

COUNTY OF SUTTER
MITIGATED NEGATIVE DECLARATION

PROJECT TITLE: Project No. U24-0023 (Heryford)

PROJECT SPONSORS: Applicant/Owner:
Richard & Tiffani Heryford
9030 Pass Road, Sutter, CA 95982

PROJECT LOCATION: Located approximately 474 feet south of Pass Road and 370 feet east of Kellogg Road;

ASSESSOR'S PARCEL NO:13-200-108

PROJECT DESCRIPTION: A request to rescind a Development Rights Agreement to return Development Rights to construct a residence on a property on a 115.49± acre agricultural remainder parcel in the AG-SB (Agriculture - Sutter Buttes Overlay) district.

An Initial Study has been conducted by the Environmental Control Officer of the County of Sutter. The Environmental Control Officer finds that this project will not have a significant effect on the environment. The Initial Study is available for public review at the Sutter County Development Services Department, 1130 Civic Center Boulevard, Suite A, Yuba City, California. (Phone: 530-822-7400)

STATEMENT OF REASONS TO SUPPORT FINDING
OF MITIGATED NEGATIVE DECLARATION

Staff has conducted an Initial Study for this project, which revealed that the proposed project could have a significant impact on the environment; however, the recommended mitigation measures would reduce the possible impacts to a less than significant level.



Neal Hay
Director of Development Services
Environmental Control Officer

3/11/2026

Date

Sutter County Initial Study

- 1. Project title:** Project #U24-0023 (Heryford)
- 2. Lead agency name and address:** Sutter County Development Services Department
Planning Division
1130 Civic Center Boulevard, Suite A
Yuba City, CA 95993
- 3. Contact person and phone number:** Luis Enrique Hernandez, Assistant Planner
(530) 822-7400 ext. 300
- 4. Project sponsor's name and address:** Applicant/Owner:
Richard & Tiffani Heryford
9030 Pass Road
Sutter, CA 95982
- 5. Project location & APN:** Located approximately 474 feet south of Pass Road and 370 feet east of Kellogg Road; APN: 13-200-108
- 6. General Plan designation:** AG-80 (Agriculture, 80-acre minimum)
- 7. Zoning classification:** AG-SB (Agriculture-Sutter Buttes Overlay District)
- 8. Description of project:** This project is a request to rescind a Development Rights and Open Space Easement Agreement in order to allow for the future construction of a single-family residence on the subject 115.49± acre agricultural parcel (APN: 13-200-108) (see attachments 1 through 3).

On September 9, 2003, Tentative Parcel Map #03-06 (TPM #03-06) was approved to allow the division of a 117± acre parcel into a 2.00± acre homesite parcel for an existing residence built in 2000 and a 115.49± acre agricultural remainder parcel (subject parcel) (see attachment 4). A Variance (#03-04) was also approved to allow the creation of the two parcels without frontage on a County accepted and maintained road. The tentative map was recorded as Parcel Map #1032 (PM #1032) on December 31, 2003 (see attachment 5), along with a Development Rights and Open Space Easement Agreement. The recordation of the Development Rights and Open Space Easement Agreement was a condition of approval of the tentative map in order to maintain consistency with the General Plan density by prohibiting residential development on the agricultural remainder parcel. The AG-80 General Plan designation allows one residence per 80 gross acres. One residence was allowed on the original 117± acre parcel. The one existing residence was allocated to the 2.00± acre homesite parcel and the agricultural remainder parcel was required to be at least 80 acres in size.

The parcel is without frontage on a county-maintained road. The subject parcel has access to Pass Road via a 30-foot-wide, 475-foot-long easement along the western side of the property and a 60-foot-wide, 1,640-foot-long road and utility easement along the eastern side of the property. A private road maintenance agreement was recorded for the 60-foot-wide road and utility easement. The Sutter County Zoning Code requires all parcels to have frontage on a road which has been accepted and maintained by Sutter County or the State of California. However, the subject parcel was created without frontage on a county road through PM #03-06 and VR #03-04. The applicant is required to maintain access to the subject parcel in compliance with current Fire Code and County Development Standards.

No formal development proposal has been submitted at this time for any changes of use to the property outside of the project proposal. With approval of this project, the subject parcel could be developed in the future with a single-family residence and residential accessory structures. The applicant will be required to provide provisions for wastewater disposal and water per Environmental Health Division standards in compliance with State law and local ordinance. If a new residence is proposed on the project site in the future, it will be served by an individual on-site septic system and individual on-site well.

9. Surrounding land uses and setting: The existing 115.49± acre agricultural remainder parcel is located within the Agriculture – Sutter Buttes Overlay (AG-SB) district and is currently cultivated with walnuts and olives and surrounds the property owners' homesite parcel that is approximately 2-acres with an existing single-family residence. The project site drains in an easterly direction. The property has no County road frontage, but access is provided through driveways and easements along the eastern and western side of the property that connects Pass Road to the north, which is a County maintained road. The property is immediately adjacent to the rural community of Sutter in the southeast corner of the Sutter Buttes.

The Development Rights and Open Space Easement Agreement prohibits residential and residential accessory structures on the subject parcel but does allow for agricultural accessory structures. Two 60-foot-tall monopole mounted wind turbines were permitted in 2011 with one being built on the 2.00± acre homesite parcel and one build on the 115.49± acre agricultural remainder parcel (subject parcel).

The subject parcel is served by an agricultural well and includes walnut and olive orchards, uncultivated agricultural land, an agricultural equipment storage area, private baseball field, a pond, and the aforementioned wind turbine. High voltage transmission lines extend over an eastern portion of subject parcel in a north-south direction within a 200-foot-wide Pacific Gas & Electric Company (PG&E) powerline easement (see attachment 4 and 5). An unnamed stream bisects the parcel at the south end running east to west across the parcel, which eventually makes its way to the West Interceptor Canal in Sutter. A driveway crosses the stream near the center of the parcel, which provides access to the property owners' 2-acre homesite parcel and baseball field.

The subject site is located south and west of Pass Road, and the surrounding area is primarily agriculture (cultivated and uncultivated) with rural residential uses and natural gas wells throughout the area. The subject site and surrounding parcels are zoned AG-SB (Agriculture – Sutter Buttes Overlay) with FPARC (Food Processing, Agricultural, and Recreation Combining District) to the south.

Adjacent land uses, zoning and General Plan designations for the surrounding properties are summarized below.

