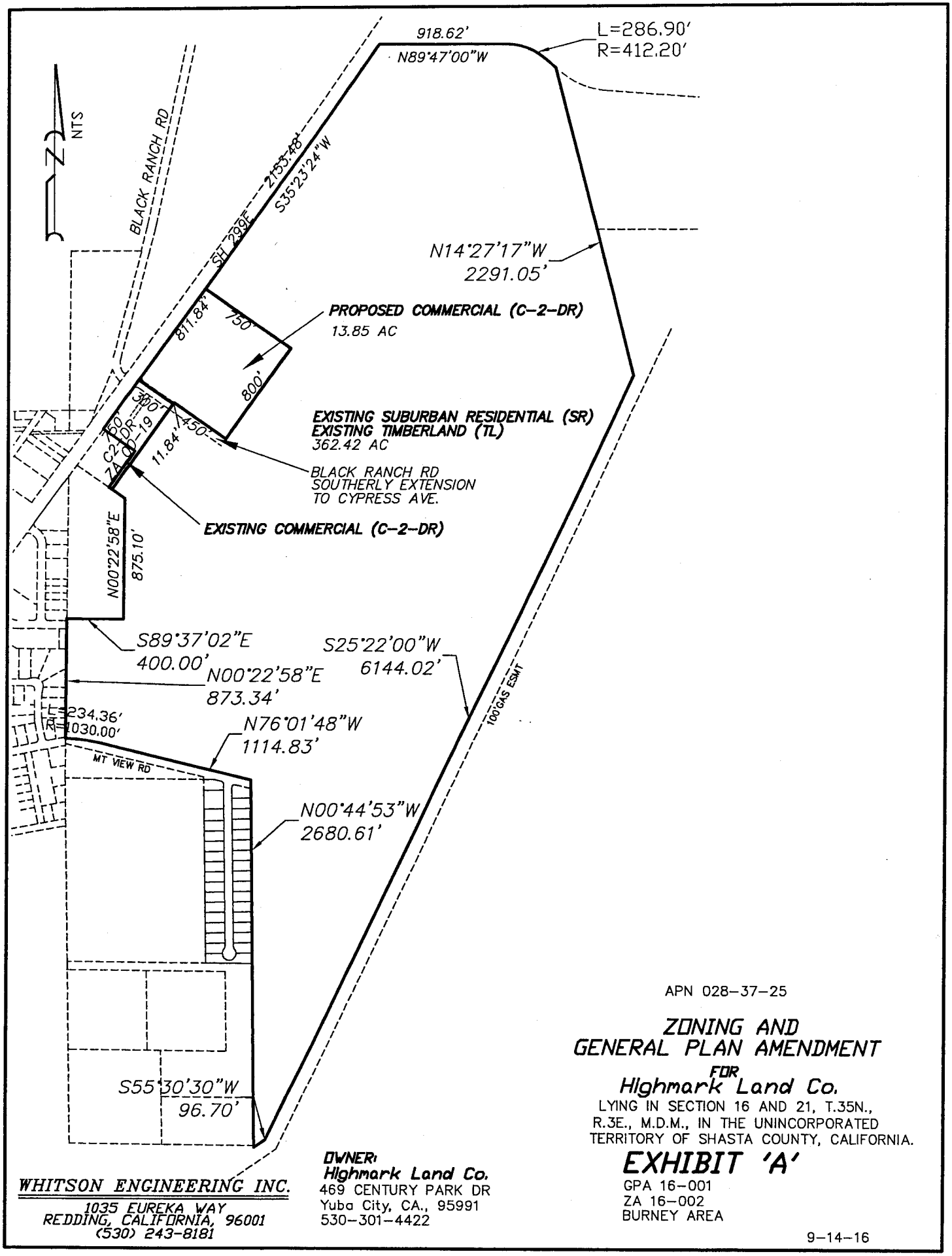


APN 028-37-25

ZONING AND GENERAL PLAN AMENDMENT

FOR

Highmark Land Co.

LYING IN SECTION 16 AND 21, T.35N., R.3E., M.D.M., IN THE UNINCORPORATED TERRITORY OF SHASTA COUNTY, CALIFORNIA.

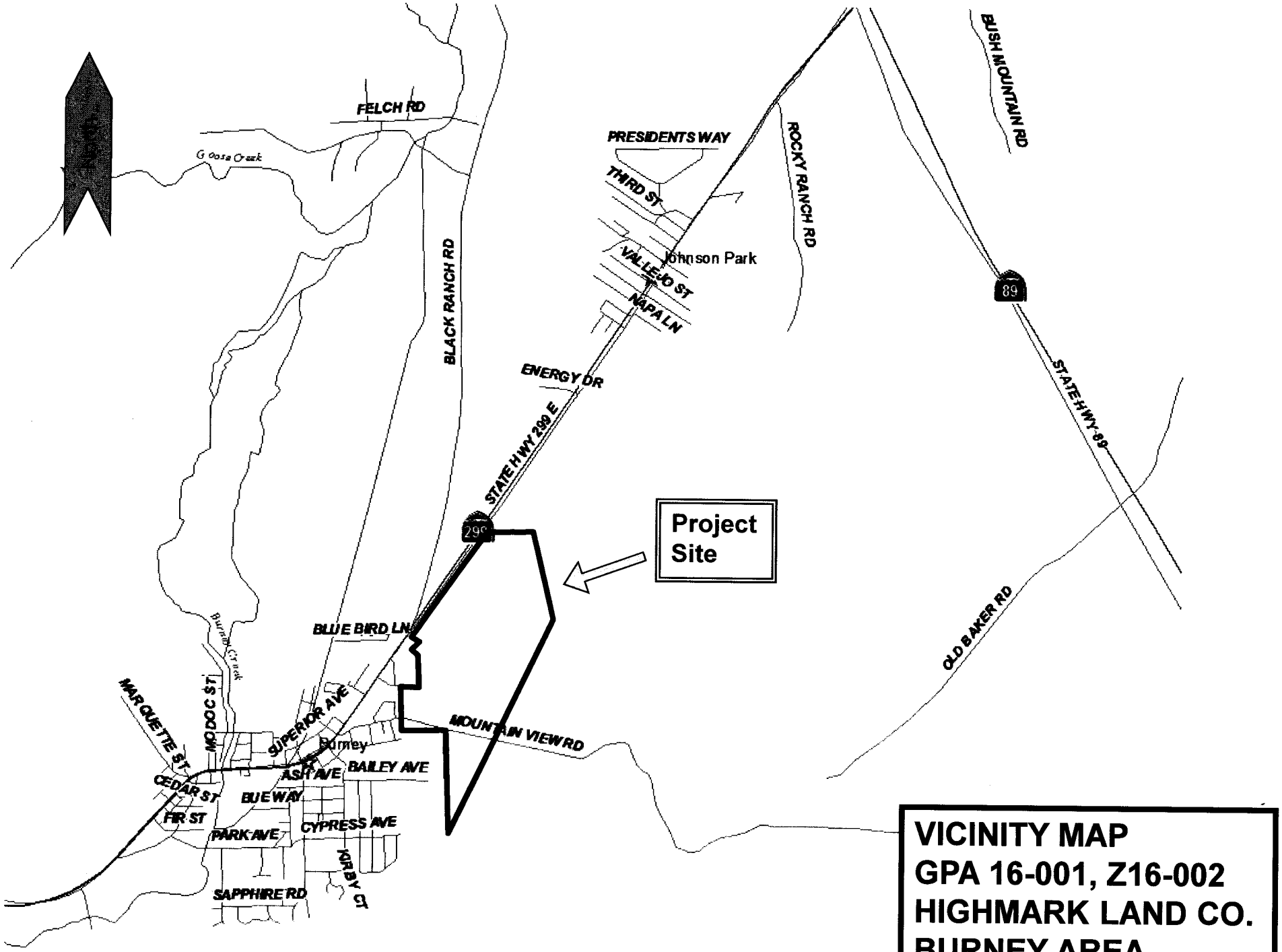
EXHIBIT 'A'

GPA 16-001
ZA 16-002
BURNEY AREA

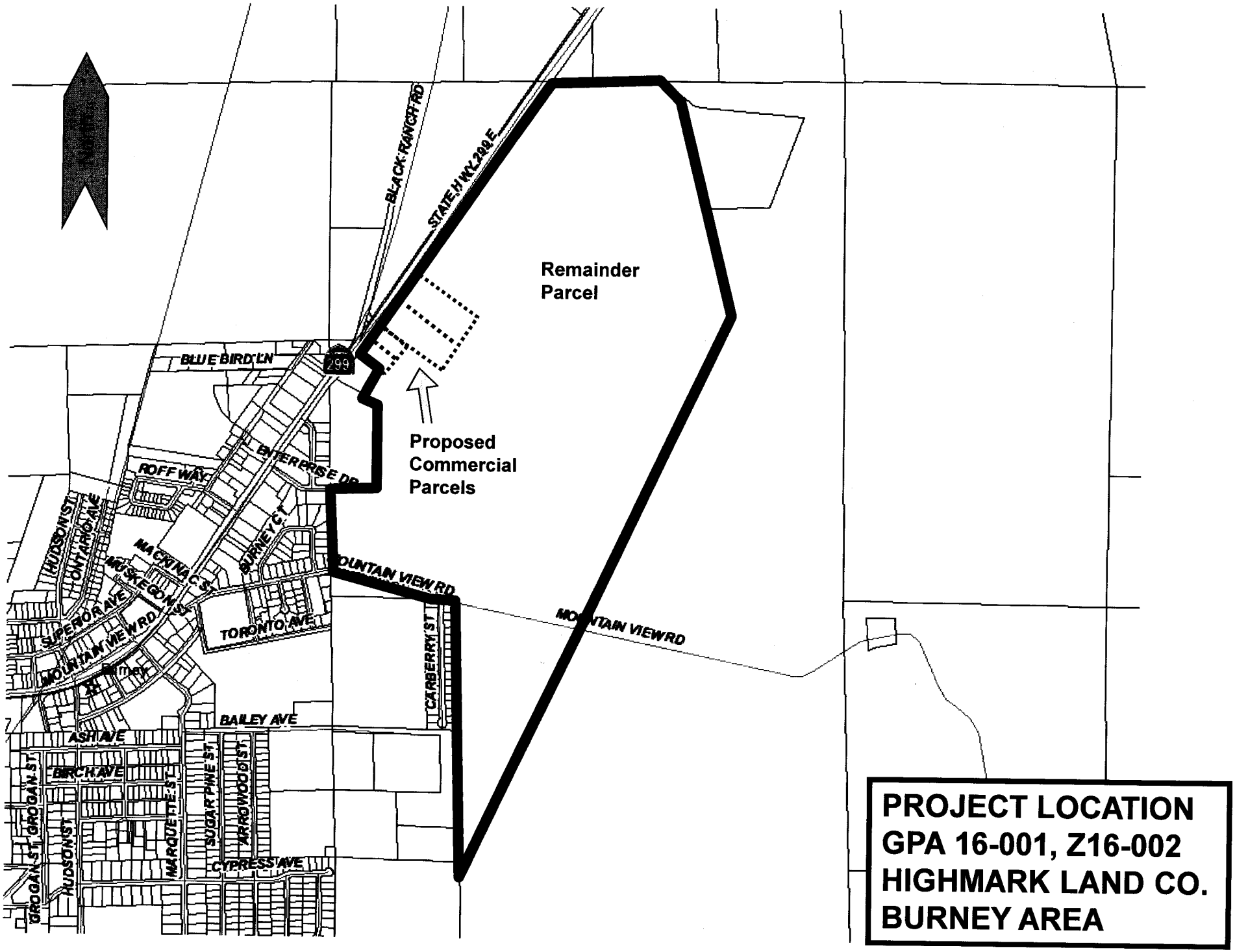
9-14-16

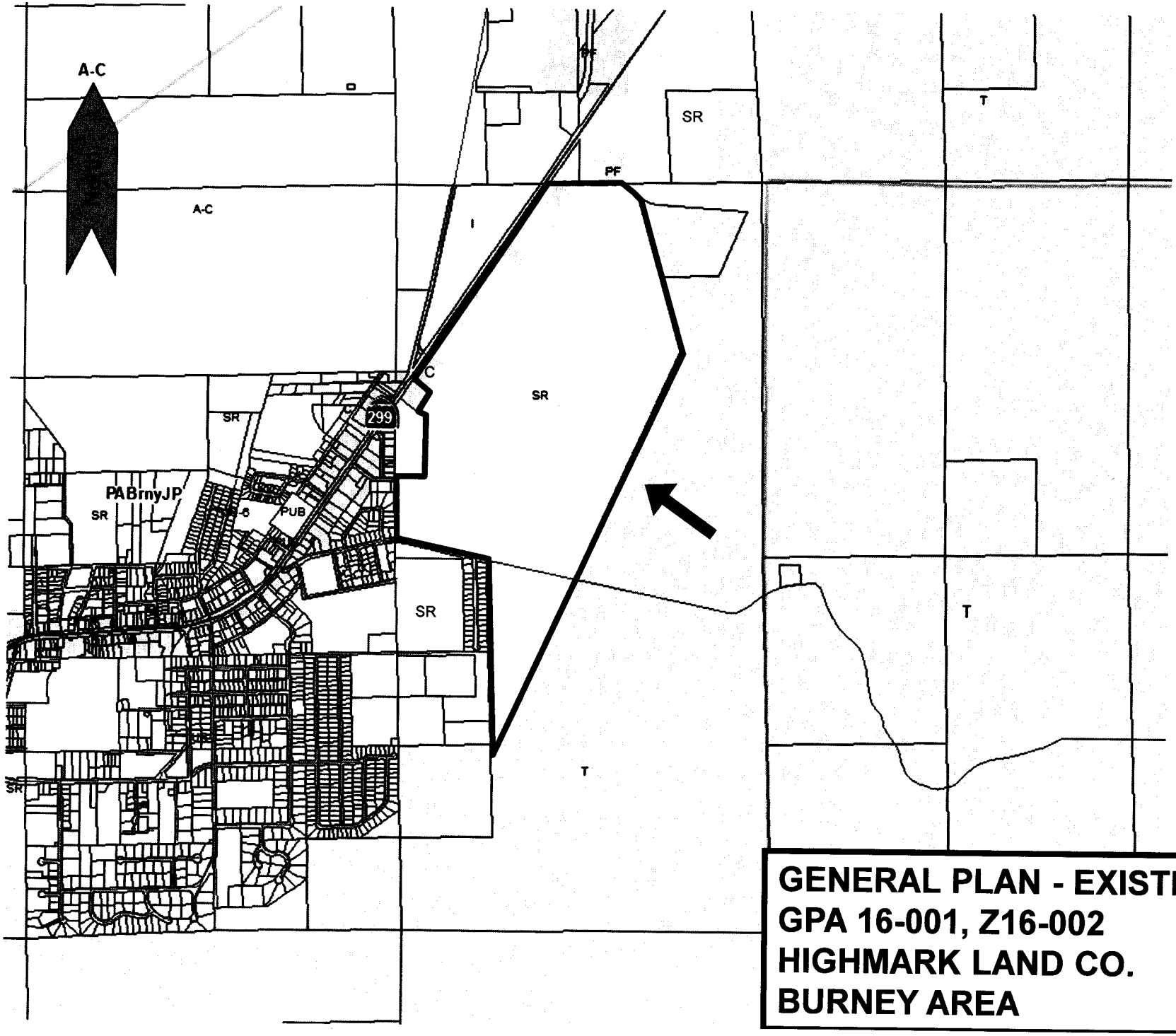
WHITSON ENGINEERING INC.
1035 EUREKA WAY
REDDING, CALIFORNIA, 96001
(530) 243-8181

