commercial through 2030 and 2045.
E-2	Eliminate natural gas in all new building construction starting in 2025 to reduce natural gas 6% by 2030 and 16% by 2045 compared to the adjusted forecast.
E-3	Electrify existing residential buildings starting in 2027 to reduce overall natural gas consumption to 100 therms/person by 2030 and 30 therms/person by 2045.
E-4	Increase generation and storage of local renewable energy.
Transportation	
T-1	Improve active transportation infrastructure to achieve greater than 6% bicycle mode share by 2030 and 12% bicycle mode share by 2045.
T-2	Improve EV infrastructure to achieve greater than 23% EV share of car registrations by 2030, and 90% by 2045.
T-3	Improve shared mobility and transit programs and infrastructure.
T-4	Implement parking and curb management procedures that support the mode shift goals of the overall transportation strategy.
T-5	Support implementation of the City's General Plan that promotes sustainable infill development and mixed-use development in new growth areas to reduce vehicle miles traveled (VMT).
Waste	
W-1	Update waste hauler franchise agreements to implement requirements of SB 1383 and achieve 75% reduction below 2014 levels in organic waste to 0.4 tons of waste/person by 2025 and maintain through 2045.
Sequestration	
S-1	Increase carbon sequestration by increasing urban canopy cover at least 10% by 2030 through new greenscaping programs.
S-2	Develop and Implement the Urban Forest Master Plan.
Outreach and Education	
O-1	Conduct a holistic community outreach and education program to optimize CAP implementation.

Source: City of Chico. 2021. Climate Action Plan Update. Available at: https://chico.ca.us/sites/main/files/file-attachments/chico-cap-update_final-draft-complete.pdf?1655413766.

For each measure listed in the table above, the CAP Update contains one or more related actions (56 Actions in all). Most of the CAP Update actions pertain to government programs and activities and are not affected by private development projects such as the project analyzed in this document. The following section lists each action that applies to the proposed project assesses whether the proposed project complies with each action:

Action: E-2-1: Require new construction to be all-electric.

Analysis: Per the CAP, this requirement requires the City to adopt a new ordinance which bans the installation of natural gas in new residential and commercial construction by 2025. Future development on the subject Site would be required to adhere to all City requirements at the time of construction, which may include an all-electric requirement, which would be added as a condition of approval in order to implement this action.

Action: T-1-1: Implement the Chico Bicycle Master Plan.

Analysis: Under the project, fifty-one (51) 4-stall bike racks are proposed throughout the Site, offering 204 bicycle spaces. Development of the project Site would also require payment into the City's Development Impact Fee (DIF) fund for constructing citywide bicycle facility improvements consistent with the Chico Bicycle Master Plan.

- Action: *T-1-2: Require shaded and convenient bike parking.*
- Analysis: The project would include installation of fifty-two (52) 4-stall bike racks throughout the Site, offering 208 bicycle spaces. In accordance with Table 5-4 (Parking Requirements) of Section 19.70.040 (Number of Parking Spaces Required) of Chapter 19.70 (Parking and Loading Standards) of the CMC, one (1) bicycle space is required for each multi-family unit located within the -COS overlay zone, for a total of 208 bicycle spaces required. As currently proposed, the project would provide sufficient bicycle parking in accordance with CMC Section 19.70.040.
- Action: *T-1-3: Require major road upgrades to include bicycle infrastructure.*
- Analysis: No major road upgrades are required or proposed as part of the proposed project. While a 16-foot-wide internal access road would be constructed under the project in accordance with Chico Fire Department standards, its primary purpose is to provide access to the interior of the Site and provide connectivity to the Site's main entrance off W. Lindo Avenue. A dedicated controlled emergency vehicle access (EVA) would also be located within the northeastern portion of the Site and would connect to Ruskin Street within the adjacent Westside Place development to the east. Bollards would restrict non-emergency vehicle use at this access location. Existing bicycle facilities (Class II bicycle lanes) are located along the south side of Nord Avenue.
- Action: *T-1-4: Perform a street/intersection study.*
- Analysis: In February 2024, W-Trans performed a *Transportation Impact Study* (see Appendix K) that evaluated the following intersections in close proximity to the Site: Nord Avenue/East Avenue, Nord Avenue/W. Lindo Avenue, and Nord Avenue/W. 8th Avenue). The results of W-Trans' analysis indicates the project would not have significant impacts on the study intersections or VMT, and would meet City standards for parking and design. As previously noted, the project would be required to adhere to all City requirements at the time of construction and payment into the City's DIF fund for citywide improvements.
- Action: *T-2-1: Increase privately owned EV charging infrastructure.*
- Analysis: This action requires the City to update its Building Code to require EV capable private garages for new single-family and duplex residential development, 20% EV charging capable spaces and panel capacity for new multi-family residential development, 20% EV charging capable spaces for new commercial development, and at least 1% working EV charging spaces for all new development and major retrofits. The project would include installation of a series of electric vehicle charging stations (approximately 10), with 22 parking spaces (approximately 6.0% of the total parking proposed on-site) dedicated for electric vehicles.
- Action: *T-5-1: Support Infill Growth.*
- Analysis: The Site is located immediately west, south, and north (across Nord Avenue) of existing residential development. As previously discussed, the Site is primarily designated and zoned as Medium Density Residential (MDR/R2), indicating that the City anticipates residential development at the Site. Additionally, the northernmost portion of the Site is designated and zoned as Neighborhood Commercial (NC), would also allow for the proposed multi-family housing, subject to a Use Permit for ground-level residential occupancy (to be incorporated under the Planned Development Permit for the project), except for accessible units required by the Building Code, which are allowed by right (see CMC Section 19.44.020). Furthermore, the proposed project and anticipated residential development would be consistent with the

regional Sustainable Communities Strategy and provide much-needed housing within the community.

Action: S-1-1: Implement Chico's Urban Forest Revitalization Program.

Analysis: No tree removal would be required under the project. Under the project's landscaping design, parking lot shade trees are proposed in accordance with the CMC so as to reduce the Urban Heat Island (EHI) effect. In total, 50.1 percent of the parking and back-up area (totaling 112,139 square feet) would be shaded (see Appendix D) in compliance with CMC Section 19.70.060(E)(2), which requires that trees be planted and maintained so that at tree maturity (15 years), at least 50 percent of the total paved parking area is shaded. Evergreen trees would also be provided to offer a buffer between the UPRR railroad and proposed residential units. Evergreen shrubs would also be incorporated to provide screening between this project and the adjacent existing apartments. The City of Chico right-of-way is also proposed to be improved with curbs, gutters, and sidewalks featuring a landscaped parkway strip planted with adaptive street trees and appropriate landscape shrubs. Additionally, two existing trees on-site would be incorporated into the project's proposed landscaping design. The applicant would be required to prepare a tree protection plan to ensure that on-site trees to remain under the project, including their root systems, would be adequately protected from potential hard during demolition, grading, and construction (CMC Sections 16.66.100-110).

Action: S-1-3: Improve Greenspace Management to Maximize Carbon Sequestration.

Analysis: Landscaping would be incorporated into the project design (see Appendix D). Landscaping would feature native and adaptive plant species, well-suited to Chico's climate in order to help minimize maintenance needs, reduce the use of chemical fertilizers and pesticides, and conserve water. The parking lot is proposed to feature shade trees in compliance with the CMC. Evergreen trees would also be placed to create a buffer between the railroad and the project. Additionally, evergreen shrubs would also be used to provide screening between the proposed project and the existing adjacent Westside Place development. Two existing trees located along the Site's southern boundary would be retained on-site and incorporated into the landscaping of the proposed project.

An automated, low-volume drip irrigation system would be utilized on-site. The system would have the capability to adjust in real-time based on evapotranspiration data, and is designed to meet all requirements outlined in the State of California's Model Water Efficient Landscape Ordinance (MWELO) and the CMC.

Action: S-1-4: Require Shade Trees in New Major Developments.

Analysis: Landscaping, including shade trees, would be provided under the project. As described above, the parking lot is proposed to feature shade trees (50.1 percent), which would meet the minimum shade requirement (50 percent) for parking lots in compliance with Section 19.70.060(E)(2) CMC. Evergreen trees would also be placed to create a buffer between the railroad and the project. Additionally, evergreen shrubs would also be used to provide screening between the proposed project and the existing adjacent Westside Place development. Two existing trees located along the Site's southern boundary would be retained on-site and incorporated into the landscaping of the proposed project.

There are no elements of the project that would be expected to result in substantial GHG emissions. Additionally, project development would be subject to the City's land use entitlement and building plan check review processes, for which development projects in the City are required to comply with all applicable standards, including the California Building Code and City of Chico regulations. As the proposed project is consistent with the City's General Plan and CMC, and complies with the applicable actions identified in the City-adopted CAP, it is not anticipated to generate GHG emissions that would have a significant impact on the environment or conflict with any planning requirement aimed at reducing GHG emissions. A **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Greenhouse Gas Emissions.

IX. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or has characteristics defined as hazardous by a federal, state, or local agency. Chemical and physical properties such as toxicity, ignitability, corrosiveness, and reactivity cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations (CCR), Title 22, Sections 66261.20-66261.24. A "hazardous waste" includes any hazardous material that is discarded, abandoned, or will be recycled. Therefore, the criteria that render a material hazardous also cause a waste to be classified as hazardous (California Health and Safety Code, Section 25117).

A *Phase I Environmental Site Assessment* (Phase I Report) was prepared by A&M Environmental Services on April 3, 2023 (see Appendix I) to assess the Site for any recognized environmental conditions (REC)⁴, controlled recognized environmental conditions (CREC)⁵, historic recognized environmental conditions

⁴ A recognized environmental condition (REC) refers to 1) the presence of hazardous substances or petroleum products in, on, or at a specific property due to a release to the environment; 2) the likely presence of hazardous substances or petroleum products in, on, or at a specific property due to a release or likely release to the environment; or 3) the presence of hazardous substances or petroleum products in, on, or at a specific property under conditions that post a material threat of a future release to the environment (A&M, 2023).

⁵ A controlled recognized environmental condition (CREC) is defined as a recognized environmental condition affecting a specific property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with

(HREC)⁶, and/or environmental issues. The assessment also included the collection of five (5) soil samples collected throughout the orchard, which were analyzed for pesticides. During the site inspection, no hazardous materials, chemicals, or petroleum products were observed on-site, with the exception of an empty above ground storage tank (AST) that historically contained diesel fuel; however, according to the property owner, the tank has been unused and empty since approximately 2005. Database research indicates there are leaking underground storage tank (LUST) sites within ½-mile and adjacent to the Site, although both sites have a status of "Completed Case Closed" and pose no threat to human health or the environment based on levels of contaminants left in place, if any (A&M, 2023).

Results of the Phase I Report indicate that no REC, CREC, or HREC were identified on-site. However, two (2) environmental conditions were identified, which include the following:

1. The subject property has been in agricultural production (almond orchard) since at least 1937. Due to the risk of residual pesticides remaining in Site soils, five (5) soil samples were collected for chemical analysis. All constituent concentrations were reported below laboratory reporting limits with the exception of DDT and DDE. However, the results are considered somewhat common in agricultural settings, and the detected concentrations are well below the EPA Regional Screening Levels for residential shallow soil exposure levels. As noted in the Phase I Report, it is A&M's professional opinion that these concentrations pose little to no threat to human health or the environment and are not considered a REC in association with the subject Site (A&M, 2023).
2. In August 2005, a smudge oil tank was removed from the subject property. Confirmation soil samples were collected and analyzed, the results of which indicated the Site was not impacted by the use of the smudge oil tank. In September 2005, a Site Closure Letter was issued by the Butte County Department of Environmental Services. After review of County records, the Phase I Report notes that it is the professional opinion of A&M that this is not a REC in association with the subject property (A&M, 2023).

Based on the results of the Phase I Report, it is noted that further investigation of the Site is not warranted (A&M, 2023).

IX.a-b) Less Than Significant with Mitigation Incorporated. During the construction phase, small quantities of hazardous materials common to equipment maintenance and operation, such as gasoline, diesel fuel, hydraulic fluids, oils, and lubricants may be required. Once constructed, the project would be anticipated to utilize household cleaning supplies, in addition to fuels, lubricants, solvents, pesticides, and fertilizers during routine maintenance. The types and quantities of materials to be used are not expected to pose a significant risk to the public and/or environment and would be managed in accordance with federal, State, and local regulations. However, in order to assure hazardous materials are not released into the environment, leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned, per Mitigation Measure HAZ-1, below. A **less than significant impact with mitigation incorporated** would occur.

hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (A&M, 2023).

⁶ A historic recognized environmental condition (HREC) is defined as a previous release of hazardous substances or petroleum products affecting a specific property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (A&M, 2023).

IX.c) Less Than Significant Impact. No existing or proposed schools are located within one-quarter mile of the Site. Lee Kindergarten Readiness, a preschool, is located approximately 0.30 miles west of the Site, and is the closest school to the Site. Seven (7) additional schools are located within 2 miles of the Site, and include the following:

- Emma Wilson Elementary (0.40 miles southeast of Site)
- Chico State University (1.23 miles southeast of Site)
- Citrus Avenue Elementary School (1.28 miles east of Site)
- Inspire School of Arts & Sciences (1.48 miles southeast of Site)
- Chico High School (1.57 miles southeast of Site)
- Rosedale Elementary School (1.66 miles southeast of Site)
- Chico Junior High School (1.90 miles southeast of Site)

It is not anticipated that hazardous materials to be transported to and utilized on-site would be used or stored at the Site in any quantity or application that could impact any schools in the area. Therefore, a **less than significant impact** would occur.

IX.d) Less Than Significant Impact. A records search was completed under the Phase I Report, which included a search of federal and State databases containing known and suspected sites of environmental contamination, in addition to a search of local and historic record sources. The Site and adjacent properties are included on records databases. However, it is noted in the Phase I Report that no REC, CREC, or HREC were identified on-site during the assessment. Although two (2) environmental conditions were identified, which included agricultural use of the subject Site since at least 1937 and the risk of residual pesticides, as well as a former smudge oil tank that was removed from the Site in August 2005, with a Site Closure Letter issued by the Butte County Department of Environmental Services in September 2005 (A&M, 2023).

As previously described, five (5) soil samples were collected for chemical analysis and all constituent concentrations were reported below laboratory reporting limits with the exception of DDT and DDE. However, the results are considered somewhat common in agricultural settings, and the detected concentrations are well below the EPA Regional Screening Levels for residential shallow soil exposure levels. As noted in the Phase I Report, it is A&M's professional opinion that these concentrations pose little to no threat to human health or the environment and are not considered a REC in association with the subject Site, and that the former smudge oil tank is not a REC in associated with the Site (A&M, 2023).

Due to the results of the Phase I Report, which did not identify any REC, CREC, or HREC on-site, a **less than significant impact** would occur.

IX.e) Less Than Significant Impact. The Site is located approximately 1.21 miles north of the Ranchoero Airport, a private-use airport, and approximately 3.30 miles southwest of the Chico Municipal Airport, a public-use airport. The Site is located outside of the designated airport safety zones of the Chico Municipal Airport, but within Compatibility Zones C and D of the Ranchoero Airport, as per the Butte County Airport Land Use Compatibility Plan (ALUCP; 2017). Generally, per the Compatibility Policy Map – Rohnerville Airport (Map RAN-4. 4A) of the Butte County ALUCP, the Site is bisected from approximately the northwestern property corner to the southeastern property corner, with the southeastern portion of the Site within Compatibility Zone C and the northwestern portion of the Site within Compatibility Zone D (see Figure 5). Per the Butte County ALUCP, the Compatibility Zones are defined as follows:

- **Compatibility Zone C:** *Contains the airport traffic pattern on the west side of the airport plus a buffer strip along the east side of the runway; and*

- **Compatibility Zone D:** *Includes an additional buffer area east of the airport to a distance of 5,000 feet from the runway centerline. Aircraft normally do not fly on this side of the airport, thus the height review and airport proximity disclosure policies applicable within this zone are sufficient compatibility measures (Butte County ALUCP, 2017).*

Ranchaero Airport is noted to contain a single 2,280-foot runway (Runway 14-32). Runway 14 has a 300-foot displaced landing threshold and Runway 32 has a 200-foot displaced threshold. The short runway limits use to single-engine airplanes and helicopters. Per Exhibit 8-3 (Airport Activity Data Summary – Ranchaero Airport) of the Butte County ALUCP, as of 2016, airport operations entail approximately 5,000 annual flights and approximately 14 average daily flights, which is expected to increase to approximately 10,000 annual flights and 27 average daily flights by 2030 (2017).