Direction	Land Use	Zoning Designation	General Plan Designation
Site	Agriculture (walnut / olive / uncultivated agriculture, agricultural equipment storage), baseball field, pond, and wind turbine surrounding an existing single-family residence on a separate homesite parcel	AG-SB (Agriculture – Sutter Buttes Overlay)	AG-80 (Agriculture, 80-acre minimum)
North	Agriculture (almond / walnut / pumpkin / sunflower / uncultivated)	AG-SB (Agriculture – Sutter Buttes Overlay)	AG-80 (Agriculture, 80-acre minimum)

	agriculture) and rural residential		
South	Agriculture (uncultivated agriculture)	Food Processing, Agricultural, and Recreation Combining District (FPARC)	Food Processing, Agricultural, and Recreational Combining District (FPARC)
East	Agriculture (almond / oat seed / uncultivated agriculture / forage hay) and rural residential	AG-SB (Agriculture – Sutter Buttes Overlay)	AG-80 (Agriculture, 80-acre minimum)
West	Agriculture (uncultivated agriculture) and natural gas wells	AG-SB (Agriculture – Sutter Buttes Overlay), Food Processing, Agricultural, and Recreation Combining District (FPARC)	AG-80 (Agriculture, 80-acre minimum), Food Processing, Agricultural, and Recreational Combining District (FPARC)

10. Other public agencies whose approval is required: Other permits and approvals required are listed below. It should be noted that this list is not exhaustive and additional permits and approvals may also be required.

- Sutter County – Development Services Department: Building Permits, Well & Septic Permits, Grading and Encroachment Permits

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? On December 8, 2025, the County initiated Assembly Bill 52 (AB 52) consultation through the distribution of notification letters to seven Native American tribes provided by the Native American Heritage Commission (NAHC). No requests to consult were received as a result of this notification.

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

DETERMINATION

On the basis of this initial evaluation:

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

Applicant Mitigation Agreement:

CEQA allows a project proponent to make revisions to a project, and/or to agree and comply with, mitigation measures that reduce the project impacts such that the project will not have a significant effect on the environment. CEQA Guidelines Section 15064.

As the applicant/representative for this proposed project, I hereby agree to implement the proposed mitigation measures and mitigation monitoring program identified within this document.

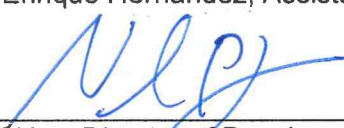
Signature of Applicant/Representative

Date



Luis Enrique Hernandez, Assistant Planner

3/1/26
Date



Neal Hay, Director of Development Services
Environmental Control Officer

3/11/2026
Date

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, would the project:

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

Responses:

a) **Less than significant impact.** This project will not have a substantial adverse effect on the scenic vista. The General Plan Technical Background Report identifies geographic features such as the Sutter Buttes, Feather River, Sacramento River, Bear River, and the valley’s orchards as scenic resources within the County, which contribute to the County’s character. This project is located within the Sutter Buttes Overlay Zoning District and a residence is anticipated to be constructed on the project site in the future. A new residence will not obscure views of the Sutter Buttes from Pass Road. It is anticipated that a new residence will utilize existing driveways resulting in minor grading and installation of utility and drainage infrastructure. The area is predominately orchards and includes a mix of residential and agricultural uses; therefore, the project will not significantly impact a vista of unobstructed orchards or agricultural land and will be consistent with the type of uses in the area. As a result, this project will not substantially alter any scenic vista and a less than significant impact is anticipated.

b) **No impact.** This project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway because there are no state scenic highway designations in Sutter County. As there are no scenic highways located in Sutter County, no impact is anticipated.

c) **Less than significant impact.** The proposed project is located in a non-urbanized area and will not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The project site is located within the unincorporated County north of the Rural Community of Sutter in the southeast corner of the Sutter Buttes. The surrounding area features primarily agriculture and residential uses. The project site is located within the Sutter Buttes (SB) Overlay District, which is included in Sutter County Zoning Code Section 1500-08-020. The intent of the SB Overlay District is to preserve the cultural, historic, geologic, and visual values of the

Sutter Buttes which contribute to the overall image of Sutter County. Structures within the SB Overlay District that are visible from public roads or adjacent residences are subject to development standards that address site planning, landscaping, screening, grading, tree removal, roof areas and materials, building colors, roads and driveways, lighting, and other factors, and require approval of a Zoning Clearance. If approved, it is anticipated that a new single-family residence will be constructed on the site. If a residence or other structures are proposed in the future that will be visible from a County road or adjacent residence, they will be subject to approval of a Zoning Clearance. Compliance with the SB Overlay District will ensure visual compatibility with adjacent land uses and mitigate impacts to the quality of public views. Therefore, a less than significant impact is anticipated.

d) Less than significant impact. This project will not create a new source of substantial light or glare which will adversely affect day or nighttime views in the area. There is no new development or lighting proposed at this time; however, new structures will be subject to compliance with the County's performance standards for projects within the Sutter Buttes Overlay District which requires lighting be oriented and shielded to direct light downward onto the subject property and not spill onto adjacent properties or road rights-of-way. Structures are also required to be built with non-reflective materials. A less than significant impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)
 (County of Sutter, Zoning Code. 2024)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FORESTRY RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** This project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use. As shown on the 2020 Sutter County Important Farmland map, the project site is designated as "Prime Farmland", "Grazing Land", "Other Land", and "Unique Farmland". The area of the site planted with orchard trees is designated "Prime Farmland", while other areas on the south end of the site that are not planted with orchard trees make up the remainder of the land designations. No land use changes are proposed with this project. If approved, it is anticipated that a new single-family residence will be constructed on the site. It is further anticipated that this new residence will be constructed on previously disturbed ground near the south end of the site instead of removing orchard trees to accommodate this use. However, should orchard trees be removed to accommodate a new residence, this will result in a less than significant impact regarding the removal of "Prime Farmland" since a new residence will only occupy a small area. Since no land use changes are proposed, the project site will continue to be used for agricultural uses. A new residence will be incidental to the agricultural use of the site. A less than significant impact is anticipated.

b) **Less than significant impact.** This project will not conflict with existing zoning for agricultural uses or a Williamson Act contract. The project site and all adjacent properties are not encumbered by a Williamson Act contract. All parcels in this area have agricultural zoning. Conflicts between the proposed project and adjacent agricultural land are not anticipated. Additionally, if a new residence is constructed on the project site in the future, the applicant will be required to sign a Right to Farm disclosure in accordance with County Code Chapter 1330 informing them that they may be subjected to impacts related to productive nearby farming activities. In addition, this disclosure is required to be included in or referenced during any future sale of the property. A less than significant impact is anticipated.

