

**CEQA Findings of Fact and
Statement of Overriding Considerations
of the City of Orland
for the
Orland 2008-2028 General Plan
Environmental Impact Report**

(Draft)

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ABBREVIATIONS AND ACRONYMS

CEQA	California Environmental Quality Act
Caltrans	California Department of Transportation
City	City of Orland
CO	Carbon Monoxide
CO ₂	carbon dioxide
CVRWQCB	Central Valley Regional Water Quality Control Board
DWR	State Department of Water Resources
Draft EIR or DEIR	Draft Environmental Impact Report
Final EIR or FEIR	Final Environmental Impact Report
gpm	gallons per minute
GHGs	greenhouse gases
LAFCO	Local Agency Formation Commission
LOS	Level of Service
mgd	million gallons per day
MM	Mitigation Measure(s)
MMRP	mitigation monitoring and reporting program
NOP	Notice of Preparation
NO _x	oxides of nitrogen
NSVAB	Northern Sacramento Valley Air Basin
OPR	State of California Governor's Office of Planning and Research
PM ₁₀	particulate matter less than or equal to 10 microns in diameter
Project	2008-2028 General Plan Update
ROG	reactive organic gases
SCH	State Clearinghouse (through the OPR)
SR	State Route
TAC	Toxic Air Contaminant
TPY	tons per year
VMT	Vehicle miles traveled
WCTF	Waste Water Collection and Treatment Facility (City of Orland)

1.1 OVERVIEW AND INTRODUCTION

The City of Orland (City), as lead agency, has completed the Final Environmental Impact Report (Final EIR or FEIR) for its 2008-2028 General Plan Update (Project). The Final EIR comprises a program-level analysis of the Project and has **State Clearinghouse No. 2008102073**.

A Draft Environmental Impact Report (Draft EIR or DEIR) was released on **July 6, 2010**, for review by public agencies, organizations, and members of the public. The comment period ended on **August 20, 2010, at 5:00 p.m.** The Draft EIR assesses the potentially significant environmental effects resulting from implementation of the Project, identifies potentially feasible means to mitigate those potentially significant adverse impacts, and evaluates a reasonable range of alternatives to the Project.

The Final EIR is comprised of the Draft EIR, comments received on the Draft EIR, written responses to the significant environmental issues raised in those comments, revisions to the text of the Draft EIR reflecting changes made in response to comments and other information, along with other minor changes to the text of the Draft EIR.

Additionally, although not required, the Final EIR may contain comment letters received after the close of the public comment period on the Draft EIR and written responses thereto.

These findings, as well as the accompanying statement of overriding considerations in Section 1.7.8 have been prepared in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000 et seq.) and its implementing guidelines (CEQA Guidelines) (Cal. Code Regs., tit. 14, Section 15000 et seq.).

1.2 PROJECT DESCRIPTION

The Project, as described below, establishes a planning framework and policies through the year 2028, and will replace the existing General Plan, with the exception of the existing Housing Element, which was adopted by the Orland City Council on March 15, 2010 and certified by the State of California Department of Housing and Community Development on September 7, 2010.

1.2.1 Project Location

The City of Orland is located in Glenn County in Northern California's Sacramento Valley, approximately 100 miles north of Sacramento. The City is located approximately 16 miles north of the City of Willows, the county seat of Glenn County, and approximately 22 miles west of the City of Chico in Butte County. Interstate 5 (I-5) passes along the western boundary of Orland, while State Route 32 goes through the center of the City on its way east toward Chico. The City encompasses approximately 1,876 acres, or 2.93 square miles, while the Orland Planning Area encompasses 4,110 acres, or 6.42 square miles. According to the 2000 US Census, the population of Orland was 6,281 in 2000. As of 2008, the City had an estimated population of 7,353 (California Department of Finance, 2008).

1.2.2 Project History

The first City of Orland General Plan was completed in 1974. Certain elements, such as Land Use and Circulation, were updated in 1991, 1993, and 1994. In 2000, minor revisions to the General Plan were completed. In October 2002, the City of Orland updated its General Plan through a comprehensive review of all elements: the City adopted the updated document in 2003.

Many of the elements in the existing General Plan are outdated and require revisions. In the years since the elements were adopted, the City has experienced significant changes that have affected and will continue to influence local planning considerations. In response to such changes and state requirements, the City initiated the Project.

1.2.3 FRAMEWORK OF THE GENERAL PLAN

The General Plan is Orland's primary policy and planning document. This document represents the community's long-range objectives for conservation and physical development in the City. The General Plan provides decision-makers, City staff, property owners, and the public at large with the City's policy direction for managing land use change. The General Plan is comprehensive in scope, addressing land use, transportation, housing, economic development, public facilities and infrastructure and open space preservation, among many other subjects.

California planning law requires cities and counties to prepare and adopt a "comprehensive, long-range general plan" to guide development of the community. The General Plan could be thought of as the jurisdiction's "constitution." The General Plan requires a complex set of analysis, comprehensive public outreach and input, and meaningful policy direction in a vast range of topic areas. Put simply, the General Plan has several basic functions:

- A vision for the future. The General Plan contains goals, policies, programs, and implementation strategies to achieve the goals for the future.
- Decision-making guide: As decision makers change over time, the General Plan includes educational material and background information that provide a context for the policy guidance contained in the Plan. The General Plan provides continuity for guiding and influencing the many public and private decisions that together influence the community's future, even as City leadership may change.
- Legal requirement. The General Plan has been prepared to fulfill the requirements of State law and guidelines adopted by the California Office of Planning and Research. State law not only requires adoption of the General Plan, but that zoning codes, subdivision regulations, specific plans, capital improvement programs, and other local measures be consistent with the General Plan.
- The General Plan includes a comprehensive Background Report, which establishes the context and setting for the General Plan, and is incorporated by reference.

The City of Orland General Plan contains the seven elements mandated by State law. General Plan goals, policies, and implementation measures are provided in a separate volume from the Background Report (Policy Document). The following General Plan elements are included:

Aesthetics

This Section assesses the potential the proposed General Plan will have on scenic qualities and vistas that exist within the community and the potential impact the Project may have on those scenic vistas that provide a backdrop around the community.

Agricultural Resources (includes Open Space and Conservation Element – Mandatory)

This Section reviews the extent of agricultural use in the Planning Area and the impact the Project may have on agricultural uses.

Air Quality

This Section discusses the local and regional air quality impacts associated with Project implementation.

Biological Resources

This Section addresses the Project's impacts on habitat, vegetation, and wildlife, while emphasizing the potential degradation or elimination of important habitat and the impacts upon listed, proposed, and candidate threatened and endangered species.

Cultural Resources

This Section addresses the potential impacts on historic and archaeological resources within the General Plan Planning Area.

Geology and Soils/Hazards

This Section addresses the potential impacts the Project may have regarding geotechnical concerns including soils, soil suitability for development, and seismic hazards. This Section also discusses the transport of hazardous materials within the Planning Area and the treatment of hazardous materials when existing in known locations or when a project uses hazardous materials.

Hydrology and Water Quality

This Section examines the impacts of the Project on local hydrological conditions such as drainage areas, impacts of erosion, and flood hazards.

Land Use and Planning (Mandatory)

This Section addresses the potential land use impacts associated with implementation of the Project including compatibility with existing land uses, development trends, and conflicts with other agency plans.

Noise (Mandatory)

This Section examines the ambient noise levels in various areas of the City, major noise sources, and potential impacts from increases in development.

Population and Housing (Mandatory)

This Section reviews population projections and related housing needs to satisfy the projections, including land needs and housing displacement that could occur. Please note that while the Housing Element is also **mandatory**, it has been updated and adopted as a separate document and is hereby incorporated by reference.

Community Services (includes Safety Element – Mandatory)

This Section discusses the impacts the proposed General Plan will have on the need for fire protection, law enforcement, library services, education, and parklands.

Public Services and Utilities (includes Public Facilities Element – Mandatory)

This Section is a discussion of the status and capacities of existing water supply, wastewater, and solid waste systems and the needs of these systems as population increases.

Transportation and Circulation (Mandatory)

This Section addresses the impacts on the local and regional road system, specifically on those roadways that may be impacted as a result of growth and related traffic increases.

SPECIFIC PLANS

The City will consider specific plans to implement General Plan policy in new growth areas. The City will consider development proposals in developed and undeveloped portions of Orland as well as with annexations. City decision makers will use the policies included throughout this General Plan as a decision making guide for a wide range of discretionary actions.

Implementation

The General Plan also includes implementation strategies, which are proactive measures the City will undertake to assist in achieving the General Plan's goals, policies and programs.

GENERAL PLAN AMENDMENTS

As the City of Orland uses its General Plan, it may be necessary to amend sections or elements of the plan document. Orland is limited in how many times it may amend any one of the mandatory general plan elements annually. An amendment may include more than one change to the general plan. In some cases, a government may group together several proposals to be considered in one amendment. Amendments can be adopted by the governing agency, with the mandated process outlined in California Government Code Section 65350, et seq., or by initiative or referendum. Any amendments must conform to all the requirements of planning law, including consistency requirements. Amendments are subject to compliance with CEQA.

When the Planning Commission and/or City Council are considering a proposed General Plan amendment, the answers to the following questions (plus additional considerations as conditions warrant) will guide the City's action: Is the proposed amendment in the public interest? Is the proposed amendment consistent and compatible with the goals and the policies of the General Plan? Have the potential effects of the proposed amendment been evaluated and determined not to be detrimental overall to the public health, safety, or welfare? Has the proposed amendment been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA)? The City must make positive findings in each of these cases to pursue a General Plan amendment(s).

1.3 CITY COUNCIL ACTIONS AND PROJECT APPROVAL

The City of Orland is the lead agency for the Project. A lead agency, as defined in Section 15376 of the State CEQA Guidelines, is "the public agency that has the principal responsibility for carrying out or approving a project." Described below are the approvals required for approval of the 2008-2028 Final General Plan.

1. Adopt a Resolution to certify the Final EIR;
2. Adopt a Resolution to:
 - a. Adopt the City of Orland 2008-2028 General Plan based on these findings;
 - b. Adopt the Mitigation Monitoring and Reporting Program for the Project, as discussed in Section 1.8 of these findings.

1.4 PROJECT OBJECTIVES

The City of Orland General Plan helps express how the citizens of Orland wish to see development in their community occur, and it serves as a planning guidebook to decision-makers, staff, and citizens. The General Plan serves as the foundation for various planning documents that help support and implement the General Plan including the City of Orland Zoning Ordinance, the City of Orland Subdivision Ordinance, area plans, and other planning documents.

The General Plan is intended to take a long-term perspective and to establish enduring policies that help guide day-to-day decision-making for years to come. Time frames for various topics and policies differ throughout the General Plan, with the Housing Element requiring an update every five years. The General Plan considers goals, policies and programs that will impact the City for at least the next 20 years.

The General Plan states its intent as serving as a policy guide for the physical and economic growth and environmental sustainability of the City of Orland and the proposed Planning Area through the year 2028. The General Plan will be used to inform citizens, developers, agencies, interest groups, and others of the ground rules that will guide development-related decisions in the community. The General Plan provides the long-term vision for the community and indicates how that vision will be achieved over time, through its goals, policies and programs. The General Plan has five fundamental purposes:

- To enable the City Council to reach agreement on long-range development policies.
- To provide a basis for judging whether specific private development proposals, and public projects are in harmony with City policies.
- To allow other public agencies and private developers to design projects that are consistent with City policies or to seek changes in those policies through the process of amending the General Plan.
- To provide an agreement among different agencies for development in unincorporated portions of the Planning Area.
- To provide a basis for revising and updating other land use regulations and ordinances of the City, including the Zoning Ordinance.

The Objectives of the General Plan Update are as follows:

- Establish a compact and contiguous growth pattern that reinforces past development patterns and limits the encroachment of urban development on the agricultural economy and environmental resources outside the Sphere of Influence.
- Establish multiple connections, as part of all new development projects, to neighborhoods adjacent to the projects.
- Ensure that new developments use a street pattern, building and parking siting arrangement, scale, and landscape character which builds on and extends Orland's traditional street grid and character.
- Ensure adequate public services, facilities, and recreational opportunities will be provided or are available before new development projects proceed.

- Provide commercial, office-professional, light industrial and industrial lands in sufficient acreages to allow for a balance of job and housing growth.
- Improve the quality of the built environment with every new building or development project.

Consistent with the overall guidance provided by the City Council, the 2008-2028 General Plan does not reflect a major change in policy or land use direction but instead is intended to consolidate existing policies, address new topics required by law, and provide reasonable programs that can be accomplished within the capacity of the City's resources. The topic of global climate change has been discussed at length and is addressed as part of the Draft Environmental Impact Report and Policy Document. New climate change and related issues contained in the Draft EIR and the General Plan address this emerging issue as well as the recommended guidelines from the State of California related to greenhouse gas emissions.

1.5 RECORD OF PROCEEDINGS

The record of proceedings for the City's decision on the Project includes the following:

- The Notice of Preparation (NOP) published by the City on October 21, 2008, along with all other public notices issued by the City in conjunction with the Project;
- The Draft Environmental Impact Report for the City of Orland 2008-2028 General Plan and Technical Appendices (August 2009 – Administrative Draft EIR);
- The 2008-2028 General Plan Policy Document;
- All comments submitted by agencies or members of the public during the 45-day comment period on the Draft EIR (July 6, 2010, through August 20, 2010);
- The Final Environmental Impact Report for the City of Orland 2008-2028 General Plan, including comments received on the Draft EIR, responses to those comments, and technical appendices;
- All findings and resolutions adopted by the Orland City Council in connection with the Project and all documents cited or referenced to therein;
- General Plan Background Report, studies, maps, staff reports, or other planning documents related to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public testimony portion of the City Council's public hearings on the Project;

- Any Minutes of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City, including, but not limited to, Federal, State, and local laws and regulations; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

The official custodian of the record is:

**City of Orland
Community Development Department
815 Fourth Street
Orland, CA 95963**

The City Council relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the City Council or City staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories: (1) Documents that reflect prior planning or legislative decisions with which the City Council was aware in approving the Project (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.); or (2) Documents that influenced the expert advice provided to City staff or consultants, who then provided advice to the City Council; such documents form part of the underlying factual basis for the City Council's decisions relating to the adoption of the Project. (See Pub. Resources Code, Section 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.).

1.6 PROCEDURAL HISTORY

1.6.1 Introduction

This Section provides a brief summary of the City's environmental review of the Project and the modifications made to the Project in consideration of comments received on the Draft EIR for the Project.

1.6.2 Background

In compliance with CEQA, the City sent an NOP on October 21, 2008, to government agencies, organizations, and individuals with an interest in or jurisdiction over the Project. This step

ensured early consultation on the scope of the EIR. The comment period ended on November 21, 2008.

The Draft EIR for the Project was submitted to the State Clearinghouse and released for public and agency review on July 6, 2010. The Draft EIR and General Plan Update were made available for public review at several locations including the library, City Hall, and on the City's website at www.cityoforland.com. The public review and comment period for the Draft EIR closed on August 20, 2010. Comments were received from agencies, interest groups, and individuals.

Following public review of the Draft EIR, the City began preparing the Final EIR. The purpose of the Final EIR was twofold. First, the document provided copies of the comments made on the Draft General Plan Update and the Draft EIR and provided written responses to all significant environmental issues raised in comments pertaining to the Draft EIR. (See Public Resources Code, Section 21091(d)(2)(B); CEQA Guidelines, Section 15088(c)). Second, the document was designed to function as the Final EIR for the General Plan, and as such has been designed to meet the content requirements of a final program EIR as specified in CEQA and the CEQA Guidelines.

The completed Final EIR was made available for public review. The City of Orland City Council conducted the first Public Workshop/Hearing on August 16, 2010, at the Orland Carnegie Center, 912 Third Street, Orland, CA 95963. The City Council then held a second Public Hearing on September _____. Following the close of the public hearing, the City Council considered the General Plan Update and the EIR, and adopted Resolution No. 2010-_____ making findings regarding the General Plan Update and the EIR and adopted Resolution No. 2010-_____ certifying the EIR and adopting the General Plan Update.

1.6.3 DIFFERENCES OF OPINION REGARDING THE IMPACTS OF THE PROJECT

In making its determination to certify the Final EIR and to approve the City of Orland 2008-2028 General Plan, the City Council recognizes that the 2008-2028 General Plan addresses a number of controversial environmental issues and that a range of technical and scientific opinion exists with respect to those issues. The City Council has acquired an understanding of the range of this technical and scientific opinion by its review of the Draft EIR, the comments received on the Draft EIR and the responses to those comments in the Final EIR, as well as testimony, letters and reports regarding the Final EIR and the merits of the Project.

The Orland City Council has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR, the evidence and analysis presented in the comments on the Draft EIR, the evidence and analysis presented in the Final EIR, the information submitted on the Final EIR, and the reports prepared by the experts who prepared the EIR, the City's General Plan Update consultants, and by staff, addressing these comments.

The City Council has gained a comprehensive and well-rounded understanding of the environmental issues presented by the 2008-2028 General Plan and EIR. In turn, the understanding has enabled the City Council to make its decisions after weighing and considering the various viewpoints on these important issues.

The City Council accordingly certifies that its findings are based on a full appraisal of all of the evidence contained in the Final EIR, as well as the evidence and all other information in the record addressing the Final EIR.

1.7 FINDINGS OF FACT

1.7.1 Findings Required Under CEQA

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21080, subd. (a); CEQA Guidelines, Section 15091, subd. (a)). For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first potential finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, Section 15091, subd. (a)(1)).

The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, Section 15091, subd. (a)(2)).

The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.” (CEQA Guidelines, Section 15091, subd. (a)(3)).

Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417). “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.app.4th 704, 715).

The three available findings under Guidelines Section 15091 allow an approving agency to be clear when, as to particular significant environmental effects, the agency decision-maker is (i) adopting mitigation measures recommended in an EIR, (ii) identifying measures that lay outside its control, but should be, or have been, adopted by some other agency; or (iii) identifying measures that are infeasible. For projects with EIRs that include numerous mitigation measures that are either infeasible or outside the approving agency’s control, findings can be very lengthy, as they must explain, for example, why some measures are rejected as being infeasible.

Where, in contrast, the approving agency chooses to adopt each and every mitigation measure recommended in an EIR, there would seem to be little point in repeated invoking, over many dozens of pages, the finding that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” Notably, where the project being approved is an updated General Plan, mitigation measures can be “incorporate[d] into the plan[.]” (Pub. Resources Code, Section 21081.6, subd. (b)).