Pursuant to Table 3A (Basic Compatibility Criteria) of the Butte County ALUCP, the proposed use (multi-family residential apartments) is considered to have a land use acceptability rating of "Conditional"⁷ within Compatibility Zone C and be a "Normally Compatible" use within Compatibility Zone D. The "Conditional" land use acceptability rating indicates the use is compatible if indicated usage intensity, lot coverage, and other listed conditions are met, whereas a "Normally Compatible" rating indicates that the uses are compatible with noise, safety, and airspace protection criteria. The proposed use (multi-family residential apartments) is also shown to be considered a highly noise sensitive use. Additionally, Table 3A states that caution should be exercised with regard to approval of outdoor uses (i.e., the potential for aircraft noise to disrupt the activity should be evaluated) and indoor uses may require the addition of sound attenuation (see Table 10, below; Butte County ALUCP, 2017).

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Table 10. Basic Compatibility Criteria - Butte County Airport Land Use Compatibility Plan

Intensity/Density Criteria ¹	Compatibility Zones					Intensity Criteria Interpretation
	A	B1	B2	C	D	
Max. Sitewide Average Intensity (people/acre) Max. Single-Acre Intensity (people/acre)	0 0	40 80	100 300	200 600	no limit	<ul style="list-style-type: none"> All nonresidential development shall satisfy both sitewide and single-acre intensity limits
Max. Sitewide Average Density (units/acre)	0	≤0.1	≤0.2	low/high option	no limit	<ul style="list-style-type: none"> Low Option: ≤0.2 (avg.); 4.0 (single-acre) High Option: ≥4.0 (avg.); 20.0 (single-ac.) See Policy 3.4.1 for application of high/low density option and Policy 4.1.3 for exception for Chico Municipal
Open Land Requirement ²	all remain'g	30%	20%	10%	no req.	<ul style="list-style-type: none"> See Policy 3.4.9 for application
Land Use Category	Legend (see last page of table for interpretation)					Additional Criteria
<ul style="list-style-type: none"> Multiple land use categories may apply to a project Land uses not specifically listed shall be evaluated using the criteria for similar uses Typical occupancy Load Factor [approx. # s.f./person] indicated for certain uses³ 	Incompatible	Conditional	Normally Compatible			<ul style="list-style-type: none"> Conditions listed below apply to uses listed as "Conditional" (yellow) for a particular zone See Policy 3.7.5 for aviation easement dedication requirements See Policy 3.6.1 for Recorded Overflight Notification requirements See Policy 3.6.2 for Airport Proximity Disclosure requirement
Residential and Lodging Uses						
Single-Family Residential: individual dwellings, townhouses, mobile homes, bed and breakfast inns →						B1, B2, C: Ensure density criteria met; locate dwelling max. distance from extended runway centerline where feasible
Multi-Family Residential: townhouses, apartments condominiums →						C: Ensure density criteria met

Source: Butte County Airport Land Use Commission. November 15, 2017. Butte County Airport Land Use Compatibility Plan - Chico Municipal, Oroville Municipal, Paradise and Ranchoero Airports. Table 3A: Basic Compatibility Criteria. Available at: <https://www.buttecounty.net/541/Airport-Land-Use-Commission-ALUC>.

As described in Section XIII (Noise) of this Initial Study, an *Environmental Noise Assessment* (Noise Assessment) was completed by Bollard Acoustical Consultants, Inc. on November 17, 2023 (see Appendix J), which indicates that exterior noise levels would be consistent with City of Chico exterior noise level standards; however, interior noise level standards are expected to be exceeded at some locations within the proposed development as a result of the project's location adjacent to Nord Avenue (SR 32) and the UPRR rail line, although impacts would be reduced to a less-than-significant level with incorporation of the recommendations of the Noise Assessment, including but not limited to updated windows with specified Sound Transmission Class (STC) ratings at noted locations. Significant noise impacts associated with the Ranchoero Airport are not anticipated under the project. See Section XIII (Noise) of this Initial Study for further discussion on noise impacts associated with the project.

As described in further detail in Section XIV (Population and Housing), below, development of the project would be anticipated to result in a population of 499 residents on-site. Based on size of the Site (11.77 acres), this equates to an average density of approximately 43 residents per acre at the subject Site, which is below the maximum sitewide average intensity and maximum single-acre intensity (both in people per acre) within Compatibility Zone C (i.e., 200 and 600 people per acre, respectively); Compatibility D has no density limits. In addition, within Compatibility Zone C, a minimum of 10 percent of open space is required. As indicated

on the project's landscape plans (see Appendix D), approximately 210,601 square feet of the Site's total gross area (509,652 square feet), or 41.3 percent, would be landscaped or other usable open space areas, including: areas around buildings (front and back yards); central area including pool, shared barbeque area, shared outdoor space, and multi-use lawn area; dog park area; and landscaped areas. As such, the open space requirements associated with Compatibility Zone C would be met. There is no minimum open space required within Compatibility Zone D.

In addition, pursuant to Table 3A of the Butte County ALUCP, as a portion of the Site is within Compatibility Zone C and the proposed project is a "Conditional" use within this compatibility zone, the project would be required to comply with all policies of the ALUCP, including but not limited to Policy 3.7.5 pertaining to aviation easement dedication requirements, Policy 3.6.1 for Recorded Overflight Notification requirements, and Policy 3.6.2 for Airport Proximity Disclosure requirements.

As the project would be required to comply with all policies of the Butte County ALUCP, would not result in significant noise impacts, and, as designed, would meet the established usage intensity and lot coverage requirements provided in Table 3A of the Butte County ALUCP, the proposed project would not result in a safety hazard or excessive noise for people residing or working in the proposed project area. A **less than significant impact** would occur.

IX.f) Less Than Significant Impact. As described in Chapter 12 (Safety Element) of the City of Chico 2030 General Plan, both the City of Chico and the County of Butte have adopted Emergency Response Plans, which include prearranged emergency response procedures and mutual aid agreements for emergency assistance. Additionally, as stated in the Safety Element of the City's 2030 General Plan, "the objectives of the emergency plans are to prepare for and coordinate effective responses to emergencies and to provide adequate assistance to other jurisdictions as needed. The plans specify actions to coordinate operations, manage resources, and direct governmental and nongovernmental organization's responsibilities during emergency events" (2011 and amended 2017). Chico's emergency evacuation routes are identified as Highway 99 (located approximately 1.73 miles northeast of the Site) and State Route 32 (located immediately south and adjacent to the Site).

The proposed project would not have a significant impact on the adopted Emergency Response Plans, as the proposed multi-family development is consistent with the allowable uses under the existing land use and zoning designations. Additionally, the proposed development would be designed to current standards with suitable road widths and turn radii to accommodate emergency vehicles, and would not impede access to the identified emergency access routes. A **less than significant impact** would occur.

IX.g) Less Than Significant Impact. The Site, currently undeveloped, is located in close proximity and adjacent to existing development to the east, north, and south, with agricultural lands immediately to the west. The Site is mapped as located within an area of no substantial fire hazard under the City's Community Wildfire Protection Plan (2022). The Chico Fire Department provides fire suppression, emergency medical, rescue, hazardous materials response, public assistance, fire prevention, and life and safety services to the City of Chico. In addition, the Department has a Chico Urban Area Fire and Rescue Agreement (CUAFRA) with Butte County Fire Department, which provides for closest engine response to all emergencies, regardless of jurisdiction (Butte LAFCo, 2018). As the Site would be developed in accordance with all current standards and would be adequately served by fire protection services, a **less than significant impact** would occur.

MITIGATION MEASURES

HAZ-1: Leaks, drips, and spills of hydraulic fluid, oil, or fuel from construction equipment shall be promptly cleaned up to prevent environmental contamination, including contamination of waterways. All workers shall be properly trained in the prevention and clean-up of spills of contaminants. Protective measures shall include the following:

1. No discharge of pollutants from vehicle and equipment cleaning shall be allowed into any drainage ditches or watercourses.
2. Spill containment kits shall be properly maintained and located within the vicinity of all operations and fueling of equipment.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Hazards and Hazardous Materials.

X. 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 or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

As previously discussed, the Site is currently undeveloped, but was historically utilized as an almond orchard, with a single-family residence and accessory structures that have since been removed from the Site. Additionally, the existing well and septic system associated with the former on-site residence would be abandoned in accordance with Butte County Environmental Health requirements, and community utility services would be extended to the Site. The Site would be connected to California Water Service (Cal Water) for community water service, which provides water services to the City of Chico. As noted in 2020 Urban Water Management Plan (UWMP) for the Chico-Hamilton City District (herein referred to as "Chico District"; 2021), Cal Water has provided water utility services in the Chico area since 1926 and supplies water service to approximately 1.8 million Californians through over 481,000 connections. The Chico District operates two public water systems (PWS): the Chico PWS (located in Butte County) and the Hamilton City PWS (located in Glenn County). The Chico District has a population of approximately 109,700 and all water customers are considered urban non-agricultural water users. Water demand within the Chico District was 20,399 acre-feet per year (AFY) (6,647,043,291 gallons) on average between 2016 and 2020 (Cal Water-2020, 2021). Cal Water's Water Quality Report (2021) for the Chico District indicates that water is derived from the groundwater by using 57 wells in Chico to pump an average of 15.9 million gallons of groundwater per day, which is delivered to customers through 401 miles of main, six (6) storage tanks, and eleven (11) booster pumps (2021).

The Chico District pumps groundwater from two groundwater subbasins (the Vina Subbasin [DWR Basin No. 5-021.57] in the Chico PWS, and the Corning Subbasin [DWR Basin No. 5-021.51] in the Hamilton City PWS). Neither basin is considered by the California Department of Water Resources (DWR) to be critically over drafted. In addition, Butte County has a 27,000 acre-feet per year (AFY) (8,797,988,571 gallons) entitlement to California State Water Project (SWP) water. As stated in the UWMP, the groundwater supply is expected to be sufficient to support the Chico District's projected water demand through 2045 (Cal Water-2020, 2021).

As indicated in the Vina Groundwater Sustainability Plan (GSP) for the Vina Subbasin, adopted on December 15, 2021, the Vina Subbasin lies in the eastern central portion of the Sacramento Groundwater Basin. Groundwater flows from the north toward the southwestern corner of the subbasin. The Sacramento River borders the Vina Subbasin on its western side and flows from north to south. The Sacramento River and streams that cross the Vina Subbasin stabilize storage volumes by providing recharge to the Vina Subbasin. Per the Vina GSP, the estimated sustainability yield, or the amount of groundwater that can be withdrawn without causing undesirable results, for the subbasin is 233,000 acre-feet per year (AFY) (75,923,382,857 gallons). The total fresh groundwater in storage was estimated at over 16 million acre-feet (MAF). The amount in storage has decreased by approximately 0.07 percent (approximately 10,000 acre-feet or 3,258,514,285 gallons) per year between 2000 and 2018 due to recent dry years and an increase of outflows. Groundwater levels are expected to continue to decline based on projections of current land and water uses. However, it is highly unlikely that the Vina Subbasin will experience conditions under which the volume of stored water poses a concern. In addition, several projects are planned in the Vina Subbasin to offset approximately 10,000 acre-feet per year (2021).

The proposed project is located within the regulatory boundaries of the Central Valley Regional Water Quality Control Board (CVRWQCB), which serves to protect the quality of the waters within the Region for all beneficial uses. The CVRWQCB formulates and adopts water quality plans for specific ground or surface water basins and prescribes and enforces requirements on all agricultural, domestic, and industrial waste discharges. In addition, the CVRWQCB is the largest region in California, which stretches from the Oregon border to the northern tip of Los Angeles County. Water from this region supplies more than 50 percent of the state's total water supply. The CVRWQCB adopted Order R5-2022-0006-01, which provides standard provisions that the discharger must follow to be in compliance with their permit. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. The proposed project would be required to adhere to the regulations outlined in Order R5-2022-0006-01.

Although the Site is currently served by an individual on-site septic system, under the project, community wastewater service would be extended to the Site. Wastewater within the City of Chico is treated by the City of Chico Water Pollution Control Plant (WPCP). Collected wastewater undergoes secondary treatment followed by chlorination and dechlorination prior to disposal into the Sacramento River. Oxidation ponds are also available for backup. The Chico WPCP has a capacity to treat 12 million gallons per day (MGD) with future expandability to 15 MGD capacity. The City's average dry weather flow is 7.5 MGD (Cal Water-2020, 2021). Therefore, there is capacity to support the extension of services to the Site for the proposed multi-family apartment complex.

As noted in Chapter 9 (Parks, Public Facilities, and Services) of the Chico 2023 General Plan (2011, amended 2017), the storm drainage management within the City and the urban area is provided by a system of developed and undeveloped collection systems operated and maintained by the City and Butte County.

The City is not constrained by any formally designated service areas but has established storm drainage basins for the purpose of planning infrastructure. New development is required to install storm drainages infrastructure where necessary. As stated in the General Plan, the existing storm drainage system is developed to consist of primarily of drop inlets located along the street system, which transports water to outfall locations located along major creeks including Sycamore, Mud, Comanche, Big Chico, and Little Chico Creeks, in addition to Lindo Channel.

Consistent with the General Plan (2017) and the City's Storm Drain Master Plan (2000) Integrated Document, new development must incorporate storm water quality and quantity mitigations into their designs. The U.S. Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) permit program addresses water pollution by regulating point sources that discharge pollutants to waters of the United States. Created in 1972 by the Clean Water Act, the NPDES permit program grants authority to State governments to perform many permitting, administrative, and enforcement aspects of the program. Within California, the NPDES permit program is administered by the State Water Resources Control Board (SWRCB). Construction projects that would disturb more than one acre of land, such as the proposed project, would be subject to the requirements of General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ, also known as the CGP), which requires operators of such construction sites to implement stormwater controls and develop a Stormwater Pollution Prevention Plan (SWPPP) identifying specific BMPs to be implemented to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Such BMPs may include, for example, straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas (including the unnamed tributary and downstream watercourses), limit ground disturbance to the minimum necessary, and stabilize disturbed soil areas as soon as feasible after construction is completed.

Landscaping and open grassy areas would be incorporated into the proposed project design (see Appendix D). Native and adaptive plant species would be utilized. Parking lot shade trees would also be provided in accordance with the CMC to reduce the Urban Heat Island (EHI) effect. Evergreen trees and shrubs are proposed between the railroad tracks and the adjacent development to the east to offer screening and additional buffer between the uses. The City right-of-way is proposed to include curbs, gutters, and sidewalks featuring a landscaped parkway strip planted with adaptive city street trees and appropriate landscape shrubs. Landscape areas are proposed to be irrigated by means of an automatically controlled, low-volume drip irrigation system capable of making real-time adjustments based upon evapotranspiration data to optimize the use of water to irrigate the landscape and is designed to meet all requirements set by the State of California's Model Water Efficient Landscape Ordinance (MWELO) as well as the CMC.

X.a) Less Than Significant Impact. The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The proposed multi-family residential apartment complex would be constructed in accordance with the most recent standards set by all regulatory agencies, including but not limited to the City and State and local water quality control boards [State Water Resources Control Board (SWRCB) and the CVRWQCB. Additionally, the project would be subject to the CGP (2022) and Chapter 15.50 (Storm Water Management and Discharge Controls) of the CMC, which require the preparation and implementation of a SWPPP that specifies erosion and sediment control construction and post-construction BMPs to reduce or eliminate construction-related and operational impacts on receiving water quality. Lastly, the project would adhere to the standard provisions identified in Chapter 7 of the City's Stormwater Resource Protection Plan (2018). A **less than significant impact** would occur.