c) **No impact.** This project does not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)), because the project site and surrounding area does not contain forest land. The project site is not zoned for forest land or timberland nor is it adjacent to

land that is zoned for forest land or timberland. This project is located in the Sacramento Valley at the southeast corner of the Sutter Buttes, a non-forested region. No impact is anticipated.

d) **No impact.** This project will not result in the loss of forest land or conversion of forest land to a non-forest use because of its location within Sutter County. Most of Sutter County is located on the valley floor of California’s Central Valley, and, as such, does not contain forest land. This project is located at the southeast corner of the Sutter Buttes and does not contain forest land. No impact is anticipated.

e) **Less than significant impact.** This project will not involve other changes to the existing environment which could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. This project does not include land being converted from farmland to non-agricultural use or forest land to non-forest use. If approved, it is anticipated that a new single-family residence will be constructed on the site. Agricultural uses in the vicinity will continue as they historically have. Staff does not anticipate that this project will result in the conversion of other agricultural lands to non-agricultural use. Therefore, a less than significant impact is anticipated.

(California Dept. of Conservation, Farmland Mapping and Monitoring Program. 2020)
 (County of Sutter, Zoning Code. 2024)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY.

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a-d) **Less than significant impact.** This project will not conflict with any air quality plan or result in a net increase of any criteria pollutant, nor expose sensitive receptors to substantial pollutant concentrations or objectionable odors. The proposed project is located within the Northern Sacramento Valley Air Basin (NSVAB) and the jurisdiction of the Feather River Air Quality Management District (FRAQMD). Air quality standards are set at both the federal and state levels.

FRAQMD is responsible for the planning and maintenance/attainment of these standards at the local level and sets operational rules and limitations for businesses that emit significant amounts of criteria pollutants. This project was circulated to FRAQMD for review and they had no comments.

According to the FRAQMD 2010 Indirect Source Review Guidelines, Significant Impact Thresholds are triggered by the construction of 130 new single-family residences. As this project will not result in any significant new development, it will not trigger this threshold of significance. Standards set by FRAQMD, CARB, and Federal agencies relating to a proposed project will apply. Therefore, a less than significant impact is anticipated.

(Feather River Air Quality Management District, Indirect Source Review Guidelines. 2010)
(County of Sutter, General Plan 2030. 2011)

IV. BIOLOGICAL RESOURCES.

Would the project:

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

Responses:

a) **Less than significant impact.** This project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). The California Natural Diversity Database (CNDDDB) is a positive sighting database managed by CDFW. According to the CNDDDB, there are no candidate, sensitive, or special status species identified as potentially occurring on-site or in the immediate area. This project was circulated to CDFW for review, and they did not provide any comments. The site does not contain suitable habitat for the identified special-status species, and no critical habitat has been designated on or adjacent to the project area. Based on the absence of suitable habitat and the limited scope of the project, the potential for direct or indirect impacts to special-status species is low. Therefore, the project will have a less than significant impact on species identified in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

b) **Less than significant impact.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. There are no rivers or lakes in the immediate vicinity. No riparian habitats or sensitive natural communities are known to exist on or adjacent to the project site. An unnamed stream bisects the parcel at the south end running east to west across the parcel. A driveway crosses the stream near the center of the parcel, which provides access to the property owners' 2-acre homesite parcel and baseball field. A pond is located on the south side of the stream. It is anticipated that a new residence at the site will utilize existing driveways and will be constructed on previously disturbed ground and will not impact the existing stream or pond. As such, a less than significant impact is anticipated.

c) **Less than significant impact.** The project will not have a substantial adverse impact 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. An unnamed stream bisects the parcel at the south end running east to west across the parcel that was identified on the National Wetlands Inventory of the USFWS. There is no development currently proposed for the project but if the project site is developed with a residence, it is not anticipated that the development would adversely impact federally protected wetlands. The project site has substantial land to withstand the project without impacting the unnamed stream and if the residence is proposed disrupting the federally protected wetland the development would need to remain compliant with Section 404 of the Clean Water Act and obtain the required permits prior to development. Therefore, a less than significant impact is anticipated.

d) **Less than significant impact.** This project will also not 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 a native wildlife nursery site. An unnamed stream bisects the parcel at the south end running east to west across the parcel. A driveway crosses the stream near the center of the parcel, which provides access to the property owners' 2-acre homesite parcel and baseball field. A pond is located on the south side of the stream. It is anticipated that a new residence at the site will utilize existing driveways and will be constructed on previously disturbed ground and will not impact the existing stream or pond. As stated earlier, no species have been recorded within the area of the project according to the CNDDDB. Therefore, a less than significant impact is anticipated.

e) **No impact.** This project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Sutter County has no formal tree preservation ordinance or special biological resource overlay for the site. General Plan Policy ER 3.7 is in place to preserve native oak trees when possible, through the review of discretionary development projects and activities. No tree removal is currently planned, and no policies or ordinances will be violated. Therefore, no impact is anticipated.

f) **No impact.** The proposed project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because a plan has not been adopted that affects this project site. As a result, no impacts are anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)
 (California Department of Fish and Wildlife, California Natural Diversity Database)
 (U.S. Fish and Wildlife Service, National Wetlands Inventory, 2025)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES.				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Responses:

a-c) **Less than significant with mitigation incorporated** The proposed project will not cause a substantial adverse change in the significance of a historical resource or archaeological resource pursuant to §15064.5. Also, this project will not disturb any human remains, including those interred outside of dedicated cemeteries. In Section 4.6 of the General Plan Technical Background Report, Figure 4.6-1 lists two historically important structures or sites in the area. The John C. Fremont historical site monument is located within 0.5 miles of the property. This site commemorates General Fremont's encampments in this area in 1946 just prior to the Bear Flag Revolt. The second historic site in the area is the Brittan-DeWitt House located at 7982 Pass Road, approximately .7 miles southeast from the project site. This house was built in 1869 by George Brittan a prominent figure in local politics and civic affairs and later sold to the DeWitt family. Additionally, due to the nature of the area and terrain, there may be several prehistoric occupation sites within the general area. The project site and the property is not located near a cemetery. The project site is not located within the vicinity of the Bear River, Sacramento River, or Feather River, where archaeological resources are more likely to exist. Furthermore, the property has been extensively disturbed to varying depths due to historical agricultural operations,

current activities, and existing development. The project will not expand the disturbed area so less than significant impact to cultural resources is anticipated.