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, Section 15093, 15043, subd. (b); see also Pub. Resources Code, Section 21081, subd. (b)). The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II*, 52 Cal.3d at p. 576).

These findings constitute the City Council’s best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that come into effect with the City Council’s approval of the Project.

The Orland City Council is adopting these findings for the entirety of the actions described in these findings and in the Final EIR. Although the findings below identify specific pages within the Draft and Final EIR in support of various conclusions reached below, the City Council has no quarrel with, and thus incorporates by reference and adopts as its own, the reasoning set forth in the environmental document, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to Council’s approval of

all mitigation measures in the Final EIR, the reasoning set forth in responses to comments in the Final EIR, and all policies and implementation programs in the 2008-2028 General Plan.

1.7.2 INCORPORATION BY REFERENCE

As noted, the Final EIR is incorporated into these findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant and unavoidable adverse impacts.

1.7.3 GENERAL FINDINGS

These findings provide the written analysis and conclusions of the City Council regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and adopted by the City Council as part of the Project. To avoid duplication and redundancy, and because the City Council agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not always repeat the analysis and conclusions in the Final EIR, but instead incorporates them by reference herein and relies upon them as substantial evidence supporting these findings.

In making these findings, the City Council has considered the opinions of other agencies and members of the public. The City Council finds that the determination of significance thresholds is a judgment decision within the discretion of the City Council; the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and City staff; and the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the City Council is not bound by the significance determinations in the EIR (see Pub. Resources Code, Section 21082.2, subd. (e)), the City Council finds them persuasive and hereby adopts them as its own.

Sections 1.7.3 and 1.7.4 of these findings summarize the environmental determinations of the Final EIR and Project's impacts before and after mitigation. Sections 1.7.3 and 1.7.4 do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, these sections provide a summary description of each impact, set forth the mitigation measures identified to reduce or avoid the impact, and state the City Council's findings on the significance of each impact after imposition of the adopted General Plan goals, policies, implementation programs and recommended mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determination regarding the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

IMPACTS DECLARED TO BE LESS THAN SIGNIFICANT

The City Council agrees with the characterization in the Final EIR with respect to all impacts identified as “less than significant” and finds that those impacts have been described accurately and are less than significant or no impact as so described in the Final EIR. Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, Section 21002; CEQA Guidelines, Section 15126.4. subd. (a)(3); 15091.) This finding applies to the following numbered impacts:

A. **FINDINGS CONCERNING AESTHETICS (CHAPTER 4.1):**

➤ **Impact 4.1.1. Alteration of Existing Visual Character.**

(a) **Findings Concerning Impact 4.1.1.**

Implementation of the General Plan would result in the alteration of visual resources associated with the urban landscape within the Planning Area. The City finds this impact to be *less than significant*. (DEIR, p. 4.1-4)

(b) **Facts and Reasoning that Support Findings.**

Several policies and programs contained in the General Plan’s Land Use Element are intended to maintain and enhance the overall existing visual characteristic of the City, and to avoid the installation of structures or features that contrast with the character of the surrounding area. (DEIR, p. 4.1-4) *Policy 2.1.B* encourages the preservation and restoration of significant historic structures, and *Program 2.1.B.1* seeks to develop and enact programs for rehabilitation and repair of existing residential, commercial, and industrial buildings. (DEIR, p. 4.1-4; General Plan Update, pp. 2.0-12 - 2.0-13) *Program 2.1.B.2* is set forth to pursue additional methods to remove or rehabilitate blighted and/or substandard buildings. (DEIR, pp. 4.1-4 – 4.1-5; General Plan Update, p. 2.0-13) *Policy 2.2.A* states that the city shall maintain defined boundaries and adequate buffers between agricultural land and urbanized areas. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-13) *Program 2.2.A.1* implements the Agricultural Buffer Guidelines that ensure the protection of agricultural operations adjacent to future urban development. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-13)

Policy 2.3.A provides for the development of tools and controls that enable the City to guide residential growth, improvements and development, which are implemented through *Programs 2.3.A.1, 2.3.A.2* and *2.3.A.3*. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-13) *Program 2.3.A.1* ensures the development and adoption of subdivision design guidelines, and *Program 2.3.A.2* mandates development and adoption for standards for multi-family housing. (DEIR, p. 4.1-5; General Plan Update, pp. 2.0-13 – 2.0-14) *Program 2.3.A.3* requires the use of site design techniques, landscaping, and buffers to minimize incompatibilities between land uses. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-14)

Policy 2.4.B seeks to actively work with existing commercial and industrial businesses to facilitate efforts to expand and enhance business in a manner that contributes to the high quality of life in Orland. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-15) *Program 2.4.B.1* implements Design Guidelines for Commercial and Industrial Development and the Administrative Site Plan Review Process. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-15) *Program 2.4.B.2* states that the City shall guarantee that the integrity of residential neighborhoods is not compromised by new commercial uses. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-15) *Policy 2.4.C* encourages businesses that bolster and fortify the downtown, and *Program 2.4.C.1* requires the City to review its zoning and land use regulations to identify and remove impediments to the establishment or expansion of downtown businesses where applicable. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-15)

Policy 2.4.D evaluates and applies the guidelines that provide for separate standards for each commercial area, including special planning areas, business parks, downtown, or other employment centers that allow for a mixture of uses and development standards. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-15) *Policy 2.5.B* discourages development which results in the potential for land use incompatibility, specifically from objectionable land uses within residential neighborhoods, while associated *Program 2.5.B.1* requires the City to periodically review the industrial and commercial land use designations. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-15) *Program 2.5.B.2* requires that the City incorporate design buffers between potentially incompatible land uses. (DEIR, p. 4.1-5; General Plan Update, p. 2.0-15)

Implementation of the General Plan's policies and programs that address community design and land use would ensure that features associated with the older residential and commercial areas are applied to ensure that design standards are maintained with future residential, commercial, and industrial development. (DEIR, p. 4.1-5) These features are designed to maintain the small-town character that most residents favor. (DEIR, p. 4.1-5)

➤ **Impact 4.1.2. Visual Characteristics – Special Planning Districts.**

(a) Findings Concerning Impact 4.1.2.

Implementation of the General Plan may result in changes in the visual character of the six identified Special Planning Districts. The City finds this impact to be *less than significant*. (DEIR, p. 4.1-5)

(b) Facts and Reasoning that Support Findings.

The proposed General Plan suggests that blanket or prescriptive zoning regulations that are not compatible with the density or design characteristics of these neighborhoods should be replaced with a special plan district that provides appropriate land use and design policies and criteria. (DEIR, p. 4.1-7) Application of these policies and criteria may improve the aesthetics of the area. For purposes of development, the base General

Plan designation, as depicted in Figure 3.0-3 of the DEIR, and the parcel specific zoning designation describe the appropriate uses. (DEIR, p. 4.1-7)

In addition, General Plan *Policy 2.4.D* is intended to enhance and improve the existing visual characteristics of the Downtown, Sixth Street, and Walker Street Districts, and of the Southwest Orland, Westside Freeway, and Northeast Orland Special Plan Areas. *Policy 2.4.D* evaluates and applies the guidelines adopted that provide for separate standards for each commercial area, including special planning areas, business parks, (DEIR, p. 4.1-7; General Plan Update, p. 2.0-15) downtown, or other employment centers, that allow for a mixture of uses and development standards. (DEIR, p. 4.1-7; General Plan Update, p. 2.0-15)

Implementation of *Policy 2.4.D* would improve the visual appearance of these areas while preserving their unique architectural and historic character, and therefore, ensures that visual impacts to these areas will be *less than significant*. (DEIR, p. 4.1-7)

➤ **Impact 4.1.3. Obstruction of Scenic Vistas.**

(a) **Findings Concerning Impact 4.1.3.**

Implementation of the General Plan may result in the obstruction of scenic vistas at the existing edges of urban development. The City finds this impact to be *less than significant*. (DEIR, p. 4.1-7)

(b) **Facts and Reasoning that Support Findings.**

Several policies and programs contained in the General Plan's Land Use Element are intended to protect the City's scenic vistas. (DEIR, p. 4.1-8) *Policy 2.1.A* ensures that development projects and other improvements conform to an overall plan for the community and that consideration is given to the configuration of adjacent areas to be developed in the future. (DEIR, p. 4.1-8; General Plan Update, p. 2.0-12) *Program 2.1.A.1* requires revisions to be prepared to the Orland Municipal Code which updates ordinances of the City to ensure consistency with the adopted General Plan. (DEIR, p. 4.1-8; General Plan Update, p. 2.0-12) *Program 2.1.A.4* ensures that development complies with the adopted design review process and Design Guidelines for all development types. (DEIR, p. 4.1-8; General Plan Update, p. 2.0-12)

In addition, much of the future residential, commercial, and industrial development provided for in the General Plan will require discretionary approval by the City and therefore, would be subject to environmental review. (DEIR, p. 4.1-7) As part of this review, an analysis of impacts to scenic vistas may be required. (DEIR, p. 4.1-7)

Implementation of the abovementioned policies and programs, as well as the requirement of environmental review for discretionary projects, would ensure that the impacts to the City's scenic vistas will be *less than significant*. (DEIR, p. 4.1-8)

➤ **Impact 4.1.4. Glare or Lighting Affecting Day or Nighttime Views.**

(a) **Findings Concerning Impact 4.1.4.**

Implementation of the General Plan could result in the introduction of a substantial amount of glare or lighting sources, which could impact daytime or nighttime views on adjacent areas and land uses. The City finds this impact to be *less than significant*. (DEIR, p. 4.1-8)

(b) **Facts and Reasoning that Support Findings.**

Several policies and programs contained in the General Plan's Land Use Element are intended to reduce glare and light spillover generated by new development. (DEIR, p. 4.1-9) *Policy 2.3.A* provides for the development of tools and controls that enable the City to guide residential growth, improvements and development, which are implemented through associated *Programs 2.3.A.1* and *2.3.A.2*. (DEIR, p. 4.1-9; General Plan Update, p. 2.0-13) *Program 2.3.A.1* ensures the development and adoption of subdivision design guidelines. (DEIR, p. 4.1-9; General Plan Update, p. 2.0-13 – 2.0-14) *Program 2.3.A.2* requires the development and adoption of standards for multi-family housing. (DEIR, p. 4.1-9; General Plan Update, p. 2.0-13) Furthermore, *Program 2.3.A.3* uses site design techniques, landscaping, and buffers to minimize land use incompatibilities between land uses. (DEIR, p. 4.1-9; General Plan Update, p. 2.0-13)

Policy 2.4.B seeks to actively work with existing commercial and industrial businesses to facilitate efforts to expand and enhance business in a manner that contributes to the high quality of life in Orland. (DEIR, p. 4.1-9; General Plan Update, p. 2.0-14) *Program 2.4.B.1* seeks the implementation of Design Guidelines for Commercial and Industrial Development and the Administrative Site Plan Review Process. (DEIR, p. 4.1-9; General Plan Update, p. 2.0-14) *Program 2.4.B.2* states that the City shall ensure the integrity of residential neighborhoods is not compromised by new commercial uses. (DEIR, p. 4.1-9; General Plan Update, p. 2.0-14)

While the abovementioned policies and programs may not specifically address glare and lighting, these mechanisms would be employed as part of the overall development review process of the City and will allow the City to monitor potential glare source and nighttime lighting levels. (DEIR, p. 4.1-9) Additionally, the City's Zoning Ordinance requires that all parking lot and commercial and industrial exterior lighting be deflected away from abutting residential areas. (DEIR, p. 4.1-9; City of Orland Zoning Code §§ 17.76.100(j)(3), 17.36.060(D)(2), 17.40.060(c)(2), 17.44.050(D)(2), 1.48.050(D)(20), 17.52.060(D)(2). Thus, Impacts regarding light and glare are considered *less than significant*.

B. FINDINGS CONCERNING AGRICULTURAL RESOURCES (CHAPTER 4.2):

➤ **Impact 4.2.3. Williamson Act Contracts.**

(a) Findings Concerning Impact 4.2.3.

Implementation of the General Plan could result in a conflict with existing Williamson Act contracts. There are no farmlands within the City boundary; however, there are three Williamson Act contract parcels located along the northern portion of the Planning Area. The City finds this impact to be *less than significant*. (DEIR, p. 4.2-15)

(b) Facts and Reasoning that Support Findings.

Several policies and programs contained in the General Plan's Open Space Element are intended to reduce the potential for conversion of Williamson Act contract farmlands within the Planning Area. (DEIR, p. 4.2-16) *Policy 5.1.C* addresses the impacts of siting sensitive uses in areas where conflicts with agricultural production and processing activities may result during the project review process and may require buffers between the uses. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-4) *Program 5.1.C.1* establishes that buffers shall be designed to avoid conflicts between agricultural and non-agricultural uses which should ensure that the buffer does not host pests or carriers of disease which could impact farming operations. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-4) *Program 5.1.C.2* ensures that buffers shall normally be located on the parcel proposed for non-agricultural use. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-5) *Program 5.1.C.3* states that buffers should primarily consist of a physical separation between agricultural and non-agricultural uses, and that the appropriate width shall be determined by the City on a site-by-site basis based on the existing physical features and project design that affect the specific situation. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-5) *Program 5.1.C.4* includes, in addition to physical separation, that the following buffer options should be considered to most effectively reduce conflicts arising from adjacent incompatible uses: (1) green belts/open space; (2) park and recreation areas; (3) roads; (4) fences; (5) walls; (6) waterways; and (7) vegetative screens/trees. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-5) *Program 5.1.C.5* provides for an ongoing maintenance program for the buffer which may include vector controls, and *Program 5.1.C.6* includes policies indicating that buffer restrictions may be removed if all adjacent parcels have been irreversibly converted to non-agricultural uses. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-5)

Policy 5.1.D creates and maintains buffer zones around areas of existing agricultural processing activities and discourages sensitive uses that encroach upon these facilities. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-5) *Policy 5.1.E* states that buffer zones surrounding agricultural processing plants may vary in width based upon existing and proposed uses as determined by the City. (DEIR, p. 4.2-16; General Plan Update, p. 5.0-5)

Implementation of the abovementioned policies and programs would ensure that the impacts of potential conflicts with Williamson Act contracts will be *less than significant*. (DEIR, p. 4.2-16)

C. **FINDINGS CONCERNING AIR QUALITY (CHAPTER 4.3):**

➤ **Impact 4.3.1: Consistency with the Northern Sacramento Valley Air Basin Air Quality Attainment Plan.**

(a) **Findings Concerning Impact 4.3.1.**

Subsequent land use activities associated with implementation of the General Plan could result in emissions greater than the standards identified by the *Northern Sacramento Valley Planning Area 2006 Air Quality Attainment Plan* (“Air Quality Attainment Plan”). The City finds this impact to be *less than significant*. (DEIR, p. 4.3-13)

(b) **Facts and Reasoning that Support Findings.**

Expansion of the City’s Planning Area under the General Plan would result in a projected 2028 population of approximately 12,286 persons, an increase of 4,933 persons over the existing population. (DEIR, p. 4.3-13) The difference in population, housing units, and employment in the City between existing conditions and anticipated year 2028 conditions may result in an exceedance of the data used to formulate the Air Quality Attainment Plan. (DEIR, p. 4.3-13) However, the Air Quality Attainment Plan is required to be updated every three years. (DEIR, p. 4.3-13) The reason for this requirement is to update the growth rates of population, industry, and vehicle related emissions. (DEIR, p. 4.3-13) Therefore, the incremental population growth experienced in the Orland Planning Area as a result of the General Plan would be accounted into the Air Quality Attainment Plan on a triennial basis. (DEIR, p. 4.3-13) Thus, the proposed changes to land use designations and incremental population increases anticipated by the General Plan would not result in conflicts with the Air Quality Attainment Plan. (DEIR, p. 4.3-14)

In addition, General Plan *Policy 5.4.B* provides that the City will work with the Glenn County Air Pollution Control District (“Glenn County APCD”) in efforts to maintain air quality standards and minimize air quality impacts associated with new development. (DEIR, p. 4.3-14; General Plan Update, p. 5.0-12) *Policy 5.4.B* ensures that subsequent land use activities associated with implementation of the General Plan would not allow for growth that is not anticipated in the Air Quality Attainment Plan. (DEIR, p. 4.3-14) As a result, the General Plan would not conflict with the Attainment Plan. (DEIR, p. 4.3-14) Accordingly, the impact is considered *less than significant*.

➤ **Impact 4.3.5. Odors.**

(a) **Findings Concerning Impact 4.3.5.**

Subsequent land use activities associated with implementation of the General Plan could include sources that would expose sensitive receptors to construction and long-term odorous emissions. The City finds this impact to be *less than significant*. (DEIR, p. 4.3-22)

(b) Facts and Reasoning that Support Findings.

The Glenn County APCD has adopted a nuisance rule that addresses the exposure of “nuisance or annoyance” air contaminant discharges. The Glenn County APCD Rule Book, Article IV, Section 78, states that “no person shall discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that cause a natural tendency to cause injury or damage to business or property” (DEIR, p. 4.3-22, quoting GCAPCD Rule Book, Article IV, §78) If public complaints regarding odors arising from implementation of the General Plan are sufficient to cause the odor source to be considered a public nuisance, then Glenn County APCD can require the identified source to incorporate mitigation measures to correct the nuisance condition. (DEIR, p. 4.3-22)

In addition General Plan *Policy 5.4.A* ensures that the City will work to minimize adverse affects of odors and emissions generated by agricultural and industrial uses during the project review process. (DEIR, p. 4.3-23; General Plan Update, p. 5.0-12) Therefore, compliance with *Policy 5.4.A* requires that sensitive receptors be protected from incompatible land uses. (DEIR, p. 4.3-23)

Implementation of *Policy 5.4.A*, as well as the enforcement of Glenn County APCD Rule Book, Article IV, Section 78, would ensure that the impacts created by odorous emissions will be *less than significant*. (DEIR, p. 4.3-23)

D. FINDINGS CONCERNING Biological Resources (CHAPTER 4.4):

➤ **Impact 4.4.5. Conflicts with Local Policies or Ordinances (i.e, Habitat Conservation Plans or Natural Community Conservation Plans).**

(a) Findings Concerning Impact 4.4.5.

Policies in the General Plan that affect biological resources may differ from local policies and ordinances currently in effect. The City finds this impact to be *less than significant*. (DEIR, p. 4.4-32)

(b) Facts and Reasoning that Support Findings.