X.b) Less Than Significant Impact. The project is not anticipated to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. As the Site is currently undeveloped, it is anticipated the project would increase the number of impermeable surface areas on-site. However, landscaping and open grassy areas would be incorporated into the project design in accordance with Chapter 19.68 of the CMC, which would aid in groundwater recharge and infiltration. Additionally, an automatically controlled, low-volume drip irrigation system would be utilized for irrigation of the common areas to reduce water demand. As described above, per the UWMP, the groundwater supply is expected to be sufficient to support the Chico District's projected water demand through 2045 (Cal Water-2020, 2021), and the Vina Subbasin GSP (2021) identifies projects that will offset groundwater pumping and/or increase recharge to aid in achieving sustainability goals. A **less than significant impact** would occur.

X.c.i) Less Than Significant Impact. Although the existing drainage patterns of the Site would be altered through the addition of newly proposed impervious surfaces, the project would not result in substantial erosion or siltation on- or off-site, as the project would be subject to the CGP, which requires the preparation and implementation of a SWPPP that specifies erosion and sediment control construction and post-construction BMPs to reduce or eliminate construction-related and operational impacts on receiving water quality. Such BMPs may include straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas, limit ground disturbance to the minimum necessary, and stabilize disturbed soil areas as soon as feasible after construction is completed. A **less than significant impact** would occur.

X.c.ii) Less Than Significant Impact. The proposed project would not be expected to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. As previously discussed, the proposed project would increase the amount of impervious surface on-site, as the Site is currently undeveloped. However, the project would incorporate landscaped areas, which would aid in groundwater recharge and infiltration. In addition, the project developer would be required to prepare a SWPPP and implement standard BMPs such as straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas, limit ground disturbance to the minimum necessary, and stabilize disturbed soil areas as soon as feasible after construction is completed. A **less than significant impact** would occur.

X.c.iii) Less Than Significant Impact. The proposed project would not be expected to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As previously discussed, storm drainage management within the City and the urban area is provided by a system of developed and undeveloped collection systems operated and maintained by the City and Butte County. The City is not constrained by any formally designated service areas but has established storm drainage basins for the purpose of planning infrastructure. As stated in the Chico General Plan (2000, amended in 2017), the existing storm drainage system is developed to consist of primarily drop inlets located along the street system, which transports water to outfall locations located along major creeks including Sycamore, Mud, Comanche, Big Chico, and Little Chico Creeks, as well as Lindo Channel (Chico General Plan, 2017). All on-site development would comply with the City's Storm Drain Master Plan (2000) and would include storm drain drop inlets as necessary along the proposed roadway. In addition, construction projects that would disturb more than one acre of land, such as the proposed project, would be subject to the requirements of General Construction Activity Stormwater Permit (Construction General Permit Order 2009-0009-DWQ, also known as the CGP), which

requires operators of such construction sites to implement stormwater controls and develop a SWPPP identifying specific BMPs to be implemented to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. Such BMPs may include, for example, straw bales, fiber rolls, and/or silt fencing structures to assure the minimization of erosion resulting from construction and to avoid runoff into sensitive habitat areas (including the unnamed tributary and downstream watercourses), limit ground disturbance to the minimum necessary, and stabilize disturbed soil areas as soon as feasible after construction is completed. Therefore, a **less than significant impact** would occur.

X.c.iv) No Impact. The Site is located within Zone X, which is classified as an area of minimal flood hazard (Zone X) and not prone to flooding, as depicted on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel No. 06007C0485E, effective January 6, 2011. As a result, the project would not impede or redirect flood flows, and **no impact** would occur.

X.d) Less Than Significant Impact. The project Site is located inland, outside of the coastal zone. Additionally, the Site is not located within a tsunami inundation zone, is not located within close proximity to a dam or levee, and is not located within an area subject to flood hazards (FEMA Zone X). In addition, the Site is not located within close proximity to a body of water. As such, proposed development at the Site would not be subject to inundation by seiche, tsunami, or mudflow. As a result, the potential for inundation at the Site is considered low and a **less than significant impact** would occur.

X.e) Less Than Significant Impact. The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. As stated above, the Site is located in the Vina Subbasin, which, per the Vina Groundwater Sustainability Plan, adopted on December 15, 2021, which indicates that it is highly unlikely that the Vina Subbasin will experience conditions under which the volume of stored water poses a concern. Additionally, per Cal Water's Urban Water Management Plan (UWMP) (2020) for the Chico-Hamilton City District, the groundwater supply is expected to be sufficient to support the Chico District's projected water demand through 2045 (2021). There are no components of the project that would be expected to significantly impact water resources. Furthermore, the proposed project would be subject to the requirements of the NPDES Stormwater Program and would be required to comply with a SWPPP, which would identify all potential sources of pollution that could affect stormwater discharges from the Site and identify BMPs to prevent significant impacts related to stormwater runoff. A **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Hydrology and Water Quality.

XI. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

Currently, the Site has a City of Chico General Plan (2017) land use designation of Medium Density Residential (MDR) and Neighborhood Commercial (NC) that runs along the northern edge of the parcel (see Figure 2). The Site has a City of Chico zoning designation of Medium Density Residential (R2) and Neighborhood Commercial (CN) with Airport (-AOC/-AOD), Corridor Opportunity Site (-COS), and Special Design Considerations (-SD5) zoning overlays (see Figure 3). No changes to the Site's current land use or zoning designations are proposed under the project. The subject Site is surrounded by existing residential land uses to the north, east, and south. To the west contains an orchard with a single-family dwelling.

Development would be in compliance with the current land use and zoning designations, including overlay zones. In compliance with the Special Design Considerations (-SD) overlay zone for three parcels on the north side of State Highway 32/Nord Avenue, between W. 8th Avenue and W. Lindo Avenue, including the subject Site, as specified in Section 19.52.070(D)(5)(a) of Division IV (Zoning Districts, Allowable Land Uses, and Zone-Specific) of Title 19 (Land Use and Development Regulations) of the Chico Municipal Code (CMC; last updated July 5, 2023), the Applicant submitted a PDP application (Application No. 23-01) to the City of Chico (Chico) on June 21, 2023.

A Use Permit (UP) would typically be required for ground-level residential occupancy (except for accessible units required by the Building Code, which are allowed by right) within the Neighborhood Commercial (CN) zoning district, which comprises the northernmost portion of the Site (approximately 135 feet in width). Due to the project requiring a PDP that will analyze the land use and design of the project, the additional application of a UP is not required.

Additionally, the proposed project Site is located in the Nord Avenue Opportunity Area within the City of Chico. According to Appendix B (Opportunity Sites) of the City of Chico General Plan (2017), Nord Avenue from Lindo Channel to W. Sacramento Avenue acts as the northwestern gateway to Chico travelers arriving from the west on State Route 32 (Nord Avenue); however, as noted in the General Plan, *"this area currently presents little of the way of welcoming features."* Opportunities have been identified within this area to transition vacant or underutilized properties to office or industrial mixed-use projects and, at key intersections, commercial mixed-use projects. Although the project would be solely residential in nature, the proposed multi-family apartment complex is a permitted use within the current zoning districts. In addition, the project would be consistent with the goals of Chapter 3 (Land Use) of the City of Chico General Plan (2017), which includes goals for new residential development in order to support the growing population in the city.

XI.a-b) No Impact. The project Site is a former almond orchard that previously contained a single-family residence and accessory structures, which have been removed from the Site. The Site vicinity is developed with residences and light commercial uses. The proposed project would involve the construction of 208 multi-

family residential units within 21 individual apartment buildings. Each building would be a maximum of two stories and approximately 31 feet in height, and would be consistent with surrounding development in terms of scale and use. The project is consistent with permitted uses under the current land use and zoning designations. Furthermore, the project is consistent with the following General Plan and 2022 Housing Element policies:

City of Chico 2030 General Plan

Policy LU-2.3 (Sustainable Land Use Pattern) - Ensure sustainable land use patterns in both developed areas of the City and new growth areas.

Action LU-4: Promote compatible infill development.

LU-4.2: Support infill development, redevelopment and rehabilitation projects that are compatible with surrounding properties and neighborhoods.

Policy SUS-1.1 (General Plan Consistency) – Ensure proposed development projects, policies, and programs are consistent with the General Plan.

Action CIRC-2.1.3 (Multimodal Connections) – Provide connections between and within existing and new neighborhoods for bicycles, pedestrians, and automobiles.

Policy CIRC-2.2 (Circulation Connectivity and Efficiency) – Provide greater street connectivity and efficiency for all transportation modes.

Policy CIRC-4.2 (Continuous Network) – Provide a pedestrian network in existing and new neighborhoods that facilitates convenient and continuous pedestrian travel free from major impediments and obstacles.

Action CD-2.1.1 (Circulation and Access) – As part of project review, integrate a predominately grid-based street pattern into new development to enhance walkability and public health.

Policy CD-2.3 (Corridor Improvements) – Improve corridors traversing the City to enhance their aesthetics and accessibility.

Goal CD-5: Support infill and redevelopment compatible with the surrounding neighborhood.

City of Chico 2022-2030 Housing Element

Goal 1: Improve fair housing choice and equitable access to opportunity.

Goal 4: Promote construction of a wide range of housing types.

Policy 4.1: Enable sufficient housing construction to meet future needs.

Policy 4.2: Promote a mix of dwelling types and sizes throughout the City.

Action 4.2.1: Implement the Corridor Opportunity Site Overlay through the use of incentives found in the City's Land Use Element and flexibility in development.

Goal 9: Encourage energy efficiency in housing.

Policy 9.1: Continue to enforce energy standards required by the State Energy Building Regulations and California Building Code and reduce long-term housing costs through planning and applying energy conservation measures.

As the project would not divide an established community and is consistent with surrounding development, City regulations, and General Plan and Housing Element policies, **no impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Land Use and Planning.

XII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

The project Site is not located in an area of known rock, aggregate, sand, or other mineral resource deposits of local, regional, or State residents. There are no known mineral resources of significance on the Site that would be made unavailable by the proposed project. Furthermore, the parcel is not utilized for Surface Mining and Reclamation Act (SMARA) activities, nor are any such sites located in the vicinity of the Site (CGS, 2016 and 2022).

XII.a-b) No Impact. The proposed project area does not contain mineral resources that are of value locally, to the region, or to residents. Additionally, the proposed project area is not identified as a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would not interfere with materials extraction or otherwise cause a short-term or long-term decrease in the availability of mineral resources. **No impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Mineral Resources.

XIII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

Excessive and chronic exposure to elevated noise levels can result in auditory and nonauditory effects in humans. Auditory effects of noise on people are those relating to temporary or permanent hearing loss induced by noise. Nonauditory effects of exposure to elevated noise levels are those relating to behavioral and physiological effects. The nonauditory behavioral effects of noise on humans are associated primarily with the subjective effects of annoyance, nuisance, and dissatisfaction, which lead to interference with such activities as communications, sleep, and learning.

The degree to which noise results in annoyance and interference with activities is highly subjective and may be influenced by non-acoustic factors. The number and effect of these non-acoustic environmental and physical factors vary, depending on the individual characteristics of the noise environment, including sensitivity, level of activity, location, time of day, and length of exposure. One key aspect to the prediction of human response to new noise environments is the individual level of adaptation to an existing noise environment. The greater the noise level change caused by a new noise source relative to an individual's customary environment, the less tolerant of the new noise source the individual will be. With regard to human perception of increases in sound levels expressed in decibels (dB), a 1 dB change generally is not perceivable, excluding controlled conditions and pure tones. Outside controlled laboratory conditions, the average human ear barely perceives a change of 3 dB. A 5 dB change generally fosters a noticeable change in human response, and an increase of 10 dB is subjectively heard as a doubling of loudness.

As provided in the Noise Element (Chapter 13) of the City of Chico 2030 General Plan), the City has established noise compatibility standards for different land uses for both exterior and interior locations, as provided below:

**TABLE N-1
MAXIMUM ALLOWABLE NOISE LEVELS FROM
TRANSPORTATION NOISE SOURCES**

Land Use	Outdoor Activity Areas ¹ Ldn/CNEL, dB	Interior Spaces	
		Ldn/CNEL, dB	Leq, dB ²
Residential	65 ³	45	--
Transient Lodging	--	45	--
Hospitals, Nursing Homes	65 ³	45	--
Theaters, Auditoriums, Music Halls	--	--	35
Churches, Meeting Halls	65 ³	--	40
Office Buildings	--	--	45
Schools, Libraries, Museums	65 ³	--	45
Playgrounds, Neighborhood Parks	70	--	--

Notes:

1. Noise standards are to be applied at outdoor activity areas with the greatest exposure to the noise source. When it is not practical to mitigate exterior noise levels at the patios or balconies of multi-family dwellings, a common area or onsite park may be designated as the outdoor activity area. For noise-sensitive land uses that do not include outdoor activity areas, only the interior noise standard shall apply.
2. As determined for a typical worst-case hour during periods of use.
3. Where it is not possible to reduce noise in outdoor activity areas to 65 dB L_{dn}/CNEL or less using all feasible noise reduction measures, an exterior noise level of up to 70 dB L_{dn}/CNEL may be allowed provided that interior noise levels are in compliance with this table.

Development of the 208-unit multi-family residential apartment complex on-site would be subject to the exterior and interior noise limits identified in Table N-1, above, and the allowable interior noise levels for habitable rooms, pursuant to Subsection 1207.4, Allowable Interior Noise Levels, of Section 1207, Sound Transmission, of Chapter 12, Interior Environment, of the latest California Building Code (CBC). Per Table N-1, the residential units would be required to have a maximum exterior noise level of 65 dB CNEL and an interior noise level of 45 dB CNEL, as measured with exterior windows and doors closed.

As previously described, the Site is located in close proximity to the nearby Union Pacific Railroad (UPRR) tracks, which are located immediately adjacent to and north of the subject property. As such, it is anticipated that elevated noise levels may be possible at this Site. As noted in the Noise Element of the City's General Plan, the railroad tracks are used for both freight transport and Amtrack passenger service, and approximately seventeen (17) freight trains (at speeds of up to 70 mph) and two (2) Amtrack passenger trains utilize this rail line on a daily basis. Noise levels associated with passing trains can reach levels ranging from 96 to 110 dBA L_{max} at 50 feet from the track centerline. Additionally, Nord Avenue (SR 32), located immediately adjacent to and south of the Site, is identified as a major roadway within the City and impacts associated with traffic noise from this roadway may occur.

Environmental Noise Assessment

An *Environmental Noise Assessment* (Noise Analysis) was prepared by Bollard Acoustical Consultants, Inc. (BAC) on November 17, 2023 (see Appendix J) to "quantify noise levels at the Site associated with traffic and railroad operations, to compare those levels against the applicable City of Chico noise standards for acceptable noise exposure, and to recommend noise mitigation measures where needed to achieve satisfaction with those standards." The maximum allowable noise levels from transportation noise sources from the Noise Element of the Chico General Plan are provided in Table N-1 above. Additional requirements are included in Section 9.38.060 (Categorical Exemptions) of the CMC, which prescribes noise limits associated with construction equipment during specific days and times (Bollard, 2023).

As noted in the Noise Analysis, the existing ambient noise environment at the Site is defined primarily by traffic on Nord Avenue to the south of the Site, by intermittent train passbys to the immediate north, and railroad crossings operations. To quantify the existing ambient noise level environment at the Site, BAC conducted a long-term (72-hour) noise level survey from October 13 through October 15, 2023, at two (2) locations, including within the southern portion of the Site, approximately 45 feet from the centerline of Nord Avenue (LT-1), and north of the subject Site, along the east side of W. Lindo Avenue and north of the UPRR tracks, approximately 70 feet to the railroad centerline at crossing (LT-2). During this time period, an average of approximately sixteen (16) heavy rail train passbys occurred during a 24-hour period. Results of the long-term noise survey indicates that measured day-night average noise levels (DNL) at LT-1 averaged 72 dB and at LT-2, 77 dB, both of which are above the City's exterior noise level standard of 65 dB for residential units (see Table N-1, above; Bollard, 2023).