The subject property has not been previously surveyed for cultural resources. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future development activities. The following mitigation measure is included in the event of inadvertent discovery of cultural resources.

Mitigation Measure No. 1 (Cultural Resources): Should any subsurface cultural resources, paleontological resources, or human remains be encountered during any future construction, all work within 100 feet of the discovery shall be stopped and the area protected from further disturbance until the discovery is evaluated. The appropriate County personnel shall be notified immediately. The resources shall be examined by qualified personnel to determine their significance and develop appropriate protection and preservation measures. If human remains are discovered, they shall be treated in compliance with applicable state and federal laws, including notifying the County Coroner and consulting with the California Native American Heritage Commission, as appropriate.

(County of Sutter, General Plan 2030. 2011)

(County of Sutter, General Plan Technical Background Report. 2008)

(Sutter County Historic Survey (Galvin Preservation Associates, 2005-2007)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. ENERGY.

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a-b) **Less than significant impact.** The proposed project will not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation or conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No new development or new uses are proposed at this time. Future uses are not anticipated to require the creation of a new substantial source of energy generation. There are no unusual construction processes that will be more energy-intensive than are used for comparable activities, and no equipment will be used that will not conform to current emissions standards and related fuel efficiencies. For these reasons, it is expected that fuel consumption associated with future project construction will not be any more inefficient, wasteful, or unnecessary than other similar projects of this nature within Sutter County.

Future construction and uses are required to comply with the energy requirements of the State Building Codes, including California's energy code, Title 24, and will not result in a wasteful,

inefficient, or unnecessary consumption of energy resources because the energy efficiency standards of the State of California are some of the most stringent codes in the nation. A less than significant impact is anticipated.

VII. GEOLOGY AND SOILS.

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

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 geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

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

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) **Less than significant impact.** This project will not directly or indirectly cause potential substantial adverse effects from rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides because the subject property is not located in an Alquist-Priolo Earthquake Fault Zone. Figure 5.1-1 in the General Plan Technical Background Report does not identify any active earthquake faults in Sutter County as defined by the California Mining and Geology Board. The faults identified in Sutter County

include the Quaternary Faults, located in the northern section of the County within the Sutter Buttes, and the Pre-Quaternary Fault, located in the southeastern corner of the County. Both faults are listed as non-active faults but have the potential for seismic activity. This project will allow the development of a single-family residence on the subject parcel. This project will not exacerbate existing seismic hazards in the region, and the subject parcel is relatively level with no significant slope; therefore, a less than significant impact is anticipated.

b) **Less than significant impact.** This project will not result in substantial soil erosion or the loss of topsoil. According to the USDA Soil Conservation Service, Soil Survey of Sutter County, California, on-site soils consist of Palls-Stohlman stony sandy loams, 9 to 30 percent slopes on the southern portion of the site, Olashes sandy loam, 0 to 2 percent slopes (150) on the northeast end of the site, and Capay silty clay, 0 to 2 percent slopes (104) that make up of the majority of the soil found on the approximate 115 acre parcel. The General Plan Technical Background Report indicates that soils with a 0 to 9 percent slope have slight erodibility. Despite the site having above slight erodibility, the site is currently developed with olives and walnuts. This project will allow for the development of a single-family residence on the subject parcel and it is anticipated that grading will occur as part of future development of the property. Grading in conjunction with the construction of a residence or site development will be evaluated through the building permit and grading permit process. The proposal will not substantially disturb topsoil; therefore, a less significant impact is anticipated.

c) **Less than significant impact.** This project is not located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Despite the project being above slight erodibility, the site is currently developed with olives and walnuts so an additional residence is not anticipated to substantially destabilize the site. The subject parcel is relatively flat and is expected to be stable. A less than significant impact is anticipated.

d) **Less than significant impact.** Expansive soil can cause damages including structural damage; cracked driveways, sidewalks, heaving of roads and highway structures; and disruption of pipelines and other utilities. Soils composed predominantly of sand and gravel have a low volume change. The soil types on the project site are Palls-Stohlman stony sandy loam, Olashes sandy loam, and Capay silty clay which are classified by the Sutter County General Plan Technical Report as low to moderate absorption soils which would anticipate a low to moderate shrink swell potential.

Although no building construction is proposed at this time, any future construction will be required to comply with the adopted California Building Code, specifically Chapter 18 for soils conditions and foundation systems, to address potential expansive soils that may require special foundation design, a geotechnical survey, and engineering for foundation design. The Building Division will implement these standards as part of the building permit process. A less than significant impact is anticipated.

e) **Less than significant impact.** This project does not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Properties in the area of the project rely on the use of onsite septic tanks and leach field systems for the disposal of wastewater as there is no sewer system available in the area. Soil testing was conducted July 10, 2024, which determined the site is suitable for an onsite sewage disposal system for a proposed residence. The Development Services Environmental Health Division may require additional information if new development is

proposed because of the residence in the form of an additional dwelling unit (ADU) to ensure that the existing septic could sustain the additional usage. A less than significant impact is anticipated.

f) **Less than significant impact.** The proposed project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. There are no known unique paleontological resources or unique geologic features located in the vicinity of the project. There is no change of use or new development proposed at this time; however, a residence may be constructed on the property in the future. Furthermore, the property has been extensively disturbed to varying depths due to historic agricultural operations, previous activities, and existing development; therefore, a less than significant impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)

(USDA Soil Conservation Service, Sutter County Soil Survey. 1988)

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

Responses:

a) **Less than significant impact.** This project will not generate additional greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The Sutter County Climate Action Plan (CAP) was prepared and adopted in 2010 as part of the General Plan to ensure compliance with Assembly Bill (AB) 32, the Global Warming Solutions Act. Sutter County’s CAP includes a GHG inventory, an emission reduction target, and reduction measures to reach the target. As part of the CAP, the County adopted GHG screening tables, whereby if a project with a proposed building can qualify with 100 points, the project can be considered less than significant under CEQA. Small projects with no proposed development and minor levels of GHG emissions typically cannot achieve the 100-point threshold and therefore must quantify GHG emission impacts using other methods, an approach that consumes time and resources with no substantive contribution to achieving the CAP reduction target.