OWNER:
Highmark Land Co.
469 CENTURY PARK DR
Yuba City, CA., 95991
530-301-4422

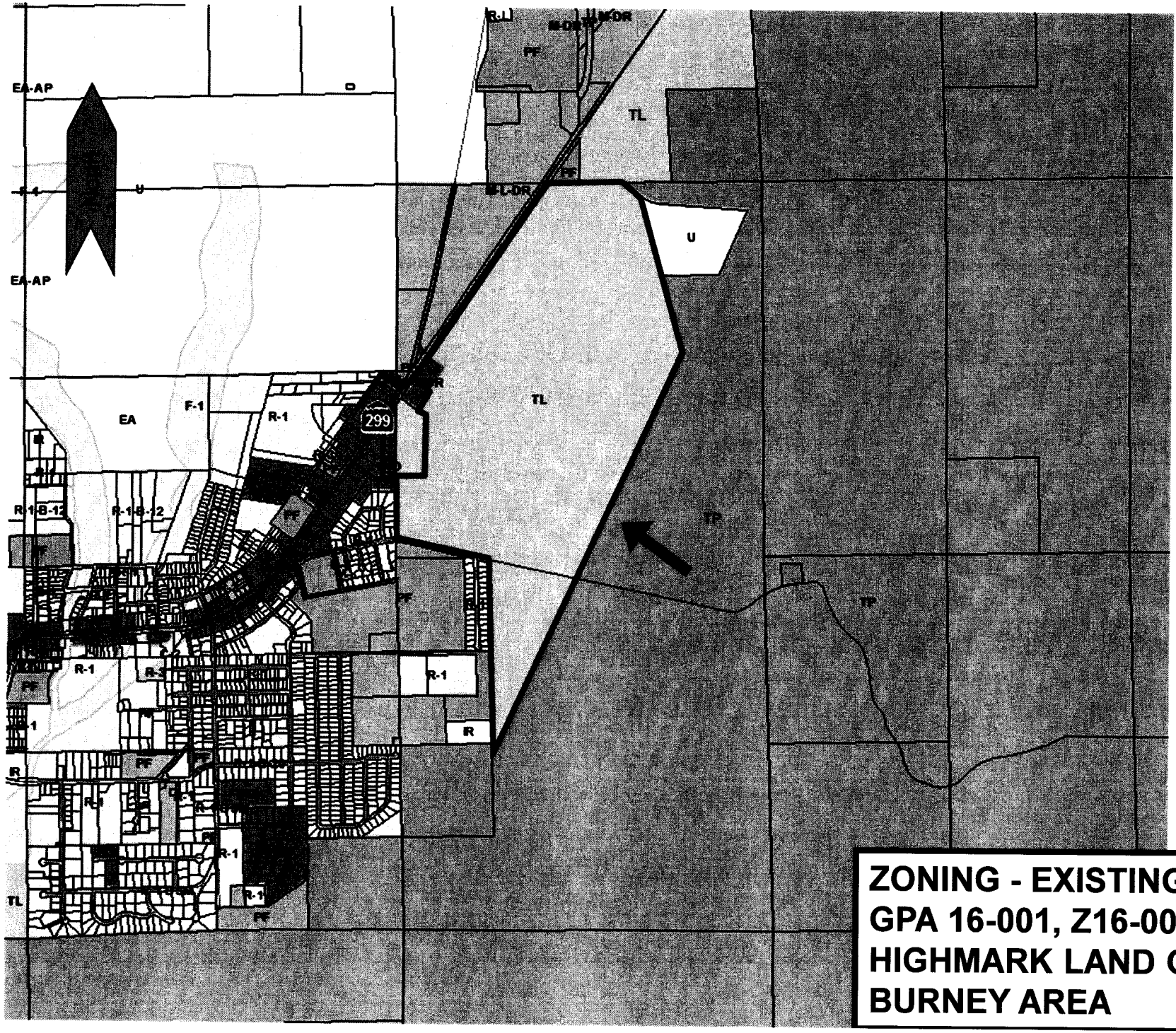


VICINITY MAP
GPA 16-001, Z16-002
HIGHMARK LAND CO.
BURNEY AREA

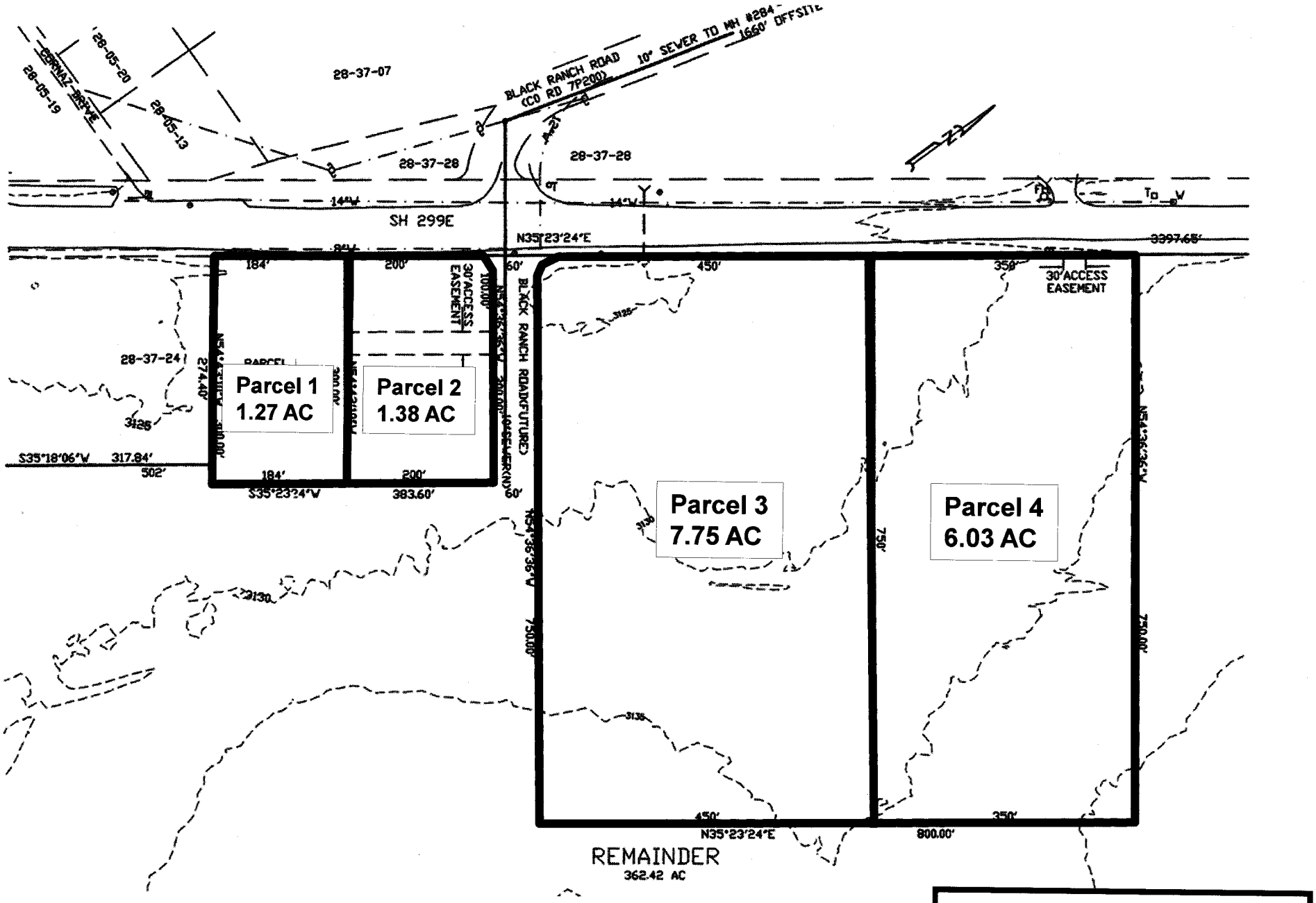

North
BLACK RANCH RD
STATE HWY 299 E
Remainder Parcel
BLUE BIRD LN
299
Proposed Commercial Parcels
ENTERPRISE DR
ROFF WAY
HUDSON ST
ONTARIO AVE
MACKINAC ST
MUSKEGON ST
SUPERIOR AVE
MOUNTAIN VIEW RD
BURNEY CT
TORONTO AVE
CARBERRY ST
BAILEY AVE
ASH AVE
BIRCH AVE
GROGAN ST
HUDSON ST
MARQUETTE ST
SUGAR PINE ST
ARROWOOD ST
CYPRESS AVE
PROJECT LOCATION
GPA 16-001, Z16-002
HIGHMARK LAND CO.
BURNEY AREA



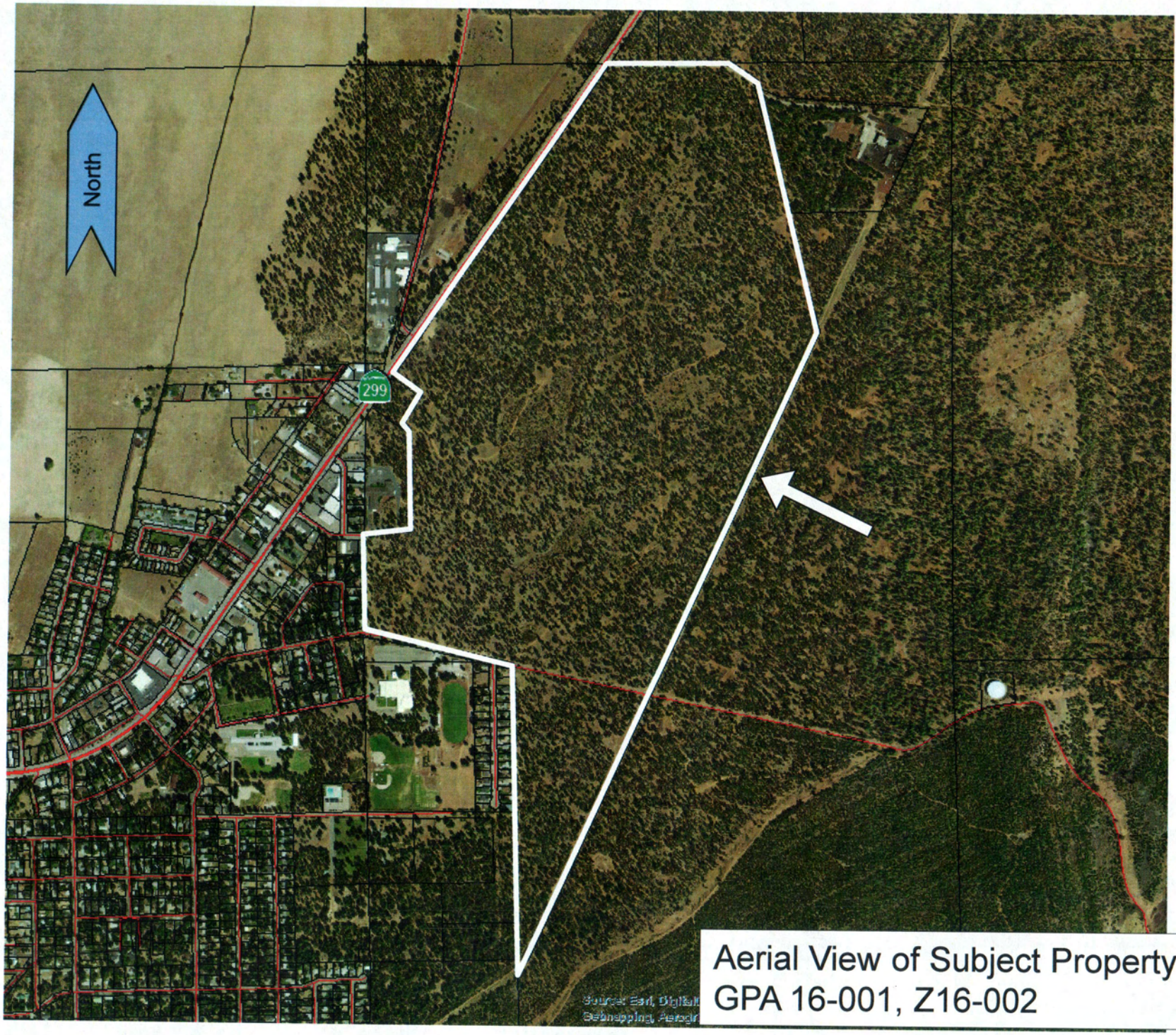
GENERAL PLAN - EXISTING
GPA 16-001, Z16-002
HIGHMARK LAND CO.
BURNEY AREA



ZONING - EXISTING
GPA 16-001, Z16-002
HIGHMARK LAND CO.
BURNEY AREA



PARCEL MAP 14-005
BURNEY AREA



Aerial View of Subject Property
GPA 16-001, Z16-002

ENVIRONMENTAL INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

General Plan Amendment 16-001
Zone Amendment 16-002
Parcel Map 14-005

Highmark Land Co.

June 2, 2017

ENVIRONMENTAL INITIAL STUDY &
MITIGATED NEGATIVE DECLARATION
WITH
References and Documentation

Prepared by
SHASTA COUNTY DEPARTMENT OF RESOURCE MANAGEMENT
PLANNING DIVISION
1855 Placer Street, Suite 103
Redding, California 96001

SHASTA COUNTY
ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

1. **Project Title:**
General Plan Amendment 16-001, Zone Amendment 16-002, Parcel Map 14-005 (Highmark Land Co.)

2. **Lead agency name and address:**
Shasta County Department of Resource Management, Planning Division
1855 Placer Street, Suite 103
Redding, CA 96001-1759

3. **Contact Person and Phone Number:**
Kent Hector, Senior Planner (530) 225-5532

4. **Project Location:**
The project is located in the Burney area adjacent to State Highway 299E, adjacent to and east of the intersection of Black Ranch Road and State Highway 299E.

5. **Applicant Name and Address:**
Highmark Land Co.
469 Century Park Drive
Yuba City, CA 95991

6. **General Plan Designation:**
Suburban Residential (SR), Commercial (C)

7. **Zoning:**
Timberland (TL), Community Commercial, Design Review Combining District (C-2-DR)

8. **Description of Project:**
The request is for the approval of a general plan amendment to change the existing land use designation from Suburban Residential (SR) to Commercial (C) on a 13.86-acre portion of a 378.85-acre property, along with a zone amendment from Timberland (TL) to Community Commercial, Design Review Combining District (C-2-DR) proposed on the same 13.86 acres of the property. In conjunction with the general plan and zoning amendment applications, a parcel map is proposed for the division of the 378.85-acre property into four commercial parcels being 1.27 acres (Parcel 1), 1.38 acres (Parcel 2), 7.75 acres (Parcel 3), and 6.03 acres (Parcel 4); along with a 362.42-acre remainder parcel. Sewage treatment and water and services for the proposed project would be provided by the Burney Water District through the extension of their existing water and sewer lines to the proposed parcels.

9. **Surrounding Land Uses and Setting:**
The project site is located in the Town of Burney. Surrounding land consists of residential and residential and commercial development to the west and southwest, and undeveloped forests to the east, north and south. Habitat types within the project area consists of eastside pine forest and annual grassland with a vernal depression. The topography within the project site is primarily flat and is surrounded by flat to gentle sloping terrain (2-15 percent slope).