Traffic-Related Noise

To assess the future traffic noise environment anticipated at the Site, BAC utilized the long-term ambient data collected at measurement site LT-1. Specifically, the noise measurement data were projected to the nearest noise-sensitive locations on the project site. In addition, future traffic volumes on Nord Avenue were conservatively assumed to double in the future, resulting in a 3 dB increase in traffic noise levels relative to measured existing noise levels. Future traffic noise levels were projected to the nearest proposed outdoor activity areas and building facades of the development based on a 4.5 dB decrease per doubling of distance from the noise source. Under the assessment, a -25 dB offset was applied for exterior-to-interior noise level attenuation provided by new standard residential construction, a +2 dB offset was applied at all upper-floor building facades to account for reduced ground absorption of sound at elevated positions, and a -10 dB offset was applied for shielding provided by proposed intervening buildings.

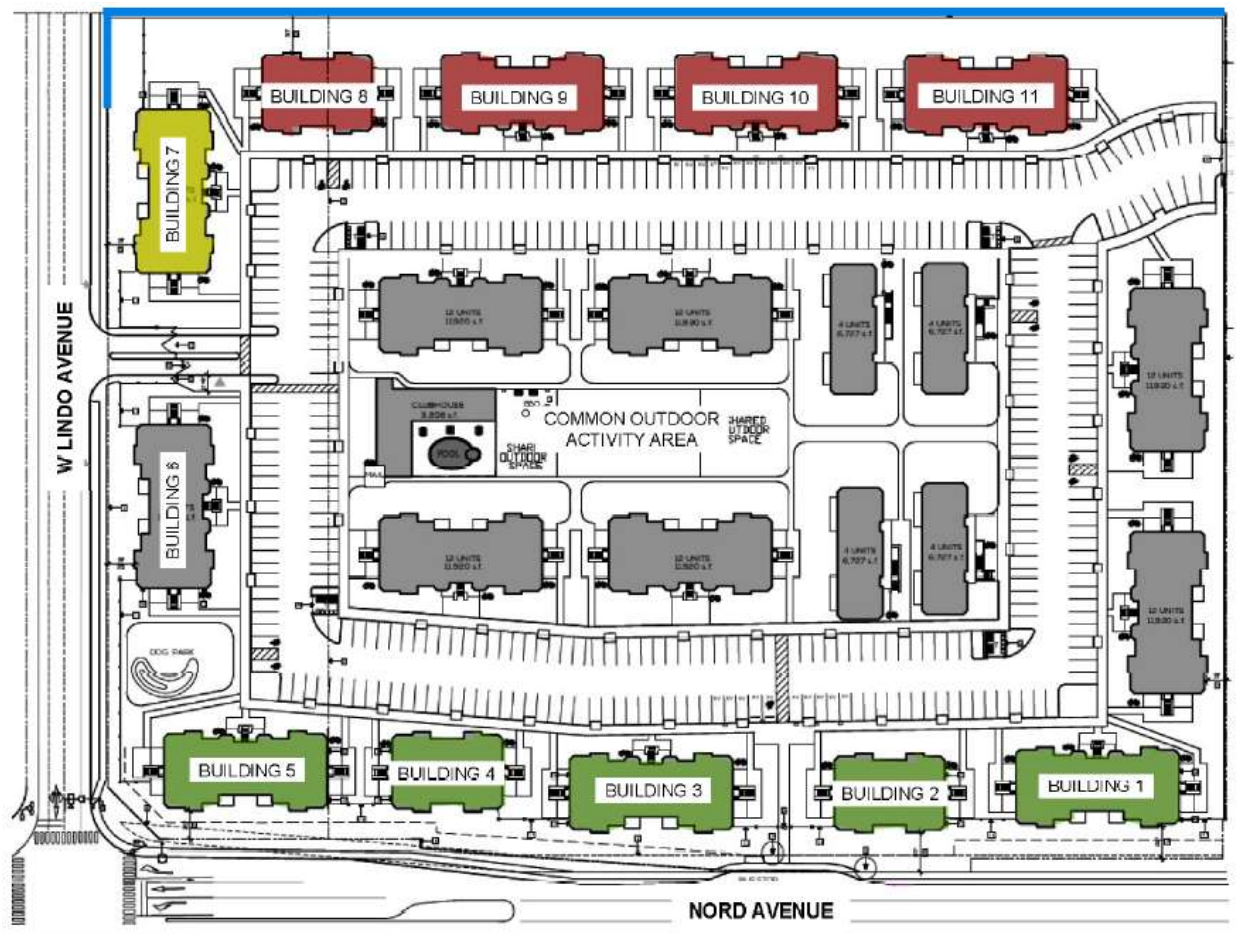
Regarding the proposed outdoor activity area within the center portion of the Site, future traffic noise levels at this location are predicted to be satisfactory relative to the City of Chico General Plan exterior noise level standard of 65 dB DNL. However, interior noise levels of five (5) of the proposed buildings (Buildings 1-5), located along the Site's Nord Avenue frontage, are expected to range between 47 and 50 dB, which would exceed the City's 45 dB standard on both the lower and upper floors. As future exterior traffic noise levels are predicted to exceed 45 dB DNL, upgrades to window and door assemblies would be required to ensure compliance with the City's 45 dB DNL interior noise level standard (incorporated as Mitigation Measure NOISE-1, below; Bollard, 2023). A figure depicting the building locations and where associated noise-related mitigation is necessary for compliance with the City's interior noise standards is included as Figure 6.

Railroad-Related Noise

As stated in the Noise Analysis, the noise generation for individual train passbys varies depending on train length, speed, warning horn usage, track condition and number of locomotive. The measured noise levels

at LT-2 included noise generated from locomotives, rail cars, warning horns, and bells from a crossing located north of the Site. For a conservative approach, the Noise Analysis conservatively assumed a 2 dB increase over existing levels, future railroad noise levels were projected to the nearest proposed outdoor activity areas and building interiors of the development based on a 4.5 dB decrease per doubling of distance from the noise source. As the project also includes a 10-foot-tall CMU noise barrier between the railroad tracks and the development, this was taken into consideration under the assessment.

Regarding the proposed outdoor activity area within the center portion of the Site, the proposed intervening buildings are estimated to provide a conservative 10 dB of noise reduction at this location area, and future railroad noise levels at this location are predicted to be satisfactory relative to the City of Chico General Plan exterior noise level standard of 65 dB DNL. However, interior noise levels of five (5) proposed building (Buildings 7-11), located along the northern portion of the Site, along the Site's UPRR railroad track frontage, are expected to range between 49 and 57 dB, which would exceed the City's 45 dB standard on both the lower and upper floors. As future exterior railroad noise levels are predicted to exceed 45 dB DNL, upgrades to window and door assemblies would be required to ensure compliance with the City's 45 dB DNL interior noise level standard (incorporated as Mitigation Measure NOISE-1, below; Bollard, 2023). A figure depicting the building locations and where associated noise-related mitigation is necessary for compliance with the City's interior noise standards is included as Figure 6 and below.



Building Locations

Airport-Related Noise

As discussed in Section IX (Hazards and Hazardous Materials), above, the Site is located approximately 1.21 miles north of the Rancharo Airport and is located within Compatibility Zones C and D of the airport. However, the Site is outside of the mapped noise contours associated with the airport, as per Figure N-2 (Noise Contour Map) of the City's General Plan. As described in the Noise Assessment, the 50 dB DNL noise contour for the Rancharo Airport is located well south of the Site (approximately 5,000 feet), indicating that aircraft noise exposure at the subject property would be below 50 dB DNL and below the City's 65 dBA DNL noise standard applicable to new residential uses. As such, no adverse noise impacts from use of the Rancharo Airport are anticipated under the project (Bollard, 2023).

XIII.a) Less Than Significant with Mitigation Incorporated. The proposed residential development would not be expected to generate noise in excess of what is common for such uses once demolition, site preparation, and construction are complete. The activities and associated construction equipment would be anticipated to cause temporary increases in noise; however, these impacts would only be associated with construction and would be temporary in nature. Sensitive receptors located nearest the Site include single-family residential neighborhoods located immediately east, north (across the UPRR tracks), and south (across Nord Avenue/SR 32) of the Site. In order to reduce potential impacts to these sensitive receptors during construction, best management noise reduction techniques and practices, including but not limiting to utilizing equipment equipped with mufflers that are in good condition and appropriate for the equipment and locating noise-generating equipment away from noise-sensitive receptors to the greatest extent feasible, would be implemented, which would reduce any potential construction-related impacts to a less-than-significant level.

Post-construction, noise associated with operation of the proposed project would be primarily generated through traffic associated with residents traveling to and from the Site, consistent with surrounding uses. While significant noise levels would not be anticipated at the common outdoor area proposed on-site within the central portion of the complex, it is anticipated that under standard building construction, interior spaces of certain residential apartment buildings on-site, including Buildings 1-5, located along the Site's Nord Avenue frontage, and Buildings 7-11, located along the northern portion of the Site, along the Site's UPRR railroad track frontage, would be subject to noise levels that exceed City standards (see Table N-1), above). Several recommendations are included in the Noise Analysis to ensure impacts are reduced to a less-than-significant level (see Mitigation Measure NOISE-1, below). Specifically, BAC recommends utilizing upgraded windows and doors of specified Sound Transmission Class (STC) ratings for Buildings 1-5 and Buildings 7-11, utilizing a suitable form of forced-air mechanical ventilation or air-conditioning so that windows can be kept closed as desired by residents for additional acoustical isolation, and installing a minimum 10-foot-tall noise barrier (as proposed) along the Site's UPRR rail line frontage (Bollard, 2023). A **less than significant impact with mitigation incorporated** for potential construction-related noise impacts would occur.

XIII.b) Less Than Significant Impact. There are no existing or proposed uses on-site that would result in excessive groundborne vibration or groundborne noise levels. The initial preparation and grading of the Site would require the use of heavy equipment, which would cause temporary groundborne vibration and/or groundborne noise. However, these impacts are associated with construction and would be temporary in nature. No significant groundborne vibration or groundborne noise would be anticipated during operation of the proposed project, as the project is residential in nature and is consistent with existing residential development located on both sides of the UPRR tracks. A less than significant impact would occur.

XIII.c) Less than Significant Impact. As previously discussed, the Site is located approximately 1.21 miles north of the Ranchoero Airport, a private-use airport, and approximately 3.30 miles southwest of the Chico Municipal Airport, a public-use airport. However, as shown on Figure N-2 (Noise Contour Map) of the Noise Element of the Chico General Plan, the Site is located outside of all noise contours around the two airports. Therefore, a **less than significant impact** would occur.

MITIGATION MEASURES

NOISE-1: To ensure interior noise levels of the proposed residential apartment buildings do not exceed the City of Chico standard of 45 dB DNL, the Applicant shall implement the following, as recommended in the *Environmental Noise Assessment*, prepared by Bollard Acoustical Consultants, Inc., dated November 17, 2023:

- Upgraded windows with STC ratings shall be utilized for windows from which the railroad tracks would be visible, including those that will ultimately be shielded by the proposed sound wall, as follows:
 - Buildings 1-5 (along Nord Avenue frontage) – STC 32 (all floors) for windows with view of Nord Avenue
 - Building 7 (adjacent to W. Lindo Avenue and south of the UPRR rail line) – STC 32 (first floors) and STC 36 (upper floors) for windows with view of railroad tracks
 - Buildings 8-11 (along UPRR railroad frontage) – STC 32 (first floors) and STC 40 (upper floors) for windows with view of railroad tracks
- All proposed buildings shall include a suitable form of forced-air mechanical ventilation or air-conditioning so that windows can be kept closed as desired for additional acoustical isolation.
- A minimum 10-foot-tall noise barrier should be constructed as shown on Figure 2 of the *Environmental Noise Assessment*. This includes installation of the sound wall along the Site's northern boundary and partially along the Site's western boundary, along W. Lindo Avenue, from the northern property line to the northern edge of Building 7. The noise barrier height is relative to the building pad elevation.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Noise.

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

DISCUSSION

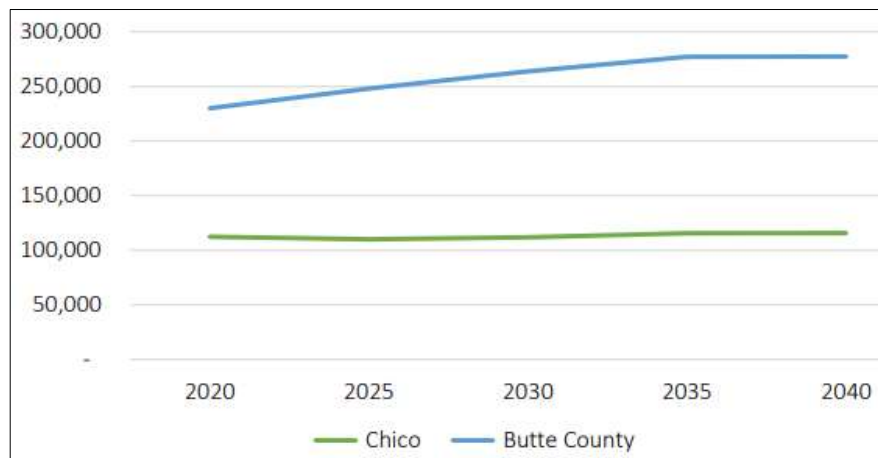
According to the *City of Chico 2022-2030 Housing Element Update* (2022-2030 Housing Element; adopted on September 19, 2023), the City of Chico had a population of 90,186 persons in 2016 and 111,490 persons in 2021, as shown in Table 11 below. The Butte County Association of Governments (BCAG) projects a population increase of approximately 3,164 persons between 2020 and 2040, with Butte County's population expected to increase by approximately 47,429 persons over the same 20-year period. It is expected that the majority of growth within Butte County will occur in the Paradise and Magalia areas, as those communities rebuild from the 2018 Camp Fire. Figure A, below, depicts the anticipated population growth between 2020 and 2040 within Chico and the County of Butte (City-2022-2030 Housing Element Update, 2023).

Table 11. City of Chico and County of Butte Population Growth, 2016-2021

	2016	2017	2018	2019	2020	2021
Chico	90,186	91,368	92,286	109,688	110,326	111,490
Butte County	224,096	225,643	226,374	221,521	210,291	202,669

Source: City of Chico 2022-2030 Housing Element Update, Figure 25.

Figure A. City of Chico and County of Butte Anticipated Population Growth, 2020-2040



Source: Chico 2030 General Plan Housing Element, Figure 25.2.

According to data from the U.S. Census Bureau, the population of the City of Chico in 2022 was estimated at 101,299 persons, a decrease of approximately 1.5 percent since April 1, 2020 (U.S. Census Bureau, n.d.). In 2020, there were an estimated 44,429 total household units with an average household occupancy rate of 15.6 percent for housing units with four or more bedrooms (U.S. Census Bureau, 2020). Using the average household size of 2.4 persons (U.S. Census Bureau, n.d.), the 208 multi-family residential units proposed on-site would be anticipated to result in a population increase of approximately 499 residents at the subject Site. The proposed project aligns with the policies, goals, and action items found in the City of Chico 2030 General Plan, including Policy LU-2.3 (Sustainable Land Use Pattern) and Policy SUS-1.1 (General Plan Consistency).

XIV.a) Less Than Significant Impact. Currently, the Site has a City of Chico General Plan (2017) land use designation of Medium Density Residential (MDR) and Neighborhood Commercial (NC) that runs along the northern edge of the parcel. The Site has a City of Chico zoning designation of Medium Density Residential (R2) and Neighborhood Commercial (CN) with Airport (-AOC/-AOD), Corridor Opportunity Site (-COS), and Special Design Considerations (-SD5) zoning overlays. According to the City of Chico General Plan, the R2 land use category is designed to provide for areas of duplexes, small apartment complexes, single-family attached homes such as town homes and condominiums, and single-family detached homes on small lots. The NC land use category is designed to provide a mix of business, office, and residential uses that support the needs of residents living in the surrounding neighborhoods.

Unplanned population growth could occur if the project would generate population growth that was not considered in the General Plan. However, the project would not induce substantial unplanned population growth in the area, as the Site is designated and zoned for medium density residential development, such as what is proposed under the project. Furthermore, the Site was specifically identified in the City's Adequate Sites Inventory under the 2022-2030 Housing Element as an infill site that is appropriately zoned and can feasibly be developed within the Housing Element planning period (2022-2030). While Figure 40.2 *City of Chico, Lower Income Sites Inventory Table, 2022* of the 2022-2030 Housing Element anticipates 5 acres of the Site would be developed with lower income units (with an assumed density of 24 units per acre for a total of 120 projected lower income units), there are no requirements requiring that development of the Site include affordable housing units. Rather, the project would be anticipated to add 208 additional market-rate units into the City's rental market.