Since the adoption of the CAP, further analysis to determine if a project can be too small to provide the level of GHG emissions reductions expected from the screening tables or alternative emissions analysis methods has been performed. In that study, emissions were estimated for each project within the Governor’s Office of Planning and Research (OPR) database. The analysis found that 90 percent of carbon dioxide equivalent (CO₂e) emissions are from CEQA projects that exceed 3,000 metric tons CO₂e per year. Both cumulatively and individually, projects that generate less than 3,000 metric tons CO₂e per year have a negligible contribution to overall emissions. Sutter County has concluded that projects generating less than 3,000 metric tons of CO₂e per year are not required to be evaluated using Sutter County’s screening tables. Such

projects require no further GHG emissions analysis and are assumed to have a less than significant impact.

The existing agricultural parcel is developed with olive and walnut orchards. With approval of this project, a new single-family residence may be constructed on the property in the future. Based on the GHG Pre-Screening Measures, construction of up to 132 single family dwelling units are “pre-screened out”, which means it falls below the 3,000 metric tons threshold. As the proposed project will allow for the future construction of a single residence, the project falls well below the threshold. Therefore, no further GHG emissions analysis is necessary and a less than significant impact is anticipated.

b) Less than significant impact. This project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project is within the boundaries of the Feather River Air Quality Management District (FRAQMD), which has not individually adopted any plans or regulations for reducing greenhouse gas emissions. The County has adopted a Climate Action Plan (CAP) that details methods to reduce greenhouse gas emissions. As noted in a) above, this project will be consistent with the County CAP. Future development will comply with applicable energy efficiency standards and land use planning policies in the Sutter County General Plan and Title 24 of the California Code of Regulations. This project does not propose new infrastructure or changes to land use intensity that will interfere with state or local climate action goals. Therefore, the project will result in a less than significant impact with respect to GHG reduction plans.

(County of Sutter, General Plan Technical Background Report. 2008)

(County of Sutter, General Plan 2030 Climate Action Plan. 2011)

(County of Sutter, Greenhouse Gas Pre-Screening Measures for Sutter County. June 28, 2016.)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS.				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a-b) **No impact.** This project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Development Services Environmental Health Division is the Certified Unified Program Agency (CUPA) for Sutter County with responsibility for the administration of the “Unified Hazardous Waste and Hazardous Materials Management Regulatory Program” (Unified Program). All uses involving the storage and handling of hazardous materials are monitored by CUPA. CUPA has reviewed this project and stated that they had no comments. This project does not involve the routine transport, use, or disposal of hazardous materials; therefore no impact is anticipated.

c) **No impact.** This project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no existing or proposed schools within one-quarter mile of the project site. The closest existing school is Sutter High School located approximately 1.12 miles southeast of the project site; therefore, no impact is anticipated.

d) **No impact.** This project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5. As a result, the project will not create a hazard to the public or the environment; therefore, no impact is anticipated.

e) **No impact.** This project is not 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; therefore, this project will not result in a safety hazard or excessive noise for people residing or working in the project area. The nearest public airport is the Sutter County Airport which is located over nine miles southeast of the project site. Due to the project’s distance from public airports, no impact is anticipated.

f) **Less than significant impact.** The proposed project will not impact the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No new development or change of use on the property is proposed currently. The parcel was created by PM #03-06 which assessed the impacts of creating a parcel without frontage on a county-maintained road. The parcel is accessed through two recorded access easements from

Pass Road. The applicant is required to maintain access to the subject parcel in compliance with current Fire Code and County Development Standards. This will ensure adequate emergency response and evacuation access for the parcels. This project does not pose a unique or unusual use or activity that will impair the effective and efficient implementation of an adopted emergency response or evacuation plan. A less than significant impact is anticipated.

g) **Less than significant impact.** This project will not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. The General Plan indicates the Sutter Buttes and the “river bottoms,” or those areas along the Sacramento, Feather, and Bear Rivers within the levee system, are susceptible to wildfires since much of the areas inside the levees are left in a natural state, thereby allowing combustible fuels to accumulate over long periods of time. The Sutter County Technical Background Report indicates that agricultural land is at lower fire risk due to regular irrigation that prevents vegetation from drying. Much of the project site is currently developed with walnut and olive orchards which are regularly irrigated leading to reduced wildfire risk. The remainder of the project site consists of uncultivated land, an agricultural equipment storage area, baseball field, unnamed stream, and a pond. The subject property is not located within the forested and wooded portion of the Sutter Buttes. A significant risk of loss, injury, or death associated with wildland fires as a result of the proposed project is not anticipated and is considered less than significant.

(County of Sutter, General Plan Technical Background Report. 2008)
 (California Department of Toxic Substances Control, Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). 2025)

X. HYDROLOGY AND WATER QUALITY.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **No impact.** This project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. No new development or change of use on the property is proposed at this time. If development is proposed in the future that generates sewage or wastewater, it will be required to meet the local and state requirements for sewage or wastewater disposal in effect at the time of development. No impact is anticipated.

b) **Less than significant impact.** This project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. No new building construction is proposed by this project; however, this project will allow construction of a new single-family residence and residential accessory structures. The applicant will be required to obtain permits from the Environmental Health Division for any new wells. Any future landscaping associated with a new residence will be required comply with the current Model Water Efficient Landscaping Ordinance prepared by the California Department of Water Resources, as required by the California Water Conservation in Landscaping Act (Government Code Section 65591 et seq.). Any future landscaping is not expected to use a substantial amount of groundwater. In addition, a future residence at the site must comply with standard green building and energy efficiency standards consistent with the California Building Code and Title 24 Energy Code standards. The incorporation of green building measures, as applicable to a residence, will reduce energy and water consumption. The project site has been used for agricultural purposes and is served by on-site water supplies. Water demand from the proposed project is not anticipated to be higher over the historic use of the property. As a result, a less than significant impact is anticipated.

c) **Less than significant impact.** This project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site or substantially increase the rate or amount of surface runoff in a manner resulting in flooding on or off-site. This project will also not contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff or impede or redirect flood flows.

There are no streams or rivers on or in the immediate vicinity of the project site that could be altered by this project. While an unnamed stream and pond exist on the property, they are not anticipated to be altered or impacted with the addition of a new residence on the site. The property is not located in an area served by a public stormwater drainage system. The Development Services Engineering Division has reviewed this proposed project and had no comments regarding drainage. Any future grading or site improvements are to be done per an approved plan in accordance with Sutter County Development Standards. In addition, the project site is not located within a flood hazard area. A less than significant impact is anticipated.

d) **No impact.** This project will not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. There is no anticipated impact to this project site resulting from tsunamis and seiches because the land is not located adjacent to or near any water bodies of sufficient size to create such situations. The subject property is not located within a flood hazard area. No impact is anticipated.

e) **No impact.** This project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The County, along with other agencies, has prepared the Sutter Subbasin Groundwater Sustainability Plan that covers most of Sutter County, including the project site. The project is not expected to interfere with implementation of the Groundwater Sustainability Plan, particularly since the project is not anticipated to generate substantial new water demand. No impact is anticipated.