No habitat conservation plans or natural community conservation plans occur within the Planning Area. (DEIR, p. 4.4-32) However, the General Plan would update policies regarding biological resources, particularly those related to riparian corridors, wetlands, special-status species, sensitive natural communities, and wildlife movement corridors, which could potentially lead to conflicts between the General Plan and the existing City Zoning Code. (DEIR, p. 4.4-33)

General Plan *Program 2.1.A.3* provides that upon completion of Zoning Ordinance revisions, the City must implement zoning as necessary to achieve consistency between the General Plan and zoning designations within the City. (DEIR, p. 4.4-33; General Plan Update, p. 2.0-12)

Implementation of *Program 2.1.A.3* would ensure that the impacts of potential policy and/or ordinance conflicts will be *less than significant*. (DEIR, p. 4.4-33)

E. FINDINGS CONCERNING GEOLOGY, SEISMICITY, SOILS AND HAZARDOUS MATERIALS (CHAPTER 4.6):

➤ **Impact 4.6.2. Potential Increase of Erosion and Loss of Topsoil.**

(a) Findings Concerning Impact 4.6.2.

Implementation of the General Plan may result in substantial construction and site preparation activities. These activities increase soil erosion, wind and water erosion, and siltation of local drainages during construction, excavation and grading activities. The City finds this impact to be *less than significant*. (DEIR, p. 4.6-21)

(b) Facts and Reasoning that Support Findings.

Because construction and the resulting potential erosion may affect water quality, any development involving clearing, grading, or excavation that causes soil disturbance on one or more acres, or any project involving less than one acre that is part of a larger development plan and includes clearing, grading, or excavation, is subject to a National Pollutant Discharge Elimination System (“NPDES”) General Construction Storm Water Permit. (DEIR, p. 4.6-22) Any development of this size would be required to prepare and comply with an approved Storm Water Pollution Prevention Plan (“SWPPP”). (DEIR, p. 4.6-21) Through the required NPDES Permit, projects are evaluated for potential soil erosion impacts on a site-by-site basis. (DEIR, p. 4.6-22)

In addition, General Plan *Programs 5.6.A.1* and *5.6.A.2* are intended to minimize the erosion-related impacts that may arise as a result of the construction activities associated with implementation of the General Plan. (DEIR, p. 4.6-22; General Plan Update, p. 5.0-16) *Program 5.6.A.1* requires applicants for new development projects to adhere to Regional Water Quality Control Board discharge standards, including identifying specific measures for minimizing project-related erosion. (DEIR, p. 4.6-22; General Plan Update, p. 5.0-16) *Program 5.6.A.2* requires development projects to conform to standard Regional Water Quality Control Board best management practices as a means to minimize erosion impacts. (DEIR, p. 4.6-22; General Plan Update, p. 5.0-16)

As impacts are dependent on the type of development, intensity of development, and amount of lot coverage of a particular project, impacts due to soil erosion can vary. (DEIR, p. 4.6-22) However, compliance with adopted erosion control standards and NPDES and SWPPP requirements, as well as implementation of the abovementioned General Plan programs, would ensure that soil erosion-related impacts will be *less than significant*. (DEIR, p. 4.6-22)

➤ **Impact 4.6.3. Potential Development on Unstable Soils.**

(a) Findings Concerning Impact 4.6.3.

Implementation of the General Plan may allow for development in areas with unstable soils. The City finds this impact to be *less than significant*. (DEIR, p. 4.6-22)

(b) Facts and Reasoning that Support Findings.

According to the Glenn County General Plan, the Orland Planning Area has a low to high potential for expansive soils which may cause structural damage to building foundations and roads. (DEIR, p. 4.6-23) A map of expansive soils in the Glenn County General Plan shows the majority of expansive soils west of Interstate 5. (DEIR, p. 4.6-23) Detailed geologic investigations may be necessary for areas with moderate to high shrink-swell potential. (DEIR, p. 4.6-23) Development on expansive soils requires special grading and construction techniques. (DEIR, p. 4.6-23)

The City of Orland has adopted the 2007 California Building Code, which includes common engineering practices requiring special design and construction methods that reduce or eliminate potential expansive soil-related impacts. (DEIR, p. 4.6-23) The Subdivision Map Act also requires a preliminary soils report for projects requiring a final subdivision map. (DEIR, p. 4.6-23)

In addition, several policies and programs contained in the General Plan's Safety Element are intended to reduce the effects resulting from developing on unstable soils. (DEIR, p. 4.6-23) *Policy 4.6.A* and *Program 4.6.A.1* require the City to consider the potential for expansive soils and earthquake-related hazards when reviewing applications for development projects. (DEIR, p. 4.6-23; General Plan Update, p. 4.0-14) In most cases, the City shall require a soils report in order to evaluate shrink-swell and liquefaction potential of proposed project sites and implement measures to minimize unstable soil hazards. (DEIR, p. 4.6-23) *Program 4.6.A.2* requires that public buildings and areas designed for assembly within the Planning Area are constricted to meet seismic safety standards. (DEIR, p. 4.6-23; General Plan Update, p. 4.0-14) *Programs 4.6.A.3* and *4.6.A.4* provide assistance to owners of existing buildings making structural improvements to meet seismic standards. (DEIR, p. 4.6-23; General Plan Update, p. 4.0-15) *Policy 4.6.C* requires development applications for projects that extract groundwater, oil, or gas to include a report evaluating the potential for subsidence and appropriate mitigation measures. (DEIR, p. 4.6-23; General Plan Update, p. 4.0-15)

Implementation of the abovementioned policies and programs below will require adherence to the California Building Codes and require a geotechnical investigation prior to site development. (DEIR, p. 4.6-23) This would reduce the impacts resulting from developing on unstable soils within the City's Planning Area to a less than significant level. (DEIR, p. 4.6-23)

➤ **Impact 4.6.4. Septic System Operation.**

(a) **Findings Concerning Impact 4.6.4.**

Implementation of the General Plan could impact areas where soils may be incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. The City finds this impact to be *less than significant*. (DEIR, p. 4.6-23)

(b) **Facts and Reasoning that Support Findings.**

Currently, the Glenn County Environmental Health Department is responsible for oversight of the design and installation of on-site sewage disposal systems throughout Glenn County, pursuant to County Code Section 20 Chapter 6. (DEIR, p. 4.6-24) This includes any area currently outside of Orland city limits. (DEIR, p. 4.6-24) All newly installed septic systems are required to adhere to the latest version of the California Building Code. (DEIR, p. 4.6-24) Sewage regulations for Glenn County are dictated by the geology of the region where the system is installed. (DEIR, p. 4.6-24) The type of sewage disposal system required for a particular parcel depends primarily on the parcel's location. (DEIR, p. 4.6-24) The most frequently installed system is the standard pit system. (DEIR, p. 4.6-24) This type of system is used in areas where it has been determined that the system would be less likely to degrade the water table, and the soil conditions are such that effluent will be more readily absorbed into the pit area. (DEIR, p. 4.6-24) If the parcel to be developed is in an area where the water table is high or soil conditions are poor, a leach field or deep trench may be required. (DEIR, p. 4.6-24) In cases where it is not possible to install a standard pit system or a leach field system, an alternative system is required, but it must be approved for use by Glenn County. (DEIR, p. 4.6-24)

Although the Glenn County Environmental Health Department must approve any future proposed septic system, General Plan *Policy 5.8.B* and *Program 5.8.A.1* would also reduce impacts. (DEIR, p. 4.6-24) *Policy 5.8.B* requires all sewage generators within the city limits to connect to the City's public sewer system, except those areas where on-site treatment and disposal facilities are deemed appropriate and beneficial to the City. (DEIR, p. 4.6-24; General Plan Update, p. 5.0-19) *Program 5.8.A.1* requires annexation to the City as a condition of extending City services. (DEIR, p. 4.6-24; General Plan Update, p. 5.0-19)

Compliance with the Glenn County Environmental Health Department's requirements for the approval and installation of septic systems, as well as implementation of the General Plan *Policy 5.8.B* and *Program 5.8.B.1*, would ensure that impacts due to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems will be reduced to a level that is considered *less than significant*. (DEIR, p. 4.6-24)

➤ **Impact 4.6.5. Hazardous Material Use, Storage, and Transport.**

(a) Findings Concerning Impact 4.6.5.

Implementation of the General Plan would lead to the establishment of more land use activities that would use and/or store hazardous materials and increase the amount of traffic carrying these materials. The City finds this impact to be *less than significant*. (DEIR, p. 4.6-24)

(b) Facts and Reasoning that Support Findings.

The transport of hazardous materials on public highways is controlled by the California Highway Patrol and the California Department of Toxic Substances Control through the issuance of permits for such use. (DEIR, p. 4.6-24) The use and handling of hazardous materials on private property is controlled by the Glenn County Environmental Health Department. (DEIR, p. 4.6-25)

Several policies and programs contained in the General Plan's Safety Element are intended to reduce the effects resulting from the increased usage and transportation of hazardous materials. (DEIR, p. 4.6-25) *Policy 4.7.A* and *Program 4.7.A.1* mandate the City to coordinate hazardous waste management programs with the Glenn County Hazardous Waste Management Plan and the Glenn County Emergency Operations Plan. (DEIR, p. 4.6-25; General Plan Update, pp. 4.0-15 - 4.0-16) *Program 4.7.A.2* ensures compliance with applicable state and local regulations by requiring the City to refer all permits for new projects or major additions to existing uses located on sites identified by the state as having or containing hazardous substances, to the Glenn County Health Department. (DEIR, p. 4.6-25; General Plan Update, p. 4.0-16) *Program 4.7.A.3* requires any use which uses or manufactures hazardous substances within one-quarter mile of an existing or proposed school to only be permitted through a conditional use permit with ample assurances that the students will not be placed in a hazardous environment. (DEIR, p. 4.6-25; General Plan Update, p. 4.0-16) *Policy 4.7.B* encourages Hazardous Materials First Responder Operation training and certification for appropriate public safety personnel. (DEIR, p. 4.6-25; General Plan Update, p. 4.0-16)

Implementation of the abovementioned policies and programs, as well as adherence to all federal, state, and local regulations regarding the transportation of explosives, poisonous inhalation hazards, and radioactive materials, would reduce the environmental impacts associated with the routine transportation, use, and disposal of hazardous materials within the Planning Area to a level that is considered *less than significant*. (DEIR, p. 4.6-25)

➤ **Impact 4.6.7. Mineral Resources.**

(a) **Findings Concerning Impact 4.6.7.**

Implementation of the General Plan could potentially result in the loss of availability of aggregate resources, which are locally important due to their use by the construction community in development of the area. The City finds this impact to be *less than significant*. (DEIR, pp. 4.6-26 - 4.6-27)

(b) **Facts and Reasoning that Support Findings.**

There are three gravel extraction facilities in operation along Stony Creek near the Planning Area. However, there is currently no mining activity occurring within, nor is it allowed in, the Planning Area. (DEIR, p. 4.6-27) Furthermore, neither the current General Plan (2003), the General Plan Update (2008-2028), or the Glenn County General Plan identify any mineral resource zones within the City of Orland or the Planning Area. (DEIR, p. 4.6-27) Therefore, implementation of the General Plan would have a *less than significant* impact on mineral resources. (DEIR, p. 4.6-27)

➤ **Impact 4.6.8. Interfere With Emergency Response Plans.**

(a) **Findings Concerning Impact 4.6.8.**

Implementation of the General Plan could impair implementation of or physically interfere with the Glenn County Emergency Operations Plan (EOP). The City finds this impact to be *less than significant*. (DEIR, p. 4.6-27)

(b) **Facts and Reasoning that Support Findings.**

As described in Section 4.13 of the DEIR, implementation of the proposed roadway system under the General Plan would provide for multiple roadway connections that offer more escape routes and emergency access options, as well as new north-south and east-west evacuation/emergency routes throughout the Planning area. (DEIR, p. 4.6-27) Standard evacuation routes have not been designated within Glenn County or the City of Orland. (DEIR, p. 4.6-27) However, the Glenn County Sheriff's Office, Office of Emergency Services, has an online link to an emergency preparedness web page stating that in the event of mandatory evacuation, residents will be advised of safe routes to follow, locations of shelters, and other actions that may need to be taken. (DEIR, p. 4.6-27)

The Glenn County Sheriff's Office has several means of notifying the public of emergencies and possible evacuations, which include a prerecorded telephone message from the Sheriff's Department, local radio and television station announcements, and the Emergency Broadcast System. (DEIR, p. 4.6-27) In the event of extreme cases and/or the inability to contact residents in another manner, the Sheriff's Department would go door to door. (DEIR, p. 4.6-27)

In addition, several policies and programs contained in the General Plan's Safety Element are intended to reduce interference with the EOP. (DEIR, p. 4.6-28) *Policy 4.1.B* requires the City to continue to participate in emergency preparedness planning with Glenn County. (DEIR, p. 4.6-28; General Plan Update, p. 4.0-2) *Program 4.1.B.1* requires the City to review procedures for local implementation of the EOP and help to educate the community on the need for emergency preparedness. (DEIR, p. 4.6-28; General Plan Update, p. 4.0-3) *Program 4.1.B.2* requires the City to pursue adoption of the State of California Standardized Emergency Management System ("SEMS"). (DEIR, p. 4.6-28; General Plan Update, p. 4.0-2) The Orland Police Department is trained in the SEMS Manual in conjunction with the California Highway Patrol and the Glenn County Sheriff's Department. (DEIR, p. 4.6-28)

Implementation of the General Plan's roadway system and the abovementioned policies and programs would improve City roadway connectivity, allowing for better emergency vehicle access to residences as well as evacuation routes for area residents. (DEIR, p. 4.6-28) Thus, implementation of the General Plan policies and programs will assist in the operation of the EOP, not impair it. (DEIR, p. 4.6-28) Accordingly, this impact is considered *less than significant*.

F. FINDINGS CONCERNING HYDROLOGY AND WATER QUALITY (CHAPTER 4.7):

➤ **Impact 4.7.1. Surface Water Quality Impacts.**

(a) Findings Concerning Impact 4.7.1.

Implementation of the General Plan could result in an alteration of existing drainage, in the discharge of polluted runoff, discharge that could cause harm to the biological integrity of waterways, adversely impact water quality standards, or otherwise substantially degrade surface water quality. The City finds this impact to be *less than significant*. (DEIR, p. 4.7-19)

(b) Facts and Reasoning that Support Findings.

All new and redevelopment construction projects resulting from implementation of the General Plan will be required to submit grading plans to the Central Valley Regional Water Quality Control Board for approval under the National Pollutant Discharge Elimination System ("NPDES"). (DEIR, p. 4.7-22)

New development in excess of one acre is subject to an NPDES Construction Activities Stormwater Permit (“NPDES Permit”). (DEIR, p. 4.7-22) The purpose of the NPDES Permit is to protect water quality from development areas that would discharge into a surface water body. (DEIR, p. 4.7-22) The NPDES Permit requires the project applicant and/or contractor to develop and implement a Storm Water Pollution Prevention Plan (“SWPPP”). (DEIR, p. 4.7-22) The SWPPP must specify best management practices that would prevent all construction pollutants from contacting stormwater, with the intent of keeping all products of erosion from moving off-site into receiving waters. (DEIR, p. 4.7-22) The NPDES Permit also requires elimination or reduction of non-stormwater discharges to receiving waters and inspections of all best management practices. (DEIR, p. 4.7-22)

In addition, several policies and programs contained in the General Plan’s Open Space Element are intended to reduce surface water quality impacts. (DEIR, p. 4.7-22) *Policy 5.6.A* ensures that new development projects comply with state and federal regulations and standards in order to maintain and improve water quality. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-16) *Program 5.6.A.1* requires project applicants to adhere to Regional Water Quality Control Board (“RWQCB”) discharge standards, including identifying specific measures for minimizing project-related erosion and resulting siltation of surface water features. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-16) *Program 5.6.A.2* requires project applicants to submit a grading and erosion control plan with each tentative parcel and tentative subdivision map. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-16) Standard RWQCB best management practices shall be incorporated in these plans as a means to control runoff and minimize erosion impacts. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-16) *Program 5.6.A.3* requires the City to ensure that new development has minimal impacts on natural drainage channels and flow capacity. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-16)

Policy 5.6.B and associated *Program 5.6.B.3* help to reduce the potential for sediment and other pollutants to contaminate surface water resources in the Planning Area by adopting requirements for grease and sediment traps for roads and parking lots which improve water quality of urban runoff. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-16) *Policy 5.6.D* encourages the use of site design techniques for non-residential uses that provide for the discharge of on-site stormwater into landscaped basins or swales prior to discharge to the City’s storm drainage system. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-16) *Program 5.9.B.2* encourages the use of landscaped bioswales to filter oil and pollutants from stormwater drainage. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-21) *Program 5.9.B.3* states that the City shall consider the use of filtered storm drainage inlets to screen pollutants from drainage waters. (DEIR, p. 4.7-22; General Plan Update, p. 5.0-21)

Implementation of the abovementioned policies and programs, as well as compliance with NPDES permit requirements, would ensure that both construction-related and operational activities authorized under the General Plan will have a *less than significant* impact on surface water resources. (DEIR, p. 4.7-22)

➤ **Impact 4.7.2. Groundwater Supply Impacts.**

(a) Findings Concerning Impact 4.7.2.

Implementation of the General Plan could result in a reduction of groundwater recharge resulting from future land uses. The City finds this impact to be *less than significant*. (DEIR, p. 4.7-23)

(b) Facts and Reasoning that Support Findings.