Based on Chico's average household size of approximately 2.4 persons, development of the proposed 208-unit multi-family residential apartment complex on the subject Site would be anticipated to result in approximately 499 additional residents on-site, which equates to approximately 0.49 percent of the City's estimated population in 2022 (U.S. Census Bureau, 2020). While the extension of infrastructure for community water and wastewater services would be required under the project, as well as development of an internal 16-foot-wide roadway and associated parking, the proposed use (multi-family residential) is consistent with the existing land use and zoning designations of the subject Site. Since the proposed project would not induce substantial unplanned population growth, a **less than significant impact** would occur.

XIV.b) No Impact. As shown on the Site Plan (Figure 4), the Site proposes 208 multi-family residential units within 21 individual apartment buildings on a currently undeveloped Site. While the Site previously contained an almond orchard, single-family residence, and accessory buildings, no development is currently located on-site. As such, the project would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere. **No impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less than Significant Impact** on Population and Housing.

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

DISCUSSION

As previously discussed, the project is for a 208-unit multi-family apartment complex on an 11.77-acre Site. Primary access to the Site would take place off W. Lindo Avenue via gated entrance. Under the project, vehicular access and parking would follow a circular arrangement around the Site. Additionally, the Site would have a dedicated and controlled emergency vehicle access (EVA) within the northeastern portion of the Site and would connect to Ruskin Street within the adjacent Westside Place development to the east. Bollards would be utilized to restrict non-emergency vehicle use at this location. There are no elements of the proposed project that would impact the ability of the City or other local services providers to provide public services to the local community.

XV.a) Less Than Significant Impact. As discussed under Section IX (Hazards and Hazardous Materials) above, the Site is located within a Local Responsibility Area (LRA) for fire protection services and is currently located within the service boundaries of the Chico Fire Department, which serves the City of Chico and responds to emergencies in the surrounding unincorporated area through the Chico Urban Area Fire and Rescue Agreement (CUAFRA) with Butte County Fire Department. Additionally, the Site is not located within a high or very high fire hazard severity zone (City – Community Wildfire Protection Plan, 2022).

As noted on the City's website, the Chico Fire Department was established in 1873 and serves a population of approximately 92,500 people and an area of approximately 34 square miles. The Department operates four (4) fire stations across the City, in addition to a Fire Training Center, and over 30 pieces of modern emergency apparatus. The Department includes 60 full-time personnel and eight (8) currently active volunteer firefighters (City – Chico Fire-Rescue, n.d.). The nearest stations to the Site include Station 2, located at 182 E. 5th Street, approximately 1.6 miles east of the Site, and Station 1, located at 842 Salem Street, approximately 2.4 miles southeast of the Site.

As the project entails the development of a 208-unit multi-family apartment complex on an undeveloped property, there would be an increase in need for fire protection services at the Site. However, the proposed 16-foot-wide internal road would be designed to provide sufficient width and turning radii consistent with City and Chico Fire Department standards. All new construction is required to meet California Fire Code requirements for fire detection and suppression. Additionally, the City coordinates with the Department to ensure that all development is served by adequate fire protection services and all fair share fees are paid.

The project would be subject to the Fire Protection Building and Equipment Fee as denoted on the City of Chico Master Fee Schedule, which would be used to pay for new or expanded fire protection facilities or equipment, which would improve the ability of the Department to provide services. Furthermore, the project would be supplied by adequate water supplies (see Section XVIII, Utilities and Service Systems), which would ensure sufficient water is available for fire protection services. Therefore, a **less than significant** would occur.

XV.b) Less Than Significant Impact. Currently, the Site is within the service area of the Chico Police Department (CPD) for police protection services. The CPD is located approximately 3.3 miles southeast of the Site at 1460 Humboldt Road. As provided in the CPD's 2021 Annual Report, the Department comprises 104 full-time sworn employees, in addition to 64.5 non-sworn employees. The Patrol Division is noted to be staff with three (3) Lieutenants as Watch Commanders, six (6) Sergeants, forty-eight (48) Police Officers, and seven (7) Community Service Officers, which cover the six (6) assigned beats within the Chico city limits (2021).

As the project entails the development of a 208-unit multi-family apartment complex on a currently undeveloped Site, the project would likely increase the need for police protection services at the Site. However, as previously discussed in Section XIV (Population and Housing), above, development of the Site for residential use is consistent with the City of Chico 2030 General Plan (2011, amended 2017) and the 499 residents anticipated on-site as a result of the proposed project would equate to approximately 0.49 percent of the City of Chico's most recent population estimate, estimated as 101,299 people in 2022. The need for increased police services to serve the projected population growth would have been accounted for in the development of the General Plan. Additionally, the City coordinates with the Department to ensure that all development is served by adequate police protection services and all fair share fees are paid. The project would be subject to the Police Protection Building and Equipment Fee as denoted on the City of Chico Master Fee Schedule, which would be used to pay for new or expanded police protection facilities or equipment, which would improve the ability of the Department to provide services. A **less than significant impact** would occur.

XV.c) Less Than Significant Impact. As previously described, the Site is located in the vicinity of several schools, including Lee Kindergarten Readiness (preschool, located approximately 760 feet southwest of the Site), and Emma Wilson Elementary School (0.31 miles northwest), California State University, Chico (1.25 miles southeast), and Chico High School (1.42 miles east), located. As discussed in Section XIV (Population and Housing), approximately 499 additional residents are anticipated on-site after build-out of the Site. Based on information provided by the U.S. Census Bureau (2022), persons under the age of 18 years (or school-age) represent 19.2 percent of the City of Chico's population. As a result, it is expected that of the new residents anticipated on-site, approximately 96 persons would be under 18 years of age. As a result, it is anticipated that any new students as a result of the proposed project could be adequately accommodated by existing schools within the vicinity of the Site and a **less than significant impact** would occur.

XV.d) Less Than Significant Impact. Several parks and recreational facilities are located within 3 miles of the Site, as described in further detail in Section XVI (Recreation), below. As the project would ultimately lead to the development of an additional 208 housing units on-site, the population is expected to increase as a result of the proposed project. However, the project is not anticipated to significantly increase the usage of local parks or recreational facilities such that new facilities would be needed. A **less than significant impact** would occur.

XV.e) Less Than Significant Impact. The proposed project would not have a significant impact on other public facilities, as the proposed project is consistent with the Site's current land use and zoning designations. While

population is expected to increase as a result of the proposed project, the population increase would not constitute unplanned growth that would otherwise significantly increase the usage of other public facilities, such as regional hospitals or libraries, or significantly increase the population of the City of Chico to the extent that new or physically altered public facilities would be required. A **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Public Services.

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

DISCUSSION

According to the Parks, Public Facilities, and Services Element of the City of Chico General Plan (2017), the City of Chico is responsible for the management, operation, and maintenance of 37 parks, open space, and recreation centers totaling 4,176 acres, within the city limits of Chico. In addition to the General Plan, the Chico City Council has adopted the Bidwell Park Master Management Plan Update (2008) and the Chico Area Recreation and Park District (CARD) has adopted the Park and Recreation Five Year Master Plan Update (2018).

The Site is located in the vicinity of the following neighborhood parks and recreational facilities:

- Oak Way Park, located approximately 0.38 miles south of the Site.
- Peterson Park, located approximately 1.57 miles north of the Site.
- Hartley Neighborhood Park, located approximately 2.19 miles northeast of the Site.
- DeGarmo Community Park, located approximately 2.31 miles northeast of the Site.
- Bidwell Mansion State Historic Park, located approximately 1.83 miles southeast of the Site.
- Children's Park, located approximately 1.91 miles southeast of the Site.
- Annie's Glen and Camellia Way Picnic Area, located approximately 2.15 miles southeast of the Site.
- One Mile Recreation Area, located approximately 2.47 miles southeast of the Site.

Furthermore, the proposed project would include a dog park, shared outdoor space with a pool and clubhouse, and a multi-use lawn area located on-site for future residents.

XVI.a-b) Less Than Significant Impact. As previously described under Section XIV (Population and Housing) above, the proposed project entails development of a 208-unit apartment complex on the subject Site, which would be anticipated to result in a total of approximately 499 residents on-site. As a result of the anticipated population increase, increased use of existing park and recreational facilities would also be anticipated, but not to such a level to create a need for a new or physically-altered park or recreational facility. Additionally, the project includes development of on-site amenities for future on-site residents, including a dog park, shared outdoor space with a pool and clubhouse, and a multi-use lawn. Furthermore, in accordance with Article V *Park Facility Fees* of the CMC, the development of the proposed residential apartment complex on-site would require the payment of park facility fees to the City, which would be utilized for the maintenance and development of park facilities within the City of Chico. A **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Recreation.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law, initiating an update to the CEQA Guidelines to change how lead agencies evaluate transportation impacts under CEQA, with the goal to better measure the actual transportation-related environmental impacts of a given project. Traditionally, transportation impacts had been evaluated by using Level of Service (LOS) analysis. As of July 1, 2020, lead agencies are required to analyze the transportation impacts of new projects using vehicle miles traveled (VMT), instead of LOS. According to the *SB 743 Frequently Asked Questions* provided by the Governor's Office of Planning and Research (OPR), VMT measures how much actual automobile travel (i.e., additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto the roads, the project may cause a significant transportation impact. VMT analysis is intended to promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations (OPR, 2020). As of the date of this Initial Study, the City has not yet adopted thresholds for VMT impacts. Therefore, this analysis applies a threshold based on guidance provided in OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December 2018) and the Butte County Association of Governments' (BCAG) *BCAG SB74 Implementation* document (June 2021), both of which suggest a significance threshold for residential projects that is 15 percent or more below existing baseline conditions for citywide or regional VMT per capita would indicate a less than significant transportation impact. A 15% reduction in VMT is shown in the Technical Advisory to both be achievable and supported by evidence connecting this level of reduction to the State's long-term emissions goals (OPR, 2018).

The Site is located in close proximity to both State Route 32 (located immediately south of the Site) and Highway 99 (located approximately 1.7 miles northeast of the Site). Under the project, vehicular access and parking design follows a circular arrangement around the Site, and includes development of a 16-foot-wide drive aisle for Site ingress and egress, in accordance with Chico Fire Department requirements. The Site's primary entry would be along the Site's western boundary, via a gated entrance off W. Lindo Avenue. A dedicated controlled emergency vehicle access (EVA) would also be located within the northeastern portion of the Site and would connect to Ruskin Street within the adjacent Westside Place development to the east. Bollards would restrict non-emergency vehicle use at this access location.

Currently, within the vicinity of the Site, only minimal pedestrian and bicycle facilities are present, including a short strip of sidewalk along the Site's Nord Avenue frontage, as well as a Class II bicycle lane along the south side of Nord Avenue. Under the project, improvements to the City of Chico's right-of-way would include the

installation of curbs, gutters, and sidewalks along the Site's Nord and W. Lindo Avenue frontages and within the interior of the Site. A dedicated pedestrian walkway to the proposed bus stop location, centrally located along Nord Avenue, is also to be provided under the project. Transit service is available within Chico and is provided by Butte Regional Transit (B-Line). An existing bus stop is located along Route 3 (Nord/East) at Nord Avenue and W. Lindo Avenue, which runs Monday through Saturday (Butte Regional Transit, 2019).

A *Transportation Impact Study for 2240 Nord Avenue Apartments Project* (Transportation Impact Study) was prepared by W-Trans on February 1, 2024 (see Appendix K) to assess the potential transportation impacts and adverse operational effects that would be associated with development of the proposed project. As noted in the Transportation Impact Study, the proposed project would not conflict with any plans or policies for transportation facilities, assuming the design of the frontage improvements on West Lindo and Nord Avenues is coordinated with City and Caltrans staff in consideration of the planned Highway 32 corridor improvements and the future provision of a Class I pathway on W. Lindo Avenue, as identified in the City's Draft *Active Transportation Plan* (ATP). Development of the proposed project would be expected to generate an average of 1,402 new trips per day, including 83 trips during the weekday a.m. peak hour and 106 trips during the weekday p.m. peak hour. However, with the addition of the anticipated project trips to the anticipated future volumes and with installation of Caltrans' proposed traffic signal at Nord and W. Lindo Avenues, the study intersections are expected to continue operating at the same Levels of Service as without project trips. As a result, the project's long-term effect on operations is considered acceptable, though capacity improvements to the intersection of Nord Avenue/East Avenue would be needed to address the high delays and LOS F operations expected under buildout volumes without the project. In addition, based on the California Governor's Office of Planning and Research (OPR) *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory* (2018) as well as the Butte County Association of Governments' (BCAG) travel demand model, the project would have a less than significant impact on vehicle miles traveled (VMT). Furthermore, significant queueing impacts are not anticipated, nor would the project create any new safety hazards (W-Trans, 2024). Additional discussion is provided in the subsections below.

XVII.a) Less Than Significant. The proposed project would not conflict with a plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian paths. It is expected that construction of the project would result in a slight increase in traffic to and from the Site, as construction workers arrive and leave the Site at the beginning and end of the day, in addition to minor interruption of traffic on Nord Avenue and/or W. Lindo Avenue when heavy equipment necessary for project construction is brought to and removed from the Site. However, once construction is complete, the construction workers and equipment would no longer be required at the Site. Upon build-out of the Site, traffic trips would be associated with residents and visitors traveling to and from the Site.

The temporary traffic increases during construction and vehicle and pedestrian increases during operation of the project are not anticipated to significantly impact the capacity of the street system or the overall effectiveness of the circulation system, as the proposed development is consistent with surrounding development and is conceptually designated for residential use under the City's General Plan. As described above, the project is expected to generate an average of 1,402 new trips per day, including 83 trips during the weekday a.m. peak hour and 106 trips during the weekday p.m. peak hour. However, with the addition of the anticipated project trips to the anticipated future volumes and with installation of Caltrans' proposed traffic signal at Nord and W. Lindo Avenues, the study intersections are expected to continue operating at the same Levels of Service as without project trips (W-Trans, 2024).

Additionally, the project is not anticipated to substantially impact alternative transportation facilities, such as transit, bicycle, or pedestrian facilities. The project's location near existing transit stops, Class II bicycle lane along the south side of Nord Avenue, and proposed pedestrian improvements would allow for alternative means of travel to and from the Site. An existing bus stop is located along Route 3 (Nord/East) at Nord Avenue and W. Lindo Avenue, which runs Monday through Saturday (Butte Regional Transit, 2019). In addition, a bus stop location is also proposed along Nord Avenue, south of the Site (not a part of project). A dedicated pedestrian walkway to the proposed bus stop location would be provided under the project.

As described in the Transportation Impact Study prepared by W-Trans in February 2024 (see Appendix K), there is a network of sidewalks, crosswalks, pedestrian signals, and curb ramps providing access for pedestrians in the vicinity of the Site; however, sidewalk gaps can be found along the roadways connecting to the subject Site. Additionally, Class II bike lanes exist on both Nord Avenue and W. 8th Avenue. Per the *City of Chico Draft Active Transportation Plan (2023)*, pedestrian crossing improvements, including high visibility crosswalk markings and curb ramp upgrades, are planned at the intersection of Nord Avenue/West 8th Avenue. Additionally, a Class I shared-use path is planned along W. Lindo Avenue from Nord Avenue to SR 99 and along the railroad from W. Lindo Avenue to the western City limits, with an extension of the existing bike lanes on W. 8th Avenue planned between W. Sacramento Avenue and Nord Avenue. Additionally, Caltrans plans to install a traffic signal and other pedestrian improvements including sections of sidewalk at Nord Avenue/W. Lindo Avenue (W-Trans, 2024). Furthermore, under the project, pedestrian improvements are proposed within the interior of the development and along the Site's Nord and W. Lindo Avenue frontages, offering increased connectivity and pedestrian safety within the vicinity of the Site.