(California Department of Water Resources (DWR), California’s Groundwater – Bulletin 118 (Update 2003). 2003)
 (County of Sutter, General Plan Technical Background Report. 2008)
 (Federal Emergency Management Agency, Flood Insurance Rate Map. 1988)
 (Sutter Subbasin Groundwater Management Coordination Committee, Sutter Subbasin Groundwater Sustainability Plan. 2022)

XI. LAND USE AND PLANNING.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a) **No impact.** This project will not physically divide an established community. The project site is located within a rural area within the unincorporated area of Sutter County. The project is located outside the Live Oak and Yuba City spheres of influence and the County’s recognized rural communities. This project will not modify any existing roadways that will result in a barrier to other surrounding parcels as a result of the project. This project will not result in a physical barrier that will divide a community, so no impact is anticipated.

b) **Less than significant impact.** This project will conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project proposal to rescind the Development Rights Agreement and return Development Rights to the agricultural remainder parcel to allow the construction of a single-family residence is not in compliance with the following General Plan policies:

AG 1.7 Residential Uses: Limit residential uses on agriculturally designated land to residences needed to support agricultural farming operations, agricultural-related tourism, agricultural support services, and permitted residential homesites. Permanent residential densities shall be limited to those permitted by the underlying agricultural land use designation (1 residence per 20, 40, or 80 acres).

AG 1.8 Homesites. (d): The landowner shall grant development rights for the remaining agricultural parcel or an eligible agricultural parcel having the same land use designation and an available development right to Sutter County or its designee. to grant development rights for the remaining agricultural parcel or an eligible agricultural parcel having the same land use designation and an available development right to Sutter County or its designee. Residential densities shall be limited to those permitted by the underlying agricultural land use designation.

As part of the approval of TM 03-06, a condition of approval required a new development rights and open space easement agreement to prohibit any homes from being constructed on this parcel, consistent with General Plan Policy. This agreement was recorded on the property in 2003. Rescinding this Development Rights Agreement and allowing construction of a single-family residence on the agricultural remainder parcel would also exceed the maximum residential density allowed on the two properties (the homesite parcel and the agricultural remainder parcel). While the project is anticipated to exceed the Sutter County General Plan Density requirements conflicting with a land use plan, policy, or regulation, the development rights and open space easement can be terminated through an adopted resolution by the Sutter Board of Supervisors. Therefore, a less than significant impact is anticipated.

(County of Sutter, General Plan 2030. 2011)

(County of Sutter, General Plan Technical Background Report. 2008)

(County of Sutter, Zoning Code. 2024)

XII. MINERAL RESOURCES.

Would the project:

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

Responses:

a-b) **No impact.** This project will 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 or 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 General Plan and State of California Geological Survey Special Report 245 do not list the site as having any substantial mineral deposits of a significant or substantial nature, nor is the site located in the vicinity of any existing surface mines. The closest operating surface mine is the South Butte Mine operated by Butte Sand and Gravel located approximately 1.3 miles southwest of the project site. While a portion of the South Butte Mine is located within the Sutter Buttes Overlay Zone, General Plan Policy ER 5.3 prohibits the establishment of any new mining operations in the Sutter Buttes Overlay Zone. In addition, the General Plan states that there are no areas within Sutter County designated by the state Mining and Geology Board to have regional or statewide significant mineral resources. No impact is anticipated.

(California Department of Conservation, California Geological Survey, Special Report 245: Mineral Land Classification: Concrete Aggregate in the Greater Sacramento Area Production-Consumption Region. 2018)
 (County of Sutter, General Plan Technical Background Report. 2008)

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

Responses:

a-b) **Less than significant with mitigation incorporated.** This project will not result in a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies, or excessive ground borne vibration or ground borne noise levels. The Sutter County General Plan Noise Element provides a basis for local policies to control and abate environmental noise and to protect the citizens of Sutter County from excessive noise exposure. The Sutter County Noise Ordinance (Article 21.5 of the Zoning Code) establishes

standards and procedures to protect the health and safety of County residents from the harmful effects of exposure to excessive, unnecessary, or offensive noise.

No uses are proposed with this project; however, this project will allow the future construction of a residence and residential accessory structures on the project site. Future construction of a residence and accessory structures will result in temporary phased increases in ambient noise levels or vibrations; however, once construction is complete, ambient noise levels and vibration should return to a level that will not exceed any standards. Future residential use shall not exceed the maximum noise levels allowed per Zoning Code Article 21.5.

Sutter County does not establish quantitative noise limits for construction activities occurring in the County. During future construction, exterior noise levels could affect the nearby existing sensitive receptors in the vicinity. Per Policy N 1.6 of the County’s General Plan, all project-related noise-generating construction activities within 1,000 feet of noise-sensitive uses (i.e., residential uses, daycares, schools, convalescent homes, and medical care facilities) are limited to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays, 8:00 a.m. and 5:00 p.m. on Saturdays, and prohibited on Sundays and holidays unless permission for the latter has been applied for and granted by the County. To ensure compliance with General Plan Policy N 1.6, the following mitigation measure is proposed. Compliance with this mitigation measure would make construction noise impacts less than significant.

Mitigation Measure No. 2 (Noise): During construction, the applicant shall ensure that all project related noise-generating construction activities are limited to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays, 8:00 a.m. and 5:00 p.m. on Saturdays, and are prohibited on Sundays and holidays unless permission for the latter has been applied for and granted by the County.

c) **Less than significant impact.** This project is not located within the vicinity of a private airstrip, within an airport land use plan, or within two miles of a public airport, or public use airport and will not expose people residing or working in the project area to excessive noise. The nearest public airport is the Sutter County Airport which is located over nine miles southeast of the project site. The closest private agricultural airstrip is located approximately 2.9 miles southeast of the project site. Flight activity at these private airstrips is mostly for crop dusting and use of the airstrip is highly variable. A less than significant impact is anticipated.

(County of Sutter, General Plan 2030. 2011)
 (County of Sutter, General Plan Technical Background Report. 2008)
 (County of Sutter, Zoning Code. 2024)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. POPULATION AND HOUSING.

Would the project:

a) Induce substantial unplanned 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)?