The City of Orland receives its water from Public Water System Number 1110001. (DEIR, p. 4.7-23) The aquifer system underlying Orland supplies the municipal and agricultural water demands of the City. (DEIR, p. 4.7-23) The groundwater system is largely sustained by recharge at Stony Creek located at the northern boundary of the Planning Area. (DEIR, p. 4.7-23) An estimated increase in the City population by 4,933 residents over 2008 conditions coupled with the resultant increase in development as a result of the General Plan may result in an increased conversion of natural ground surfaces to impervious surfaces (e.g., pavement, rooftops) and could result in an interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level underlying the Planning Area. (DEIR, p. 4.7-23)

Groundwater level data of the Colusa Subbasin, which supplies the City, shows an average seasonal fluctuation of approximately five feet for normal and dry years. Despite seasonal variations, long-term groundwater levels of the Colusa Subbasin have remained relatively constant. (DEIR, p. 4.7-23) This condition is likely the result of a combination of recharge from the Sacramento River and its tributaries (i.e, Stony Creek) and surrounding mountains, as well as deep percolation of applied irrigation water from agricultural practices and rainfall throughout the Colusa Subbasin. (DEIR, p. 4.7-23)

A review of hydrographs for long-term comparison of spring-to-spring groundwater levels indicated a slight decline in groundwater levels associated with the 1976-77 and 1987-94 droughts, followed by recovery to pre-drought conditions of the early 1970s and 1980s. (DEIR, p. 4.7-23) Some wells increased in levels beyond the pre-drought conditions of the 1970s during the wet season of the early 1980s. (DEIR, p. 4.7-23) Overall, there does not appear to be any increasing or decreasing trends in groundwater levels (DWR, 2006). (DEIR, p. 4.7-23) The estimated storage capacity to a depth of 200 feet is approximately 13,025,887 acre-feet (DWR, 2006). (DEIR, p. 4.7-23)

Estimates of groundwater extraction for the Colusa Subbasin are based on surveys conducted by the California Department of Water Resources during 1993, 1994, and 1999. (DEIR, p. 4.7-23) Surveys included land use and sources of water. (DEIR, p. 4.7-23) Estimates of groundwater extraction for agricultural, municipal and industrial, and environmental wetland uses are 310,000; 14,000; and 22,000 acre-feet, respectively. (DEIR, p. 4.7-23) Deep percolation from applied water is estimated to be 64,000 acre-feet. (DEIR, p. 4.7-23)

The Department of Water Resources has not identified the Colusa Subbasin as over-drafted in its DWR Bulletin 118. (DEIR, p. 4.7-23) Also, there has been no indication of any existing or anticipated overdraft condition in studies prepared by other entities (DWR, 2006). (DEIR, p. 4.7-23)

Much of the lands surrounding Stony Creek located in the northern portion of the Orland Planning Area are designated as Open Space/Resource Conservation. (DEIR, p. 4.7-23) The Open Space/Resource Conservation land use category is to assure Orland residents a healthy amount of public open space, to preserve and enhance the natural environment that contributes to the quality of life in and around Orland, and to make certain that growth does not adversely affect natural resources. (DEIR, p. 4.7-23)

As the groundwater system underlying the Orland area is largely sustained by recharge in Stony Creek located at the northern boundary of the Planning Area, this designation will maintain the potential to conserve natural ground surfaces in this region and encourage groundwater recharge within the Planning Area. (DEIR, p. 4.7-23 – 4.7-24)

Several policies and programs contained in the General Plan's Open Space Element are intended to protect groundwater recharge within the Planning Area. (DEIR, p. 4.7-24) *Program 5.6.B.1* states that the City shall maintain the natural conditions of the waterways and floodplains of the Planning Area in order to ensure adequate groundwater recharge and groundwater quality. (DEIR, p. 4.7-24; General Plan Update, p. 5.0-16) *Program 5.7.A.1* requires wells located on land annexed to the City and served by City water service to be properly abandoned, or that all possibility of cross-connection with the City water system be eliminated in accordance with Glenn County Health Department guidelines. (DEIR, p. 4.7-24; General Plan Update, p. 5.0-18) *Program 5.7.A.2* requires that the City ensure that all City wells are operated and maintained to meet California Department of Health Services standards for public drinking water supplies. (DEIR, p. 4.7-24; General Plan Update, p. 5.0-18) *Policy 5.6.E, Policy 5.7.B* and *Program 5.7.B.1* all encourage water conservation measures, which would ensure that the compression of regional aquifers does not occur. (DEIR, p. 4.7-24; General Plan Update, pp. 5.0-17, 5.0-18)

As mentioned above, the estimated storage capacity to a depth of 200 feet is approximately 13,025,887 acre-feet and estimates of groundwater extraction for agricultural, municipal and industrial, and environmental wetland uses are 310,000; 14,000; and 22,000 acre-feet, respectively (DWR, 2006). (DEIR, p. 4.7-24) The Department of Water Resources has not identified the Colusa Subbasin as over-drafted in its DWR Bulletin 118 (DWR, 2006). (DEIR, p. 4.7-23) Also, there has been no indication of any existing or anticipated overdraft condition in studies prepared by other entities (DWR, 2006). (DEIR, p. 4.7-23) As a result, implementation of the General Plan policies and programs would ensure that impacts to groundwater supply resources in the City of Orland will be *less than significant*. (DEIR, p. 4.7-23)

➤ **Impact 4.7.3. Groundwater Quality Impacts.**

(a) Findings Concerning Impact 4.7.3.

Implementation of the General Plan could result in the degradation of groundwater quality resulting from future land uses. Development of various projects would urbanize the City, thus generating runoff that would contain oils grease, fuel, antifreeze, byproducts of combustion (such as lead, cadmium, nickel, and other metals), other household pollutants, nutrients (i.e., fertilizers), and other chemicals from landscaped areas. Gas stations and industrial uses are of primary concern. The City finds this impact to be *less than significant*. (DEIR, p. 4.7-24)

(b) Facts and Reasoning that Support Findings.

Water quality in Orland is generally good. Because the main source of domestic water in Orland is groundwater, maintenance of groundwater quality is of primary importance to residents. (DEIR, p. 4.7-24)

Over the life of the General Plan, it is expected that a significant acreage of land will be converted from natural to urban use. (DEIR, p. 4.7-24) Some of these lands have already been significantly modified from the natural environment due to farming, grading, or previous urban use. (DEIR, p. 4.7-24) Nonetheless, implementation of the General Plan could result in direct impacts to groundwater resources. (DEIR, p. 4.7-24)

Several policies and programs contained in the General Plan's Open Space Element are intended to reduce impacts to groundwater quality. (DEIR, p. 4.7-25) *Policy 5.6.A* and *Policy 5.6.B* ensure that new development projects comply with state and federal regulations and standards in order to reduce the potential for pollutants to contaminate groundwater resources. (DEIR, p. 4.7-25; General Plan Update, p. 5.0-16) *Program 5.6.B.2* protects groundwater quality by requiring most new development to connect to the City's wastewater collection system as opposed to using on-site wastewater treatment systems which are a source of nitrates, a groundwater pollutant. (DEIR, p. 4.7-25; General Plan Update, p. 5.0-16) *Policy 5.6.C* instigates the exploration of the use of pervious concrete to allow the continued filtration of groundwater into the soil. (DEIR, p. 4.7-25; General Plan Update, p. 5.0-16) *Policy 5.7.A* requires the City to implement measures to ensure groundwater resources in the Orland area are protected from contamination. (DEIR, p. 4.7-25; General Plan Update, p. 5.0-18)

Implementation of the abovementioned policies and programs would ensure that development activities authorized under the General Plan will have a *less than significant* impact on groundwater resources. (DEIR, p. 4.7-25)

➤ **Impact 4.7.4. Drainage and Flooding Impacts.**

(a) Findings Concerning Impact 4.7.4.

Implementation of the General Plan could result in a substantial alteration of an existing drainage pattern, including through the alteration of the course of a stream or river. This alteration may substantially increase the rate and amount of surface runoff in a manner that would result in flooding on or off-site or could result in the creation or contribution of runoff water which would exceed the capacity of existing or planned stormwater drainage systems. Implementation of the General Plan may impede or redirect flood flows or expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of a failure of a levee or dam or result in inundation by seiche, tsunami, or mudflow. The City finds this impact to be *less than significant*. (DEIR, p. 4.7-25)

(b) Facts and Reasoning that Support Findings.

Senate Bill 5 (“SB 5”) was signed into law in October 2007 and requires the state to develop a plan for flood protection by 2012. (DEIR, p. 4.7-26) Once the Plan takes effect, SB 5 will require 200-year flood protection for proposed projects in urban and urbanizing areas (defined as 10,000 residents or more). (DEIR, p. 4.7-26) SB 5 also authorizes cities and counties to develop and adopt local plans of flood protection that include a strategy to meet the 200-year level of flood protection, an emergency response plan, and a long-term funding strategy for improvement, maintenance, and operation of flood protection facilities. (DEIR, p. 4.7-26)

In order to implement this bill, the Department of Water Resources (“DWR”) was required to provide cities and counties within the Central Valley watershed with preliminary 100 and 200-year floodplain maps by July 1, 2008. (DEIR, p. 4.7-26) DWR has prepared only preliminary 100 and 200-year flood maps for 32 counties and 91 cities within the watershed. (DEIR, p. 4.7-26) The north and northwest portions of the City have recently been placed in the 200-year flood zone designation. However, the City requires development in this area to meet the 100-year flood zone requirements.

In addition, several policies and programs contained in the General Plan’s Safety and Open Space Elements are intended to reduce drainage and flood-related impacts. (DEIR, p. 4.7-27) *Policy 4.2.A* and *Program 4.2.A.1* work to develop and implement flood control strategies for the City and new construction. (DEIR, p. 4.7-27; General Plan Update, pp. 4.0-4 - 4.0-5) *Program 4.2.A.2* requires that new development projects be designed to avoid increases in peak stormwater runoff levels. (DEIR, p. 4.7-27; General Plan Update, p. 4.0-5) *Policy 4.2.B* states that new development shall not be approved in areas which are subject to flooding without prior review and approval of plans for improvements which provide a minimum flood protection level equal to the 100-year occurrence storm event. (DEIR, p. 4.7-27; General Plan Update, p. 4.0-5)

Policy 4.2.C states that development of habitable or commercial structures within the 100-year floodplain must be completely mitigated through proper design. (DEIR, p. 4.7-27; General Plan Update, p. 4.0-5)

Policy 5.9.A requires that adequate stormwater collection facilities exist as part of new development such that there is no net increase in stormwater runoff compared to predevelopment conditions. (DEIR, p. 4.7-27; General Plan Update, p. 5.0-21) *Program 5.9.A.1* provides for on and off-site stormwater facilities as part of new development or redevelopment as a way to prevent flooding in areas with inadequate existing stormwater facilities. (DEIR, p. 4.7-27; General Plan Update, p. 5.0-21) *Program 5.9.A.3* ensures that the City will complete a Storm Drainage Master Plan that identifies necessary improvements and their scheduling. (DEIR, p. 4.7-27; General Plan Update, p. 5.0-21) *Policy 5.9.B* and associated *Program 5.9.B.1* seek to minimize the potential for flood damage to buildings and structures from stormwater runoff by exploring the use of pervious concrete and pavement to assist in the return of water to the regional aquifer and to assist in the management of storm drainage. (DEIR, p. 4.7-27; General Plan Update, p. 5.0-21) *Policy 5.9.D* aims to increase community awareness of flooding hazards and to coordinate flood control activities with interested agencies. (DEIR, p. 4.7-27; General Plan Update, p. 5.0-21) *Program 5.9.D.1* states that the City shall work with the community and other agencies to help identify flooding hazards and mitigation options, and seeks to work with FEMA to periodically update the City's FEMA flood maps. (DEIR, p. 4.7-27; General Plan Update, p. 5.0-21) *Program 5.9.D.2* promotes coordination between the City and Glenn County to establish flood hazard mitigation and compliance with the Disaster Management Act of 2000. (DEIR, p. 4.7-27; General Plan Update, p. 5.0-22)

Implementation of SB 5 and the abovementioned policies and programs would ensure that drainage and flood-related impacts will be *less than significant*. (DEIR, p. 4.7-27)

G. FINDINGS CONCERNING LAND USE (CHAPTER 4.8):

➤ **Impact 4.8.1. Physically Divide an Established Community.**

(a) Findings Concerning Impact 4.8.1.

Land use designation changes in the General Plan have the potential to physically divide or impact an established community. The City finds this impact to be *less than significant*. (DEIR, p. 4.8-15)

(b) Facts and Reasoning that Support Findings.

It is the intent of the General Plan to avoid the division of a community or otherwise impact an established community. (DEIR, p. 4.8-15) Currently, the City could be considered to be divided by State Route 32, with portions of the City on either side (north and south sides). (DEIR, p. 4.8-16)

There is no project of sufficient size envisioned in the General Plan that could effectively further divide the existing community. (DEIR, p. 4.8-16) However, the term “community” could be a small neighborhood that could be affected by the extension of a new street, the creation of a school or park site, or the conversion of single-family dwellings to a more intense use. (DEIR, p. 4.8-16)

Several policies and programs contained in the General Plan’s Land Use Element are intended to avoid the physical division of any established communities within the Planning Area. (DEIR, p. 4.8-15) *Policy 2.1.A* ensures that consideration is given to the configuration of adjacent areas to be developed in the future. (DEIR, p. 4.8-15; General Plan Update, p. 2.0-12) *Program 2.1.A.4* ensures that development complies with the design review process and Design Guidelines for all development types. (DEIR, p. 4.8-15; General Plan Update, p. 2.0-12) Implementation of this program will ensure design compatibility with existing neighborhoods. (DEIR, p. 4.8-15; General Plan Update, p. 2.0-12) *Policy 2.2.B* encourages future development in Orland to be located adjacent to existing communities by promoting infill development and redevelopment to enhance the efficiency of services. (DEIR, p. 4.8-15; General Plan Update, p. 2.0-13) *Policy 2.3.A* requires the City to develop tools and controls that enable the City to guide residential growth, improvements, and development. (DEIR, p. 4.8-15; General Plan Update, p. 2.0-13) Associated *Program 2.3.A.3* utilizes site design techniques (increased setbacks, modified lot sizes, unit type restrictions, etc.), landscaping and buffers to minimize land use incompatibilities between land uses. (DEIR, p. 4.8-15; General Plan Update, p. 2.0-13)

Implementation of the General Plan policies and programs which emphasize design compatibility with existing and adjacent neighborhoods would ensure that the impacts to established communities within the Planning area will be *less than significant*. (DEIR, p. 4.8-16)

➤ **Impact 4.8.2. Consistency with Land Use Regulations.**

(a) Findings Concerning Impact 4.8.2.

Implementation of the General Plan could lead to inconsistency with other land use plans and ordinances, particularly the City’s Zoning Ordinance. The City finds this impact to be *less than significant*. (DEIR, p. 4.8-16)

(b) Facts and Reasoning that Support Findings.

State law requires that the General Plan be comprehensive and that specific subjects or “elements” be addressed in the Plan. (DEIR, p. 4.8-16) The elements required by Section 65302(a)-(g) of the Government Code are land use, circulation, housing, conservation, open space, noise, and safety. (DEIR, p. 4.8-16) Government Code Section 65303 allows the local jurisdiction to include additional or “optional” elements to address specific issues of concern, as well as to combine the required and optional elements as deemed appropriate. (DEIR, p. 4.8-16)

The City of Orland General Plan combines Open Space and Conservation elements into a single element. By providing these elements within the General Plan, state law is satisfied, and there is no impact. (DEIR, p. 4.8-16)

Other state and federal agencies have some jurisdiction over portions of the proposed General Plan, at least to the extent that policies and programs of the General Plan cannot be inconsistent with their requirements. (DEIR, p. 4.8-16) Those agencies with some authority include the Federal Emergency Management Agency (flooding), the Regional Water Quality Control Board (water quality), Caltrans (state highways), and the State Mining and Geology Board (mining). (DEIR, p. 4.8-16) Glenn County also has authority in the areas of health, airport land use, and air quality. (DEIR, p. 4.8-16) The land use designations presented in the General Plan for the area within the Haigh Field Airport Safety Zone are either Industrial or Public Facility. (DEIR, p. 4.8-16) These uses are consistent with the land use regulations in the Orland Haigh Field Airport Comprehensive Land Use Plan. (DEIR, p. 4.8-16) The effect these agencies have on the General Plan is discussed throughout the DEIR in those sections where their authority applies, i.e., hazards, hydrology, transportation, and air quality. (DEIR, p. 4.8-16) In all instances, the General Plan and these affected agency requirements are consistent and there is no impact.

The General Plan is the constitution of local land use planning. (DEIR, p. 4.8-16) It establishes the framework for other local legislation to follow. (DEIR, p. 4.8-16) All related legislation such as the Zoning Ordinance, the Subdivision Ordinance, and all land use development actions must conform to the General Plan. (DEIR, p. 4.8-16) In those instances where local laws are inconsistent with the General Plan, these laws, after adoption of the General Plan, will be updated for consistency with the General Plan. (DEIR, p. 4.8-16 – 4.8-17) Accordingly, this impact is considered *less than significant*.

➤ **Impact 4.8.3. Conflict with Habitat Conservation Plan or Natural Community Conservation Plan.**

(a) Findings Concerning Impact 4.8.3.

The General Plan would not conflict with any habitat conservation plan or natural community conservation plan in the area as there are no such plans in existence in the Planning Area. As a result, the City finds that there is *no impact*. (DEIR, p. 4.8-17)

(b) Facts and Reasoning that Support Findings.

Implementation of the General Plan would not lead to incompatible development with any area habitat conservation plan or natural community conservation plans as there are no such plans in existence in the City of Orland or Glenn County. (DEIR, p. 4.8-17)

G. FINDINGS CONCERNING NOISE (CHAPTER 4.9):

➤ **Impact 4.9.1. Adoption of New Goals, Policies and Programs.**

(a) Findings Concerning Impact 4.9.1.

Implementation of the General Plan could result in the adoption of the new goals, policies and programs designed to address noise. The City finds this impact to be *less than significant*. (DEIR, p. 4.9-18)

(b) Facts and Reasoning that Support Findings.

The noise-related policies of the General Plan would remain the same as the current General Plan policies (2003). (DEIR, p. 4.9-18) Since there are no proposed changes from the current noise-related policies, no noise impacts would result from their implementation. (DEIR, p. 4.9-18) Accordingly, this impact is considered *less than significant*.

➤ **Impact 4.9.2. Future Noise-Sensitive Land Uses.**

(a) Findings Concerning Impact 4.9.2.

Implementation of the General Plan could result in the development of noise-sensitive land uses within areas which may be impacted by noise in the future. The City finds this impact to be *less than significant*. (DEIR, p. 4.9-18)

(b) Facts and Reasoning that Support Findings.