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**
Caltrans, encroachment permits
Burney Water District, water and sewer service

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of the initial evaluation:

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

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR of NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Copies of the Initial Study and related materials and documentation may be obtained at the Planning Division of the Department of Resource Management, 1855 Placer Street, Suite 103, Redding, CA 96001. Contact Kent Hector, Senior Planner at (530) 225-5532.

Kent Hector AICP
Senior Planner

5/30/17
Date

for Richard W. Simon, AICP
Director of Resource Management

5/30/17
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parenthesis following each question. A "No Impact" answer is adequately supported if all the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less-than-significant with mitigation, or less-than-significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more, "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less-than-significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-than-significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from Section XVIII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures: For effects that are "Less-than-significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. General Plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify the following:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less-than-significant.

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?				✔
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				✔
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				✔
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a,b) The scenic vista in the vicinity of the project site is dominated by mountain views and a forested landscape. The project site is located within a highway corridor that is designated in the Shasta County General Plan as being scenic highway designation in which the natural and manmade environment contrast. According to the provisions of the proposed Design Review (DR) zone combining district, all future projects on the four proposed commercial parcels will be required to obtain a use permit and the submittal of a conceptual development plan, both of which will be subject to the provisions of S.C.C. Section 17.44.050 (C-2 District- Site development standards) and building design criteria specified within the existing and proposed DR zone district which takes into account the relationship of the project to the surrounding area.

c) According to Shasta County General Plan Policy DR-a, Design Review zoning is "applied to identify areas where special design considerations are needed to promote a design theme for a community center, large commercial or industrial areas, or for a major urban highway corridor." According to the provisions of the proposed Design Review (DR) zone combining district, all future projects on the four proposed commercial parcels will be required to obtain a use permit and the submittal of a conceptual development plan, both of which will be subject to the provisions of S.C.C. Section 17.44.050 (C-2 District- Site development standards) and building design criteria specified within the existing and proposed DR zone district which takes into account the relationship of the project to the surrounding area.

d) The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. In accordance with L.C.C. Section 17.78.020 (Design Review District - Uses requiring a use permit) any new developments proposed within the C-2-DR zone district on the subject property would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of lighting impacts associated with the proposed development would be further assessed in accordance with the California Environmental Quality Act.

Mitigation/Monitoring: None proposed.

II. **AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural, Land Evaluation and Site Assessment Mode (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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 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?				✔

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural, Land Evaluation and Site Assessment Mode (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				✔
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				✔
d) Result in the loss of forest land or conversion of forest land to non-forest use.			✔	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-agricultural use or conversion of forest land to non-forest use.			✔	

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The subject property is not identified as Prime Farmland, Unique Farmland, or Statewide Importance on the map titled Shasta County Important Farmland 2004.

b) Neither this property nor the surrounding properties are zoned for agricultural use nor are they in a Williamson Act Contract.

c) The project would not result in the conversion of Farmland to non-agricultural use. The subject property is not identified as Prime Farmland, Unique Farmland, or Statewide Importance on the map titled Shasta County Important Farmland 2004.

d,e) The project would result in the rezoning of 13.86 acres of the subject property from Timberland (TL) to Community Commercial, Design Review Combining District (C-2-DR). However, considering this 13.86 acres is currently designated Suburban Residential (SR) and is only 3.7% of the 376.2-acre portion of the property zoned Timberland (TL), this impact was found to be less than significant. It should also be noted that any future development on the four proposed commercial parcels would be subject to a separate environmental review at the time a specific development proposal is made, and any impacts due to the removal of trees from these parcels would be further be assessed at that time in accordance with the California Environmental Quality Act.

Mitigation/Monitoring: None proposed.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. 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?				✔
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				✔
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?				✔

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?				✔
e) Create objectionable odors affecting a substantial number of people?				✔

Discussion: Based on related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not conflict with or obstruct implementation of the 2012 Attainment Plan for Northern Sacramento Valley Air Basin as adopted by Shasta County, or any other applicable air quality plan.

b) The project would not contribute substantially to an existing or projected air quality violation.

c) The project would not result in a cumulatively considerable net increase of any criteria pollutant, including ozone, ozone pre-cursors or PM10 (particulate matter), the pollutants for which the Northern Sacramento Valley Air Basin is in non-attainment under the applicable State ambient air quality standard. Any future development on the four proposed commercial parcels would be subject to a separate environmental review at the time a specific development proposal is made, and any impacts to air quality would be further be assessed at that time in accordance with the California Environmental Quality Act.

d) No sensitive receptors have been identified adjacent to or near the project area.

e) The project would not cause air emissions which would create objectionable odors affecting a substantial number of people.

Mitigation/Monitoring: None proposed.

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 effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✔		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local of regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✔		
c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		✔		
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?		✔		

IV. **BIOLOGICAL RESOURCES**: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✔
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?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, the Biological Resource Assessment and Draft Delineation of Jurisdictional Waters of the U.S reports prepared by Gallaway enterprises, letter from CA Fish & Wildlife, discussions with biological consultant and CA Fish & Wildlife staff, observations on the project site and in the vicinity, the following findings can be made:

a,d) According to the Biological Resource Assessment report prepared by Gallaway enterprises, suitable habitat was identified within the biological survey area (BSA) for avian species that are protected under the Migratory Bird Treaty Act (MBTA). Construction activities that involve the removal of vegetation including trees, shrubs, grasses, and forbs or ground disturbance has the potential to affect bird species protected by the MBTA. In order to protect the habitat of these bird species, the biologist has proposed a mitigation measure to minimize the impacts from future development activities on the property (see mitigation measure #1). The biologist also states that there is a low potential for California Native Plant Society (CNPS) listed special-status species to occur within the BSA, and that no additional protocol level botanical surveys are recommended. However, the biologist does recommend a mitigation measure in order to address the possible presence of long-haired star tulip and long-striped campion, both of which are CNPS 1B.2 listed species (see mitigation measure #2).

It should also be noted that the California Department of Fish and Wildlife (CDFW) sent an email to staff stating that they conducted a site visit on the subject property on March 28, 2017, to determine the status of the 0.27 acre vernal pool present onsite. During their site visit, CDFW states they observed water in the vernal pool along with the presence of tadpole shrimp (*Lepidurus* sp.) and other aquatic species. CDFW further states that Fairy shrimp species were not observed; however, they too could be present if surveyed for at the appropriate time of the year.

In reviewing CDFW's email comments, Kevin Sevier, Senior Planner with Gallaway Enterprises, states the tadpole that CDFW observed that day is likely *Lepidurus cryptus* (cryptic) and not *Lepidurus packardi (*vernal pool tadpole shrimp). Mr. Sevier further states that "The USFWS Vernal Pool Recovery Plan states that though the cryptic tadpole shrimp cannot be visually differentiated from vernal pool tadpole shrimp "The cryptic tadpole shrimp occurs in the Great Basin and intermountain regions of northern California and southern and eastern Oregon, whereas the vernal pool tadpole shrimp occurs in the Central Valley, Delta, and east San Francisco Bay area. The cryptic tadpole shrimp is not known to occur within the range of the vernal pool tadpole shrimp as described in the listing rule (U.S. Fish and Wildlife Service 1994a)." The genetic differences and spatial occurrences of the two species are well documented. *Lepidurus packardi* is only found in the Central Valley. The closest documented occurrence of *Lepidurus packardi* is nearly 40 miles away and the species did not show up on the USFWS species list."

Mr. Sevier also states that their report determined the potential occurrence of Conservancy fairy shrimp *(Branchinecta Conservatio)* within the vernal pool to be none. He states their decision to label the potential for occurrence at "none" is based on the lack of suitable habitat, and that Conservancy fairy shrimp require moderately turbid, deep, cool-water vernal pools and the vernal pool feature at the site is too shallow and lacks turbidity. Mr. Sevier further states that "There are very few occurrences of this species and they are all in very large, deep pools in the Central Valley, not in the northeastern mountains. The range and occurrences of Conservancy fairy shrimp are well documented by the USFWS. Conservancy fairy shrimp are known from six distinct populations in the California: Vina Plains, Tehama County; south of Chico, Butte County; Jepson Prairie, Solano County; Sacramento National Wildlife Refuge, Glenn County; near Haystack Mountain northeast of Merced, Merced County; and the Lockewood Valley, northern Ventura County. The closest documented occurrence of Conservancy fairy shrimp is nearly 70 miles away and despite numerous protocol level invertebrate surveys conducted throughout Shasta County the species has never been reported in Shasta County."

b,c) According to the Draft Delineation of Jurisdictional Waters of the U.S reports prepared by Gallaway enterprises, there is currently 0.27 acres wetland typed as a vernal pool. The proposed project and future commercial development on proposed parcel 3 would likely result in the destruction or disturbance of this entire wetland area. The applicant proposes to purchase preservation credits at a 1:1 ratio with a local mitigation bank to mitigate for the loss of this area (see Mitigation Measure #3).

e) The project would not conflict with any ordinances or policies which protect biological resources. Shasta County Board of Supervisors' Resolution No. 95-157 provides guidance regarding use and protection of oak trees on a voluntary basis.

f) No habitat conservation plans or other similar plans have been adopted for the project site or project area. There are no adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or State habitat conservation plans for the project site or project area.

Mitigation/Monitoring: With the mitigation measures being proposed, the impacts will be less-than-significant.

#1. In order to avoid impacts to avian species protected under the Migratory Bird Treaty Act and the California Fish and Game Code, the following avoidance and minimization shall be implemented:

a) Conduct vegetation removal and other ground-disturbance activities associated with construction from September 1 through January 31, when birds are not nesting; **or**

b) If vegetation removal or initial ground disturbances occur during the avian breeding season (February 1 to August 31) then a migratory bird and raptor pre-construction survey shall be conducted by a qualified biologist to identify any active nests within 250 feet of the BSA. These surveys shall be conducted by a qualified biologist no more than seven (7) days prior to vegetation removal or initial ground disturbances (which ever activity comes first), and map all active nests located with 250 feet of the BSA where accessible. If an active nest more than half completed is located during the preconstruction surveys, the qualified biologist shall determine an appropriate species protection buffers around active nests based on the species tolerance of disturbance, species type, nest location, activities that will be conducted near the nest, and in consultation with the California Department of Fish and Wildlife. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. If construction activities stop for more than 15 days, then another migratory bird and raptor survey shall be conducted within seven (7) days prior to the continuation of construction activities. The results of the pre-construction surveys shall be sent to both the Shasta County Department of Resource Management, Planning Division and the California Department of Fish and Wildlife (Attn: CEQA, 601 Locust Street, Redding, CA 96001).

#2. Due to the possible presence of long-hared star tulip and long-striped campion on the project site, both of which are CNPS 1B.2 listed species, the following measures shall be implemented:

a) Prior to vegetation removal or grading activities on the project site, the property owner shall retain a qualified biologist to conduct plant surveys for long-hared star tulip and long-striped campion which are both CNPS 1B.2 listed species within the area to be disturbed by proposed project activities. The surveys shall be conducted during the appropriate time of year (June through August). The results of these surveys shall be sent to both the Shasta County Department of Resource Management, Planning Division and the California Department of Fish and Wildlife (Attn: CEQA, 601 Locust Street, Redding, CA 96001).

b) If special-status plants are located during the survey, the property owner shall implement the property owner shall consult with the County and the California Department of Fish and Wildlife (CDFW) regarding measures to either protect the existing plants on-site to offset on-site loss of the plants, such as collecting seed, bulbs or clippings and replanting species prior to approval of grading plans for the project site. At least ten (10) days prior to vegetation removal or grading activities in the area designated as suitable rare special-status plant habitat, the property owner shall notify the County and CDFW that grading is to occur and aid CDFW with the collection of the plant seeds and replanting, if CDFW chooses to pursue these activities.

#3. In order to mitigate for the destruction and/or fill of wetland areas, prior to the issuance of grading permits by the County or construction activities, the applicant shall purchase preservation credits at a 1:1 ratio from a local mitigation bank acceptable to the California Department of Fish and Wildlife.

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?				✔
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				✔
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✔
d) Disturb any human remains, including those interred outside of formal cemeteries?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, a cultural resource assessment prepared by Gallaway Enterprises, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not cause a substantial adverse change in the significance of an historical resource.

b) The project would not cause a substantial adverse change in the significance of an archaeological resource.

c) Upon review of the Minerals Element of the General Plan, there is no evidence to suggest that the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

d) The project site is not on or adjacent to any known cemetery or burial area. Therefore, there is no evidence to suggest that the project would disturb any human remains.

A field survey conducted on December 19, 2016, by Gallaway archaeologist Catherine Davis, M.A. of the Area of Potential Effects (APE) found no significant prehistoric or historic resources within the APE boundaries. The archaeologist recommended clearance with a general development condition that if any archaeological discoveries are encountered during ground disturbing activities, all such activities should be halted and a qualified archaeologist should be contacted to determine the nature of the find.

AB 52 TRIBAL CONSULTATION

On March 2, 2016, the County received a request for formal notification and information on proposed projects within the Pit River Tribe of California's geographic area of traditional and cultural affiliation. In response to Pit River Tribe's request and in accordance with AB 52 and §21080.3.1 of the California Public Resources Code (PRC), on September 29, 2016, Shasta County submitted a written notice of opportunity to consult on the proposed project to Mickey Gemmill, Chairperson of the Pit River Tribe of California. The letter notified the Pit River Tribe of the 30-day response period in accordance with §21080.3.1(d) of the PRC. Written response with a specific request for, or decline of, consultation was requested by no later than November 2, 2016. Shasta County did not receive any written or verbal requests for consultation from the Pit River Tribe of California for the proposed project between the September 29, 2016 to November 2, 2016 response period.

Mitigation/Monitoring: None proposed.

VI. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake, fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?				✔
b) Result in substantial soil erosion or the loss of topsoil?			✔	
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?				✔
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✔
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?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault;

According to the Alquist-Priolo Earthquake Fault Zoning Maps for Shasta County, there is no known earthquake fault on the project site.

ii) Strong seismic ground shaking;

According to the Shasta County General Plan Section 5.1, Shasta County has a low level of historic seismic activity. The entire County is in Seismic Design Category D. According to the Seismic Hazards Assessment for the City of Redding, California, prepared by Woodward Clyde, dated July 6, 1995, the most significant earthquake at the project site may be a background (random) North American crustal event up to 6.5 on the Richter scale at distances of 10 to 20 km. All structures shall be constructed according to the seismic requirements of the currently adopted Uniform Building Code.

iii) Seismic-related ground failure, including liquefaction;

There are no indications that the proposed project would expose people or structures to these types of hazards.

iv) Landslides.

The project site does not contain any topographic features commonly associated with landslides.

b) The project would not result in substantial soil erosion or the loss of topsoil.

The Soil Survey of Shasta County, completed by the United States Department of Agriculture, Soil Conservation Service and Forest Service in 1994, identified the soils in the project site with a hazard of erosion ranging from low to moderate in bare areas. A grading permit is required prior to any grading activities. The grading permit includes requirements for erosion and sediment control, including retention of topsoil.

c) The project would not 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.

d) The site soils are not described as expansive soils in the "Soil Survey of Intermountain Area, California".

e) The project will be served by public water and sewer facilities.

Mitigation/Monitoring: None proposed.