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less than significant impact.** This project will not induce substantial unplanned growth in an area, directly or indirectly. If approved, it is anticipated that a new single-family residence will be constructed on the site. While the additional residence will exceed the Sutter County General Plan density standards, this area is sparsely populated. The addition of one residence will not induce substantial unplanned growth in the area. The proposed project will not result in new commercial or other types of residential development. This project will not result in the extension of roads as the project site currently has access from two easements from Pass Road. A less than significant impact is anticipated.

b) **No impact.** This project will not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere. The proposed project will not expand beyond the property boundaries and will not displace any housing or people. There are currently no residences on the subject parcel. No impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)

(County of Sutter, Zoning Code. 2024)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. PUBLIC SERVICES.

Would the project:

a) 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:

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a) i) **Less than significant impact.** This project location is provided fire protection by Sutter County and is located in County Service Area (CSA) F. The nearest fire station is within the Rural Community of Sutter approximately 1.52 miles southeast of the project site. Access roads will provide adequate transportation routes to reach the project site in the event of a fire and the recorded easements across the parcels will provide access to the subject parcel. No comments were provided by Fire Services regarding this project. If a new residence or any other structures are constructed that require the payment of development impact fees, fire impact fees will be collected to offset potential impacts. A less than significant impact on fire services is anticipated.

a) ii) **Less than significant impact.** This project will not have a significant impact on police protection. Law enforcement for unincorporated portions of Sutter County is provided by the Sutter County Sheriff's Department and traffic investigation services by the California Highway Patrol. This project is not anticipated to affect response time for law enforcement services. No comments were provided by the Sheriff's Department. Existing State Highways and County roads will provide adequate transportation routes to reach the project site in the event of an emergency. No new construction is proposed by this project at this time. If a new residence or any other structures are constructed that require the payment of development impact fees, sheriff and criminal justice impact fees will be collected to offset potential impacts. A less than significant impact is anticipated.

a) iii) **Less than significant impact.** This project will not have a significant impact on schools. If approved, it is anticipated that a new single-family residence will be constructed on the site. The proposed project will not result in any significant housing that will result in a demand for school services. No comments were provided by the Brittan School District or the Sutter Union High School District regarding this project. If a building permit is obtained to construct a new residence, school impact fees will be collected to offset potential impacts. A less than significant impact is anticipated.

a) iv) **Less than significant impact.** This project will not have a significant impact upon parks because it will not generate a need for additional park land or create an additional impact upon existing parks in the region. This project will not have a significant impact on parks countywide. No new residences are proposed by this project. If approved, it is anticipated that a new single-family residence will be constructed on the site. Pursuant to Subdivision Ordinance Section 1400-731, the County will collect the adopted "Park Acquisition" fee based on the number of bedrooms per each future dwelling unit to offset the potential impacts. A less than significant impact is anticipated.

a) v) **Less than significant impact.** The proposed project is not anticipated to have an impact on other public facilities. No new development or change of use on the property is proposed at this time. There are a limited number of other public facilities in the area that may be impacted by this project; however, potential impacts to general government, animal control, library, and health and social services will be mitigated through the collection of the County's current adopted development impact fees for each category listed. The County will collect impact fees prior to issuance of building permits for a new residence and any other structures that require payment of development impact fees. A less than significant impact is anticipated.

(County of Sutter, Zoning Code. 2024)

(County of Sutter, General Plan Technical Background Report. 2008)

(County of Sutter, Subdivision Ordinance. 2021)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. RECREATION.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a-b) **Less than significant impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated, nor will the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. No new development or change of use on the property is proposed at this time; however, this project will allow the future construction of a residence and residential accessory structures on the project site. There are no existing neighborhood or regional parks in the project vicinity and this project does not propose recreational facilities or require the expansion of existing recreational facilities. One future residence as a result of this project is not anticipated to have a significant impact on parks countywide. As part of issuing a building permit for any future dwelling, the County will collect the adopted "Park Acquisition" fee that can be used for recreation facilities in the future. As a result, a less than significant impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)
 (County of Sutter, Subdivision Ordinance. 2021)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. TRANSPORTATION.

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a) **Less than significant impact.** This project will not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Given the rural location of the subject parcel, personal vehicles will be the most likely form of transportation. The project area is not served by mass transit and there are no bicycle facilities in the area. The Sutter County General Plan establishes the County's Level of Service (LOS) policy for County roads. LOS is a qualitative measure of traffic flow ranging from A to F, with A representing best conditions. General Plan Policy M 2.5 is to develop and manage the County roadway segments and intersections to maintain LOS D or better during peak hours, and LOS C or better at all other times. Pass Road is currently at LOS A and will remain under the roadway's capacity. The County LOS standards apply to all County roadway segments and intersections, unless otherwise addressed in an adopted specific plan or community plan. The project will not cause any increased traffic, and it was determined that Pass Road will continue to operate at an acceptable LOS. The roadway currently operates under capacity and will operate at an acceptable level. According to Table 3.2-6 of the Technical Background Report, an average daily traffic (ADT) count range of 7,000 – 10,600 is necessary for a rural two-lane roadway to be classified as a LOS C. The proposed project is anticipated to generate approximately 9.43 additional daily trips, based on a rate of 9.43 ADT per new residence from the Institute of Transportation Engineers, Trip General Manual, 11th Edition. This project will not generate an increase in existing traffic levels resulting in a change to the LOS for Pass Rd; therefore, this project is consistent with General Plan Policy M 2.5 and a less than significant impact is anticipated

b) **Less than significant impact.** This project will not conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b). This section of CEQA states that vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project. This section also states VMT exceeding an applicable threshold of significance may indicate a significant impact. The County has not adopted a threshold of significance for VMT. Senate Bill (SB) 743 provides some guidance in that proposed projects resulting in fewer than 110 daily vehicle trips are assumed to have a less than significant VMT impact. As stated previously, the proposed project is anticipated to generate approximately 9.43 additional daily trips, based on a rate of 9.43 ADT per each new residence from the Institute of Transportation Engineers, Trip General Manual, 11th Edition. Therefore, this project is anticipated to result in fewer than 110 additional daily vehicle trips and a less than significant impact is anticipated.