New noise-sensitive uses developed in areas exposed to future noise levels exceeding the noise standards described in Section 4.9 of the DEIR could cause potentially significant impacts. (DEIR, p. 4.9-18) Thus, residential and other noise-sensitive uses proposed within the critical noise contours shown in Table 4.9-8 of the DEIR, or within the railroad noise contours shown in Table 4.9-3 of the DEIR could potentially be impacted. (DEIR, pp. 4.9-18 – 4.9-20, 4.9-9)

Several policies and programs contained in the General Plan's Noise Element are intended to reduce noise impacts that may result from implementation of the General Plan. (DEIR, p. 4.9-20) *Policies 6.1.A* and *6.1.F* identify interior and exterior noise level standards for noise-sensitive areas affected by traffic or railroad noise sources as well as non-transportation noise sources in the City of Orland. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-11, 6.0-12) These standards are shown in Tables 4.9-6 and 4.9-7 of the DEIR and Tables 6-3 and 6-5 of the General Plan. (DEIR, pp. 4.9-15, 4.9-16; General Plan Update, pp. 6.0-11, 6.0-13)

Policies 6.1.B and 6.1.H state that where the noise level standards for Tables 4.9-6 and 4.9-7 are predicted to be exceeded at new uses proposed within the City of Orland which are affected by traffic or railroad noise and/or are affected by or include non-transportation noise sources, appropriate noise mitigation measures and/or conditions of approval shall be included in the project design to reduce projected noise levels to a state of compliance with the standards identified in Tables 4.9-6 and 4.9-7. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12, 6.0-14)

Policy 6.1.D states that if future railroad operations occur during nighttime hours (10 p.m. to 7 a.m.), then proposals for the development of new residential uses within 1,000 feet of railroad grade crossings should address noise impacts in terms of the potential for sleep disturbance. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12) *Policy 6.1.E* states that if an acoustical analysis is required by the City to assess compliance with the City's Noise Element standards, it shall be prepared in accordance with Table 6-4 of the General Plan (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12) Table 6-4 identifies noise analysis standards such as the requirement that all noise analyses include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions as well as the need for all noise analyses to be prepared by qualified persons experienced in the fields of environmental noise assessment and architectural acoustics. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12)

Implementation of the abovementioned policies would ensure that the impacts associated with future noise-sensitive land uses will be *less than significant*. (DEIR, p. 4.9-20)

➤ **Impact 4.9.3. Noise-Producing Land Uses.**

(a) Findings Concerning Impact 4.9.3.

Implementation of the General Plan could result in the creation of new land use designations and could result in development of noise-producing land uses near noise-sensitive land uses. The City finds this impact to be *less than significant*. (DEIR, p. 4.9-20)

(b) Facts and Reasoning that Support Findings.

Noise produced by new noise-producing projects constructed near existing noise-sensitive areas could cause the City's noise standards to be exceeded, thereby resulting in significant impacts. (DEIR, p. 4.9-21) The General Plan addresses this potential impact by requiring that effective mitigation measures and/or conditions of approval are incorporated into the project design consistent with adopted noise standards. (DEIR, p. 4.9-21)

Several policies and programs contained in the General Plan's Noise Element are intended to reduce the impacts associated with noise-producing land uses. (DEIR, p. 4.9-21)

Policy 6.1.F identifies interior and exterior noise level standards for non-transportation noise sources in the City of Orland. (DEIR, p. 4.9-21; General Plan Update, p. 6.0-12) These standards are shown in Table 4.9-7 of the DEIR and Table 6-5 of the General Plan. (DEIR, p. 4.9-16; General Plan Update, p. 6.0-13) *Policy 6.1.H* states that where the noise level standards for Table 4.9-7 are predicted to be exceeded at new uses proposed within the City of Orland which are affected by or include non-transportation noise sources, appropriate noise mitigation measures and/or conditions of approval shall be included in the project design to reduce projected noise levels to a state of compliance with the standards identified in Table 4.9-7. (DEIR, p. 4.9-21; General Plan Update, p. 6.0-14)

Policy 6.1.E states that if an acoustical analysis is required by the City to assess compliance with the City's Noise Element standards, it shall be prepared in accordance with Table 6-4 of the General Plan (DEIR, p. 4.9-21; General Plan Update, pp. 6.0-12) Table 6-4 identifies noise analysis standards such as the requirement that all noise analyses include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions as well as the need for all noise analyses to be prepared by qualified persons experienced in the fields of environmental noise assessment and architectural acoustics. (DEIR, p. 4.9-21; General Plan Update, pp. 6.0-12)

the policies of the General Plan Noise Element require that noise impacts of new noise-producing developments constructed near existing noise-sensitive land uses be evaluated, and that appropriate noise mitigation measures and/or conditions of approval be included in the project design of such developments, this impact will be *less than significant*. (DEIR, p. 4.9-21)

➤ **Impact 4.9.5. Aircraft Noise Impacts.**

(a) Findings Concerning Impact 4.9.5.

Implementation of the General Plan would not expose future land uses and residents to significant levels of aircraft related noise. The City finds this impact to be *less than significant*. (DEIR, p. 4.9-24)

(b) Facts and Reasoning that Support Findings.

The City of Orland is separated from the Haigh Field Airport by a considerable distance. (DEIR, p. 4.9-24) Although occasional aircraft over flights of the City occur, the City of Orland is located well beyond the noise impact zones of this airport, as illustrated by the noise contours within the Airport's Land Use Plan. (DEIR, p. 4.9-24; Bollard Acoustical Consultants, Inc., 2009) As a result, the existing ambient noise environment of the City of Orland is not significantly influenced by aircraft noise. (DEIR, p. 4.9-24) Therefore, this impact would be considered *less than significant*.

H. FINDINGS CONCERNING POPULATION AND HOUSING (CHAPTER 4.10):

➤ **Impact 4.10.2. Displacement of a Substantial Number of Persons or Housing.**

(a) Findings Concerning Impact 4.10.2.

Implementation of the General Plan may result in the displacement of housing and/or persons due to the construction of infrastructure necessary to serve new development or revitalization efforts. The City finds this impact to be *less than significant*. (DEIR, p. 4.10-9)

(b) Facts and Reasoning that Support Findings.

Implementation of the General Plan would change land use designations in areas, thereby allowing future growth that may require additional and/or enlargement of infrastructure such as roadways and pipelines. (DEIR, p. 4.10-9)

Displacement of population would only occur in limited situations where dilapidated housing may be removed. (DEIR, p. 4.10-9) In July 2009, the City conducted a housing condition survey, completed by Mercy Housing. (DEIR, p. 4.10-9; City of Orland, 2009) The survey indicated that 916 housing units (43 percent) out of the total of 2,129 were substandard. (DEIR, p. 4.10-9) The term “substandard” covers a variety of conditions ranging from needing minor rehabilitation to dilapidated. (DEIR, p. 4.10-9) Of the units classified as substandard 546 (25.6 percent) were in need of minor rehabilitation (DEIR, p. 4.10-9) Relatively few persons would likely be removed and relocated, and the lost housing units most likely would be replaced. (DEIR, p. 4.10-9)

The 2009 Housing Element contains policies designed to encourage the use of housing assistance programs to provide more affordable housing, accommodating and encouraging development of a full range of housing types, maintaining a sufficient inventory of developable land, encouraging both private and public efforts to rehabilitate and improve existing housing stock, and facilitating conservation or replacement of federally assisted housing units that will convert to market-rate housing. (DEIR, p. 4.10-9; Housing Element, pp. 30-47)

Implementation of the General Plan would not displace substantial numbers of housing units or people as the majority of land which may be developed in the future has very little or no housing on it presently. (DEIR, p. 4.10-9) State and federal law require due compensation for persons required to relocate as a result of redevelopment projects carried out by the City or any projects that use federal or state funding. (DEIR, p. 4.10-9)

Any private development that may occur would pay the fair market price for any land/housing acquired as a result of project development. (DEIR, p. 4.10-9) Therefore, although displacement of persons or housing may result, due compensation offsets any cost related effects. (DEIR, p. 4.10-9) As a result, impacts related to displacement of housing units or people would be *less than significant*. (DEIR, p. 4.10-9)

I. FINDINGS CONCERNING COMMUNITY SERVICES (CHAPTER 4.11):

➤ **Impact 4.11.1.1. Fire Protection and Emergency Medical Services.**

(a) Findings Concerning Impact 4.11.1.1.

Implementation of the General Plan would increase the demand for fire protection and emergency medical services. The City finds this impact to be *less than significant*. (DEIR, p. 4.11-4)

(b) Facts and Reasoning that Support Findings.

Development of the City of Orland under the 2008-2028 General Plan would result in an expansion of the City limits and Planning Area, and could potentially result in an increase of population, housing and commercial and industrial uses. (DEIR, p. 4.11-4) Expansion of the city limits would increase response times to locations farther from the existing fire station, reducing the effectiveness of the Fire Department's ability to provide services. (DEIR, p. 4.11-4) At its present staffing levels, the Fire Department could not provide services to potential growth allowed under the General Plan. (DEIR, pp. 4.11-4 – 4.11-5)

The City currently has plans to construct a new water storage tank with a minimum usable capacity of 1 million gallons. (DEIR, p. 4.11-5) Construction of this facility would address the concerns of water supply dependability, particularly if the tank and its pumps are sized to fire flow requirements and normal water usage computed at the peak use period (June to August). (DEIR, p. 4.11-5)

In addition, several policies and programs contained in the General Plan's Safety Element are intended to reduce the impacts on fire protection services. (DEIR, p. 4.11-5) *Policy 4.3.A* seeks to maintain fire protection levels of service by continuing to require development to provide and/or fund fire protection facilities. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.1* calls for development and adoption of standards for fire suppression facilities. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.2* requires review of the need for automatic fire protection sprinklers within new residential and commercial development. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.3* requires all new development to design public facility improvements to ensure that water volume and hydrant spacing are adequate. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.4* recognizes that the City should consider amending or adopting an ordinance that requires clear and recognizable addresses for all structures. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.5* enforces the requirements of Public Resources Code Sections 4290 and 4291 on all development projects. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8)

Policy 4.3.B states that the City will continue to support the needs of the Orland Volunteer Fire Department and provide assistance to maintain an efficient and functional fire service operation. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Policy 4.3.C* states that the City will strive to maintain and improve the current Insurance Service Office rating of 4, for safety and associated economic benefits. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8)

Implementation of the abovementioned policies and programs, as well as construction of a new water storage tank, would ensure adequate fire protection services and facilities for City residents and properties as new development occurs. (DEIR, p. 4.11-6) As a result, impacts to fire protection services after implementation of the General Plan policies and programs will be *less than significant*. (DEIR, p. 4.11-6)

➤ **Impact 4.11.1.2. Wildland Fires.**

(a) **Findings Concerning Impact 4.11.1.2.**

Implementation of the General Plan could result in safety hazards associated with wildland fires in residential areas adjacent to open space and natural areas. The City finds this impact to be *less than significant*. (DEIR, p. 4.11-6)

(b) **Facts and Reasoning that Support Findings.**

Several policies and programs contained in the General Plan's Safety Element are intended to reduce the safety hazards associated with wildland fires in residential areas adjacent to open space and natural areas. (DEIR, p. 4.11-6) *Policy 4.3.A* seeks to maintain fire protection levels of service by continuing to require development to provide and/or fund fire protection facilities. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8) *Program 4.3.A.1* calls for development and adoption of standards for fire suppression facilities. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8) *Program 4.3.A.2* requires review of the need for automatic fire protection sprinklers within new residential and commercial development. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8) *Program 4.3.A.3* requires all new development to design public facility improvements to ensure that water volume and hydrant spacing are adequate. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8) *Program 4.3.A.4* recognizes that the City should consider amending or adopting an ordinance that requires clear and recognizable addresses for all structures. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8) *Program 4.3.A.5* enforces the requirements of Public Resources Code Sections 4290 and 4291 on all development projects. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8)

Policy 4.3.B states that the City will continue to support the needs of the Orland Volunteer Fire Department and provide assistance to maintain an efficient and functional fire service operation. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8) *Policy 4.3.C* states that the City will strive to maintain and improve the current Insurance Service Office rating of 4, for safety and associated economic benefits. (DEIR, p. 4.11-6; General Plan Update, p. 4.0-8)

Implementation of the abovementioned policies and programs would ensure that impacts on fire protection services will be *less than significant*. (DEIR, p. 4.11-6)

➤ **Impact 4.11.2.1. Police Protection.**

(a) Findings Concerning Impact 4.11.2.1.

The General Plan would increase the demand for police protection services, which would require additional staff and facilities. The City finds this impact to be *less than significant*. (DEIR, p. 4.11-9)

(b) Facts and Reasoning that Support Findings.

Potential development under the General Plan will create the need for an additional nine police officers and three patrol vehicles. (DEIR, p. 4.11-9) The existing police station no longer has the capacity to house additional staff and equipment under current conditions; however, planned renovation of the City-purchased building at 824 Fourth Street, will provide adequate space, nearly doubling the area of the current building. (DEIR, pp. 4.11-9 – 4.11-10)

Several policies and programs contained in the General Plan's Safety Element are intended to reduce the impacts on police protection services. (DEIR, p. 4.11-10) *Policy 4.4.A* states that the City will strive to provide high-quality police services for residents and businesses. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-10) *Program 4.4.A.1* emphasizes the City's continued use of modern technology in providing effective law enforcement, as well as use of up-to-date technology to assist in the maintenance and improvement of service levels and response times. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-10) The City will continue to maintain and improve its stated response time standards for all calls, especially emergency calls. (DEIR, p. 4.11-10) *Program 4.4.A.2* states that the City will continue to participate in its mutual aid agreements and coordination between the City's police department and other law enforcement agencies. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-11) *Program 4.4.A.3* requires that the City annually consider the needs of the Orland Police Department and will support those needs with budget revenues, grants, and impact fees. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-11) As part of this budget review process, the City will review impact fee rates to ensure they adequately reflect a fair share of funding by development and other law enforcement service recipients. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-11)

Policy 4.4.B requires incorporation of police protection considerations into City and community activities. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-11) *Program 4.4.B.1* refers development proposals received by the City to the Orland Police Department for review and comment. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-11) The review process considers the provision of access to lands for emergency services, street access to all structures, and crime prevention programs. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-11)

Program 4.4.B.2 states that the City will continue to promote ongoing public safety programs, including Neighborhood Watch, Police Explorers, Volunteers in Police Services, and other public education and crime prevention efforts. (DEIR, p. 4.11-10; General Plan Update, p. 4.0-11)

Implementation of the abovementioned policies and programs, as well as renovation of the City-purchased building at 824 Fourth Street for a new police station, would ensure that impacts on police protection services and facilities will be *less than significant*. (DEIR, p. 4.11-10)

➤ **Impact 4.11.3.1. Public School Facilities.**

(a) Findings Concerning Impact 4.11.3.1.

Implementation of the General Plan would increase demand for school services provided by the Orland Unified School District. The City finds this impact to be *less than significant*. (DEIR, p. 4.11-17)

(b) Facts and Reasoning that Support Findings.

As noted in the Orland Unified School District's Facilities Assessments and Master Plan, some of the district's existing facilities are at the outer edge of their serviceable life and in some cases are inadequate to serve modern curriculum requirements and growing student populations. (DEIR, p. 4.11-17; OUSD Facilities Assessments and Mater Plan) Future growth in the City would likely require the need for at least two new elementary schools, significant upgrades and modernization of the district's middle school, and strong consideration for a new high school campus. (DEIR, p. 4.11-17) The construction of these upgrades could cause significant environmental impacts. (DEIR, p. 4.11-17)

The district would attempt to utilize several funding sources to facilitate the construction and maintenance of the additional facilities needed to serve projected growth. (DEIR, p. 4.11-17) Sources include, but are not limited to, Proposition 47 funds, developer impact fees, and any local general obligation bond funds. (DEIR, p. 4.11-17) In addition, provisions of Senate Bill 50 ("SB 50") state that payment of fees provide full and complete school facilities mitigation. (DEIR, p. 4.11-17) Typical environmental effects that may occur as a result of the construction and operation of new school facilities include decreased air quality, noise, disturbance of biological and cultural resources (depending on location), increased demand for public services (electric, water, and wastewater) and traffic. (DEIR, p. 4.11-17 – 4.11-18) However, the environmental effects of construction of such facilities within the Planning Area have been programmatically evaluated in the technical analyses of the DEIR as part of the overall development of the Planning Area. (DEIR, p. 4.11-18) Furthermore, the Orland Unified School District would be required to conduct the appropriate environmental review prior to any significant expansion of school facilities of the development of new school facilities. (DEIR, p. 4.11-18)

The Orland General Plan contains no policies or programs that would assist in reducing any potential impacts to public schools because the provisions of SB 50 state that a city does not have the ability to condition any land use approval, whether legislative or adjudicative, on the need for school facilities. (DEIR, p. 4.11-18) Additionally, SB 50 establishes the dollar amount school districts may impose on new development. (DEIR, p. 4.11-18) New public school facilities must undergo rigorous site-specific CEQA and California Board of Education evaluation prior to construction to identify and lessen environmental-related impacts. (DEIR, p. 4.11-18)

California Government Code Sections 65995(h) and 65996(b) provide full and complete school facilities mitigation. (DEIR, p. 4.11-18) Section 65995(h) states that the payment or satisfaction of a fee, charge, or other requirement levied or imposed pursuant to Section 17620 of the Education Code is deemed to be full and complete mitigation of the impacts for the planning, use, development, or the provision of adequate school facilities. (DEIR, p. 4.11-18) Section 65996(b) states that the provisions of the Government Code provide full and complete school facilities mitigation. As a result, impacts on public school facilities will be *less than significant*.

J. FINDINGS CONCERNING PUBLIC SERVICES AND UTILITIES (CHAPTER 4.12):

➤ **Impact 4.12.5.1. Electrical, Natural Gas and Communication.**

(a) Findings Concerning Impact 4.12.5.1.

Implementation of the General Plan would substantially increase demand for electrical, natural gas, telephone, and related infrastructure. The City finds this impact to be *less than significant*. (DEIR, p. 4.12-29)

(b) Facts and Reasoning that Support Findings.