VII. 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?				✔
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?				✔
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✔
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?				✔
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✔
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✔
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✔
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas, or where residences are intermixed with wildlands?				✔

Discussion: Based on these comments, the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b) The project would not 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.

c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

d) The project is not located on a site which is included on a list of hazardous materials sites and would not create a significant hazard to the public or the environment.

e) The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) The project is not located within the vicinity of a private airstrip.

g) There is no emergency response plan for the project site area.

h) The project will be required to meet all fire safety/protection measures required by the Burney Fire Protection District prior to the recordation of the final map.

Mitigation/Monitoring: None proposed.

VIII. 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?			✔	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a new deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✔	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✔
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?				✔
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				✔
f) Otherwise substantially degrade water quality?				✔
g) Place housing within 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✔
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✔

VIII. HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				✔
j) Inundation by seiche, tsunami, or mudflow?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not violate any water quality standards or waste discharge requirements. Through adherence to construction standards, including erosion and sediment control measures, water quality and waste discharge standards will not be violated. Grading will be needed for this project. Grading permits may be required for any future residential development on the property. The provisions of the grading permit will address erosion and siltation containment on- and off-site.

b) The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. Water service for the project is to be provided by the Burney Water District. The District is responsible for review of groundwater supplies prior to approving the water supply for the project.

c) The project would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site. Any new commercial developments on the proposed parcels would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of impacts to existing drainage patterns would be further assessed in accordance with the California Environmental Quality Act. In addition, drainage improvements and designs associated with future commercial developments will be subject to an approved grading plan and permit issued by the Shasta County Building Division. In addition, the applicant will likely be required to obtain a Clean Water Act 401 permit from Regional Water Quality Control Board (RWQCB) and a General Construction Activity Storm Water Permit from the State Water Resources Control Board.

d) The project would not substantially alter the existing drainage pattern of the site or area, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Any new commercial developments on the proposed parcels would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of impacts to existing drainage patterns would be further assessed in accordance with the California Environmental Quality Act. In addition, drainage improvements and designs associated with future commercial developments will be subject to an approved grading plan and permit issued by the Shasta County Building Division. In addition, the applicant will likely be required to obtain a General Construction Activity Storm Water Permit from the State Water Resources Control Board.

e) The project would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Any new commercial developments on the proposed parcels would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of impacts to existing storm water drainage systems would be further assessed in accordance with the California Environmental Quality Act. In addition, drainage improvements and designs associated with future commercial developments will be subject to an approved grading plan and permit issued by the Shasta County Building Division. In addition, the applicant will likely be required to obtain a General Construction Activity Storm Water Permit from the State Water Resources Control Board.

f) The project would not substantially degrade water quality.

g) The project would not place housing within the 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

h) The project would not place within a 100-year flood hazard area structures which would impede or redirect flood flows.

i) The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding.

j) The project would not result in inundation by seiche, tsunami, or mudflow. The project is not located near a large lake or the ocean so would not be subject to seiche or tsunami. It is not located on or near a mountainside or hillside which is subject to mudflows.

Mitigation/Monitoring: None proposed.

IX. 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?				✔
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✔
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not physically divide an established community. The project does not include the creation of any road, ditch, wall or other feature which would physically divide an established community.

b) The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is consistent with the proposed Commercial (C) General Plan land use designation and the proposed Community Commercial combined with Design Review (C-2-DR) zone district of the project site. In accordance with L.C.C. Section 17.78.020 (Design Review District - Uses requiring a use permit) and L.C.C. Section 17.94.040 (Administration and Enforcement – Combining uses), additional or new uses proposed within the proposed C-2-DR zone district on the subject property would require a new use permit which would be subject CEQA along with the evaluation of any additional potential environmental impacts.

c) The project would not conflict with any applicable habitat conservation plan or natural community conservation plan. There is no adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or State habitat conservation plans for the project site or project area.

Mitigation/Monitoring: None proposed.

X. 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?				✔
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?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not 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. There are no known mineral resources of regional value located on or near the project site.

b) The project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The project site is not identified in the General Plan Minerals Element as containing a locally-important mineral resource. There is no other land use plan which addresses minerals.

Mitigation/Monitoring: None proposed.

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

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not result in exposure of persons to or generation of noise levels in excess of standards established in the local General Plan or noise ordinance, or applicable standards of other agencies.

b) The project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

c) The project could potentially result in the introduction of additional commercial development in the area which may permanently increase ambient noise levels in the project vicinity. However, any new commercial developments on the four proposed parcels would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of noise impacts associated with the proposed development would be further assessed in accordance with the California Environmental Quality Act.

d) The project could potentially result in the introduction of additional commercial development on the four proposed parcels. However, any new commercial developments on the four proposed parcels would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of temporary or periodic increase in ambient noise levels associated with the proposed development would be further assessed in accordance with the California Environmental Quality Act. There would also be increased noise levels during construction of new road encroachments, access road, and water and sewer to each of the four proposed parcels; however, none of these noise increases are expected to be significant.

e) The project is not located within an airport land use plan or within two miles of a public airport or public use airport.

f) The project is not located within the vicinity of a private airstrip.

Mitigation/Monitoring: None proposed.

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

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The proposed project would not result in the introduction of additional population growth in the area. However, any new commercial developments would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of persons living in the area and those persons working at the proposed commercial developments would be further assessed in accordance with the California Environmental Quality Act.

b) The project would not displace any number of existing housing or necessitate the construction of replacement housing elsewhere.

c) The project would not displace any number of people.

Mitigation/Monitoring: None proposed.

XIII. 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
Fire Protection?			✔	
Police Protection?			✔	
Schools?				✔
Parks?				✔
Other public facilities?				✔

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

The project would not 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:

Fire Protection:

No significant additional level of fire protection is necessary. If required, additional fire hydrants will be installed according to the County Fire Safety Standards.

Police Protection:

No significant level of police protection would result from the proposed project.

Schools:

Any future development resulting from the project will be required to pay the amount allowable per square foot of construction to mitigate school impacts.

Parks:

The County does not have a neighborhood parks system.

Other public facilities:

n/a

Mitigation/Monitoring: None proposed.

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

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The County does not have a neighborhood or regional parks system or other recreational facilities.

b) The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

School facilities are typically used for sports and recreation. In addition, there are tens of thousands of acres of rivers, lakes, forests, and other public land available for recreation in Lassen National Park, the Shasta and Whiskeytown National Recreation Areas, the National Forests, and other public land administered by Bureau of Land Management.

Mitigation/Monitoring: None proposed.

XV. TRANSPORTATION/TRAFFIC: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?			✔	

XV. TRANSPORTATION/TRAFFIC: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highway?				✔
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Result in inadequate parking capacity?				✓
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?				✓

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a,b) The project would not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. Any new commercial developments would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of impacts to vehicle traffic and level of service in the project area would be further assessed in accordance with the California Environmental Quality Act.

c) The project would not result in a change in air traffic patterns.

d) The project would not substantially increase hazards due to a design feature or incompatible uses.

e) The project would not result in inadequate emergency access. Access to the four proposed parcels would be provided by proposed encroachments and a proposed access road off of State Highway 299.

f) There is more than adequate parking available for on-site parking on each of the proposed parcels for future commercial uses.

g) The project would not conflict with adopted policies, plans or programs supporting alternative transportation.

Mitigation/Monitoring: None proposed.

XVI. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓

XVI. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project which serves or may serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g) Comply with Federal, State, and local statutes and regulations related to solid waste?				✓

Discussion: Based on the related documents listed in the Sources of Documentation for Initial Study Checklist, will serve letter from the Burney Water District, staff review of the project, observations on the project site and in the vicinity, the following findings can be made:

a) The project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The project will be served by the Burney Water District's wastewater treatment system

b) The project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The project will be served by the Burney Water District. The Burney Water District has indicated that it has adequate capacity to serve the project without the need for construction of new water treatment facilities, or expansion of existing facilities. The project will be served by the Burney Water District's wastewater treatment system. Burney Water District has indicated that it has the ability to serve the future commercial development on the proposed parcels subject to their conditions.

c) The project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Any new commercial developments would require a use permit and the submittal of a conceptual development plan, at which time an evaluation of impacts to storm water drainage from each of the project sites would be further assessed in accordance with the California Environmental Quality Act.

d) Water for future commercial developments on the four proposed parcels would be served by the Burney Water District. The District has indicated that it has adequate capacity to serve the project.

e) Wastewater treatment for future commercial developments on the proposed parcels would be served by the Burney Water District's existing wastewater treatment system. The District has indicated that it has the ability to serve the project's projected demand in addition to the provider's existing commitments.

f) Future commercial developments on the project site would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. These developments would comply with Federal, State, and local statutes and regulations related to solid waste.

g) Recycling facilities are available in the major shopping areas available to the project site.

Mitigation/Monitoring: None proposed.

XVII. 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 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 the self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
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 the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				✓
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

Discussion:

a) With the incorporation of the mitigation measures into the project specified in Section IV. Biological Resources, and based on the discussion and findings in this section, there is no evidence to support a finding that the project would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below the self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

Based on the discussion and findings in Section V. Cultural Resources, there is no evidence to support a finding that the project would have the potential to eliminate important examples of the major periods of California history or prehistory.

b) Based on the discussion and findings in all Sections above, there is no evidence to suggest that the project would have impacts that are cumulatively considerable.

c) Based on the discussion and findings in all Sections above, there is no evidence to support a finding that the project would have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation/Monitoring: As described in Section IV. Biological Resources.

INITIAL STUDY COMMENTS

PROJECT NUMBER GPA16-001, Z16-002, PM 14-005 – Highmark Land Co.

GENERAL COMMENTS:

Special Studies: The following project-specific studies have been completed for the proposal and will be considered as part of the record of decision for the Negative Declaration. These studies are available for review through the Shasta County Planning Division.

1. Draft Delineation of Jurisdictional Waters of the U.S., prepared by Gallaway enterprises, December 2016
2. Biological Resource Assessment, prepared by Gallaway enterprises, January 2017
3. Cultural Resource Assessment, prepared by Gallaway enterprises, January 2017

Agency Referrals: Prior to an environmental recommendation, referrals for this project were sent to agencies thought to have responsible agency or reviewing agency authority. The responses to those referrals (attached), where appropriate, have been incorporated into this document and will be considered as part of the record of decision for the Negative Declaration. Copies of all referral comments may be reviewed through the Shasta County Planning Division. To date, referral comments have been received from the following State agencies or any other agencies which have identified CEQA concerns:

1. California Department of Fish and Wildlife, letter dated October 4, 2016
2. Burney Water District, letter dated June 13, 2016.

Conclusion/Summary: Based on a field review by the Planning Division and other agency staff, early consultation review comments from other agencies, information provided by the applicant, and existing information available to the Planning Division, the project, as revised and mitigated, is not anticipated to result in any significant environmental impacts.

State of California – Natur esources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

EL ND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

May 1, 2014

Mr. Kent Hector, Senior Planner
Shasta County Department of Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001

Subject: Early Consultation for Parcel Map 14-005 (Highland Land Co.), Assessor Parcel Number 028-370-025, Burney, Shasta County

Dear Mr. Hector:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced documentation for Parcel Map 14-005 (Project). The Project is located adjacent to State Highway 299E, east of the intersection of Black Ranch Road, and State Highway 299 E near Burney. The Department offers the following comments and recommendations on the Project in our role as the State's trustee for fish and wildlife resources, and as a responsible agency under the California Environmental Quality Act (CEQA), California Public Resources Codes §21000 *et seq.* The following are informal comments intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

Project Description

According to the Early Consultation documentation, the proposed Parcel Map (14-005) would result in the division of a 378.8-acre parcel into two parcels. Parcel 1 would be 1.43 acres and Parcel 2 would be 2.23 acres in size with a 375.18-acre remainder parcel.

Project Specific Comments and Recommendations

To enable Department staff to adequately review and comment on the proposed Project, we recommend the following information be included in the subsequent environmental review as applicable.

As the Project is proposed in wildlife habitat, the Department will need a basic botanical, wildlife, and habitat assessment (conducted at the appropriate time of the year) to determine whether focused or protocol-level surveys are warranted.

A preliminary review of the California Natural Diversity Data Base (CNDDB) was conducted by the Department and a number of special-status species were identified as potentially occurring in the Project area. The Department recommends that all of

the plant and wildlife species identified in the CNDDB and other biological resource databases (U.S. Fish and Wildlife Service, California Native Plant Society, or other pertinent references) be analyzed for the potential to occur within the Project area.

The following plant and wildlife species are known to occur within a five mile radius of the Project site. If suitable habitat exists within the Project area, potential impacts to these species should be addressed in the Project CEQA analysis. This list is not complete but will give the applicant and/or the County a starting point for evaluation.

- Long-haired star-tulip (*Calochortus longebarbatus* var. *longebarbatus*), Rare Plant Rank 1B.2
- Slender Orcutt grass (*Orcuttia tenuis*), Rare Plant Rank 1B.1
- Red bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*), Rare Plant Rank 1B.1
- English sundew (*Drosera anglica*), Rare Plant Rank 2B.3
- Long-leaved starwort (*Stellaria longifolia*), Rare Plant Rank 2B.2
- Tufted loosestrife (*Lysimachia thyrsiflora*), Rare Plant Rank 2B.3
- Pacific fisher (*Martes pennant*), state candidate for listing
- Sierra Nevada red fox (*Vulpes vulpes necator*), state threatened
- California wolverine (*Gulo gulo*), state threatened
- American badger (*Taxidea taxus*), California species of special concern
- Greater sandhill crane (*Grus canadensis tabida*), state threatened
- Northern goshawk (*Accipiter gentilis*), California species of special concern

All surveys should be conducted prior to approval of the Project and survey results shall be sent to the Department: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA 96001. A thorough assessment of rare plants and rare natural communities should be conducted, following the Department's November 2009 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (Attachment 1). If any special-status species are found during surveys, the Department requests that CNDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the Regional office at: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA, 96001. Instructions for providing data to the CNDDB can be found at: http://www.dfg.ca.gov/biogeodata/cnddb/. Avoidance or mitigation measures for impacts to special-status species, if found, should be included to avoid any significant effects the project would have on the species or its habitat.

If the Project has the potential to affect streams, a jurisdictional delineation should be conducted, including both U.S. Army Corps of Engineers and the Department's jurisdiction which consists of the bed, bank, channel, and the limits of riparian vegetation.

A discussion of impacts associated with increased lighting, noise, and human activity should be included as the Project is relatively large in terms of acreage and is adjacent to open space thus having more of an effect on nocturnal wildlife species.

The Department appreciates the opportunity to comment on this Project early in the CEQA process and looks forward to working with you. If you have any questions, please contact Amy Henderson at (530) 225-2779, or email at Amy.Henderson@wildlife.ca.gov.