The roadway and sidewalk improvements proposed under the project will be evaluated by the City and inspected following construction to ensure compliance with all standards and requirements. Therefore, impacts related to project conflicts with a transportation program, plan, policy, or ordinance would be **less than significant**.

XVII.b) Less Than Significant. CEQA Guidelines Section 15064.3, subdivision (b) indicates that land use projects would have a significant impact if the project results in vehicle miles traveled (VMT) exceeding an applicable threshold of significance, but that projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant impact. The City of Chico has not yet adopted a policy or thresholds of significance regarding VMT, so project-related VMT impacts were assessed utilizing guidance provided by OPR (2018) and BCAG (2021), both of which recommend a significance threshold for residential projects that is 15 or more percent below the existing citywide or regional residential VMT per capita (W-Trans, 2024). Under the proposed project, VMT would be attributed to workers, residents, and visitors traveling to and from the Site. As discussed under Section XIV (Population and Housing), above, the 208 proposed residential apartment units would be anticipated to result in a population increase of approximately 499 residents at the subject Site.

The countywide average daily VMT per capita is 14.9. By applying OPR and BCAG guidance, a residential project generating a VMT that is 15 percent or more below this value, or 12.7 miles per capita per day or less, would have a less-than-significant VMT impact. W-Trans determined the proposed project is expected to have a daily VMT per capita of 11.4, which is approximately 23 percent below the countywide average. Therefore, project impacts to VMT would be consistent with CEQA Guidelines Section 15064.3, subdivision (b), and VMT impacts would be **less than significant**.

XVII.c) Less Than Significant. The proposed project is designed to meet City standards for roadway designs and would not substantially increase hazards due to design features or incompatible uses. The project would be required to comply with all standards, including, but not limited to, site access, roadway width, and turning radii. As previously discussed, the proposed project includes both roadway and frontage improvements, with Site access via a gated entry to be provided off W. Lindo Avenue. In addition, a dedicated controlled emergency vehicle access (EVA) would also be located within the northeastern portion of the Site and would connect to Ruskin Street within the adjacent Westside Place development to the east. Bollards would restrict non-emergency vehicle use at this access location. W-Trans determined the proposed entry would have adequate sight lines to accommodate all turns into and out of the project driveway. In addition, the proposed gated entrance is expected to have adequate stacking capacity to prevent a queue from spilling over onto West Lindo Avenue (W-Trans, 2024). Furthermore, the proposed internal roadway would be designed to provide sufficient width and turning radii consistent with Chico Municipal Code Chapter 18R.08 (Design Criteria).

With adherence to applicable street design standards and requirements the project would not increase hazards due to a geometric design feature and this impact would be **less than significant**.

XVII.d) Less Than Significant. The proposed project has been designed to meet all City design and development standards, including site access, roadway width, and turning radii, and would not result in inadequate emergency access. In addition, the project would include a dedicated controlled emergency vehicle access (EVA) within the northeastern portion of the Site, which would provide connectivity to Ruskin Street within the adjacent Westside Place development to the east in emergency situations, with bollards restricting non-emergency vehicle use. As such, a **less than significant impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Transportation.

XVIII. TRIBAL CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §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:				
i) 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 §5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) 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 §5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

Cultural Resources Survey

A *Cultural Resources Inventory Survey* (Cultural Report) was prepared by Genesis Society on September 13, 2023 (on file and confidential). Per the Cultural Report, existing records at the Northeast Information Center (NEIC) at the California State University, Chico campus document that all of the present area of potential effects (APE) had been subjected to previous archaeological investigation. One (1) historic-era cultural resource (on-site residence; P-04-4755) was previously documented within the APE. The residence was present on-site at the time of the Cultural Report (September 2023), but has since been removed from the Site. As previously discussed, the single-family residence was approximately 1,500 square feet in size and constructed in 1924, and was recently removed from the Site by the Chico Fire Department on November 20, 2023, as a training exercise. As described in the Cultural Report and in accordance with PRC Section 5024.1(c)(1-4), a resource is considered historically significant if it retains "substantial integrity" and meets at least one of the following criteria: 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; 2) Is associated with the lives of persons important in our past; 3) 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; and/or 4) Has yielded, or may be likely to yield, information important in prehistory or history.; however, the California Department of Transportation (Caltrans) determined that this resource was not eligible for the National Register of Historic Places (NRHP) and not eligible for the California Register of Historic Resources (CRHR) (Genesis, 2023), which indicates the former single-family residence was not found to meet any of the above-listed eligibility criteria.

Fieldwork was conducted in August 2023, in which the APE was surveyed via an intensive pedestrian survey, in which parallel transects were walked at 20-meter intervals. Disturbance to the ground surface, within the

APE, was noted to range from moderate to substantial. Additionally, per the Cultural Report, the entire property has been subjected to a century of farming and ranching activities, including the planting, removal, and replanting of almond orchards. Deep ripping has occurred throughout the APE. Further, construction of the prior on-site single-family residence in 1924 and the construction and subsequent demolition of related ancillary buildings have further contributed to ground disturbance within the APE. Finally, adjacent road construction and placement of both buried and overhead utilities within the property have further contributed to the disturbance of both surface and subsurface soils within the APE. No evidence of prehistoric use or occupation was observed, nor were any historical or unique archaeological resources identified within the APE. While no resources were identified on-site during the survey and no such resources were identified during former agricultural and residential-related construction activities at the Site, the presence of buried cultural materials on the subject property remains a possibility. As such, recommendations are provided in the Cultural Report in the event of inadvertent discovery of cultural materials and human remains (Genesis, 2023), further described below.

Native American Heritage Commission Outreach

On August 8, 2023, LACO Associates (LACO), on behalf of the Applicant and City of Chico (City), contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search and the contact information for the representatives of the Native American tribes associated with the project area. On September 12, 2023, a response was received from the NAHC, which indicated that the results of the Sacred Lands File (SLF) search were negative. Included with the letter was a Native American contact list of tribes who may have knowledge of cultural resources in the project area. A total of ten (10) tribal contacts are included on the NAHC contact list, which includes representatives from the Konkow Valley Band of Maidu Indians, Mechoopda Indian Tribe, Mooretown Rancheria of Maidu Indians, Nevada City Rancheria of the Nisenan Tribe, and the Washoe Tribe of Nevada and California.

Northeast Information Center Outreach

In addition, on August 8, 2023, LACO, on behalf of the Applicant and City, contacted the Northeast Information Center (NEIC) at California State University, Chico to request a Records Search of the proposed project area. On September 17, 2023, a response was received from the NEIC, in which it was noted that the project area has been partially surveyed for cultural resources. No archaeological resources have been recorded within the project boundaries, although three (3) resources have been recorded within 1 mile of the Site. It is further noted that the project is located in a region utilized by Konkow populations at the time of Euro-American contact. Additionally, indigenous populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game. Furthermore, NEIC notes that historically, Euro-Americans utilized the region for mining and transportation opportunities. NEIC states that the area is archaeologically sensitive and has the potential for the discovery of additional resources. As the project area has not been surveyed for archaeological resources within the last ten (10) years, NEIC recommends that a professional consultant be contacted prior to ground disturbance.

Tribal Outreach

On January 26, 2024, City staff sent a letter to the Mechoopda Tribe Cultural Center to inform them of the proposed development. City staff (Associate Planner Madison Driscoll) informed the Center that mitigation measure CUL-1 would be included. The Center sent an email agreeing to the mitigation measure and no further comments on February 27, 2024.

Please note that copies of the Cultural Report and correspondence are not enclosed with this Initial Study, due to the confidential nature of the information.

XVIII.a.i-ii) Less Than Significant with Mitigation Incorporated. As described above and in Section V (Cultural Resources), one (1) historic-era cultural resource (P-04-4755) was previously documented within the APE, although the resource was determined to not be eligible for the NRHP or the CRHR. Aside from this resource, no additional historical or cultural resources were observed within the APE (Genesis, 2023).

Although the entire property has been utilized for farming and ranching activities for more than a century, there remains the possibility of inadvertent discovery of historical and/or archaeological resources, including tribal cultural resources (TCRs), as well as human remains, on-site, especially during ground disturbing activities associated with construction of the proposed project. Although no TCRs have been documented or identified on the Site, inclusion of Mitigation Measures TRIBE-1 and CUL-1 (as set forth under Section V, Cultural Resources, above) will reduce the potential for significant impacts to unknown TCRs to a level that is **less than significant with mitigation incorporated**.

MITIGATION MEASURES

TRIBE-1: Prior to the start of grading operations for the project, the project developer or their representative shall provide reasonable notice and site access to the Mechoopda Indian Tribe of Chico Rancheria (Tribe) for a tribal monitor to be present during ground disturbing activities with the potential to encounter cultural resources of Native American origin or association. If archaeological resources (i.e., sites, features, or artifacts) are exposed during construction activities, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, in coordination with the tribal monitor if prehistoric in nature, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the nature of the find, the archaeologist and tribal monitor (if a resource is prehistoric in age) may simply record the find to appropriate standards (thereby addressing any data potential) and allow work to continue. If the archaeologist determines the discovery to be potentially significant under CEQA or the tribal monitor identifies a potential Tribal Cultural Resource (TCR), additional efforts such as preparation of a treatment plan, testing, and/or data recovery may be warranted prior to allowing construction to proceed in this area. All management strategies recommended by the archaeologist and/or Tribe must be approved by the City of Chico Community Development Director. The developer shall then adhere to the management strategies approved by the City. Ground-disturbing activities may resume once the management strategies have been implemented to the satisfaction of the City's Community Development Director and the qualified archaeologist.

Also see Mitigation Measure CUL-1 in Section V, Cultural Resources.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Tribal Cultural Resources.

XVIX. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

The parcel is currently served by an on-site well and septic system; however, under the project, the existing well and septic system would be abandoned in accordance with Butte County Environmental Health requirements, and community utility services would be extended to the Site. The Site would be connected to California Water Service (Cal Water) for community water service, which provides water services to the City of Chico. Community wastewater service would also be extended to the Site. Wastewater within the City of Chico is treated by the City of Chico Water Pollution Control Plant (WPCP). There are two (2) solid waste hauling companies which provide weekly curb-side residential and commercial garbage and recycling collection within the City of Chico, including North Valley Waste Management and Recology. Electricity and gas for the Site would be provided by Pacific Gas and Electric Company (PG&E).

Water Service

As noted above, and as provided in the Chico 2020 Water Quality Report prepared by Cal Water (2021), the water distributor has been providing water utility services to the City of Chico since 1926. To meet the needs of the City of Chico, 57 wells are used to pump an average of 16.9 million gallons of groundwater per day, which is delivered to customers through 401 miles of main, six (6) storage tanks, and eleven (11) booster pumps.

As stated in the City of Chico General Plan (2017), Cal Water maintains two primary management plans for the Chico area water system. The Urban Water Management Plan (UWMP), adopted in 2020, provides an overview of Cal Water and the Chico area water system, establishes policies and programs concerning water delivery and treatment, as well as water conservation and management practices. The Water Supply

and Facilities Master Plan (2020) guides the growth and development of their water delivery system to meet the community's future needs. The UWMP indicates the Chico District water supply is expected to be sufficient to support the area's projected water demand through 2045. Furthermore, Cal Water expects that, under all hydrologic conditions, the groundwater supply for the Chico District will fully meet future demands (2020). Table 6-9 from the UWMP (2020), below, shows the projected water supply is expected to increase in volume within the next two decades.

Table 6-9. Water Supplies – Projected (DWR Table 6-9)											
Water Supply	Additional Detail on Water Supply	Projected Water Supply									
		2025		2030		2035		2040		2045	
		Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)	Reasonably Available Volume	Total Right or Safe Yield (optional)
Groundwater (not desalinated)	Vina Subbasin (Chico PWS)	23,027		24,158		25,217		25,744		26,119	
Groundwater (not desalinated)	Corning Subbasin (Hamilton City PWS)	349		354		354		354		355	
Total		23,376		24,511		25,571		26,098		26,474	
NOTES:											
(a) Volumes are in units of AF.											
(b) The Vina Subbasin and Corning Subbasin are not adjudicated, and the projected groundwater supply volumes are not intended to and do not determine, limit or represent Cal Water's water rights or maximum pumping volumes. Any determination of Cal Water's water rights, as an overlying owner, appropriator, municipal water purveyor or otherwise, is beyond the scope of this report and the UWMP statutes and regulations.											

Wastewater Service

The City of Chico WPCP provides treatment to the City's wastewater and discharges effluent to the Sacramento River. The WPCP is a regional-serving, gravity fed facility located southwest of the City. In addition, the facility is a secondary treatment facility with a current treatment capacity of 12 million gallons per day (mgd). The WPCP utilizes alternative power, including a photovoltaic solar array installation which provides approximately 35 percent of the facility's total power demand. A significant portion of the facility's power is also provided by the cogeneration facility. According to the City of Chico Sanitary Sewer Master Plan Update (SSMP; 2017), the collection system consists of sewer mains, trunk sewers, lift stations, and flow diversions that collect and convey wastewater to the City's WPCP, which is located west of the City on Chico River Road. The City's existing sanitary sewer collection is comprised of roughly 266 miles of gravity collection system pipes up to 66-inches in diameter.

The WPCP has an average dry weather (ADW) (low) flow of approximately 6.9 mgd and an average peak wet weather flow (PWWF) wet weather (high) flow of approximately 20.5 mgd. Future improvements to the sanitary sewer collection systems identified in the City's SSMP are projected to increase the ADW from 6.9 mgd to 13.9 mgd and increase the PWWF from 20.5 mgd to 35.3 mgd. Improvements to the existing system will provide sufficient capacity to mitigate existing issues in the City and to convey increased flows resulting from future growth. Future development will require the construction to serve new users. All improvements to the existing sanitary sewer system collection are anticipated to be completed in 2030 (SSMP, 2017).

The City of Chico and Butte County adopted the Nitrate Action Plan (1985) to address high levels of nitrates in portions of groundwater under the City that resulted from the wide-spread use of septic tanks within the

urban area. In addition, the City of Chico adopted the Chico Urban Area Nitrate Compliance Plan (NCP) to provide utility infrastructure policies, as well as outline a plan to expedite the connection of septic tank users to the city sewer system. While the Site currently contains an existing septic system, the proposed on-site development will be served by the WPCP.

Storm Drainage System

As noted in Chapter 9 (Parks, Public Facilities, and Services Element) of the City of Chico General Plan (2017), storm drainage management within the City and the urban area is provided by a system of developed and undeveloped collection systems operated and maintained by the City and Butte County. The City is not constrained by any formally designated service areas but has established storm drainage basins for the purpose of planning and infrastructure. In areas of the City that are not developed with storm drainage collection, unpaved shoulders, roadside swales, and natural occurring drainages help control runoff (2017).

In addition to construction of the 208 multi-family residential units, the proposed project would also include curb and gutter, site entrance off W. Lindo Avenue, and an internal roadway with associated parking, all of which would increase impermeable surfaces. The proposed development would require an approved Storm Water Pollution Prevention Plan (SWPPP) from the State Water Resources Control Board (SWRCB) that identifies the specific BMPs to be implemented to minimize the amount of sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. The proposed storm drainage system and BMPs must be designed to the satisfaction of the City's Public Works Director and in conformance with all applicable permits and regulations.

Solid Waste Service

As noted above, North Valley Waste Management and Recology provide weekly curb-side residential and commercial garbage and recycling collection within the City of Chico. Solid waste generated in the City of Chico is disposed of 7 miles southeast of the City, at the Neal Road Landfill, which is operated and owned by the County of Butte. The Neal Road Landfill has a total permitted capacity of approximately 25 million cubic yards of solid waste and has a tentative closure date of 2035.

Green yard waste is hauled to the City's Compost Facility near the Chico Municipal Airport or Neal Road Landfill. The City also collects leaves placed in the streets by City residents annually from mid-October to mid-January. The City estimates between 40,000 to 45,000 cubic yards of leaves are collected annually from residents.

Hazardous materials used in household products are available to be dropped off by City of Chico residents at the Butte Regional Household Hazardous Waste Collection Facility, located near the Chico Municipal Airport.