Implementation of the General Plan could result in the construction of 2,643 new dwelling units within the City by the year 2028 for a total of 4,433 dwelling units and an additional 4,933 people for a total 2028 population of 12,286. (DEIR, p. 4.12-29) Construction of this anticipated development would involve the use of heavy construction equipment and power tools as well as the creation of additional vehicle trips for materials deliveries and worker commutes. (DEIR, p. 4.12-29) These activities would require the intermittent consumption of fuels and electricity as individual development projects proceed throughout the Planning Area over the 20 years. (DEIR, p. 4.12-29) The operation of the anticipated development would result in regular and ongoing consumption of electricity and natural gas to light, heat and cool homes and businesses as well as the consumption of fuels related to increased vehicle trips. (DEIR, p. 4.12-29) The specific potential environmental effects associated with increased traffic as a result of the General Plan Update are addressed in Section 4.13 of the DEIR. (DEIR, pp. 4.12-32, 4.13-1 - 4.13-56)

Electrical service infrastructure extensions would be required to serve development proposed under the General Plan, which may include additional substations, distribution lines, and transmission lines. (DEIR, p. 4.12-29) New developments generally provide the required infrastructure to connect to these systems or provide easements within which the necessary infrastructure can be installed. (DEIR, p. 4.12-29) In general, new utility lines can be installed with little difficulty. (DEIR, p. 4.12-29) However, installation of new facilities could have potentially significant environmental impacts. (DEIR, p. 4.12-29) Future energy and communications infrastructure projects would be reviewed for compliance with CEQA on a project-by-project basis. (DEIR, p. 4.12-29)

Several policies and programs contained in the General Plan's Land Use, Open Space and Circulation Elements are intended to encourage the use of sustainable energy sources and alternative forms of transportation. (DEIR, pp. 4.12-32 - 4.12-33) *Policy 2.2.B* and *Program 2.2.B.1* seek to develop a land use pattern that minimizes the expenditure of public funds for infrastructure. (DEIR, p. 4.12-32; General Plan Update, p. 2.0-13) This would be achieved by identifying existing facilities and infrastructure and using this information to develop a land use pattern that maximizes this infrastructure. (DEIR, p. 4.12-32; General Plan Update, p. 2.0-13) Implementation of *Policy 2.2.B* and *Program 2.2.B.1* would ensure that electrical, natural gas, and television service needs are met in a timely, efficient, and logical manner by phasing the development of public facilities to encourage orderly development, as well as assist in reducing the General Plan's electrical, natural gas, telephone, and cable-related impacts to a level that is considered to be *less than significant*. (DEIR, p. 4.12-32)

Policy 5.5.C explores opportunities to train appropriate City staff on new technology, attempts to reduce green house gas emissions by looking for opportunities to improve energy efficiency in public facilities. (DEIR, p. 4.12-32; General Plan Update, p. 5.0-14) *Policy 5.5.D* further attempts to reduce energy consumption by researching the adoption of sustainable design practices which encourage the use of alternative energy sources in lieu of fossil fuels. (DEIR, p. 4.12-32; General Plan Update, p. 5.0-14) *Policy 5.5.E* ensures review of local subdivision, zoning, and building ordinances to identify whether impediments exist to the use of alternative energy sources. (DEIR, p. 4.12-32; General Plan Update, p. 5.0-14) *Policy 5.5.H* explores the use of alternative energy sources such as solar and/or wind-powered technologies. (DEIR, p. 4.12-32; General Plan Update, p. 5.0-14) *Policy 5.5.F* encourages the use of alternative forms of transportation within the community to reduce fuel consumption. (DEIR, p. 4.12-33; General Plan Update, p. 5.0-14)

Policy 3.3.C and associated *Program 3.3.C.1* ensure the installation of traffic control devices at intersections, as needed, in order to reduce traffic congestion at key intersections throughout the City. (DEIR, p. 4.12-33; General Plan Update, p. 3.0-20) Such measures will reduce the fuel consumption resulting from congested intersections, lower average speeds, and decrease idling times. (DEIR, p. 4.12-33) *Program 3.6.A.1* provides for bus pull-outs and transit stops at locations determined by the City and transit agency to be appropriate. (DEIR, p. 4.12-33; General Plan Update, p. 3.0-21)

Policy 3.6.C ensures coordination with regional transit planners to determine the feasibility of developing and/or improving commuter bus service. (DEIR, p. 4.12-33; General Plan Update, p. 3.0-21) *Policy 3.6.B* and associated *Program 3.6.B.1* encourage the use of car-pooling, van-pooling and flexible employment hours for employees in the City. (DEIR, p. 4.12-33; General Plan Update, p. 3.0-21) Improved bus service and expanded car-pooling and van-pooling options will lead to less dependence on the single occupant automobile driver within the City, thus reducing greenhouse gas emissions. (DEIR, p. 4.12-33) *Policies 3.7.A, 3.7.B, 3.7.D, 3.8.A, 3.8.B, 3.8.C* and *Program 3.8.B.1* strive to improve pedestrian and bicycle pathways by connecting major destinations in Orland which will also encourage alternative forms of transportation and reduce dependency on automobiles. (DEIR, p. 4.12-33; General Plan Update, p. 3.0-22)

In addition, future development within the Planning Area would be required to comply with all applicable federal, state and local regulations and standards related to energy conservation as described in the DEIR, including the California Building Energy Efficiency Standards. (DEIR, p. 4.12-33, 4.12-27 – 4.12-28)

Implementation of the abovementioned policies and programs, as well as compliance with the applicable energy conservation regulations and standards, would ensure that the impacts associated with the increased demand for electricity, natural gas, fossil fuels, and related infrastructure will be *less than significant*. (DEIR, p. 4.12-33)

K. FINDINGS CONCERNING TRANSPORTATION AND CIRCULATION (CHAPTER 4.13):

➤ **Impact 4.13.3. Public Transportation.**

(a) Findings Concerning Impact 4.13.3.

Implementation of the General Plan would result in an increase in the demand for transit and public transportation services. The City finds this impact to be *less than significant*. (DEIR, p. 4.13-48)

(b) Facts and Reasoning that Support Findings.

Currently, there is limited direct public transportation service to the City. (DEIR, p. 4.13-49) The frequency and proximity of future public transportation service is not known at this time. (DEIR, p. 4.13-49) However, several policies and programs contained in the General Plan's Circulation Element are intended to improve public transportation service in the Orland Planning Area. (DEIR, p. 4.13-49)

Policy 3.6.A states that planning and development of Arterial and Major Collector streets shall include design features that can be used as public transit stops. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-21) Associated *Program 3.6.A.1* mandates that Arterial and Major Collector streets shall be designed to provide for bus pull-outs and transit stops at locations determined by the City. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-21)

Policy 3.6.B encourages the use of car-pooling, van-pooling and flexible employment hours for employees in the city. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-21) Associated *Program 3.6.B.1* states that new development shall consider Transportation System Management and Transportation Demand Management as strategies for the mitigation of traffic and parking congestion. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-21) Public transit, traffic management, ride sharing and parking management are to be used to the greatest extent practical. (DEIR, p. 4.13-49) *Policy 3.6.C* coordinates with regional transit planners to determine the feasibility of developing and/or improving commuter bus service. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-21) *Policy 3.6.D* supports the continuation of transportation programs provided by social service agencies. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-21)

Implementation of the abovementioned policies and programs would ensure that the impacts associated with the increased demand for transit and public transportation will be *less than significant*. (DEIR, p. 4.13-49)

➤ **Impact 4.13.4. Bicycle and Pedestrian Facilities.**

(a) **Findings Concerning Impact 4.13.4.**

Implementation of the General Plan would result in an increased demand for bicycle and pedestrian facilities. The City finds this impact to be *less than significant*. (DEIR, p. 4.13-49)

(b) **Facts and Reasoning that Support Findings.**

Several policies and programs contained in the General Plan's Circulation Element are intended to improve bicycle and pedestrian facilities in the Orland Planning Area. (DEIR, p. 4.13-49) *Policy 3.7.A* states that the City shall support the concept of an east/west multi-modal circulation link in north Orland. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-22) *Policy 3.7.B* seeks to utilize canal rights-of-way and drainage facilities for multi-use purposes, to include trails. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-22) *Policy 3.7.C* prioritizes the creation of linkages between public places (schools, parks, government buildings) to facilitate the movement of people through the City. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-22) *Policy 3.7.D* mandates that the City shall prioritize the establishment of a pedestrian crossing of Highway 32 linking residences to parks. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-22) *Policy 3.8.A* states that adequate sidewalks shall be planned and constructed in connection with street construction work in the City. (DEIR, p. 4.13-49; General Plan Update, p. 3.0-22) Furthermore, *Policy 3.8.B* states that subdivision layouts shall include designs that promote pedestrian circulation in a safe and efficient manner, and associated *Program 3.8.B.1* seeks to implement street standards that include sidewalk or walkways on both sides of streets where appropriate. (DEIR, pp. 4.13-49 – 4.13-50; General Plan Update, p. 3.0-22)

Policy 3.8.C states that bicycle lanes should be established where feasible along Major and Minor Collectors in newly developing areas. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-22) *Policy 3.8.D* encourages existing facilities and requires future facilities to conform to the Americans With Disabilities Act provisions requiring access for disabled persons. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-22) Meanwhile, *Policy 3.8.E* maximizes the use of rights-of-way, easements, and utility corridors through the installation of pedestrian and bicycle facilities. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-22)

Implementation of the abovementioned policies and programs would ensure that impacts associated with the increased demand for bicycle and pedestrian facilities in the Orland Planning Area will be *less than significant*. (DEIR, p. 4.13-50)

➤ **Impact 4.13.5. Right of Way Preservation.**

(a) **Findings Concerning Impact 4.13.5.**

Implementation of the General Plan would result in an increased demand for roadway capacity. The City finds this impact to be *less than significant*. (DEIR, p. 4.13-50)

(b) **Facts and Reasoning that Support Findings.**

The General Plan includes a proposed circulation system to meet future demands as shown in Figure 4.13-2 of the DEIR. (DEIR, p. 4.13-50) An important component of implementing the proposed circulation system is the preservation of land right-of-way in transportation corridors. (DEIR, p. 4.13-50)

Several policies and programs contained in the General Plan's Circulation Element are intended to preserve rights-of-way for the proposed circulation system. (DEIR, p. 4.13-50) *Policy 3.2.A* states that locations of Major Collector street intersections with Arterial streets shall be fixed by the Circulation Plan Map. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-15) Roadway dedications and development design shall implement the Circulation Plan. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-15) Locations of Major Collector alignments in newly developing areas shall be logical and efficient, and established early in the development process to aid in the consistent design of subdivisions. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-15) No development will be allowed to be constructed which would conflict with future planned streets or setbacks. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-15) Associated *Program 3.2.A.1* encourages property owners in newly developing areas to prepare Master Plans or Specific Plans that identify future major street alignments. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-16) The City will participate in the design of street alignments in advance of development to ensure consistent and logical design of the circulation system. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-16) *Program 3.2.A.2* continues to work with Glenn County to coordinate new street alignments and improvements. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-16)

Program 3.2.A.3 pursues the reservation of right-of way and defines specific development standards and requirements through the preparation and adoption of road line plans, which preserve right-of-way, street width, and the arrangement of sidewalks and bike lanes. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-16)

Policy 3.2.C states that all streets, roads and easements within the City Planning Area shall be offered for dedication to the City and all improvements and rights-of-way shall be developed to City standards. (DEIR, p. 4.13-50; General Plan Update, p. 3.0-17) *Associated Program 3.2.C.1* states that the ultimate right-of-way shall be dedicated and/or developed to the appropriate width when a zone change to a greater density or intensity, division of property, or new development of major remodeling occurs. (DEIR, p. 4.13-50 – 4.13-51; General Plan Update, p. 3.0-18) *Policy 3.2.D* mandates that on developed streets, where the existing right-of-way does not meet the current standards, the City will adopt programs to acquire the ultimate right-of-way where practical and determined to be necessary or desirable. (DEIR, p. 4.13-51; General Plan Update, p. 3.0-18) *Program 3.2.D.1* includes the acquisition of right-of-way and the construction or reconstruction of streets in its Capital Improvement Program. (DEIR, p. 4.13-51; General Plan Update, p. 3.0-18) *Program 3.2.D.2* seeks additional right-of-way on the east side of Papst Avenue, 400 feet south of Bryant Street, and at Papst Avenue and Highway 32, to be acquired for City standard road widths. (DEIR, p. 4.13-51; General Plan Update, p. 3.0-18) *Policy 3.2.H* ensures that adequate and safe travel-ways can be developed through existing developed areas of the City. (DEIR, p. 4.13-51; General Plan Update, p. 3.0-19)

Implementation of the abovementioned policies and programs would ensure that impacts associated with increased demand for roadway capacity in the Orland Planning Area will be *less than significant*. (DEIR, p. 4.13-51)

1.7.4 SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The findings requirement effectuates “CEQA’s substantive mandate” that public agencies refrain from approving projects with significant environmental impacts when there are “feasible alternatives or mitigation measures” that can substantially lessen or avoid those impacts. (*Mountain Lion Foundation v. Fish & Game Commission* (1977) 16 Cal. 4th 105, 134; Pub. Resources Code, Section 21002; CEQA Guidelines, Sections 15002(a)(3), 15021(a)(2)) “[T]he purpose of the statutory requirement for findings is to ensure that the decision-making agency actually considers alternatives and mitigation measures.” (*Resource Defense Fund v. Local Agency Formation Commission of Santa Cruz County* (1987) 191 Cal.App.3d 886, 896) “The requirement ensures there is evidence of the public agency’s actual consideration of alternatives and mitigation measures, and reveals to citizens the analytical process by which the public agency arrived at its decision. [Citations] Under CEQA, the public agency bears the burden of affirmatively demonstrating that, notwithstanding a project’s impact on the environment, the agency’s approval of the proposed project followed meaningful consideration of alternatives and mitigation measures. [Citation]” (*Mountain Lion Foundation v. Fish & Game Commission*, supra, 16 Cal. 4th 134; see also, *Protect Our Water v. County of Merced* (2003) 110 Cal.App.4th 362, 365)

However, findings need not be perfect. If they contain some ambiguity or are unclear on some point, a court may examine the EIR or other administrative documents to resolve the confusion or to seek clarification on a point. (*No Oil, Inc. v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 239-242, citing *City of Poway v. City of San Diego* (1984) 155 Cal.App.3d 1037, 1046)

Here, the EIR identified several significant environmental effects (or “impacts”) that would result from the City’s approval and implementation of the 2008-2028 General Plan. (DEIR, p. 2.0-5 - 2.0-83) Many significant effects were avoided altogether because the General Plan contains goals, policies, and/or implementation strategies that prevent the occurrence of significant effects in the first place. For other effects, additional mitigation is identified in the Draft EIR. (DEIR, p. 2.0-5 - 2.0-83) In some instances, the impacts have been reduced through the implementation of the City’s General Plan Land Use Diagram (Figure 3.0-3 of the DEIR). Some significant impacts of the 2008-2028 General Plan, however, cannot be avoided by the adoption of feasible mitigation measures or feasible alternatives; these effects are outweighed by overriding considerations set forth in Section 1.7.8.

Where these findings conclude that no additional mitigation is available, that conclusion includes the finding that there is no additional mitigation available that would be consistent with the General Plan as a whole and most of the Objectives (Section 1.4 above) of the Orland General Plan and be otherwise feasible. This Section presents in greater detail the City Council’s findings with respect to the potentially significant and significant environmental effects of the City of Orland 2008-2028 General Plan.

The level of significance for each impact examined in the General Plan Update EIR was determined by considering the predicted magnitude of the impact against a threshold. (DEIR, p. 4.0-11) Thresholds were developed using criteria from the CEQA Guidelines, local/regional plans and ordinances, accepted practice, and/or consultation with recognized experts. (DEIR, p. 4.0-11) Thresholds of significance are identified in each applicable section of the EIR. Four levels of impact significance are recognized by these findings:

- Less than Significant impacts would not cause a substantial change in the environment or are not disruptive enough to require mitigation, because they fall below the significance threshold. (DEIR, p. 4.0-11)
- Potentially Significant impacts may cause a significant effect on the environment; however, additional information is needed regarding the extent of the impact. For CEQA purposes, a potentially significant impact is treated as if it were a significant impact. (DEIR, p. 4.0-11)
- Significant impacts would cause a substantial adverse change in the physical conditions of the environment. Significant impacts are identified by the evaluation of the project’s effects using specified significance criteria. Mitigation measures are identified to avoid project impacts, thus reducing project effects to a less than significant level. (DEIR, p. 4.0-11)

- Significant and Unavoidable impacts are significant adverse project impacts that cannot be avoided or mitigated to a less than significant level if the project is implemented. (DEIR, p. 4.0-11)

The City Council hereby adopts and makes the following findings relating to its approval of the City of Orland General Plan Update and the FEIR. For more detail regarding mitigation measures, alternatives, thresholds of significance, specific impact analysis and resulting levels of significance, please refer to the DEIR and FEIR. In making these findings the City Council is not only reciting basis for approval of the General Plan Update, but also adopting the mitigation measures described herein. The mitigation measures are hereby adopted and made part of the approval of the General Plan. Each of the mitigation measures will become goals, policies or programs of the General Plan and shall be enforceable as the General Plan is implemented.

Having received, reviewed and considered the entire record, both written and oral, relating to the City of Orland General Plan Update and associated Environmental Impact Report, the City Council finds as follows:

A. FINDINGS CONCERNING AGRICULTURAL RESOURCES (CHAPTER 4.2):

- **Impact 4.2.1. Loss of Agricultural Land.** Implementation of the General Plan would result in the loss of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as designated under the Farmland Mapping and Monitoring Program. This is considered a *significant* impact. (DEIR, p. 4.2-12)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.2.1:

The City shall review development projects to mitigate for conversion of Prime Farmland and Farmland of Statewide Importance as defined on the California Department of Conservation Important Farmland Map for Glenn County for parcels of 40 acres or larger. Potential mitigation measures include conservation easements, in-lieu fees, or other measures such as improvements to existing agricultural land. (DEIR-4.2-13 – 4.2-14.)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan goals, policies and programs applicable to **Impact 4.2.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.2-13)

(c) Findings Concerning Impact 4.2.1.

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new program under *Policy 5.1.1*. (DEIR, p. 4.2-13) The City further finds that although implementation of the above-stated mitigation measure and all applicable General Plan goals, policies and programs may work to reduce the impact associated with the loss of important farmland, the mitigation measure would not reduce these impacts to below a level of significance. (DEIR, p. 4.2-14) No feasible additional mitigation is available to substantially reduce or avoid this significant impact. For this reason, the impact would remain *significant and unavoidable*. (DEIR, p. 4.2-14)

As fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the remaining significant adverse impacts relating to the Project's conversion of important Agricultural Lands.

(d) Facts and Reasoning that Support Findings.