Sincerely,

Curt Babcock
Habitat Conservation Program Manager

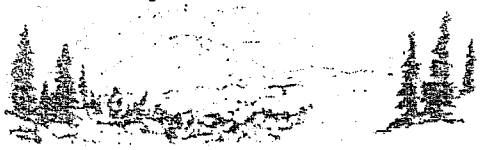
Attachment

ec: Michael R. Harris, Amy Henderson, and Kristin Hubbard
California Department of Fish and Wildlife
Michael.R.Harris@wildlife.ca.gov, Amy.Henderson@wildlife.ca.gov, and Kristin.Hubbard@wildlife.ca.gov

Mr. Kent Hector
Senior Planner, Department of Resource Management Planning Division
khector@co.shasta.ca.us

CHRON

Burney Water District



20222 HUDSON STREET, BURNEY, CA 96013 (530) 335-3582

June 23, 2016

Whitson Engineering, Inc.
Civil Engineering & Surveying
1035 Eureka Way
Redding, CA 96001

Re: Highmark Land Co. APN 028-37-25 Will Serve Letter

This is in response to a Will Serve letter request regarding the following proposed facilities:

- Commercial Users
  - Motel with 40 units, with plans to extend to 100 units
  - Auto parts store approximately 5,000 square feet
  - Retail store approximately 10,000 square feet
  - Grocery store approximately 30,000 square feet

- Residential Users
  - Residential subdivision with 100 units, assuming Type 1-A single-family residential homes.

This analysis assumes all the above buildings are constructed in accordance with current fire sprinkler requirements and at the approximate square footages shown. The above-referenced real property lies within Burney Water District's (District) current service area boundary.

The District has reviewed potential additional water and sewer demands by the proposed Development as shown on map PM-14-005 dated January 13, 2016. Water and sewer services by the District for this project will be provided contingent upon compliance with all rules, regulations, policies, resolutions, fees, and specifications. Hydraulic models utilized to review potential demands assume water and sewer pipelines will be installed per City of Redding (COR) Construction Standards. The District shall receive a mylar copy and electronic copy of Record Drawings of all on- and off-site utilities constructed as part of the Development. The District may consider paying for an incremental cost to increase the size of water and/or sewer pipes as desired. The following conditions must be agreed upon and paid for in full by the Developer, prior to construction of sewer and water lines, for the Development to receive service from the District:

Water Service

a. Construction by the Developer of an 8-inch looped water main between the District's 12-inch main on Highway 299, the Development, and the 16-inch main on Mt. View Road.
b. Ground restoration and permanent erosion control meeting all county and state requirements.
c. Exclusive easement dedicated to the District to provide operation and maintenance of the water main. Minimum easement width shall be 11 feet on both sides of the center of the pipe to allow for a minimum 10-foot separation from potential contaminants.
d. The size of the water main supplying the development was determined with the assumption the developed lots would be used to supply water to only the buildings listed above.
e. Water mains, private laterals, and fire hydrants shall be installed per COR Construction Standards, including required separation of water and non-potable pipelines and backflow prevention as required by Title 17 of the California Code of Regulations.
f. Water meters to be installed shall be submitted to the District for approval prior to purchase.
g. Assuming all commercial and residential buildings are constructed with approved sprinkler systems, the required fire flow was reduced to 1,500 gallons per minute (GPM), but still needs to run at the prescribed hours per Table B105.1 of the California Fire Code. The most stringent fire flow requirement of four hours of continuous flow at 1,500 GPM was used in the hydraulic model to simulate fire flow available for the development.
h. District inspection during construction of all utilities shall be paid for by the Developer.
i. New pipe installed for potable water shall be disinfected and pressurized per COR Construction Standards. Once completed, the new piping shall be flushed and a final coliform sample taken in compliance with COR Construction Standards.
j. Plans shall be submitted to the District for approval prior to construction of the utilities.
k. Developer shall provide to the District a bond for construction and performance of the utilities for 1 year after construction.

Sewer Service

a. Required sewer main sizing was determined based on the assumption the Development will consist of only the commercial and residential users stated above generating only domestic sewage.
b. Manholes shall be placed at least every 400 feet of gravity main, with cleanouts placed at grade outside of each building or at the property line for each connection.
c. Ground restoration and permanent erosion control meeting all county and state requirements.
d. Exclusive easement dedicated to the District to provide for operation and maintenance of the sewer main. Minimum easement width shall be 11 feet on both sides of the center of the pipe to allow for a minimum 10-foot separation from potential contaminants.
e. Sewer mains and laterals shall be installed per COR Construction Standards, complying with minimum slopes and backflow prevention requirements.
f. If a lift station is required, the Developer shall have it designed and stamped by a California registered licensed civil engineer. A lift station operation and maintenance agreement will be required between the Developer and the District.
g. If an alternative is pursued that involves crossing Highway 299, a casing large enough to accommodate a future 12-inch sewer shall be installed.
h. District inspection during construction of all utilities shall be paid for by the Developer.

i. The Developer shall hire a third party to complete a closed circuit television (CCTV) inspection of the new sewer mains and laterals. A copy of the CCTV and report shall be provided to the District for their records. Sewer manholes shall pass a vacuum test per COR Construction Standards. The Developer shall pay all costs to have a District representative on site during construction and testing to verify the work is done in compliance with COR Construction Standards.
j. Plans shall be submitted to the District for approval prior to construction of the utilities.
k. Developer shall provide to the District a bond for construction and performance of the utilities for 1 year after construction.

The following alternatives were analyzed for connecting the Development to the District sewer system. See attached Figure 1 for the following possible tie-in locations analyzed:

Alternative 1 - Mountain View Drive
Alternative 2 - Enterprise Drive
Alternative 3 - Cross Highway 299 and connect at Cornaz Drive
Alternative 4 - Cross Highway 299 and connect at north end of PG&E's property

Alternative 1:
Connecting the Development to Mountain View Drive will require a lift station from the Development to the existing 8-inch mainline. Additionally, approximately 800 feet of pipe must be replaced or paralleled with 10-inch pipe to accommodate the additional flow as shown in Figure 1.

Alternative 2:
Connecting the Development to Enterprise Drive will require a lift station from the Development to the existing 8-inch mainline. Additionally, approximately 980 feet of pipe must be replaced or paralleled with 10-inch pipe to accommodate the additional flow as shown in Figure 1.

Alternative 3:
Connecting the Development at Cornaz Drive may or may not require a lift station from the Development to the existing mainline, depending on the route the developer takes to cross Highway 299 and connect to the very shallow sewer. This alternative will require approximately 1,640 feet of existing 6-inch pipe be replaced or paralleled with 10-inch piping as shown in Figure 1.

Alternative 4:
Depending on sewer grades within the Development, connecting on the north end of PG&E's property may or may not require a lift station from the Development to the existing 12-inch mainline. The Developer will need to cross Highway 299 to connect to the existing system. This alternative would require a 10-inch sewer main be installed from the Development to the existing 12-inch at the north end of PG&E's property.

This Will Serve letter provides the Developer with four alternatives to connect to the District's existing sewer system and a proposed location to connect to the water system. Typical consumption rates for the above-described buildings were assumed using *Advanced Water*

Distribution Modeling and Management, First Edition, Haestad Methods. If Development plans deviate from the above-described buildings, further analysis will be required. Once the Developer has an approved tract map and has chosen a final location to connect to the sewer, final terms such as connection fees and lift station agreements can be issued.

This Will Serve letter shall terminate either 2 years after the date of this letter or upon the termination or expiration of any building permit issued to the applicant for construction of improvements on the real property which is the subject of the Will Serve letter, whichever comes first (unless connection to the District water and sewer system has been made prior to the termination or expiration of any use permit, tentative map, or parcel division approval).

Should you require additional information, please contact the District office.

Sincerely,

William M. Rodriguez
District Manager

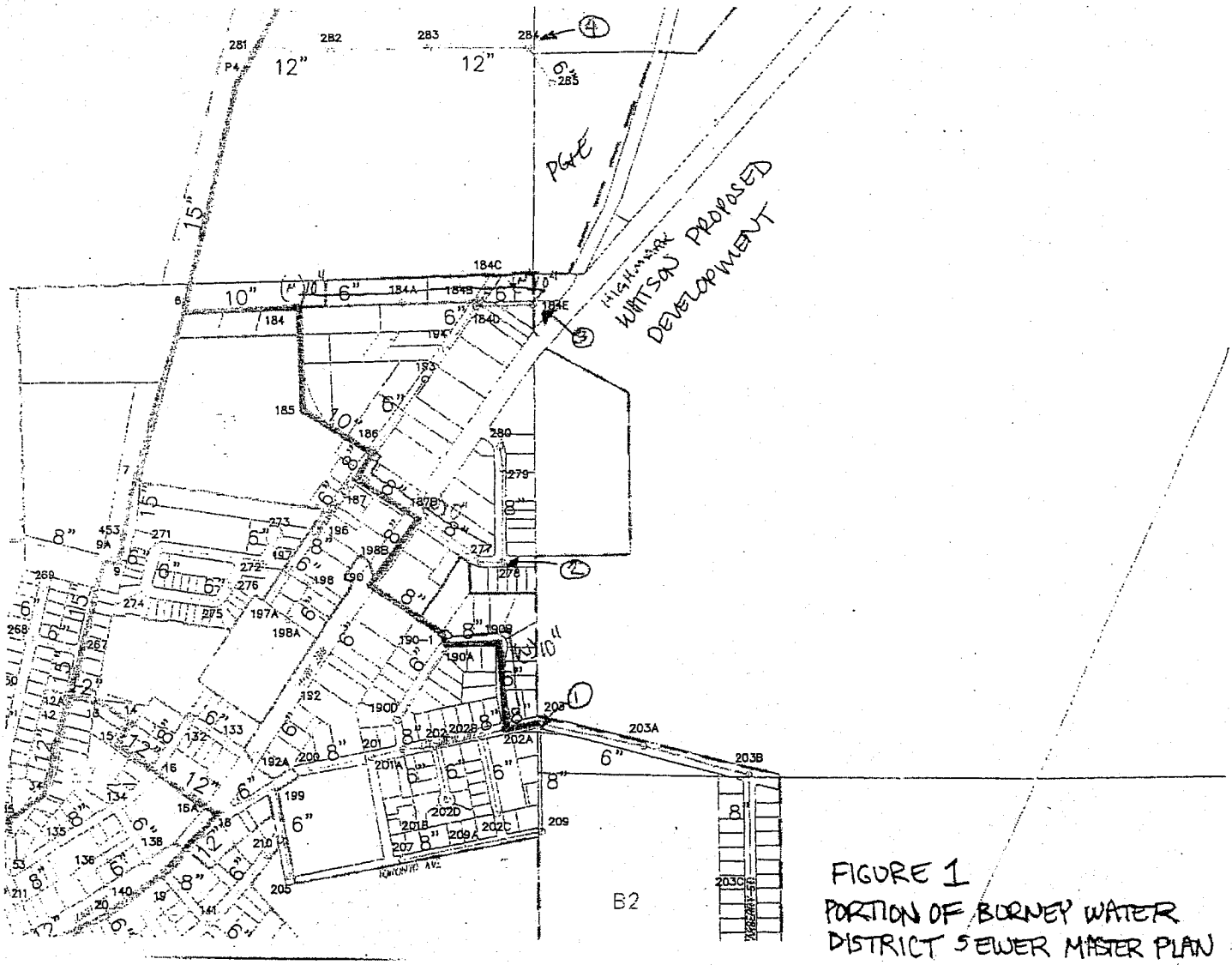


FIGURE 1
PORTION OF BORNEY WATER DISTRICT SEWER MASTER PLAN

SOURCES OF DOCUMENTATION FOR INITIAL STUDY CHECKLIST

All headings of this source document correspond to the headings of the initial study checklist. In addition to the resources listed below, initial study analysis may also be based on field observations by the staff person responsible for completing the initial study. Most resource materials are on file in the office of the Shasta County Department of Resource Management, Planning Division, 1855 Placer Street, Suite 103, Redding, CA 96001, Phone: (530) 225-5532.

GENERAL PLAN AND ZONING

1. Shasta County General Plan and land use designation maps.
2. Applicable community plans, airport plans and specific plans.
3. Shasta County Zoning Ordinance (Shasta County Code Title 17) and zone district maps.

ENVIRONMENTAL IMPACTS

I. AESTHETICS

1. Shasta County General Plan, Section 6.8 Scenic Highways, and Section 7.6 Design Review.
2. Zoning Standards per Shasta County Code, Title 17.

II. AGRICULTURAL RESOURCES

1. Shasta County General Plan, Section 6.1 Agricultural Lands.
2. Soil Survey of Shasta County Area, California, published by U.S. Department of Agriculture, Soil Conservation Service and Forest Service, August 1974.

III. AIR QUALITY

1. Shasta County General Plan Section, 6.5 Air Quality.
2. Northern Sacramento Valley Air Basin, 2006 Air Quality Attainment Plan.
3. Records of, or consultation with, the Shasta County Department of Resource Management, Air Quality Management District.

IV. BIOLOGICAL RESOURCES

1. Shasta County General Plan, Section 6.2 Timberlands, and Section 6.7 Fish and Wildlife Habitat.
2. Designated Endangered, Threatened, or Rare Plants and Candidates with Official Listing Dates, published by the California Department of Fish and Wildlife.
3. Natural Diversity Data Base Records of the California Department of Fish and Wildlife.
4. Federal Listing of Rare and Endangered Species.
5. Shasta County General Plan, Section 6.7 Fish and Wildlife Habitat.
6. State and Federal List of Endangered and Threatened Animals of California, published by the California Department of Fish and Wildlife.
7. Natural Diversity Data Base Records of the California Department of Fish and Wildlife.

V. CULTURAL RESOURCES

1. Shasta County General Plan, Section 6.10 Heritage Resources.
2. Records of, or consultation with, the following:
   a. The Northeast Information Center of the California Historical Resources Information System, Department of Anthropology, California State University, Chico.
   b. State Office of Historic Preservation.
   c. Local Native American representatives.
   d. Shasta Historical Society.

VI. GEOLOGY AND SOILS

1. Shasta County General Plan, Section 5.1 Seismic and Geologic Hazards, Section 6.1 Agricultural Lands, and Section 6.3 Minerals.
2. County of Shasta, Erosion and Sediment Control Standards, Design Manual
3. Soil Survey of Shasta County Area, California, published by U.S. Department of Agriculture, Soil Conservation Service and Forest Service, August 1974.
4. Alquist - Priolo, Earthquake Fault Zoning Maps.

VII. HAZARDS AND HAZARDOUS MATERIALS

1. Shasta County General Plan, Section 5.4 Fire Safety and Sheriff Protection, and Section 5.6 Hazardous Materials.
2. County of Shasta Multi-Hazard Functional Plan
3. Records of, or consultation with, the following:
   a. Shasta County Department of Resource Management, Environmental Health Division.

b. Shasta County Fire Prevention Officer.
c. Shasta County Sheriff's Department, Office of Emergency Services.
d. Shasta County Department of Public Works.
e. California Environmental Protection Agency, California Regional Water Quality Control Board, Central Valley Region.

VIII. HYDROLOGY AND WATER QUALITY

1. Shasta County General Plan, Section 5.2 Flood Protection, Section 5.3 Dam Failure Inundation, and Section 6.6 Water Resources and Water Quality.
2. Flood Boundary and Floodway Maps and Flood Insurance Rate Maps for Shasta County prepared by the Federal Emergency Management Agency, as revised to date.
3. Records of, or consultation with, the Shasta County Department of Public Works acting as the Flood Control Agency and Community Water Systems manager.

IX. LAND USE AND PLANNING

1. Shasta County General Plan land use designation maps and zone district maps.
2. Shasta County Assessor's Office land use data.

X. MINERAL RESOURCES

1. Shasta County General Plan Section 6.3 Minerals.

XI. NOISE

1. Shasta County General Plan, Section 5.5 Noise and Technical Appendix B.

XII. POPULATION AND HOUSING

1. Shasta County General Plan, Section 7.1 Community Organization and Development Patterns.
2. Census data from U.S. Department of Commerce, Bureau of the Census.
3. Census data from the California Department of Finance.
4. Shasta County General Plan, Section 7.3 Housing Element.
5. Shasta County Department of Housing and Community Action Programs.

