

## EXECUTIVE SUMMARY

This document, Creekside Estates Focused Environmental Impact Report (EIR), has been prepared in accordance with the California Environmental Quality Act of 1970, Pub. Res. Code §§ 21000-21178, as amended (CEQA), and the Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs. Title 14, §§ 15000-15387 (CEQA Guidelines). The County of Butte is the Lead Agency for environmental review of the project and will be the primary agency responsible for its approval.

A Public Draft Initial Study was prepared and originally finalized on September 10, 2012 for the prior Durham Villas proposal for this site. The Butte County Planning Division recommended preparation of an EIR focused on the following areas: Agricultural Resources/Agricultural Conversion, Air Quality and Greenhouse Gases, Hydrological Hazards, Land Use and Planning Zoning Changes, Public Services/Domestic Water Supply and Transportation and Traffic.

The project was revised in 2018, after several local public meetings, to a single family 1 acre lot subdivision on approximately 49 acres of diseased almond orchard. The project incorporates a number of mitigations from the prior proposal to minimize environmental impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Greenhouse Gases, Hydrology, Land Use, Noise, Traffic and Transportation Systems, and Utilities and Service Systems that were developed as part of the draft Initial Study.

Alternative scenarios analyzed in the EIR include: Alternative 1 - PUD Senior Housing development, with commercial and community services, as described in the 2012 Initial Study; Alternative 2 - 5-acre parcels for a total of 9 parcels; and Alternative 3 - No Project. Although the No Project Alternative had the fewest adverse impacts, the proposed project implements the land use policies of the 2030 General Plan. Net groundwater usage and production of greenhouse gases will be less with implementation of the proposed project than under current conditions. The project will also lead to improvements in the water provision system of the Durham Irrigation District.

### POTENTIALLY SIGNIFICANT EFFECTS WITH MITIGATIONS

Potentially significant adverse impacts were found by the draft Initial Study of 2019 in the areas of Air Quality, Biological Resources, Cultural Resources, Greenhouse Gases, Hydrology, Land Use, Noise, Traffic and Transportation Systems, and Utilities and Service Systems. Mitigation measures were developed that, when implemented, should reduce the impacts to a level that is less than significant and are provided in Section 7: Mitigation Monitoring Plan of this EIR.

### UNAVOIDABLE SIGNIFICANT EFFECTS

This EIR analysis identified unavoidable significant effects in the areas of Agricultural Resources and Vehicle Miles Traveled.

**AREAS OF KNOWN CONTROVERSY**

Opposition to the original proposal was expressed during community hearings on the draft Initial Study by residents of Durham, who oppose development in this rural community. Some local farmers have expressed concerns about the loss of farmland occurring in Durham and elsewhere. Thirteen letters were received in opposition, and two supporting the current project at the NOP stage. Several commented on the project and did not list specific environmental concerns. Environmental issues of concern were traffic, loss of agricultural land, and overcrowding at the elementary school. Comments were received from the Butte County Sheriff, Superintendent of the Durham School District, and the Durham Irrigation District. State agencies responding included the Regional Water Quality Control Board, CalTrans, and the Native American Heritage Commission.

**Comparison of Project Alternative Impacts to  
Significant Proposed Project Impacts versus Proposed Project**

<b>Impact Category</b>	<b>Alternative 1: PUD Senior Housing</b>	<b>Alternative 2: 5 acre lots</b>	<b>Alternative 3: No Project</b>
Agricultural Resources: Agricultural Conversion	Greater	Less	Less
Air quality and Greenhouse Gases	Greater	Less	Less
Hydrology and Water Quality: Flood Hazard Potential	Similar	Less	Less
Public Services: Domestic Water Supply	Greater	Less	Less
Transportation and Traffic: Traffic Safety	Greater	Less	Less

The above table identifies the impacts of the proposed project alternatives versus the proposed project in relation to the areas of potentially significant impacts. A “greater” impact identifies the alternative would have more impacts, a “similar” impact would the same impacts and a “less” impact identifies it would generate less impacts than the proposed project.