c-d) **Less than significant impact.** This project will not substantially increase hazards due to a geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), nor will it result in inadequate emergency access. The subject property does not have frontage on a county-maintained road. The subject parcel has access to Pass Road via a 30-foot-wide, 475-foot-long easement along the western side of the property and a 60-foot-wide, 1,640-foot-long road and utility easement along the eastern side of the property. Access to the parcel was reviewed during previous project approvals and have required that the private roads conform to regulations of the Sutter County Ordinance Code and the General Plan for an adequate level of access and services for the public's health, safety, and general welfare. No impacts have been identified by the Development Services Engineering Division or Fire Services indicating an increased hazard will result. A less than significant impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)

(County of Sutter, General Plan 2030. 2011)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVIII. TRIBAL CULTURAL RESOURCES.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Responses:

a) i-ii) **Less than significant impact.** In September 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the Public Resources Code regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. The County initiated AB 52 consultation through distribution of letters to the seven Native American tribes provided by the Native American Heritage Commission (NAHC), which include the Mechoopda Indian Tribe of Chico, Mooretown Rancheria of Maidu Indians, United Auburn Indian Community of the Auburn Rancheria, Strawberry Valley Rancheria, Enterprise Rancheria of Maidu Indians, lone Band of Miwok Indians, and Wilton Rancheria. No requests for consultation were received from Native American tribes during the review period. Mooretown Rancheria provided a letter stating that there are no known tribal cultural resources on this site and if any new information or human remains are found they have a process to protect important artifacts. No new development or change of use on the property is proposed at this time; although a new single-family residence may be constructed in the future A less than significant impact to tribal cultural resources as a result of this project is anticipated.

Potentially Significant Impact	Less Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIX. UTILITIES AND SERVICE SYSTEMS.

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a) **Less than significant impact.** The proposed project will 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 property is not located in an area served by public services. Any new development at the project site that requires water and wastewater treatment will require a well and septic system, which will be installed under permit from the Environmental Health Division. Any new residence will require compliance with current County standards and development of drainage facilities. The extension of electric power facilities, natural gas facilities, and telecommunication facilities are provided by private companies, none of which have voiced concerns over existing services or extensions of their services to this project site. A less than significant impact is anticipated.

b) **Less than significant impact.** This project will have sufficient water supplies available to serve the project and reasonably foreseeable future development. The proposed project is not located in an area that is served by a public water provider. No new development is proposed at this time and any future development will require the necessary permits from the Environmental Health Division for a private domestic well meeting both local and State standards. The project site is used for agricultural purposes and is served by on-site water supplies. Water demand from the proposed project is not anticipated to be higher over the historic use of the property. This project

is not anticipated to substantially increase the amount of water used onsite beyond what has been currently used. As a result, a less than significant impact is anticipated.

c) **No impact.** This project will not result in a determination by a 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. This project is not located in an area that is served by a wastewater treatment provider. Individual sewage disposal systems are currently the only method of providing sewage disposal for the project area. Therefore, a demand will not be placed on a local sanitary sewer system and no impact is anticipated.

d-e) **Less than significant impact.** This project will have a less than significant impact on solid waste. Any solid waste from this project will be disposed of through the local waste disposal company in a sanitary landfill in Yuba County which has sufficient capacity to serve the project. Project disposal of solid waste into that facility will comply with all federal, state and local statutes and regulations related to solid waste. As a result, a less than significant impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XX. WILDFIRE.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

a-d) Less than significant impact. This project will not substantially impair an adopted emergency response plan or emergency evacuation plan nor exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. This project will not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. This project will not expose people or structures

to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The proposed project is not located in the vicinity of a Federal Responsibility Area (FRA) or a State Responsibility Area (SRA) but is located in a local responsibility area (LRA) meaning that it is in an area where local governments have financial responsibility for wildland fire protection. Most of the Sutter Buttes are in either a High or Very High Fire Hazard Severity Zone (FHSZ) as recommended by the State Fire Marshal in 2025. The Very High FHSZ is located primarily in the center of the Sutter Buttes in higher elevation areas, which are undeveloped and uncultivated and consist of forested and wooded areas. A portion of the project site is located within a Moderate FHSZ, and the remainder is located within a High FHSZ. The closest Very High FHSZ is located northeast of the project site north of Pass Road consisting of grazing and range land. The Sutter County Technical Background Report indicates that agricultural land is at lower fire risk due to regular irrigation that prevents vegetation from drying. Much of the project site is currently developed with walnut and olive orchards which are regularly irrigated leading to reduced wildfire risk. The remainder of the project site consists of uncultivated land, an agricultural equipment storage area, baseball field, unnamed stream, and a pond. Due to the historic agricultural use of the parcel, its location to HFSZ's and its anticipated future residential uses, less than a significant impact is anticipated.

(California Department of Forestry and Fire Protection (CAL FIRE), Local Responsibility Area Fire Hazard Severity Zones. 2025)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a) **Less than significant impact.** No environmental effects were identified in the initial study which indicate the project will have the ability to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. A mitigation measure is proposed in the cultural resources section to protect possible disturbance of cultural resources should they be encountered.

b) **Less than significant impact.** No environmental effects were identified in the initial study which indicates the project will have impacts that are individually limited, but cumulatively considerable.

c) **Less than significant impact.** No environmental effects which will cause substantial adverse effects on human beings either directly or indirectly were identified in the initial study. Mitigation measures have been incorporated in the project to reduce potentially significant impacts to less than significant.

MITIGATION MONITORING PROGRAM – Project #U24-0023 (Heryford)

Mitigation Measure	Timing	Monitoring Agency
<p>Mitigation Measure No. 1 (Cultural Resources): Should any subsurface cultural resources, paleontological resources, or human remains be encountered during any future construction, all work within 100 feet of the discovery shall be stopped and the area protected from further disturbance until the discovery is evaluated. The appropriate County personnel shall be notified immediately. The resources shall be examined by qualified personnel to determine their significance and develop appropriate protection and preservation measures. If human remains are discovered, they shall be treated in compliance with applicable state and federal laws, including notifying the County Coroner and consulting with the California Native American Heritage Commission, as appropriate.</p>	<p>During construction</p>	<p>Development Services Department</p>
<p>Mitigation Measure No. 2 (Noise): During construction, the applicant shall ensure that all project-related noise-generating construction activities are limited to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays, 8:00 a.m. and 5:00 p.m. on Saturdays, and are prohibited on Sundays and holidays unless permission for the latter has been applied for and granted by the County.</p>	<p>During construction</p>	<p>Development Services Department</p>

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Attachments:

1. Assessor's Map Bk 13 -Pg. 20
2. Study Sketch
3. Aerial Photo
4. Tentative Parcel Map 03-06 (portion)
5. Parcel Map #1032 (portion)
6. Development Rights Agreement