XIII. PUBLIC SERVICES

1. Shasta County General Plan, Section 7.5 Public Facilities.
2. Records of, or consultation with, the following:
   a. Shasta County Fire Prevention Officer.
   b. Shasta County Sheriff's Department.
   c. Shasta County Office of Education.
   d. Shasta County Department of Public Works.

XIV. RECREATION

1. Shasta County General Plan, Section 6.9 Open Space and Recreation.

XV. TRANSPORTATION/TRAFFIC

1. Shasta County General Plan, Section 7.4 Circulation.
2. Records of, or consultation with, the following:
   a. Shasta County Department of Public Works.
   b. Shasta County Regional Transportation Planning Agency.
   c. Shasta County Congestion Management Plan/Transit Development Plan.
3. Institute of Transportation Engineers, Trip Generation Rates.

XVI. UTILITIES AND SERVICE SYSTEMS

1. Records of, or consultation with, the following:
   a. Pacific Gas and Electric Company.
   b. Pacific Power and Light Company.
   c. Pacific Bell Telephone Company.
   d. Citizens Utilities Company.
   e. T.C.I.
   f. Marks Cablevision.
   g. Shasta County Department of Resource Management, Environmental Health Division.
   h. Shasta County Department of Public Works.

MITIGATION MONITORING PROGRAM (MMP)
FOR GENERAL PLAN AMENDMENT 16-001, ZONE AMENDMENT 16-002, PARCEL MAP 14-005
HIGHMARK LAND CO.

Mitigation Measure/Condition	Timing/Implementation	Enforcement/Monitoring	Verification (Date & Initials)
IV. <u>BIOLOGICAL RESOURCES</u>:			
#1. In order to avoid impacts to avian species protected under the Migratory Bird Treaty Act and the California Fish and Game Code, the following avoidance and minimization shall be implemented: a) Conduct vegetation removal and other ground-disturbance activities associated with construction from September 1 through January 31, when birds are not nesting; or b) If vegetation removal or initial ground disturbances occur during the avian breeding season (February 1 to August 31) then a migratory bird and raptor pre-construction survey shall be conducted by a qualified biologist to identify any active nests within 250 feet of the BSA. These surveys shall be conducted by a qualified biologist no more than seven (7) days prior to vegetation removal or initial ground disturbances (which ever activity comes first), and map all active nests located with 250 feet of the BSA where accessible. If an active nest more than half completed is located during the preconstruction surveys, the qualified biologist shall determine an appropriate species protection buffers around active nests based on the species tolerance of disturbance, species type, nest location, activities that will be conducted near the nest, and in consultation with the California Department of Fish and Wildlife. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. If construction activities stop for more than 15 days, then another migratory bird and raptor survey shall be conducted within seven (7) days prior to the continuation of construction activities. The results of the pre-construction surveys shall be sent to both the Shasta County Department of Resource Management, Planning	Prior to the issuance of any development permits or any on-site disturbance	Planning Division, CA Dept. of Fish & Wildlife	

Mitigation Measure/Condition	Timing/Implementation	Enforcement/Monitoring	Verification (Date & Initials)
Division and the California Department of Fish and Wildlife (Attn: CEQA, 601 Locust Street, Redding, CA 96001). #2. Due to the possible presence of long-hared star tulip and long-striped campion on the project site, both of which are CNPS 1B.2 listed species, the following measures shall be implemented: a) Prior to vegetation removal or grading activities on the project site, the property owner shall retain a qualified biologist to conduct plant surveys for long-hared star tulip and long-striped campion which are both CNPS 1B.2 listed species within the area to be disturbed by proposed project activities. The surveys shall be conducted during the appropriate time of year (June through August). The results of these surveys shall be sent to both the Shasta County Department of Resource Management, Planning Division and the California Department of Fish and Wildlife (Attn: CEQA, 601 Locust Street, Redding, CA 96001). b) If special-status plants are located during the survey, the property owner shall implement the property owner shall consult with the County and the California Department of Fish and Wildlife (CDFW) regarding measures to either protect the existing plants on-site to offset on-site loss of the plants, such as collecting seed, bulbs or clippings and replanting species prior to approval of grading plans for the project site. At least ten (10) days prior to vegetation removal or grading activities in the area designated as suitable rare special-status plant habitat, the property owner shall notify the County and CDFW that grading is to occur and aid CDFW with the collection of the plant seeds and replanting, if CDFW chooses to pursue these activities.	Prior to the issuance of any development permits or any on-site disturbance	Planning Division, CA Dept. of Fish & Wildlife	

Mitigation Measure/Condition	Timing/Implementation	Enforcement/Monitoring	Verification (Date & Initials)
#3. In order to mitigate for the destruction and/or fill of wetland areas, prior to the issuance of grading permits by the County or construction activities, the applicant shall purchase preservation credits at a 1:1 ratio from a local mitigation bank acceptable to the California Department of Fish and Wildlife.	Prior to the issuance of any development permits or any on-site disturbance	Planning Division, CA Dept. of Fish & Wildlife	

June 20, 2017

GPA 16-001, Zone Amendment 16-002 and Parcel Map 14-005

To whom it may concern;

We are writing in response to the above cited project by Highmark Land Co.

Burney has an overabundance of empty commercial property available. Our beautiful little downtown is dying, blighted by empty commercial properties. This project will further decay the integrity of our small town – moving business to the outskirts of town – strip development – while other available property sits vacant.

We think the commission owes the residents some true consideration of the future of this town. We need business *in* town - not sprawling out the end of town – ruining the first impressions of the very tourists we are trying to attract. It is not the job of the commission to help the developers find the cheapest, easiest way to make money, but to protect the best interests of our community as a whole, to protect the intent of the general plan.

Again, Burney already has plenty of vacant commercially zoned property. Let's not encourage the sprawl that takes the life out of small towns.

Sincerely,

Abe Hathaway / Kris Hathaway

Abe and Kris Hathaway

37201 Ontario

Burney, CA 96013

530-335-4170

REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

PROJECT IDENTIFICATION: REGULAR AGENDA	MEETING DATE	AGENDA ITEM #
GENERAL PLAN AMENDMENT 16-001 ZONE AMENDMENT 16-002 PARCEL MAP 14-005 BURNEY AREA	7/13/2017	R3

RECOMMENDATIONS: That the Planning Commission:

1. Adopt a resolution recommending that the Shasta County Board of Supervisors conduct a public hearing and adopt a California Environmental Quality Act (CEQA) determination of a Mitigated Negative Declaration and approve General Plan Amendment 16-001 and Zone Amendment 16-002, based on the recommended findings in the attached resolutions; and

2. Adopt a resolution that adopts a CEQA determination of a Mitigated Negative Declaration and approves Parcel Map 16-002, based on the findings and subject to the conditions listed in the attached resolution.

SUMMARY: The project is located on 378.85 acres in the Burney area adjacent to State Highway 299E, east of the intersection of Black Ranch Road and State Highway 299E. The request is for a general plan amendment to change the existing land use designation from Suburban Residential (SR) to Commercial (C) on a 13.86-acre portion of the 378.85-acre property; a zone amendment from Timberland (TL) to Community Commercial, Design Review Combining District (C-2-DR) proposed on the same 13.86 acres of the property, along with a revised Design Review (DR) district for the 2.65-acre portion of the subject property currently zoned Community Commercial combined with Design Review (C-2-DR) zone district; and a parcel map to divide the 378.85-acre property into four commercial parcels being 1.27 acres (Parcel 1), 1.38 acres (Parcel 2), 7.75 acres (Parcel 3), and 6.03 acres (Parcel 4) and a 362.42-acre remainder parcel. The general plan and zoning amendments would be an extension of existing commercial zoned land on and adjacent to the project.

DISCUSSION: General Plan and Zoning – The proposed General Plan Amendment from Suburban Residential (SR) to Commercial (C) and the proposed rezone to General Commercial combined with Design Review (C-2-DR) zone district would facilitate future commercial development on proposed Parcels 3 and 4 of Parcel Map 14-005. Proposed Parcels 1 and 2 of Parcel Map 14-005 would encompass a 2.65-acre portion of the subject property currently designated Commercial (C) and zoned General Commercial combined with Design Review (C-2-DR). The 362.42-acre remainder parcel would remain Suburban Residential (SR) and zoned Timberland (TL).

Project Analysis – The project site is located on the east side of State Highway 299E. Surrounding land consists of residential and commercial development to the west and southwest, industrial designated properties to the north, and undeveloped forests to the east and south. Habitat types within the project area consists of eastside pine forest and annual grassland with a 0.27-acre wetland area located on proposed Parcel 3. The topography within the project site is primarily flat and is surrounded by flat to gentle sloping terrain (2-15 percent slope). Access to Parcels 1 through 3 would be through a proposed access road and encroachment onto State Highway 299. Access to Parcel 4 would be through a proposed separate encroachment onto State Highway 299. Sewage treatment and water services for the proposed project would be provided by the Burney Water District through the extension of their existing water and sewer lines to the proposed parcels. The Burney Fire Protection District provides emergency services to this area. There are currently no improvements on the property.

Under the current General Plan, the 2.65-acre portion of the property directly southwest of the General Plan Amendment area is designated for Commercial (C) uses with the remaining 376.2 acres of the property designated for Suburban Residential (SR) uses. The proposed General Plan amendment to designate an additional 13.86 acres (located adjacent to the existing commercially designated and zoned area on the subject property) Commercial (C), along with rezoning this portion of the property to the General Commercial combined with Design Review (C-2-DR) zone district, would allow for and accommodate a greater variety and scale of commercial development opportunities within the Burney area. It should also be noted that, in accordance with the Shasta County Zoning Plan, any additional or new uses proposed within the C-2-DR zone district on the four proposed commercial parcels would require a use permit which would be subject to CEQA to evaluate any potential environmental impacts.

Environmental Determination - A Mitigated Negative Declaration is recommended for this project. Mitigation measures incorporated into the project to reduce impacts to a level of less-than-significant include measures for the protection of plant and wildlife species on the property, and a measure to mitigate for the impacts associated with potential future development on a 0.27-acre wetland area located on the property.

ISSUES: To date, one letter opposing the proposed project has been received from the public citing the availability of existing commercial development in Burney (see attached letter).

ALTERNATIVES: The following alternatives are available:

1. Recommend a modification of the General Plan amendment boundaries or recommend placement of the property within a different General Plan designation.

2. Recommend a modification of the zone district boundaries or recommend placement of the property within a different zone district.

3. Recommend a modification of the design review guidelines for the design review (DR) district.

4. Modify the conditions of approval of the Parcel Map.

5. Recommend that the Board of Supervisors deny the General Plan Amendment and rezone. The Planning Commission would need to make findings that the project is inconsistent with the General Plan or Zoning Plan, or is detrimental to people or property in the area.

6. Deny the Parcel Map. The Planning Commission would need to make specific findings that the Parcel Map is inconsistent with the General Plan, Zoning or Subdivision Ordinances.

7. Continue the public hearing to request additional information.

CONCLUSION: Based on the information supplied by the applicant, data available to Planning staff, and the recommended development conditions, staff is of the opinion that the project is consistent with the General Plan policies and zoning standards for the area.

RICHARD W. SIMON, AICP
Director of Resource Management

Staff Author: Kent Hector, AICP, Senior Planner

KH/bg/District 3

Copies: Highmark Land Co., 469 Century Park Drive, Yuba City, CA 95991
Whitson Engineering, Inc., 1035 Eureka Way, Redding, CA 96001
Caltrans
California Dept. of Fish & Wildlife
Regional Water Quality Control Board
CALFIRE, attn.: Dan Dresselhaus, Shasta-Trinity Unit, 875 Cypress Ave, Redding, CA, 96001
Burney Fire Protection District
Burney Water District
Shasta Lafco
Fall River Joint School District
Shasta EDC, 4300 Caterpillar Rd, Redding, CA 96003
Project File

Attach:
1. Vicinity Map
2. Location Map
3 Aerial View of Project Site
4. General Plan Map – Existing
5. Zone District Map – Existing
6. General Plan and Zone District Map – Proposed (Exhibit 'A')
7. Tentative Parcel Map 14-005 – Exhibit A
8. Initial Study
9. Comments from Public on Proposed Project
10. Draft BOS Ordinance
11. Draft Resolution (GPA16-002)
12. Draft Resolution (Z16-001)
13. Draft Resolution and Conditions (PM14-005)

RESOLUTION NUMBER 2017-026

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE GENERAL PLAN AMENDMENT 16-001 (HIGHMARK LAND CO.)

WHEREAS, in accordance with State Planning and Zoning Law and Shasta County Code Chapter 2.48, the Planning Commission shall review all proposals to amend the General Plan and shall make its recommendation to the Board of Supervisors; and

WHEREAS, a request to amend the Land Use Map of the General Plan was submitted by Highmark Land Co., to change the land use designation from Suburban Residential (SR) to Commercial (C) on a 13.86-acre portion of a 378.85-acre property located in the Burney area adjacent to State Highway 299E, east of the intersection of Black Ranch Road and State Highway 299E; and

WHEREAS, the General Plan Amendment was requested to expand the existing commercial designated area to allow for more commercial development opportunities on the property; and

WHEREAS, said amendment was referred to all California Native American Indian tribes on the contact list maintained by the Native American Heritage Commission with traditional lands located in the area of the proposed amendment; and

WHEREAS on March 2, 2016, the County received a request for formal notification and information on proposed projects within the Pit River Tribe of California's geographic area of traditional and cultural affiliation. In response to Pit River Tribe's request and in accordance with AB 52 and §21080.3.1 of the California Public Resources Code (PRC), on September 29, 2016, Shasta County submitted a written notice of opportunity to consult on the proposed project to Mickey Gemmill, Chairperson of the Pit River Tribe of California. The letter notified the Pit River Tribe of the 30-day response period in accordance with §21080.3.1(d) of the PRC. Written response with a specific request for, or decline of, consultation was requested by no later than November 2, 2016. Shasta County did not receive any written or verbal requests for consultation from the Pit River Tribe of California for the proposed project between the September 29, 2016 to November 2, 2016 response period.

WHEREAS, said amendment was referred to various affected public and private agencies, County departments, special districts, interested individuals and the general public for review and comment; and

WHEREAS, the Shasta County Environmental Review Officer has reviewed the amendment and recommends a specific environmental finding; and

WHEREAS, the Shasta County Planning Commission has considered the amendment to the General Plan proposed by Highmark Land Co., at a public hearing held on July 13, 2017; and

WHEREAS, the Shasta County Planning Commission has considered public comments and a report from the Planning Division.