Future development and associated public improvements allowed under the 2008-2028 General Plan would result in the conversion of important farmland. According to the 2006 Glenn County Important Farmland Map, the Planning Area contains approximately 1,328 acres of Prime Farmland, 566 acres of Unique Farmland, and 208.1 acres of Farmland of Statewide Importance. (DEIR, p. 4.2-12) The Planning Area also contains approximately 1,042 acres of Farmland of Local Importance and 146 acres of Grazing Land. (DEIR, p. 4.2-12) Prime Farmland is of particular importance, as this type of farmland requires the least amount of preparation to be a productive agricultural resource. (DEIR, p. 4.2-12) Farmland of Statewide Importance is defined as farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes of less ability to store soil moisture. (DEIR, p. 4.2-12) Unique Farmland consists of lesser quality soils used for the production of the State's leading agricultural crops. (DEIR, p. 4.2-12) These agricultural lands are located in the eastern portions of, and surrounding, the City limits. (DEIR, p. 4.2-12) The General Plan would permit residential and other development in these areas (upon annexation in the case of lands within the City Planning Area yet outside of the City limits). (DEIR, p. 4.2-12) Once these agricultural lands are developed, they essentially are lost as an agricultural resource. (DEIR, p. 4.2-12) Farmland of Local Importance is considered an important agricultural resource at the local level. (DEIR, p. 4.2-12) Development under the General Plan would result in the loss this farmland as well. (DEIR, p. 4.2-12)

Mitigation Measure 4.2.1 is intended to reduce the impacts associated with the loss of important farmland through payment of compensation for any important farmland loss as a result of development authorized under the General Plan. (DEIR, p. 4.2-14)

Mitigation Measure 4.2.1 requires the City to review development projects to mitigate for conversion of Prime Farmland and Farmland of Statewide Importance as defined on the California Department of Conservation Important Farmland Map for Glenn County for parcels of 10 acres or larger in size, as well as other agricultural lands not labeled as Prime Farmland or Farmland of Statewide Importance for parcels of 40 acres or larger in size, as of the adoption date of this General Plan to urban uses: (1) granting a farmland conservation easement to or for the benefit of the City and/or a qualifying entity approved by the City, at a 1:1 ratio for each acre and quality developed, (2) if the City adopts a farmland conservation program, by payment of an in-lieu fee as established by the farmland conservation program, which shall be reviewed and adjusted periodically to ensure that the fee is adequate to offset the cost of purchasing farmland conservation easements at a 1:1 ratio, or (3) other form of compensation at a 1:1 ratio, such as improvements to existing agricultural land, that is acceptable to the City and conserves the farmland in perpetuity. (FEIR, p. 3.2-11) The City shall use minimum standard guidelines identifying requirements for conservation easements, including timing of conservation easements, location of land to be preserved, land mitigation ratio and quality, and minimum standards for conservation easements. (FEIR, p. 3.2-11)

Several goals, policies and programs contained in the General Plan's Land Use and Open Space Elements are also intended to reduce the impacts associated with the loss of important farmland. (DEIR, p. 4.2-13) *Goal 2.2* states that the City will strive to maintain a compact urban form and preserve agricultural land outside of the City within the Planning Area. (DEIR, p. 4.2-13; General Plan Update, p. 2.0-13) *Policy 2.2.A* requires that adequate buffers shall be maintained between agricultural land and urbanized areas. *Program 2.2.A.1* states that the City will implement the Agricultural Buffer Guidelines where needed to ensure the protection of agricultural operations adjacent to future urban development along the city limits and when reviewing projects within the Sphere of Influence. (DEIR, p. 4.2-13; General Plan Update, p. 2.0-13) *Policy 2.2.B* directs development toward existing neighborhoods by encouraging infill and redevelopment activity. (DEIR, p. 4.2-13; General Plan Update, p. 2.0-13) *Program 2.2.B.1* requires the City to consider programs or policies which reduce fees and streamline the development process for infill and redevelopment projects. (DEIR, p. 4.2-13; General Plan Update, p. 2.0-13) *Program 2.2.B.2* reduces the approval of incompatible uses on unincorporated land adjacent to the City by developing a comprehensive annexation program. (DEIR, p. 4.2-13; General Plan Update, p. 2.0-13) The Orland City Council adopted a comprehensive annexation policy on August 18, 2008. (DEIR, p. 4.2-13)

Goal 5.1 promotes and protects the continued viability of agriculture surrounding Orland. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-4) *Policy 5.1.A* encourages the development and redevelopment of property within the city limits and Sphere of Influence prior to considering development outside of these areas. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-4) *Policy 5.1.B* directs urban development to areas where agricultural operations are already constrained by existing non-agricultural uses. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-4)

Policy 5.1.F encourages the use of on-site density transfers, flexible zoning standards, and density averaging on sites with existing agricultural operations or agricultural processing operations. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-5 - 5.0-6) *Program 5.1.F.1* requires that the City review the existing zoning pattern to determine where the use of these provisions may be applicable or desirable. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-5 - 5.0-6) *Policy 5.1.G* refers all development requests adjacent to, or affecting, facilities owned and operated by the Orland Unit Water Users Association (OUWUA) for review and comment. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-6) *Policy 5.1.H* also requires the City to work with OUWUA and the Federal Bureau of Reclamation to implement the application and guidelines for the undergrounding of the OUWUA irrigation canals within the City of Orland. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-4) *Policy 5.1.I* states that the City will work with Glenn County to identify and adopt City/County “Areas of Mutual Concern” to consider standard mitigation measures to reduce impacts of development on agricultural activities. (DEIR, p. 4.2-13; General Plan Update, p. 5.0-6)

Implementation of **Mitigation Measure 4.2.1** and the abovementioned goals, policies and programs would reduce the impact associated with the loss of important farmland; however, not to a less than significant level

- **Impact 4.2.2. Changes in Existing Land Uses Resulting in the Conversion of Agricultural Land.** Implementation of the General Plan could create conflicts between existing agricultural and future urban development within the Planning Area. This is considered a *significant* impact. (DEIR, p. 4.2-14)

(a) Mitigation Adopted by the City.

None available.

(b) Implementation.

The General Plan policies and programs applicable to **Impact 4.2.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.2-14 - 4.2-15)

(c) Findings Concerning Impact 4.2.2.

The City finds that there are no feasible mitigation measures which the City could adopt at this time which would reduce the impact to a level of less than significant. (DEIR, pp. 4.2-14 – 4.2-15) The City further finds that although the implementation of applicable General Plan policies and programs will reduce the impacts associated with the conversion of agricultural land, they would not reduce these impacts to below a level of significance. For this reason, the impact would remain **significant and unavoidable**. (DEIR, p. 4.2-15)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse impacts relating to the conversion of agricultural land.

(d) Facts and Reasoning that Support Findings.

Under the General Plan, urban development would be allowed to expand west, south, and northeast of the current city limits. (DEIR, p. 4.2-14) As more urban development occurs outside the existing city limits, individual projects may be placed adjacent to lands designated for agricultural use, or agricultural operations, which could create conflicts between these land uses, both within the Planning Area and with agricultural uses adjacent to the Planning Area. (DEIR, p. 4.2-14) Because of the inherent conflicts between agricultural and urban uses, new urban development may increase the potential for agricultural conversion to non-agricultural uses. (DEIR, p. 4.2-14)

Several policies and programs contained in the General Plan's Open Space Element are intended to reduce the conversion of agricultural land that may result from implementation of the General Plan.. (DEIR, p. 4.2-14) *Policy 5.1.C* addresses the impacts of siting sensitive uses in areas where conflicts with agricultural production and processing activities may result during the project review process and may require buffers between the uses. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-4) *Program 5.1.C.1* establishes that buffers shall be designed to avoid conflicts between agricultural and non-agricultural uses, which should ensure that the buffer does not host pests or carriers of disease which could impact farming operations. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-4) *Program 5.1.C.2* ensures that buffers shall normally be located on the parcel proposed for non-agricultural use. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-5) *Program 5.1.C.3* states that buffers should primarily consist of a physical separation between agricultural and non-agricultural uses, and that the appropriate width shall be determined on a site-by-site basis based on the existing physical features and project design that affect the specific situation. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-5) *Program 5.1.C.4* includes, in addition to physical separation, that the following buffer options should be considered to most effectively reduce conflicts arising from adjacent incompatible uses: green belts/open space, park and recreation areas, roads, fences, walls, waterways, and vegetative screens/trees. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-5) *Program 5.1.C.5* provides for an ongoing maintenance program for the buffer which may include vector controls, and *Program 5.1.C.6* includes policies indicating that buffer restrictions may be removed if all adjacent parcels have been irreversibly converted to non-agricultural uses. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-5)

Policy 5.1.D creates and maintains buffer zones around areas of existing agricultural processing activities and discourages sensitive uses that encroach upon these facilities. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-5) *Policy 5.1.E* states that buffer zones surrounding agricultural processing plants may vary in width based upon existing and proposed uses and as required by the City on a project-by-project basis. (DEIR, p. 4.2-15; General Plan Update, p. 5.0-5)

Implementation of the abovementioned policies and programs would reduce pressure on adjoining lands to convert to non-agricultural uses, yet not at a level that is less than significant. (DEIR, p. 4.2-15) For this reason, the impact would remain *significant and unavoidable*.

B. FINDINGS CONCERNING AIR QUALITY (CHAPTER 4.3):

- **Impact 4.3.2. Short-Term Emissions from Grading and Construction.** Subsequent land use activities associated with implementation of the General Plan may result in short-term emissions generated by construction and demolition activities that would affect local air quality and could result in health and nuisance-type impacts in the immediate vicinity of individual construction sites as well as contribute to particulate matter and regional ozone impacts. (DEIR, p. 4.3-14) This is considered a *significant* impact to air quality.

(a) Mitigation Adopted by the City.

Mitigation Measure 4.3.2 (project level review in accordance with Glenn County APCD thresholds)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. General Plan *Policy 5.4.B* will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.3-14 – 4.3-15)

(c) Findings Concerning Impact 4.3.2.

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new program under *Policy 5.4.B*. (DEIR, p. 4.3-14) The City further finds that the above-stated mitigation measure and *Policy 5.4.B* would reduce short-term emissions from grading and construction to the maximum extent feasible, but not to a less than significant level. (DEIR, p. 4.3-15) As such, this impact would still exceed significance thresholds. (DEIR, p. 4.3-15) No other feasible mitigation is available to further substantially reduce or avoid this significant impact. As a result, this impact would remain *significant and unavoidable*. (DEIR, p. 4.3-15)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the remaining significant adverse impacts relating to the Project's short-term emissions from grading and construction.

(d) Facts and Reasoning that Support Findings.

Expansion of the City’s Planning Area under the General Plan would result in a projected 2028 population of approximately 12,286 persons, an increase of 4,933 persons over the existing population. (DEIR, p. 4.3-14) Construction activities resulting from the increased population would generate increased emissions of ROG (reactive organic gases), NO_x (nitrogen oxides) and PM₁₀ (particulate matter), for which Glenn County is in nonattainment for the California ambient ozone and air quality standards. (DEIR, p. 4.3-14) Wind erosion and disturbance to exposed areas would also be sources of PM₁₀ emissions. (DEIR, p. 4.3-14) In addition, motor vehicle exhaust associated with construction equipment and construction personnel commuter trips, and material transport and delivery, would contribute to the increased generation of ROG, NO_x and PM₁₀. (DEIR, p. 4.3-14)

Mitigation Measure 4.3.2 is intended to reduce the impacts associated with short-term emissions resulting from construction and grading authorized under the General Plan. (DEIR, p. 4.3-15) **Mitigation Measure 4.3.2** requires individual development projects to be analyzed in accordance with Glenn County Air Pollution Control District-recommended methodologies and significance thresholds. (DEIR, p. 4.3-15) **Mitigation Measure 4.3.2** also requires that all recommended mitigation measures identified during project-level review be incorporated to reduce short-term construction emissions attributable to individual development projects. (DEIR, p. 4.3-15) All such projects will be required to comply with all rules and procedures adopted by the Glenn County APCD.

In addition, General Plan *Policy 5.4.B* ensures that the City will work with the Glenn County APCD in efforts to maintain air quality standards and to minimize air quality impacts associated with new development. (DEIR, p. 4.3-15; General Plan Update, p. 5.0-12)

Implementation of **Mitigation Measure 4.3.2** and *Policy 5.4.B* would reduce potential construction-related air quality impacts. (DEIR, p. 4.3-15) However, these actions would not fully offset air pollution emissions resulting from construction activities. (DEIR, p. 4.3-15) This impact is considered *significant and unavoidable*.

- **Impact 4.3.3. Operational Air Pollutants.** Negative air quality impacts associated with long-term emissions from projected growth over the planning horizon of the General Plan may result in violations of ambient air quality standards. This is considered a *significant* impact. (DEIR, p. 4.3-15)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.3.3a (impose emission reducing design, construction, and operational features)

Mitigation Measure 4.3.3b (prohibit wood-burning devices)

(b) Implementation.

The above-stated mitigation measures are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies applicable to **Impact 4.3.3** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.3-12 - 4.3-22)

(c) Findings Concerning Impact 4.3.3.

The City finds that the above-stated mitigation measures are incorporated into the General Plan as new policies under *Goal 5.4*. (DEIR, p. 4.3-18) The City further finds that although implementation of the above-stated mitigation measures and all applicable General Plan policies and programs would reduce air pollutant emissions that affect Orland, the impact would remain significant. (DEIR, p. 4.3-18) This finding is based on the fact that the 2008-2028 General Plan would result in higher operational emissions than the current General Plan. (DEIR, p. 4.3-18) No feasible additional mitigation is available that would substantially reduce or avoid this significant impact. As a result, this impact would remain *significant and unavoidable*. (DEIR, p. 4.3-18)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse impacts relating to the Project's attainment efforts regarding air quality.

(d) Facts and Reasoning that Support Findings.

The increase of population and development associated with implementation of the General Plan will introduce additional mobile and stationary sources of emissions, which would adversely affect regional air quality. (DEIR, p. 4.3-15) Glenn County is designated nonattainment for the California PM₁₀ (particulate matter) standard. (DEIR, p. 4.3-15) Principal sources of PM₁₀ include fuel burned in cars and trucks, power plants, factories, fireplaces, agricultural activities, and wood stoves. (DEIR, p. 4.3-15)

Implementation of the General Plan would result in increased regional emissions of PM₁₀ as well as ROG (reactive organic gases), NO_x (nitrogen oxides), and CO (carbon monoxide) due to a population addition at General Plan buildout that would increase the use of motor vehicles, natural gas, burning activities, maintenance equipment, and various consumer products, thereby increasing potential operational air quality impacts. (DEIR, p. 4.3-15)

An Urbemis 2007 (Version 9.2.4) analysis was completed to illustrate the maximum daily area stationary and mobile emissions emitted in 2008. (DEIR, p. 4.3-16) Table 4.3-4 of the DEIR contains estimated maximum daily emissions based on existing development. (DEIR, p. 4.3-16)

Table 4.3-5 of the DEIR illustrates the estimated highest-case scenario of unmitigated air quality emissions under the General Plan. (DEIR, p. 4.3-16) This table depicts the mobile emissions profile to potential future emissions at 2028 assuming the high annual growth rate of 2.6 percent. (DEIR, p. 4.3-16)

Based on the estimated 2.6 percent high growth rate, which represents a highest-case scenario, potential emissions resulting from this growth scenario are estimated to be 569.71 tons of ROG, 628.38 tons of NO_x, and 77.33 tons of PM₁₀ per year through the year 2028. (DEIR, p. 4.3-17) These projections are only estimates and are not based on actual development in the City over the next 20 years, as it is not possible to determine what development may occur at this time. (DEIR, p. 4.3-17) However, the air emission analysis does identify that the increase in potential stationary and mobile air pollutant emission sources in the City has the possibility to result in continued exceedance of state air quality thresholds. (DEIR, p. 4.3-17)

Mitigation Measures 4.3.3a and **4.3.3b** are intended to reduce the impacts associated with long-term emissions from projected growth over the planning horizon of the General Plan. (DEIR, p. 4.3-18) **Mitigation Measure 4.3.3a** requires the City to evaluate all new development projects to determine potential significant project-specific air quality impacts. (DEIR, p. 4.3-18) **Mitigation Measure 4.3.3a** also requires development projects to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s), or implement alternate and equally effective mitigation strategies consistent with Glenn County Air Pollution Control District air quality improvement programs to reduce emissions. (DEIR, p. 4.3-18) All actions taken under **Mitigation Measure 4.3.3a** will be required to comply with the rules and procedures adopted by the Glenn County APCD and all other applicable legal requirements.

Mitigation Measure 4.3.3b prohibits the installation and use of wood-burning open masonry fireplaces in all new residential, commercial and industrial development. (DEIR, p. 4.3-18) However, fireplaces with EPA-approved inserts, EPA-approved stoves, and fireplaces burning natural gas will be allowed. (DEIR, p. 4.3-18)

Several policies and programs contained in the General Plan's Open Space and Circulation Elements are also intended to reduce the impacts associated with long-term emissions. (DEIR, p. 4.3-18) *Policy 5.4.B* ensures that the City will work with the Glenn County APCD in efforts to maintain air quality standards and to minimize air quality impacts associated with new development. (DEIR, p. 4.3-18; General Plan Update, p. 5.0-12)

Policy 3.3.C and associated *Program 3.3.C.1* ensure the installation of traffic control devices at intersections, as needed, in order to reduce traffic congestion at key intersections throughout the City. (DEIR, p. 4.3-18; General Plan Update, p. 3.0-20)

Such measures will reduce the air quality-related impacts resulting from congested intersections, lower average speeds and increased idling times (i.e., increase in local carbon monoxide concentrations and other emissions). (DEIR, p. 4.3-18) *Program 3.6.A.1* provides for bus pull-outs and transit stops at locations determined by the City and transit agency to be appropriate, while *Policy 3.6.C* ensures coordination with regional transit planners to determine the feasibility of developing and/or improving commuter bus service. (DEIR, p. 4.3-18; General Plan Update, p. 3.0-21) *Policy 3.6.B* and *Program 3.6.B.1* encourage the use of car-pooling, van-pooling, and flexible employment hours for employees in the City. (DEIR, p. 4.3-18; General Plan Update, p. 3.0-21) Improved bus service and expanded car-pooling and van-pooling options will lead to less dependence on the single-occupant automobile driver within the City, thus reducing air pollutant emissions. (DEIR, p. 4.3-18) *Policies 3.7.A, 3.7.B, 3.7.D, 3.8.A, 3.8.B, 3.8.C* and *Program 3.8.B.1* strive to improve pedestrian and bicycle pathways by connecting major destinations in Orland, which will also encourage alternative forms of transportation and reduce dependency on automobiles, thus reducing air quality impacts. (DEIR, p. 4.3-18; General Plan Update, p. 3.0-22)

Implementation of **Mitigation Measures 4.3.3a** and **4.3.3b** and the abovementioned policies and programs would reduce potential mobile and stationary source air quality impacts. (DEIR, p. 4.3-18) However, they will not offset these pollution increases to a less than significant level. (DEIR, p. 4.3-18)

- **Impact 4.3.4. Exposure to Toxic Air Contaminants.** Subsequent land use activities associated with implementation of the General Plan may result in projects that would include sources of toxic air contaminants (“TAC”) which may affect surrounding land uses and/or place sensitive land uses near existing sources of toxic air contaminants. This impact is considered *significant*. (DEIR, p. 4.3-19)

(a) **Mitigation Adopted by the City.**

Mitigation Measure 4.3.4 (reduce exposure of sensitive uses to TACs)

(b) **Implementation.**

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. General Plan *Policy 5.4.B* will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.3-19 – 4.3-22)

(c) **Findings Concerning Impact 4.3.4.**

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new policy under Goal 5.4. (DEIR, p. 4.3-22) The City further finds that the above-stated mitigation measure and *Policy 5.4.B* would reduce potential for exposure to TACs, but not to a level of less than significant. (DEIR, p. 4.3-22)

There is no additional feasible mitigation available to substantially reduce or avoid the significant impact. (DEIR, p. 4.3-22) Thus, buildout of the General Plan will result in a *significant and unavoidable* adverse impact with respect to TACs. (DEIR, p. 4.3-22)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the remaining significant adverse impacts relating to the Project's exposure of sensitive receptors to substantial pollutant concentrations.