## SUMMARY OF SIGNIFICANT IMPACTS

<b>SIGNIFICANT AND UNAVOIDABLE IMPACTS</b>			
<b>Project-Level Impacts</b>			
<b>Traffic and Circulation</b>			
<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Conclusion &amp; Mitigation Effectiveness</b>
Vehicle Miles Traveled (VMT)	Project would exceed the level of threshold for VMT.	None	Overriding Findings
<b>Project-Level Impacts</b>			
<b>Agricultural Resources</b>			
<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Conclusion &amp; Mitigation Effectiveness</b>
Loss of Agricultural Land	Project would remove productive agricultural land	None	Overriding Findings

**SIGNIFICANT AVOIDABLE IMPACTS****Project-Level Impacts****Air Quality & Greenhouse Gases**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Conclusion &amp; Mitigation Effectiveness</b>
Construction Fugitive Dust	Construction activities would result in increased dust fall and locally elevated levels of particulates downwind of construction activity	Mitigation Measure Air-1: proper maintenance of equipment, employ 1996 or newer diesel engines; soil wetting prior to earth moving and on disturbed areas a minimum of 2 times per day; trucks transporting soil shall be covered; speed limits to minimize dust, parking in designated areas;	Less than Significant Impact after Implementation of Mitigation Measure Air-1

**SIGNIFICANT AVOIDABLE IMPACTS****Project-Level Impacts****Biological Resources**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Conclusion &amp; Mitigation Effectiveness</b>
Migratory and Nesting Birds	Disturbance during breeding and nesting season	BIO-1: Require a nesting survey if construction occurs during breeded/nesting season.	Will reduce impact to less than significant
Swainson's Hawk	Disturbance during breeding and nesting season	BIO-2: Require a nesting survey if construction occurs during breeded/nesting season.	Will reduce impact to less than significant

**SIGNIFICANT AVOIDABLE IMPACTS**

**Project-Level Impacts**

**Hydrology & Water Quality**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Conclusion &amp; Mitigation Effectiveness</b>
Flood Hazard Risk to Homes or Structures	Project would result in placement of homes or structures into a flood hazard zone (at risk of 100-year flood)		Area for houses to be built up to county standards, reduce impact to less than significant.
Risk of entry excavated soil and other materials into flood flow	Stockpiling of soil and other excavated material present a hazard in the event a flood occurs.	Mitigation Measure Hyd-2: on-site storage of excavated material limited to the dry season only (April 15- Oct 15). Mitigation Measure Hyd-3: Excess material excavated during construction must be transported offsite and outside flood zone.	Implementation of Mitigation Measures Hyd-2 and Hyd-3 would reduce the hazard potential of storing excavated materials onsite to less than significant.

**SIGNIFICANT AND AVOIDABLE IMPACTS**

**Project-Level Impacts**

**Transportation & Traffic**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Conclusion &amp; Mitigation Effectiveness</b>
Increased traffic hazards	The project may increase incompatible uses of the roadways, i.e., residential traffic and farm equipment. The project may increase numbers of children walking to local schools or increase bus stops along roadways.	<p>Mitigation Measure</p> <p>TT-1: Areas within the line of sight along Durham- Dayton Highway, which extends 25 feet south of the edge of the pavement, must be kept clear of vegetation, signage, and other obstacles to maintain the adequate sight distance.</p> <p>TT-2: Signage shall indicate turning farm equipment and road shoulder design should provide wide soft areas that does not restrict ability of farm vehicles to pull over.</p> <p>TT- 3: Indicate Safe School Routes and Bus Stops through Signage.</p>	Implementation of Mitigation Measures TT-1, TT-2 and TT-3 will reduce potential for increased traffic hazards to less than significant.

**SIGNIFICANT AND AVOIDABLE IMPACTS**

**Cumulative-Level  
Impacts**

**Air Quality & Greenhouse Gases**

<b>Impact No.</b>	<b>Impact</b>	<b>Mitigation</b>	<b>Conclusion &amp; Mitigation Effectiveness</b>
Project Greenhouse Gas Emissions	Increase greenhouse gas production from increased local vehicle traffic as result of development	Mitigation Measure GCC-1: project shall utilize recycled-content construction materials, promote groundwater recharge, design for use of neighborhood electric vehicles, comply with Green Building Standards, meet green planning standards, maximize energy efficient and meet energy conservation guidelines; limit vehicle idling to 3 min or less.	Implementation of Mitigation Measure GCC-1 would result in less than considerable net increase in criteria air pollutants and greenhouse gases.