NOW, THEREFORE BE IT RESOLVED, that the Shasta County Planning Commission:

1. Makes the following environmental findings:

   A. An Initial Study has been conducted by the Shasta County Department of Resource Management, Planning Division, to evaluate the potential for significant adverse environmental effects and there is no substantial evidence in light of the whole record before the agency that the project as revised and mitigated may have a significant adverse impact on the environment;

   B. A Mitigated Negative Declaration has been prepared and circulated to the State Clearinghouse (SCH#2017062002) pursuant to the California Environmental Quality Act (CEQA). The environmental documentation as considered for this project reflects the independent judgment of the approving authority; and

   C. Mitigation monitoring provisions have been considered by the approving authority pursuant to County Mitigation Monitoring and Reporting Procedures. Feasible mitigation measures have been specifically identified in the Initial Study and incorporated in the Statement of Conditions with monitoring as specified in the Initial Study. The Mitigated Negative Declaration, by its provisions for monitoring of mitigation measures or changes made to the project or conditions of project approval to be adopted in order to mitigate or avoid significant impacts on the environment, represents the program designed to ensure environmental compliance during project implementation. This program, as required by Public Resources Code Section 21081.6, is based on those documents and materials referred to in the Mitigated Negative Declaration, and incorporated therein by reference, which are maintained at the County Planning Division's office located at 1855 Placer Street, Suite 103, Redding, California.

   D. There is no evidence before the approving authority that the proposed project will have the potential for an adverse effect on wildlife resources or upon the habitat on which the wildlife depends.

2. Recommends that the Shasta County Board of Supervisors adopt the CEQA determination of a Mitigated Negative Declaration.

3. Makes the following findings related to the proposed General Plan Amendment:

   A. That the proposed amendment, implemented by the design requirements of the Design Review (DR) district, is consistent and compatible with adjacent uses.

   B. The project is consistent with General Plan Objective CO-2 because the project is located within the Town of Burney which provides the opportunity for expanded commercial development.

C. That the subject property is located adjacent to State Highway 299, a portion of which is currently designated Commercial.

D. That, the proposed land use designation of Commercial is consistent with and a logical extension of the existing commercially designated and zoned area on and adjacent to the subject property.

4. Recommends that the Shasta County Board of Supervisors approve an amendment of the General Plan land use designation of the County of Shasta, identified as General Plan Amendment 16-001, to amend a 13.86-acre portion of a 378.85-acre property (identified by Assessor's Parcel Number 028-370-025) from Suburban Residential (SR) to Commercial (C) land use designation.

DULY PASSED this 13th day of July 2017, by the following vote:

AYES: RAMSEY, MACLEAN, CHAPIN, KERNS
NOES:
ABSENT: WALLNER
ABSTAIN:
RECUSE:

ROY W. RAMSEY, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:

RICHARD W. SIMON, Secretary
Planning Commission
County of Shasta, State of California

RESOLUTION NUMBER 2017-027

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE ZONE AMENDMENT 16-002 (HIGHMARK LAND CO.)

WHEREAS, the Planning Commission of the County of Shasta has considered an amendment to the Zoning Plan initiated by Highmark Land Co., in accordance with the Shasta County Code, Title 17, Zoning; and

WHEREAS, said amendment was referred to various affected public and private agencies, County departments, and referral agencies for review and comment; and

WHEREAS, the Shasta County Environmental Review Officer has reviewed the amendment and recommends a specific environmental finding; and

WHEREAS, a public hearing was held on July 13, 2017; and

WHEREAS, the Shasta County Planning Commission has considered public comments and a report from the Planning Division.

NOW, THEREFORE BE IT RESOLVED, that the Shasta County Planning Commission:

1. Makes the following environmental findings:

   A. An Initial Study has been conducted by the Shasta County Department of Resource Management, Planning Division, to evaluate the potential for significant adverse environmental effects and there is no substantial evidence in light of the whole record before the agency that the project as revised and mitigated may have a significant adverse impact on the environment;

   B. A Mitigated Negative Declaration has been prepared and circulated to the State Clearinghouse (SCH#2017062002) pursuant to the California Environmental Quality Act (CEQA). The environmental documentation as considered for this project reflects the independent judgment of the approving authority; and

   C. Mitigation monitoring provisions have been considered by the approving authority pursuant to County Mitigation Monitoring and Reporting Procedures. Feasible mitigation measures have been specifically identified in the Initial Study and incorporated in the Statement of Conditions with monitoring as specified in the Initial Study. The Mitigated Negative Declaration, by its provisions for monitoring of mitigation measures or changes made to the project or conditions of project approval to be adopted in order to mitigate or avoid significant impacts on the environment, represents the program designed to ensure environmental compliance during project implementation. This program, as required by Public Resources Code Section 21081.6, is based on those documents and materials referred to in the Mitigated Negative Declaration, and incorporated therein by reference, which are maintained at the County Planning Division's office located at 1855 Placer Street, Suite 103, Redding, California.

2. Recommends that the Shasta County Board of Supervisors adopt the CEQA determination of a Mitigated Negative Declaration.

3. Makes the following findings related to the proposed Zoning Plan Amendment:

   A. That the proposed zoning of Community Commercial-Design Review allows for uses consistent with the General Plan for this area; and
   B. The proposed zoning is compatible with the existing land uses in the area.

4. Recommends that the Shasta County Board of Supervisors approve an amendment of the Zoning Plan of the County of Shasta, identified as Zone Amendment 16-002, to rezone a 13.86-acre portion of a 378.85-acre property (identified by Assessor's Parcel Number 028-370-025) from Timberland (T) to Community Commercial combined with Design Review (C-2-DR) zone district; along with a revision to the existing Design Review (DR) district within the 2.65-acre portion of the subject property currently zoned Community Commercial combined with Design Review (C-2-DR) zone district, all as shown on Exhibit A.

DULY PASSED this 13th day of July 2017, by the following vote:

AYES: RAMSEY, MACLEAN, CHAPIN, KERNS
NOES:
ABSENT: WALLNER
ABSTAIN:
RECUSE:

ROY W. RAMSEY, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:

RICHARD W. SIMON, Secretary
Planning Commission
County of Shasta, State of California

RESOLUTION NO 2017-028

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION APPROVING TENTATIVE PARCEL MAP 14-005 (HIGHMARK LAND CO.)

WHEREAS, the Planning Commission of the County of Shasta has considered tentative Parcel Map 14-005 for Highmark Land Co., in accordance with Title 15, Subdivisions, of the Shasta County Code on Assessor's Parcel Number 028-370-025; and

WHEREAS, said map was referred to various affected public and private agencies, County departments, and referral agencies for review and comments; and

WHEREAS, the Shasta County Environmental Review Officer has reviewed the project and recommends a specific environmental finding; and

WHEREAS, a public hearing was held on July 13, 2017; and

WHEREAS, the Shasta County Planning Commission has considered public comments and a report from the Planning Division.

NOW, THEREFORE, BE IT RESOLVED, that the Shasta County Planning Commission:

1. Makes the following environmental findings:

   A. An Initial Study has been conducted by the Shasta County Department of Resource Management, Planning Division, to evaluate the potential for significant adverse environmental effects and there is no substantial evidence in light of the whole record before the agency that the project as revised and mitigated may have a significant adverse impact on the environment; and

   B. A Mitigated Negative Declaration has been prepared and circulated to the State Clearinghouse (SCH#2017062002) pursuant to the California Environmental Quality Act (CEQA). The environmental documentation as considered for this project reflects the independent judgment of the approving authority; and

   C. Mitigation monitoring provisions have been considered by the approving authority pursuant to County Mitigation Monitoring and Reporting Procedures. Feasible mitigation measures have been specifically identified in the Initial Study and incorporated in the Statement of Conditions with monitoring as specified in the Initial Study. The mitigated negative declaration, by its provisions for monitoring of mitigation measures or changes made to the project or conditions of project approval to be adopted in order to mitigate or avoid significant impacts on the environment, represents the program designed to ensure environmental compliance during project implementation. This program, as required by Public Resources Code Section 21081.6, is based on those documents and materials referred to in the Mitigated Negative Declaration, and incorporated therein by reference, which are maintained at the County Planning Division's office located at 1855 Placer Street, Suite 103, Redding, California.

2. Adopts the CEQA determination of a Mitigated Negative Declaration.

3. Makes the following map findings:

   A. The project, together with the provisions for its design and improvements, is consistent with the objectives, policies, uses and programs of the General Plan;

   B. No evidence has been presented which would require denial under Section 66474 of the Subdivision Map Act; and

   C. The required improvements are necessary for the orderly development of the area.

4. Approves Parcel Map 14-005, subject to the conditions as set forth in the attachment to this resolution.

DULY PASSED AND ADOPTED this 13th day of July 2017, by the following vote:

AYES: RAMSEY, MACLEAN, CHAPIN, KERNS
NOES:
ABSENT: WALLNER
ABSTAIN:
RECUSE:

ROY W. RAMSEY, Chairman
Planning Commission
County of Shasta, State of California

ATTEST:

RICHARD W. SIMON, Secretary
Planning Commission
County of Shasta, State of California

STATEMENT OF CONDITIONS

PARCEL MAP 14-005 (HIGHMARK LAND CO.)

PLANNING:

1. The requirements of all concerned governmental agencies having jurisdiction including, but not limited to, the issuance of appropriate permits shall be met.

2. This approval is granted for the land division as shown on the tentative parcel map (Exhibit "A"). Minor modifications may be approved by the Planning Director. Any substantial revisions will require a revised map application and approval by the Planning Commission.

3. Approval of this tentative map is contingent upon approval of a general plan amendment to change the existing land use designation from Suburban Residential (SR) to Commercial (C) on a 13.86-acre portion of the 378.85-acre property; along with a zone amendment from Timberland (TL) to Community Commercial, Design Review Combining District (C-2-DR) proposed on the same 13.86 acres of the property.

4. **Note on the Final Map attachment sheet:** If, in the course of development, any archaeological, historical, or paleontological resources are uncovered, discovered, or otherwise detected or observed, construction activities in the affected area shall cease and a qualified archaeologist shall be contacted to review the site and advise the County of the site's significance. If the findings are deemed significant by the Environmental Review Officer, appropriate mitigations shall be required prior to any resumption of work on the project.

5.* In order to avoid impacts to avian species protected under the Migratory Bird Treaty Act and the California Fish and Game Code, the following avoidance and minimization shall be implemented:

   a) Conduct vegetation removal and other ground-disturbance activities associated with construction from September 1 through January 31, when birds are not nesting; **or**

   b) If vegetation removal or initial ground disturbances occur during the avian breeding season (February 1 to August 31) then a migratory bird and raptor pre-construction survey shall be conducted by a qualified biologist to identify any active nests within 250 feet of the BSA. These surveys shall be conducted by a qualified biologist no more than seven (7) days prior to vegetation removal or initial ground disturbances (which ever activity comes first), and map all active nests located with 250 feet of the BSA where accessible. If an active nest more than half completed is located during the preconstruction surveys, the qualified biologist shall determine an appropriate species protection buffers around active nests based on the species tolerance of disturbance, species type, nest location, activities that will be conducted near the nest, and in consultation with the California Department of Fish and Wildlife. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. If construction activities stop for more than 15 days, then another migratory bird and raptor survey shall be conducted within seven (7) days prior to the continuation of construction activities. The results of the pre-construction surveys shall be sent to both the Shasta County Department of Resource Management, Planning Division and the California Department of Fish and Wildlife (Attn: CEQA, 601 Locust Street, Redding, CA 96001).

6.* Due to the possible presence of long-hared star tulip and long-striped campion on the project site, both of which are CNPS 1B.2 listed species, the following measures shall be implemented:

a) Prior to vegetation removal or grading activities on the project site, the property owner shall retain a qualified biologist to conduct plant surveys for long-hared star tulip and long-striped campion which are both CNPS 1B.2 listed species within the area to be disturbed by proposed project activities. The surveys shall be conducted during the appropriate time of year (June through August). The results of these surveys shall be sent to both the Shasta County Department of Resource Management, Planning Division and the California Department of Fish and Wildlife (Attn: CEQA, 601 Locust Street, Redding, CA 96001).

b) If special-status plants are located during the survey, the property owner shall implement the property owner shall consult with the County and the California Department of Fish and Wildlife (CDFW) regarding measures to either protect the existing plants on-site to offset on-site loss of the plants, such as collecting seed, bulbs or clippings and replanting species prior to approval of grading plans for the project site. At least ten (10) days prior to vegetation removal or grading activities in the area designated as suitable rare special-status plant habitat, the property owner shall notify the County and CDFW that grading is to occur and aid CDFW with the collection of the plant seeds and replanting, if CDFW chooses to pursue these activities.

7.* In order to mitigate for the destruction and/or fill of wetland areas, prior to the issuance of grading permits by the County or construction activities, the applicant shall purchase preservation credits at a 1:1 ratio from a local mitigation bank acceptable to the California Department of Fish and Wildlife.

BURNEY FIRE PROTECTION DISTRICT:

8. The applicant shall provide fire protection water and install fire hydrants as specified by the Burney Water District, Burney Fire Protection District, and in accordance with the Fire Safety Standards Section 6.3. The required improvements shall be installed and in service or bonded for prior to recording the map. Improvement plans shall be submitted to the Burney Fire Protection District and to the Burney Water District for review and approval prior to trenching or construction.

9. The applicant shall dispose of any vegetation cleared for construction and/or land development purposes prior to recording the map. Disposal shall be in accordance with Air Quality Management District regulations and State or local Fire Department burning permit regulations.

10. The Burney Fire Protection District shall sign the improvement plans for this project prior to submitting plans to the Department of Public Works. Improvement plans will be reviewed for compliance with the Fire Safety Standards and other project specific conditions.

THE MAP ATTACHMENT SHEET:

11. Advisory note: The land division is located in Local Responsibility Area designated and is designated as a "VERY HIGH" Fire Hazard Severity Zone under Government Code Section 51182.

12. Driveways, turnarounds, and street address markers shall meet the specifications of the Fire Safety Standards prior to the final inspection by the Shasta County Building Division for any new structures constructed on the parcels.

13. In accordance with Public Resources Code Section 4291, the owner, builder, and/or applicant for a building permit, shall provide "Defensible Space." They shall maintain around and adjacent to any such building or structure a firebreak by removing all brush, flammable vegetation, or combustible growth for a distance of not less than 100 feet on each side thereof or to the property line, whichever is nearer. This does not apply to single species of trees, ornamental shrubbery, or ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure. Grass located more than 30 feet from such building or structure and less than 18 inches in height may be maintained to stabilize the soil.

14. Untreated wood-shake or shingle roofing is prohibited. Roofing shall have a Class A classification as specified in Section 1503 of the Uniform Building Code.

BURNEY WATER DISTRICT- Water Service:

15. Water supply main lines, appurtenant facilities, and service connections to each buildable parcel shall be installed in accordance with the construction and testing standards of the operating entity and the County's Fire Safety Standards and shall be approved by the operating entity and the responsible fire protection entity prior to the filing of the Final Map.

16. The improvement plans for the water facilities shall be reviewed and approved by the operating entity prior to the installation of the facilities. Prior to the filing of the Final Map, the applicant's project engineer shall provide as-built plans, a certificate of completion, and, if requested, an operations and maintenance manual to the operating entity.

17. Ownership of all new water facilities and the related rights-of-way and easements shall be dedicated to the operating entity prior to the filing of the Final Map.

18. Prior to the recordation of the final map, the applicant shall satisfy all requirements, as determined by the Burney Water District, to provide water service to the project. The applicant shall also provide a letter to the Department of Resource Management, Planning Division from the Burney Water District which states that all their requirements and conditions have been met for this project.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE:

19. The applicant shall pay the Shasta County Clerk (payable to the Shasta County Department of Resource Management) a documentary handling fee for posting a Notice of Determination or Notice of Exemption for this project pursuant to the California Environmental Quality Act (CEQA), section 15075. The applicant shall also pay the appropriate fees pursuant to Fish and Game Section 711.4 (AB 3158). Said fees shall be paid within five (5) days following the end of any final appeal period, or in the event of a timely appeal within five (5) days following any final decision on the appeal, before the project approval will be considered final. Failure to pay the required fees will render this contingent project approval null and void. The fees are collected at the Shasta County Department of Resource Management Permit Counter located at 1855 Placer Street, Suite 103, Redding, CA.