Electric Power and Natural Gas

As noted in Section VI (Energy), above, the proposed development would be served by Pacific Gas and Electric Company (PG&E) for electrical and gas services. According to the City of Chico Regional Climate Action Plan (CAP), the City of Chico utilizes 133 therms of natural gas per household, per year (City of Chico, CAP). To reduce the amount of natural gas used per household, the City adopted Measure E-3 identified in the City's CAP, which aims to electrify existing residential buildings starting in 2027 to reduce overall residential natural gas consumption to 100 therms/person by 2030 and 30 therms/person by 2045 (City of Chico CAP, 2021).

XVIX.a) Less Than Significant Impact. Under the project, the existing on-site well and septic system would be abandoned in accordance with Butte County Environmental Health requirements, and community utility services would be extended to the Site. While both on- and off-site improvements would be required for the project, the respective utility providers and installers would be required to implement applicable BMPs to reduce the potential for impacts, including but not limited to erosion during construction, to occur. As such, a **less than significant impact** would occur.

XVIX.b) Less Than Significant Impact. As stated above, the proposed project includes the development of a 208-unit multi-family apartment complex within twenty-one (21) individual apartment buildings oriented around the perimeter and center of the Site, in addition to community facilities, including but not limited to a pool and clubhouse. Water for the Site would be provided by Cal Water. Based on current water supply and demand identified in the 2020 Urban Water Management Plan (UWMP), it is anticipated that sufficient water supplies would be available to support the Chico District's projected water demand through 2045. A Water Supply Reliability Assessment was conducted as part of the UWMP, which concluded that the Chico District expects that available supplies of water to be sufficient to meet projected demands in all hydrologic conditions, including a five-year drought period, and considering the impacts of climate change. Standard connection fees would address any incremental impacts of the proposed project. Therefore, the proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable during normal, dry and multiple dry years, and a **less than significant impact** would occur.

XVIX.c) Less Than Significant Impact. Wastewater demand at the Site associated with the former single-family residence was served by an existing on-site septic system. The project includes decommissioning the existing septic system which previously served the on-site residence that is no longer located on the subject property. Community wastewater service would be extended to the Site. As discussed above, wastewater generated by the project would be treated at the City of Chico WPCP. As described above, improvements are proposed at the Chico WPCP to ensure anticipated future growth can be adequately supported. Therefore, impacts would be **less than significant**.

XVIX.d) Less Than Significant Impact. Solid waste collection service would be provided by North Valley Waste Management and Recology, which provide weekly curb-side residential and commercial garbage and recycling collection within the City of Chico. Solid waste is anticipated as a result of project implementation (including both construction and operation); however, the project does not include any components that would generate excessive waste and the existing landfills have sufficient permitted capacity to accommodate the project's solid waste disposal needs. In addition, North Valley Waste Management was issued a franchise to provide residential solid waste and recycling services within the Chico city limits. Within the franchise agreement, Waste Management is required to implement recyclable materials and organic waste diversion from the landfill of 32 percent by January 2021, and 35 percent by 2024. Waste Management will also develop a specific annual Waste Diversion and Sustainability Work Plan, which includes steps to increase diversion and outreach for waste reduction. Waste Management is contracted to provide resources to support waste diversion and sustainability programs. A **less than significant impact** would occur.

XVIX.e) Less Than Significant Impact. This proposed project conforms to all applicable management and reduction statutes and regulations related to solid waste disposal. The development would comply with the adopted policies related to solid waste, and would comply with all applicable federal, state, and local statutes and regulations pertaining to disposal of solid waste, including recycling. Therefore, the proposed project would have a **less than significant impact** on solid waste regulations.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Utilities and Service Systems.

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage challenges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

The Site is located within a Local Responsibility Area (LRA) for fire protection services and is currently located within the service boundaries of the City of Chico Fire Department, which serves the City of Chico and responds to emergencies in the surrounding unincorporated area through the Chico Urban Area Fire and Rescue Agreement (CUAFRA) with Butte County Fire Department. Additionally, the Site is not located within a high or highest fire hazard severity zone (Community Wildfire Protection Plan, 2022). The Chico Fire Hazard Severity Zone Map illustrates that a portion of northeast Chico is designated as a very high fire hazard severity zone (VHFHSZ) while the remaining area of Chico, including the Site, is designated as non-VHFHSZ (CALFIRE, 2022). The Chico Fire Department (CFD) has four operational fire stations throughout the City, with Station 2, located at 182 E. 5th Street, approximately 1.6 miles east of the Site, and Station 1, located at 842 Salem Street, approximately 2.4 miles southeast of the Site. The Department is currently comprised of 60 full-time firefighters (57 uniformed) and 8 active volunteer firefighters (Fire Stations and Apparatus, n.d.). The CFD is equipped with a rapid response vehicle for medical emergencies, Type 3 engines for vegetation fires, and specialized equipment for the Butte County Interagency HazMat Team, which responds to major hazardous materials incidents (City-Fire Stations and Apparatus, n.d.). According to the Chico Community Wildfire Protection Plan (CWPP), there are 4,311 fire hydrants located throughout the City and no wildfires have caused significant home losses within the core urban area of the City in the past century (2022).

XX.a) Less Than Significant Impact. The City of Chico does not have an adopted emergency response plan or emergency evacuation plan. However, the City of Chico has adopted the CWPP, which evaluates wildfire hazards for lands within the City and surrounding lands. Chico's designated emergency evacuations routes are Highway 99 and State Route 32 (Nord Avenue), located immediately south and adjacent to the Site. During construction, construction vehicles and equipment would access the Site via the proposed entrance off W. Lindo Avenue. Should diversion routes or street closures be necessary, they would be only temporary in nature, as equipment is brought to or removed from the Site. Once completed, the Site would also have a secondary Emergency Vehicle Access (EVA) entrance to the property from the adjacent property on Ruskin Street. As such, the proposed project would not significantly impair emergency evacuation. Additionally, Site development would be consistent with the latest versions of the California Building Code (CBC) and the California Fire Code (CFC), as well as the City of Chico General Plan (including Safety

Element), CMC, and any other related regulations that would be required for construction of the project. A **less than significant impact** would occur.

XX.b) Less Than Significant Impact. Under the proposed project, it is not anticipated that wildfire risks would be exacerbated due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. The Site is relatively flat. The 11.7-acre Site was previously utilized as an almond orchard, although the trees have since been removed from the Site. Additionally, the Site previously contained a single-family residence and accessory buildings, which were previously removed from the Site. Two (2) trees have been identified within the Site which would be retained under the project (see Figure 4). The trees to be retained are located near and adjacent to Nord Avenue. Furthermore, potential impacts due to prevailing winds or other factors would be limited as construction would be required to meet or exceed the standards prescribed in the CBC to ensure fire hazards and risk is minimized. Through compliance with existing standards and policies, potential impacts would be limited. A **less than significant impact** would occur.

XX.c) Less Than Significant Impact. The proposed project entails the development of 208 multi-family residential units, internal roads, and landscaping, which would require the installation or maintenance of infrastructure, such as roads, power lines, and other utilities. The project would be sufficiently served by water utilities, as described in Section XIX (Utilities and Service Systems), above, and is within the service boundaries of the Chico Fire Department. Project design has accounted for proper road width and turn radius needs for emergency vehicles, as required by the CFC and CMC. Given the size of the project and the proposed use, the proposed project would not trigger the need for any installation of fire-related utilities (e.g., emergency water supplies), fire roads, fire breaks, or other facilities that would exacerbate fire risk or emergency response needs or cause temporary or ongoing impacts to the environment. Furthermore, all internal utilities on the Site would be installed below ground, minimizing potential ignition and related fire risk, and all contractors would implement standard Best Management Practices (BMPs) and take proper precautions to ensure fire risk is minimized during installation and maintenance of associated infrastructure. A **less than significant impact** would occur.

XX.d) No Impact. The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage challenges, as the subject Site is relatively flat in nature and is not currently developed. Additionally, there is no evidence on-site of recent wildfires at the Site or in the immediate vicinity. **No impact** would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

Certain mandatory findings of significance must be made to comply with CEQA Guidelines Section 15065. The proposed project has been analyzed and it has been determined that it would not:

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Achieve short term goals to the disadvantage of long term goals;
- Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or
- Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.

Potential environmental impacts from construction and operation of the proposed project have been analyzed in this document and mitigation measures have been included in the document to ensure impacts would be held to a less-than-significant level.

XXI.a) Less Than Significant with Mitigation Incorporated. The project does not have the potential to substantially 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. No trees would be removed under the project and two (2) existing trees on-site would be incorporated into the project's

landscaping design (see Appendix D). The Site does not provide habitat for any fish species, nor does the Site support any notable plant or animal communities; however, suitable habitat for migratory birds protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC) is present within the subject Site (Gallaway, 2023). Ground disturbing activities have the potential to affect bird species protected under the MBTA. Should project development activities occur outside of the bird nesting season (February 1 to August 31), no impacts to such species would be anticipated. However, if project activities cannot be initiated outside of the bird nesting season, several recommendations are included in the Biological Assessment to minimize potential impacts, including conducting pre-construction surveys and halting project activities until young have fledged or the nest fails, and a qualified biologist determines the nest(s) to no longer be active, which have been incorporated under Mitigation Measure BIO-1 within Section IV (Biological Resources).

Additionally, there are no important examples of California pre-history located on-site. While the Site previously contained an approximately 1,500-square-foot single-family residence that was constructed in 1924, it was not eligible for listing on the California Register of Historical Resources (CRHR). Although the Site has been heavily disturbed due to prior agricultural (almond orchard) use of the property, one (1) historic-era cultural resource (P-04-4755) was previously documented within the APE and there is the potential for unrecorded archaeological and Native American resources and/or human remains to be located on-site. CEQA Guidelines Section 15064.5(d) and (f) and PRC Section 5097.98 provide proper protocol in the event of inadvertent discovery of archaeological or paleontological resources, or human remains on-site during project construction, and required compliance with these protocols provided in Mitigation Measures CUL-1 through CUL-3 would ensure impacts would be less than significant.

There would be a **less than significant impact with mitigation incorporated**.

XXI.b) Less Than Significant Impact. No cumulative impacts have been identified as a result of the proposed project. The project is a multi-family residential apartment complex project that is consistent with the Site's land use and zoning designations and would be served by community services. The analysis included in this Initial Study found that all potential impacts associated with the project could be reduced to a less-than-significant level with mitigation incorporated. As such, individual impacts from the project would not significantly contribute to cumulative impacts in the area. A **less than significant impact** would occur.

XXI.c) Less Than Significant with Mitigation Incorporated. The proposed project would not generate any potential direct or indirect environmental effect that would have a substantial adverse impact on human beings including, but not limited to, exposure to geologic hazards, air quality, water quality, traffic hazards, noise, and fire hazards. With mitigation incorporated, all potential impacts associated with construction and operation of the project would be reduced to a less-than-significant level. A **less than significant impact with mitigation incorporated** would occur.

MITIGATION MEASURES

Refer to Mitigation Measure BIO-1 in Section IV (Biological Resources); Mitigation Measures CUL-1 through CUL-3 in Section V (Cultural Resources); and NOISE-1 in Section XIII (Noise), above.

FINDINGS

The proposed project would have a **Less Than Significant Impact with Mitigation Incorporated** on Mandatory Findings of Significance.

VI. REFERENCES

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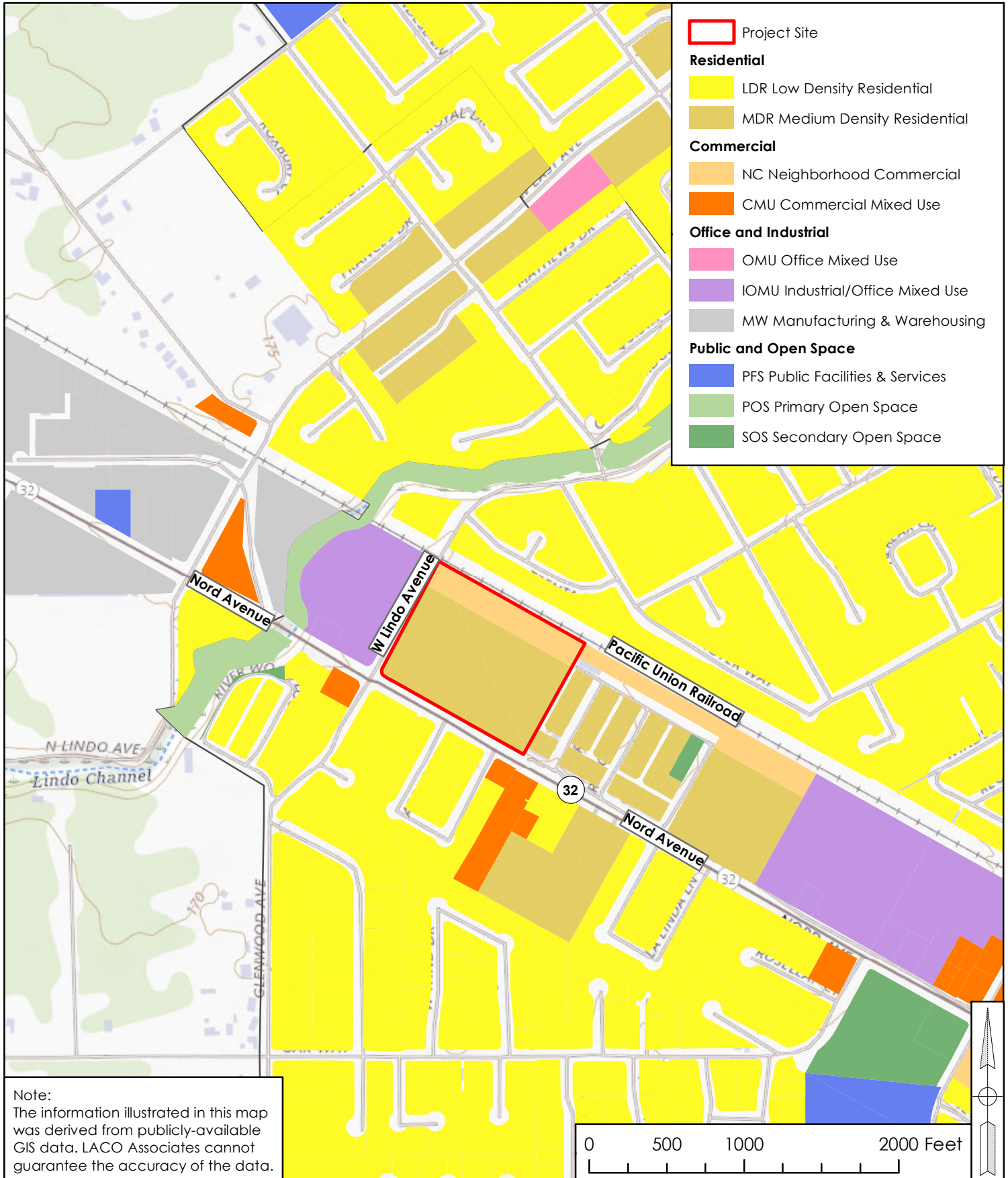
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(Appendix K)

FIGURES

Figure 1	Location Map
Figure 2	Land Use Map
Figure 3	Zoning Designation Map
Figure 4	Architectural Site Plan
Figure 5	Ranchaero Airport Map
Figure 6	Noise Mitigation Locations