SHASTA COUNTY DEPARTMENT OF PUBLIC WORKS:

20. Prior to recording the Final Map, offer for dedication to the public the following rights-of-way width for public use and construct the following roads to the current Shasta County standards, as described below:

    A. Road Name: BLACK RANCH RD
    Construction Limits: HWY 299 TO THE SOUTHERLY END OF PARCEL 3 AS SHOWN ON TENTATIVE MAP RECEIVED BY DPW 8-29-16
    Required Standard: MINOR LOCAL RURAL
    Right-of-way Width: 60' Paving Width: 20'

21. Prior to recording the Final Map, construct Shasta County Development Standard cul-de-sacs at the following locations:

    A. SOUTHERLY END OF BLACK RANCH RD

22. Submit improvement plans for roads, grading, drainage and other public improvements to the Department of Public Works. The plans shall be prepared by a Registered Civil Engineer and must be approved by the Department of Public Works, Environmental Health Division, Planning Division, and other concerned agencies prior to any construction. A plan checking fee will be required at the time the improvement plans are first submitted.

23. Install main distribution lines as required by Utilities to service all lots. Where underground utilities are located within the required right-of-way, such utilities shall be installed, or conduits shall be installed to allow for future installation, prior to placing pavement or concrete. These installations shall be approved by the utility company prior to placing pavement or concrete.

24. Prior to recording the Final Map, install all street signs, traffic delineation devices, warning and regulatory signs, guardrail, barricades, and other similar devices where required by the Department of Public Works. Signing shall be in conformance with the Department of Public Works standards and the current State of California Uniform Sign Chart. Installation of traffic devices shall be subject to review and modification after construction.

25. Prior to recording the Final Map, obtain street name approval and forms for required signs from the Planning Division, then install, 1 single plate, street sign at the following locations:

    A. BLACK RANCH RD @ HWY 299

26. Label all non-county maintained roads on the Final Map sheet as private roads and public utility easements.

BURNEY WATER DISTRICT- Sewer Service:

27. Underground facilities that are to be placed under pavement or concrete shall be installed prior to the installation of the pavement or concrete.

28. Water supply main lines, appurtenant facilities and service connections to each buildable parcel shall be installed in accordance with the construction and testing standards of the operating entity, the County's fire safety standards, and the responsible fire protection entity prior to the filing of the Final Map.

29. Wastewater collection system main lines, appurtenant facilities and service connections to each buildable parcel shall be installed in accordance with the construction and testing standards of the operating entity and shall be approved by the operating entity prior to the filing of the Final Map.

30. The improvement plans for water supply and wastewater collection facilities shall be reviewed and approved by the operating entity prior to the installation of the facilities. Prior to the filing of the Final Map, the applicant's engineer shall provide as-built plans, a certificate of completion and, if requested, an operations and maintenance manual to the operating entity.

31. Prior to the filing of the Final Map, the applicant shall pay all inspection, capital improvement, connection and other capacity charges or fees as established by the operating entity for the water supply and wastewater facilities. Related rights of way and easements shall be dedicated to the operating entity prior to the filing of the Final Map.

32. Prior to recordation of the Final Map, the applicant shall pay all connection, inspection and capital improvement fees established for the Burney Water District.

33. The improvement plans for all facilities to be operated and maintained by the Burney Water District shall be reviewed and approved by the Burney Water District prior to recordation of the Final Map. Upon completion of construction and prior to acceptance of the improvements, completed as-built plans, a certificate of completion, and an operation and maintenance manual, satisfactory to the Burney Water District, shall be submitted to the Burney Water District.

34. Ownership of all sewer facilities to be operated and maintained by the Burney Water District shall be dedicated to the Burney Water District prior to recordation of the Final Map.

35. All rights-of-way for the sewer facilities shall be dedicated to the Burney Water District and shall be satisfactory to the Burney Water District. Said easements shall be shown on the Final Map.

36. Prior to recordation of the Final Map, the applicant shall enter into an agreement guaranteeing all dedicated facilities for a period of one year after acceptance by the Burney Water District against defects in design, materials and workmanship. The agreement shall require a bond in the amount of seventy-five percent of the estimated construction cost of the improvements.

37. The applicant shall purchase additional sewage disposal assessment units to accommodate the proposed development prior to Final Map recordation.

REGIONAL WATER QUALITY CONTROL BOARD:

38. Prior to the issuance of any development permits or the initiation of any on-site land disturbance activities, the applicant shall obtain all required permits from the California Regional Water Quality Control Board (CRWQCB).

CALTRANS:

39. Prior to the issuance of any development permits, any on-site development activities or land disturbance, or the recordation of the final map, the applicant shall apply for and receive an encroachment permit to State Highway 299E from Caltrans for Black Ranch Road and encroachment from Parcel 4.

ADVISORY NOTICES:

A. The approval for this tentative map will expire 24 months from the date of approval unless an extension of time is applied for by the applicant and granted by the approving agency in accordance with adopted ordinances and established policy.

B. Unless otherwise noted, all listed conditions must be completed prior to recordation of the Final Map. The applicant is responsible for demonstrating that all conditions requiring completion prior to recordation of the Final Map have been satisfied prior to submitting the map for recordation. Failure to demonstrate compliance with conditions may result in a delay in recordation of the map.

* Denotes mitigation measures of the Mitigated Negative Declaration.

SHASTA COUNTY
PLANNING COMMISSION MEETING

MINUTES **Meeting**

Date: July 13, 2017
Time: 2:00 p.m.
Place: Shasta County Administration Center
Board of Supervisors' Chambers

Flag Salute

ROLL CALL **Commissioners**

Present:	Roy Ramsey	District 4
	Tim MacLean	District 2
	Steven Kerns	District 3
	Jim Chapin	District 1
Absent:	Patrick Wallner	District 5

Staff Present:
Richard W. Simon, Director of Resource Management
James Ross, Assistant County Counsel
Kim Hunter, Planning Division Manager
Kent Hector, Senior Planner
Bill Walker, Senior Planner
Jimmy Zanotelli, Shasta County Fire Department Marshal
Eric Wedemeyer, Public Works/Subdivision Engineer
Ken Henderson, Environmental Health Division
Buffy Gray, Agency Staff Services Analyst I, Recording Secretary

Note: **All unanimous actions reflect a 4-0 vote.**

Key: California Environmental Quality Act (CEQA): Mitigated Negative Declaration (MND), Negative Declaration (ND), Categorically Exempt (CE), Other Exemption from CEQA (OE); Not Subject to CEQA (N/A).

OPEN TIME: No Speaker's

APPROVAL OF MINUTES: **June 8, 2017 – Minutes**

By motion made, seconded (MacLean/Chapin) and carried unanimously, the Commission approved the Minutes of June 8, 2017, as submitted.

CONFLICT OF INTEREST DECLARATIONS: None

CONSENT ITEMS: None

PUBLIC HEARINGS:

Ex-parte Communications Disclosures: None

R1: **PARCEL MAP 07-027 (DURETTE) EXTENSION OF TIME:** The project is located in the Shingletown area on a 20-acre property on Ponderosa Way, approximately one mile north of its intersection with State Highway 44. The request is for approval of a 3-year extension of time for approved Parcel Map 07-027. The Planning Commission approved Parcel Map 07-027 on June 12, 2008, for the division of a 20-acre property into four 5-acre parcels. Staff Planner Kent Hector. District 5. Proposed CEQA Determination: N/A

Senior Planner Kent Hector presented the staff report. The public hearing was opened and the applicant David Durette stated he was available for any questions the Commission may have on the project. There being no other speakers for or against the project the public hearing was closed.

ACTION: By motion made, seconded (Chapin/Kerns), and carried unanimously by Resolution 2017-024, the Commission found that the extension of time is not subject to the requirements of CEQA and approved a 3-year extension of time for Parcel Map 07-027 (to June 12, 2020) based on the findings listed in the Resolution, and subject to the findings and conditions listed in the original resolution of approval Planning Commission Resolution 2008-063.

Ex-parte Communications Disclosures: None

R2 **VARIANCE 17-001 (GARROTTE)**: The project is located in the Lakehead area on a 5.8-acre parcel on the west side of the intersection of Oak Ridge Drive and Skyline Drive (18472 Oak Ridge Drive) about 2 miles northeast (by road) of Interstate 5. The applicant has requested approval of a Variance for a residential accessory building which exceeds the 15-foot height limit for accessory buildings of the National Recreation Area – Shasta Unit zone district. The proposal is for a 25-foot-wide by 50-foot-long by 18-foot-high metal storage building to be built in addition to an existing one-family residence and a detached garage. Staff Planner Bill Walker. District 4. Proposed CEQA Determination: CE

Senior Planner Bill Walker presented the staff report. The public hearing was opened, there being no speakers for or against the project the public hearing was closed.

ACTION: By motion made, seconded (MacLean/Chapin), and carried unanimously, by Resolution 2017-025, the Commission found the project to be Categorically Exempt from the California Environmental Quality Act (CEQA) and approved Variance 17-001, based on the findings and subject to the conditions listed in the resolution.

Ex-parte Communications Disclosures: None

R3 **GENERAL PLAN AMENDMENT 16-001, ZONE AMENDMENT 16-002, & PARCEL MAP 14-005 (HIGHMARK LAND CO):** The project is located on 378.85 acres in the Burney area adjacent to State Highway 299E, east of the intersection of Black Ranch Road and State Highway 299E. The request is for a general plan amendment to change the existing land use designation from Suburban Residential (SR) to Commercial (C) on a 13.86-acre portion of the 378.85-acre property; a zone amendment from Timberland (TL) to Community Commercial, Design Review Combining District (C-2-DR) proposed on the same 13.86 acres of the property, along with a revised Design Review (DR) district for the 2.65-acre portion of the subject property currently zoned Community Commercial combined with Design Review (C-2-DR) zone district; and a parcel map to divide the 378.85-acre property into four commercial parcels being 1.27 acres (Parcel 1), 1.38 acres (Parcel 2), 7.75 acres (Parcel 3), and 6.03 acres (Parcel 4) and a 362.42-acre remainder parcel. The general plan and zoning amendments would be an extension of existing commercial zoned land on and adjacent to the project. Staff Planner Kent Hector. District 3. Proposed CEQA Determination: MND

A memo was presented to the Commission prior to the meeting and made available to the public regarding revisions to Parcel Map 14-005 to address Burney Water District's conditions #15 through #22 and a letter received from California Department of Fish and Wildlife requesting a change to recommended condition #7.

Senior Planner Kent Hector presented the staff report. Commissioner Ramsey asked if the remaining parcel would remain Timberland and Mr. Hector confirmed it would remain Timberland. Commissioner Kerns and Commissioner Chapin asked questions regarding the change of the 1:1 mitigation ratio to the 2:1 mitigation ratio for vernal pools on the project. Mr. Hector discussed the Commissioners concerns and referred the Commissioners to the letter of recommendation from the Department of Fish and Wildlife.

The public hearing was opened and the applicant John Ochipinti spoke in favor of the project and accepts the conditions, but isn't happy with the recommendation from the Department of Fish and Wildlife. Elena Gregg representative of Gallaway and Associates explained the reason for the recommendation made by the Department of Fish and Wildlife. Commissioner MacLean asked if the project was in the jurisdiction of the Army Corp of Engineers. Ms. Gregg explained it was not. Richard Simon Director of Resource Management asked Ms. Gregg to state her credentials for the record. Ms. Gregg stated she is a Botanist for Gallaway and Associates and has a Take permit from the Department of Fish and Wildlife to collect and ID rare Fairy Shrimp.

There being no other speakers for or against the project the public hearing was closed.

ACTION: By motion made, seconded (Chapin/Kerns), and carried unanimously, the Commission took the following actions: 1) by Resolution 2017-028, made the appropriate environmental findings and adopted the CEQA determination of a Mitigated Negative Declaration for Parcel Map 14-005; made the appropriate findings and approved Parcel map 14-005, subject to approval by the Board of Supervisors of a General Plan Amendment and Rezone, and subject to the conditions listed in Resolution 2017-028 as amended; 2) by Resolution 2017-026, recommended that the Board of Supervisors adopt a CEQA determination of a Mitigated Negative Declaration for General Plan

Amendment 16-001 and Zone Amendment 16-002, and approve General Plan Amendment 16-001, based on the findings listed in Resolution 2017-026; and 3) by Resolution 2017-027, recommended that the Board of Supervisors introduce, waive the reading of, and adopt an ordinance to amend the Zoning Plan of the County of Shasta identified in Zone Amendment 16-002, based on the findings listed in Resolution 2017-027.

Ex-parte Communications Disclosures: None

R4 **ZONE AMENDMENT 17-002 (ACCESSORY DWELLING UNITS) COUNTY-WIDE (ZONING TEXT AMENDMENT):** Based on direction by the Board of Supervisors, the Planning Division staff has drafted a proposed ordinance to establish provisions for accessory dwelling units in the unincorporated areas of Shasta County. The intent of this draft ordinance is to 1) provide additional housing options without substantially changing the use, appearance, or character of a neighborhood, and 2) to comply with California Government Code (GC) Section 65852.2 and the provisions of the Shasta County General Plan Land Use and Housing Elements that encourage a variety of housing opportunities for all income levels. Staff Planner Kim Hunter. District All. Proposed CEQA Determination: N/A

A memo was presented to the Commission prior to the meeting and made available to the public regarding comments received from members of the public and staff recommending revisions to the Draft Ordinance for Accessory Dwelling Units.

Planning Division Manager Kim Hunter presented the staff report. Ms. Hunter, Richard Simon Director of Resource Management, and the Commission discussed the text in the Draft Ordinance for Accessory Dwelling Units.

The public hearing was opened.

Mary Machado Executive Director for Shasta Voices expressed concerns of the process and explained the process should be made easier. Ms. Machado stated she would like to see item number 2, of the Development Standards, eliminated to help expedite the process.

Kent Dagg representative of Shasta Association of Realtors explained the Association is in favor of the ordinance. Mr. Dagg explained he would like to be involved with this process and is available to help out where needed.

There being no other speakers for or against the project the public hearing was closed.

After further discussion by the Commission regarding minimum parcel size concerns and language on the Accessory Dwelling Units, the Commission decided to continue the project to give staff time to analyze proposed revisions to the draft language relating to minimum lot acreage.

ACTION: By motion made, seconded (Chapin/Kerns), and carried unanimously, the Commission continued the item to the August 10, 2017 Planning Commission meeting.

PLANNING DIRECTOR'S REPORT:

Director of Resource Management Richard Simon explained he had a discussion with the Association of Realtors and gave them updates on ordinances including the ones in progress. Mr. Simon gave a year to year progression on permit activity. He explained overall permits are up approximately 20% from fiscal year 15/16 to fiscal year 16/17. He stated this a good sign that the economy is looking up. Mr. Simon also spoke about receiving direction from the Board of Supervisors to initiate a short term rental ordinance, which will be coming to the Planning Commission this fall or winter.

ADJOURNMENT: The Planning Commission adjourned at 03:41 p.m.

Submitted by:

Buffy Gray, Agency Staff Service Analyst I
Recording Secretary