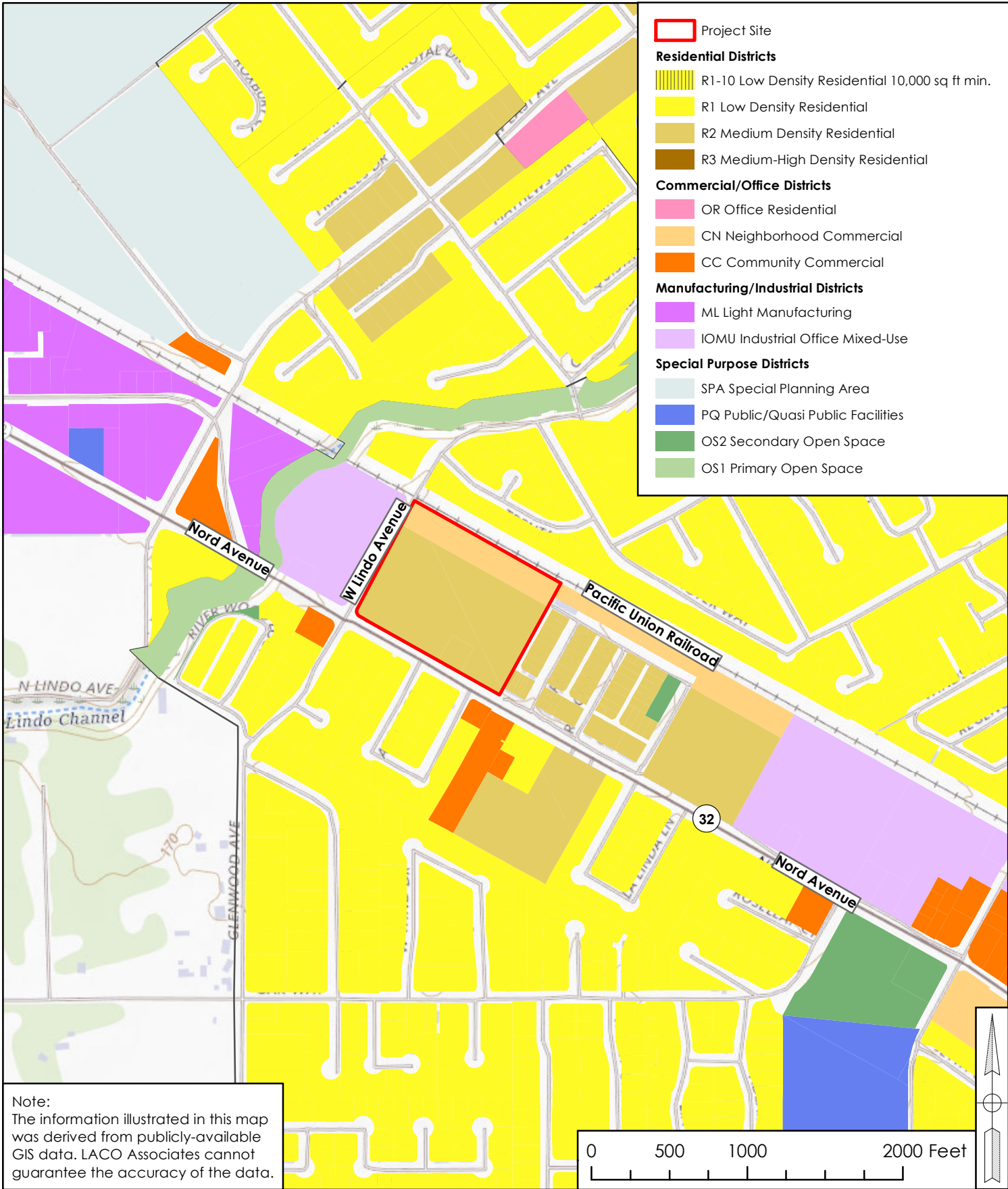
Note:
The information illustrated in this map
was derived from publicly-available
GIS data. LACO Associates cannot
guarantee the accuracy of the data.

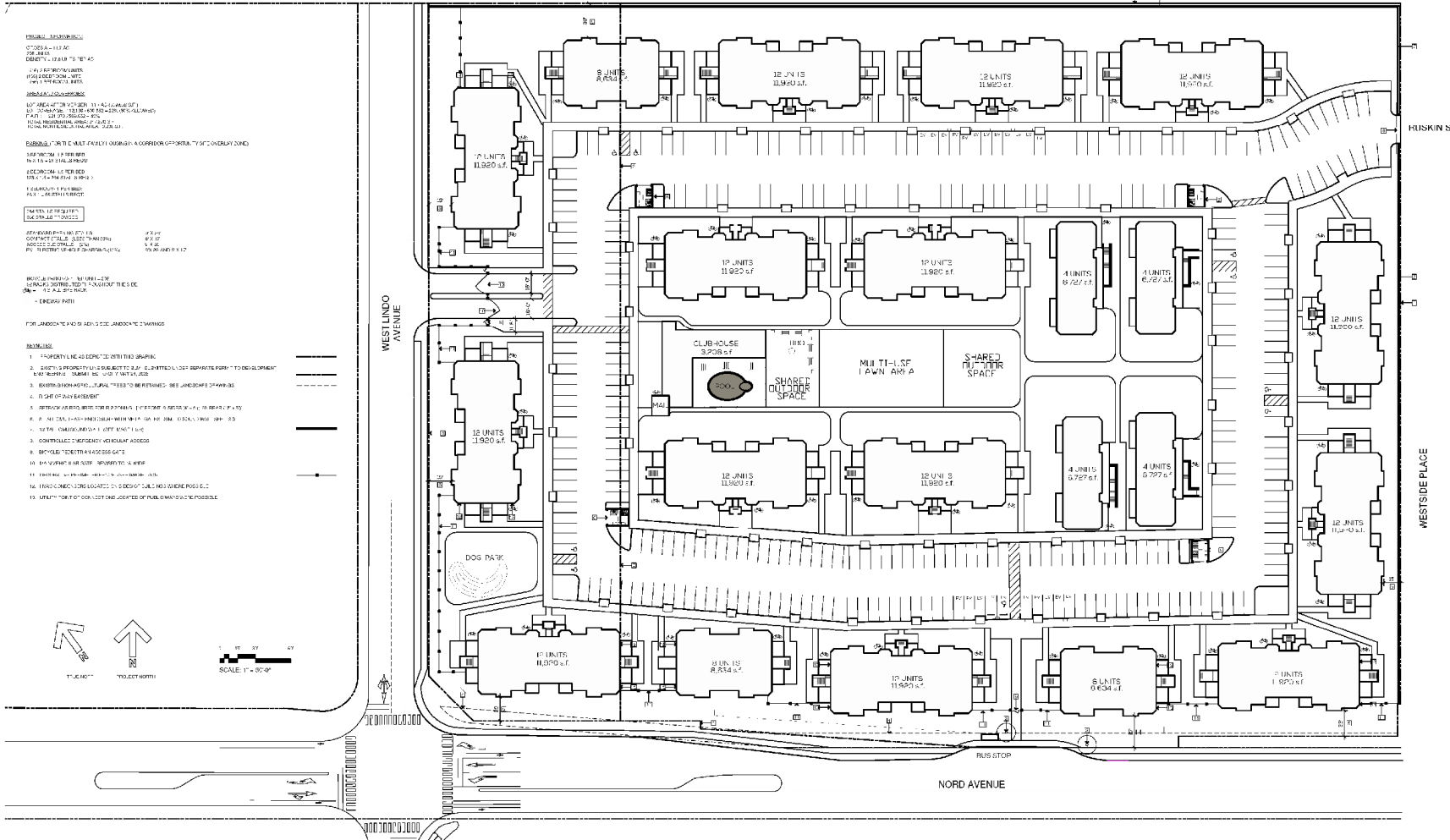
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<div>LACO</div> <div>EUREKA • UKIAH • SANTA ROSA</div> <div>1-800-515-5054 www.lacoassociates.com</div>	PROJECT	Multi-Family Apartment Complex	BY	MCH	FIGURE
	CLIENT	2240 Nord Partnership	CHECK	MMM	3
	LOCATION	2240 Nord Avenue, Chico, CA	DATE	11/02/2023	JOB NO.
	Zoning Designation Map				10569.00

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2240 NORD AVENUE APARTMENTS

PLANNED DEVELOPMENT ARCHITECTURAL SITE PLAN

REVISED 2023.12.01

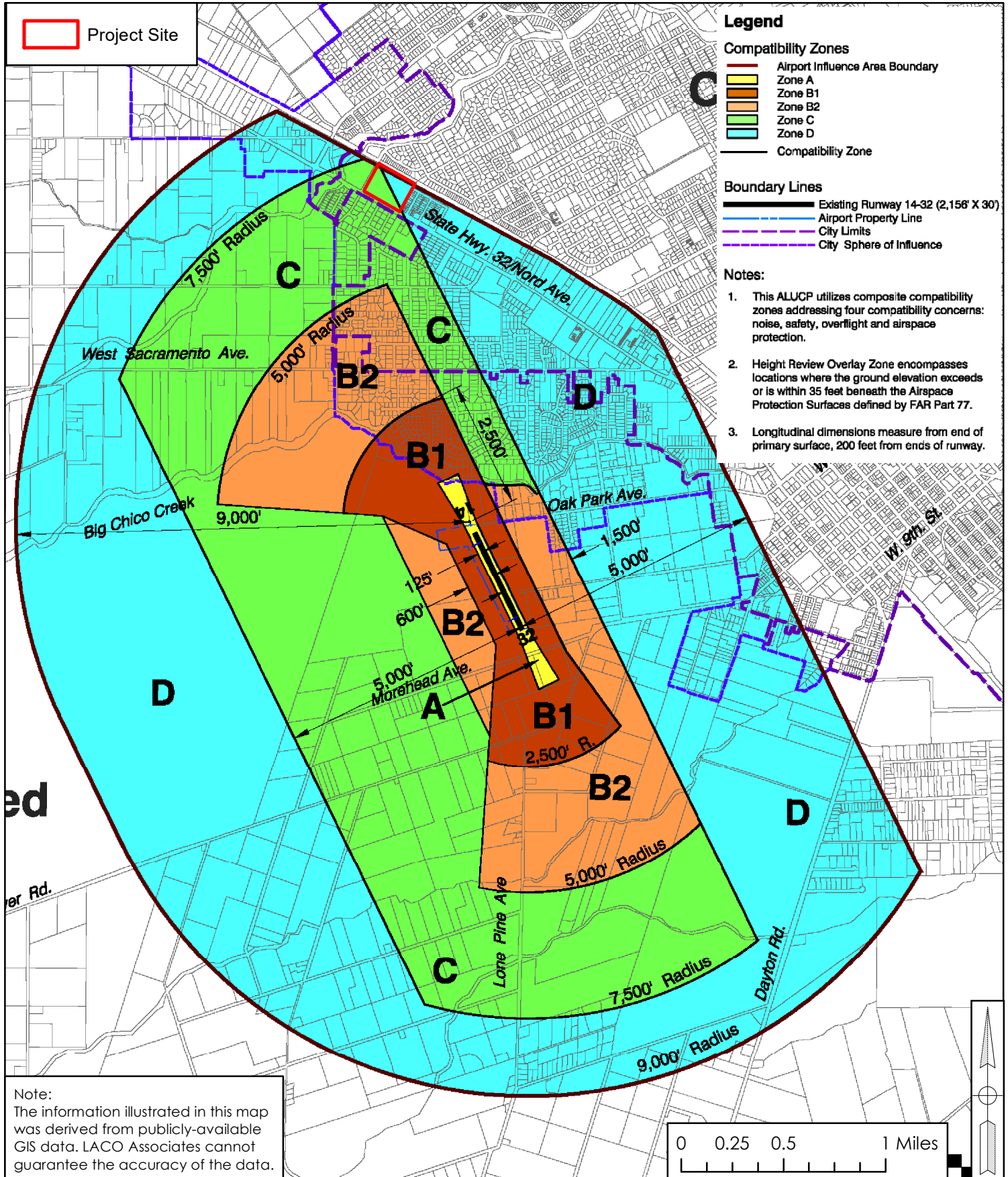
PROJECT Multi-Family Apartment Complex	BY MCH	FIGURE 4
	CHECK MMM	
CLIENT 2240 Nord Partnership	DATE 12/01/2023	
LOCATION 2240 Nord Avenue, Chico, CA		
ARCHITECTURAL SITE PLAN	JOB NO. 10569.00	

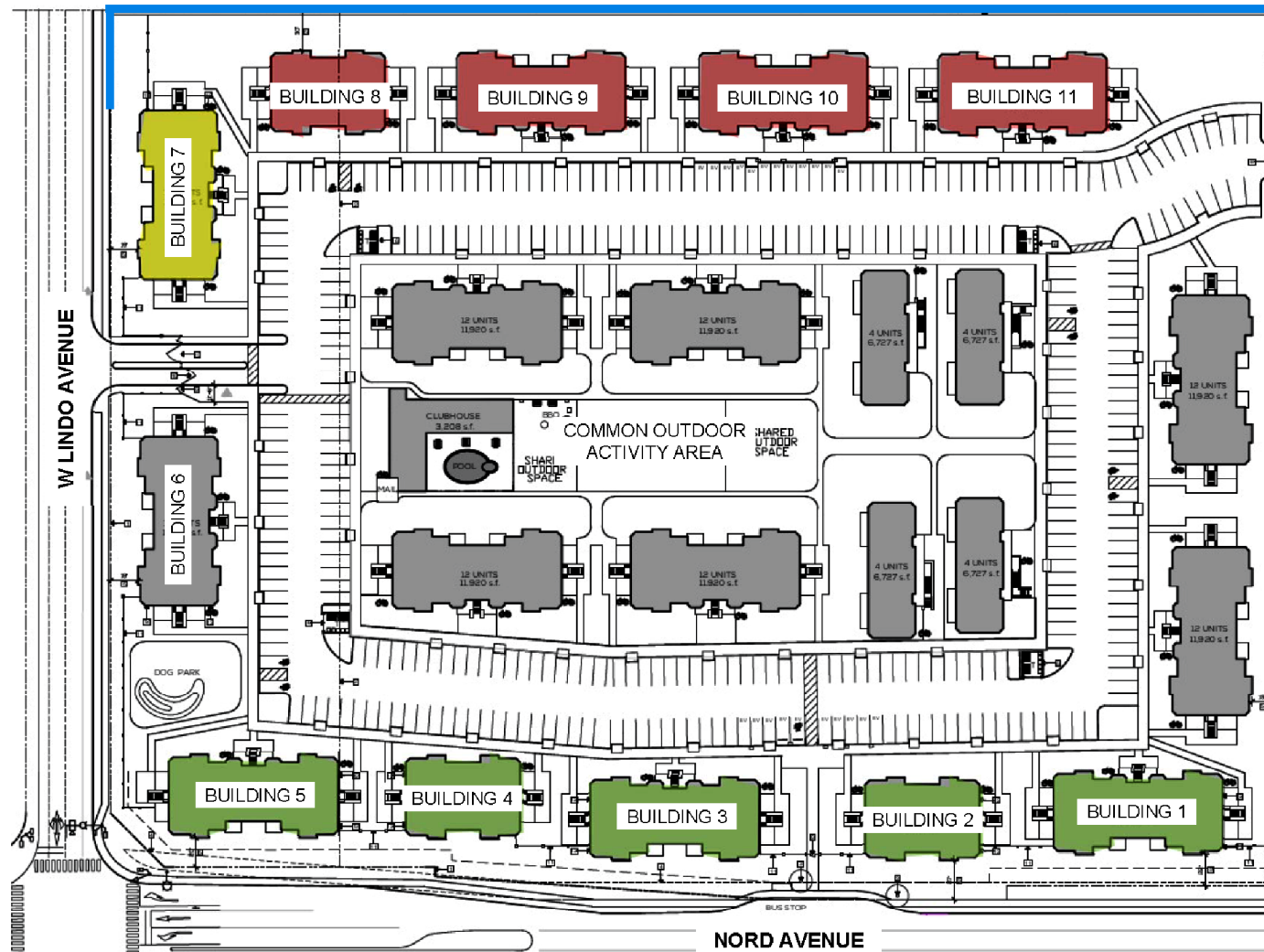
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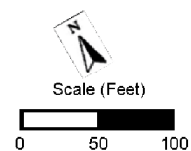
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Legend

- Proposed 10-foot Tall CMU Noise Barrier
- Window Upgrades: STC 32 All Floors (with View of Nord Avenue)
- Window Upgrades: STC 32 First Floors, STC 36 Upper Floors (with View of RR)
- Window Upgrades: STC 32 First Floors, STC 40 Upper Floors (with View of RR)



Source: Bollard Acoustical Consultants, Inc.
November 17, 2023. *Environmental Noise Assessment* (included in Appendix H).

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PROJECT Multi-Family Apartment Complex
CLIENT 2240 Nord Partnership
LOCATION 2240 Nord Avenue, Chico, CA
Noise Mitigation Locations

BY MCH
CHECK MMM
DATE 02/22/2024

FIGURE 6

JOB NO.
10569.00