(d) Facts and Reasoning that Support Findings.

Subsequent land use activities associated with implementation of the General Plan could potentially include land uses that are potential sources of TACs. (DEIR, p. 4.3-19) The type and level of TACs are dependent on the nature of the land use, individual facilities, and the methods and operations of particular facilities. (DEIR, p. 4.3-19) Table 4.3-6 of the DEIR displays potential sources of TAC emissions for various land uses that could potentially be implemented under the proposed General Plan. (DEIR, p. 4.3-19) Diesel exhaust particulate was recently added to the California Air Resources Board list of TACs. (DEIR, p. 4.3-19) Activities involving Long-term use of diesel-powered equipment and heavy-duty trucks contribute significantly to TAC levels. (DEIR, p. 4.3-19)

Mitigation Measure 4.3.4 is intended to reduce the impacts associated with potential stationary, mobile, and construction-related TAC emissions. (DEIR, p. 4.3-22) **Mitigation Measure 4.3.4** requires the City to minimize the exposure of sensitive uses, such as residences, schools, day care facilities, group homes, or medical facilities to industrial uses, transportation facilities, or other sources of state-regulated air toxics through the planning review process. (DEIR, p. 4.3-22) All new development authorized under the General Plan will be required to comply with all district, state and federal regulations regarding TAC emissions, Best Available Control Technology standards, and Glenn County APCD air quality permits. (DEIR, p. 4.3-20)

As stated above, General Plan *Policy 5.4.B* also ensures that the City will work with the Glenn County APCD in efforts to maintain air quality standards and to minimize air quality impacts associated with new development. (DEIR, p. 4.3-22; General Plan Update, p. 5.0-12)

Implementation of **Mitigation Measure 4.3.4** and *Policy 5.4.B* would reduce potential stationary, mobile, and construction source TAC impacts. (DEIR, p. 4.3-22) However, these actions would not fully offset TAC source emissions or exposure from mobile sources from roadways. (DEIR, p. 4.3-22) Thus, this impact is considered *significant and unavoidable*.

- **Impact 4.4.1. Impacts to Special-Status Plant and Wildlife Species.** Land uses and development consistent with the General Plan could result in the loss of populations or essential habitat for special-status plant and animal species. This is considered a *potentially significant* impact. (DEIR, p. 4.4-23)

(a) **Mitigation Adopted by the City.**

Mitigation Measure 4.4.1a	(impose project-level mitigation measures)
Mitigation Measure 4.4.1.b	(cooperate with all trustee and responsible agencies)
Mitigation Measure 4.4.1c	(prepare native landscape plans)
Mitigation Measure 4.4.1d	(prohibit use of highly invasive species)
Mitigation Measure 4.4.1e	(preserve essential habitat areas)
Mitigation Measure 4.4.1f	(prepare biological resources assessment)
Mitigation Measure 4.4.1g	(participate in habitat management programs; acquisition and management of open space lands)

(b) **Implementation.**

The above-stated mitigation measures are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.4.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR pp. 4.4-24 – 4.4-26)

(c) **Findings Concerning Impact 4.4.1.**

The City finds as follows: **Mitigation Measures 4.4.1a** through **4.4.1e** are incorporated into the General plan as new programs under *Policy 5.3.A*; **Mitigation Measure 4.4.1f** is incorporated into the General Plan as a new program under *Policy 5.3.D*; **Mitigation Measures 4.4.1g** is incorporated into the General Plan as a new policy under *Goal 5.3*. (DEIR, p. 4.4-24 – 4.4-26) The City further finds that implementation of the above-stated mitigation measures and all applicable General Plan policies and programs would minimize the impacts to special-status plant and wildlife species resulting from proposed development under the General Plan to a *less than significant* level. (DEIR, p. 4.4-26)

As is explained in the Statement of Overriding Considerations in Section 1.7.8, environmental, economic, social, and other benefits of the Project outweigh and override the remaining significant adverse impacts relating to the Project's impacts to special-status plant and wildlife species

(d) Facts and Reasoning that Support Findings.

Land use and development consistent with the General Plan could result in adverse impacts on special-status species or essential habitat for special-status species in the Planning Area. (DEIR, p. 4.4-23) As indicated in Table C-1 in Appendix C of the DEIR, the Planning Area may provide habitat for a number of special-status species. (DEIR, p. 4.4-26) Furthermore, there are two recorded occurrences of special-status species within or near the Planning Area. (DEIR, p. 4.4-26)

As depicted in Table 4.8-2 of the DEIR, there were 844 acres of vacant land within the Planning Area. (DEIR, pp. 4.4-26, 4.8-4) According to Figure 3.0-3 of the DEIR, some of these vacant lands are designated for other uses such as residential, commercial, or light industrial. (DEIR, pp. 4.4-26, 3.0-10) The actual acreage impacted would be determined by future development design proposals, which will be subject to the application of General Plan policies that address protection of biological resources, as well as to further review on a project-by-project basis. (DEIR, p. 4.4-26)

Mitigation Measures 4.4.1a through **4.4.1g** are intended to reduce the impacts to special-status plant and wildlife species that may result from implementation of the General Plan. (DEIR, p. 4.4-24 – 4.4-26) **Mitigation Measure 4.4.1a** requires the City to conduct environmental review of development applications pursuant to CEQA to assess the impact of proposed development on species and habitat diversity, particularly special-status species, sensitive natural communities, wetlands, and habitat connectivity. (DEIR, p. 4.4-24) **Mitigation Measure 4.4.1a** also requires the imposition of adequate project-level mitigation measures for ensuring the protection of sensitive resources. (DEIR, p. 4.4-24) Project-level review and mitigation measures conducted or imposed under **Mitigation Measure 4.4.1a** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.1.b requires the City to cooperate and work with all trustee agencies and agencies with review authority pursuant to CEQA to ensure that development within the City does not substantially affect areas identified to contain or possibly support special-status species. (DEIR, p. 4.4-25) Areas that may support special-status species include annual grassland communities, jurisdictional wetland features, agricultural communities that contain wetlands, riparian communities including oak woodlands, and drainages including rivers, streams, and creeks. (DEIR, p. 4.4-25) All actions taken under **Mitigation Measure 4.4.1b** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.1c requires the City to prepare lists of appropriate native landscape species and inappropriate invasive exotic species for use by property owners in developing landscape plans or enhancing existing landscaping, and include this list in the Design Guidelines. (DEIR, p. 4.4-25) The list shall be prepared with input from the California Department of Fish and Game, Agricultural Commissioner, University of California Cooperative Extension, California Native Plant Society, and other appropriate sources to verify suitability. (DEIR, p. 4.4-25)

All landscape plans prepared under **Mitigation Measure 4.4.1c** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.1d prohibits the use of highly invasive species in landscaping. (DEIR, p. 4.4-25) **Mitigation Measure 4.4.1d** also requires the City to encourage the use of native or compatible non-native plant species indigenous to the site vicinity as part of the discretionary review of project landscaping. (DEIR, p. 4.4-25) Finally, **Mitigation Measure 4.4.1d** requires that landscaping improvements for community parks, trails, and other public areas include the use of native plant materials or compatible non-native plant species that recognize and enhance the natural resource setting of the City. (DEIR, p. 4.4-25) All actions taken under **Mitigation Measure 4.4.1d** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.1e requires the City to preserve wetlands, habitat corridors, sensitive natural communities, and other essential habitat areas that may be adversely affected by public or private development projects where special-status plant and animal species are known to be present or potentially occurring based on City biological resource mapping or other technical material. (DEIR, p. 4.4-25) All actions taken under **Mitigation Measure 4.4.1e** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.1f requires the preparation of a biological resources assessment as part of the discretionary review process for individual development projects. (DEIR, p. 4.4-25) The biological resources assessment will consider the impacts of the proposed development project on special-status species and/or the habitats that support these species. (DEIR, p. 4.4-25) If proposed development is located outside of ecologically sensitive areas, no site-specific assessment of biological resources may be necessary. (DEIR, p. 4.4-26) All biological resources assessments implemented as a result of **Mitigation Measure 4.4.1f** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.1g requires the City to protect sensitive biological resources and habitat corridors through environmental review of development applications in compliance with CEQA provisions, participation in comprehensive habitat management programs with other local and resource agencies, and continued acquisition and management of open space lands that provide for permanent protection of important natural habitats. (DEIR, p. 4.4-26) All actions taken under **Mitigation Measure 4.4.1g** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Several policies and programs contained in the General Plan's Open Space Element are also intended to reduce the impacts to special-status plant and wildlife species. (DEIR, p. 4.4-24) *Policy 5.3.A* seeks to apply mitigation measures to development projects to minimize impacts to biological resources during all stages of development including grading, construction, and occupancy. (DEIR, p. 4.4-24; General Plan Update, p. 5.-10)

Policy 5.3.B considers opportunities for habitat preservation, enhancement, and creation in conjunction with public facility projects, particularly storm drainage facilities. (DEIR, p. 4.4-24; General Plan Update, p. 5.-10) *Policy 5.3.C* states that applicants for new development proposals shall be responsible for costs related to determining the potential for occurrence of protected plant and wildlife species within the Planning Area. (DEIR, p. 4.4-24; General Plan Update, p. 5.-10) City staff shall determine the degree of field investigation required. (DEIR, p. 4.4-24; General Plan Update, p. 5.-10) If the presence of protected species is determined to be likely, the project applicant shall be responsible for all costs associated with investigating species presence and preparation of any required mitigation plans as required by *Policy 5.3.D*. (DEIR, p. 4.4-24)

Policy 5.6.A ensures that new development complies with state and federal regulations and standards in order to maintain and improve water quality which maintains and improves habitat. (DEIR, p. 4.4-24; General Plan Update, p. 5.-16) Associated *Program 5.6.A.3* seeks to ensure that new development has a minimal impact on natural drainage channels and flow capacity. (DEIR, p. 4.4-24; General Plan Update, p. 5.-16) *Policy 5.6.B* reduces the potential for sediment and other pollutants to contaminate surface and ground water resources, thus protecting special-status species habitat. (DEIR, p. 4.4-24; General Plan Update, p. 5.-16) *Program 5.6.B.1* maintains the natural condition of waterways and floodplains and protects watersheds. (DEIR, p. 4.4-24; General Plan Update, p. 5.-16)

Implementation of **Mitigation Measures 4.4.1a** through **4.4.14g** and the abovementioned policies and programs, as well as project-by-project environmental review, would substantially reduce and/or avoid direct and indirect impacts to special-status species within the City Planning Area. (DEIR, p. 4.4-26) Therefore, implementation of the General Plan would result in impacts to special-status species that are considered *less than significant*. (DEIR, p. 4.4-26)

- **Impact 4.4.2. Impacts to Sensitive Natural Communities.** Land uses and development consistent with the General Plan could result in the loss of riparian habitat or other sensitive natural communities. This is considered a *potentially significant* impact. (DEIR, p. 4.4-27)

(a) **Mitigation Adopted by the City.**

- | | |
|----------------------------------|--|
| Mitigation Measure 4.4.2a | (retention of large or significant trees) |
| Mitigation Measure 4.4.2b | (maintain and expand tree canopy) |
| Mitigation Measure 4.4.2c | (protect remaining riparian vegetation along Stony Creek, and Hambright Creek and their tributaries) |
| Mitigation Measure 4.4.2d | (design public access to reduce disturbance to sensitive resources) |

Mitigation Measure 4.4.2e (protect wetlands through project-level review; recognition of U.S. Army Corps of Engineers as regulating agency of wetlands)

(b) Implementation.

The above-stated mitigation measures are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.4.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR pp. 4.4-27 – 4.4-30)

(c) Findings Concerning Impact 4.4.2.

The City finds as follows: **Mitigation Measure 4.4.2a** is incorporated into the General Plan as a new program under *Policy 5.3.A*; **Mitigation Measures 4.4.2b** through **4.4.2e** are incorporated into the General Plan as new policies under *Goal 5.3*. (DEIR, p. 4.4-27 – 4.4-30) The City further finds that implementation of the above-stated mitigation measures, **Mitigation Measures 4.4.1a** through **4.4.1g** and all applicable General Plan policies and programs would minimize the impacts to sensitive natural communities from proposed development under the General Plan to a *less than significant* level. (DEIR, p. 4.4-30)

(d) Facts and Reasoning that Support Findings.

Implementation of the General Plan would result in disturbance, degradation, and removal of riparian, valley oak woodland, and wetland habitats. (DEIR, p. 4.4-27) The majority of habitats are found outside City boundaries yet within the City Planning Area. (DEIR, p. 4.4-27, 4.4-2) These habitats are considered to be sensitive natural communities by the California Department of Fish and Game. (DEIR, p. 4.4-27)

Mitigation Measures 4.4.2a through **4.4.2e** are intended to reduce the impacts to sensitive natural communities that may result from implementation of the General Plan. (DEIR, p. 4.4-27 – 4.4-30) **Mitigation Measure 4.4.2a** requires the City to encourage the retention of large or otherwise significant trees both in residential, non-residential, and open space areas by: (1) encouraging or revising development plans to retain trees; (2) revising development plans that would remove significant trees so that those trees are saved; and (3) developing standards to minimize damage during construction and provisions to assure that building foundations, utilities, walkways, irrigation, or use patterns will not damage roof structures or trunks. (DEIR, p. 4.4-27)

In instances when the retention of large or otherwise significant trees (i.e., native oak trees) in residential, non-residential, and open space areas is infeasible and their removal is unavoidable, **Mitigation Measure 4.4.2a** makes project developers responsible for mitigation. (DEIR, p. 4.4-28)

All required tree mitigation shall conform to the following guidelines: (1) on-site mitigation through tree replacement is the preferred mitigation method; (2) the location and condition under which replacement trees are planted must be carefully selected to allow for practicable and feasible future development to minimize the likelihood that future tree removal is not required, and to maximize the likelihood that the replacement trees will survive and thrive; (3) provide appropriate replacement of lost large or otherwise significant trees (native oak trees) or preservation at a 2:1 ratio for habitat loss; (4) transplanted trees, whether from on-site or off-site, may be accepted as replacement trees, but shall be given a discounted value, based on anticipated survival rates, as compared with nursery stock; (5) any replacement tree, including a transplanted tree, which dies within five years of being planted, must be replaced on a one to one basis; and (6) Where mitigation formulas use percentages, results will always be rounded up to the next whole number percentage. (DEIR, p. 4.4-28) All actions taken under **Mitigation Measure 4.4.2a** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.2b requires the City to maintain and expand the tree canopy through consideration of tree protection standards by implementing an integrated management plan for the long-term conservation and restoration of riparian corridors within the City's Planning Area. (DEIR, p. 4.4-28 -4.4-29) All actions taken under **Mitigation Measure 4.4.2b** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.2c requires the City to protect remaining riparian vegetation along Stony Creek, Hambright Creek, and their tributaries within the Planning Area. (DEIR, p. 4.4-29) To this end, projects with discretionary approval shall provide a minimum 100-foot buffer from Stony Creek and Hambright Creek, and a 50-foot buffer from their primary tributaries. (DEIR, p. 4.4-29) The buffer shall be measured outward from the top of each bank. (DEIR, p. 4.4-29) Constructed canals and ditches are excluded from this buffer requirement. (DEIR, p. 4.4-29) The City may provide for variances to these standards in existing developed areas and other areas where the provision of such buffers is not feasible. (DEIR, p. 4.4-29) Development shall not occur within these buffers, except as part of greenway enhancement to include trails and bikeways. (DEIR, p. 4.4-29) Impacts associated with these potential variances and/or greenway enhancements shall be mitigated by developers. (DEIR, p. 4.4-29) Such mitigation measures may include providing and permanently maintaining similar quality replacement habitat at a 1:1 ratio for habitat loss. (DEIR, p. 4.4-29) All actions taken under **Mitigation Measure 4.4.2c** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.2d requires the City to design public access to avoid or minimize disturbance to sensitive resources, including necessary buffer areas, while facilitating public use, enjoyment, and appreciation of wetlands. (DEIR, p. 4.4-29) All actions taken under **Mitigation Measure 4.4.2d** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.4.2e requires the City to protect wetlands through careful environmental review of proposed development applications and recognition of the U.S. Army Corps of Engineers as the designated permitting agency that regulates wetlands. (DEIR, p. 4.4-29)

Under **Mitigation Measure 4.4.2e** Development proponents are required to submit detailed assessments of sites with wetlands pursuant to CEQA and to demonstrate compliance with state and federal regulations. (DEIR, p. 4.4-29) Assessments shall be conducted by a qualified professional to determine wetland boundaries and the presence of sensitive resources including endangered and special-status species and their habitat, to assess the potential impacts, and to identify measures for protecting the resource and surrounding buffer habitat. (DEIR, p. 4.4-29) Assessments will delineate and map waters of the United States, including wetlands and open water habitats, and will make recommendations for avoidance of these areas. (DEIR, p. 4.4-29) Wetlands and waters of the United States shall be identified in delineations approved by the U.S. Army Corps of Engineers. (DEIR, p. 4.4-29)

Mitigation Measure 4.4.2e next requires the City to restrict or modify proposed development in areas that contain wetlands, as defined by U.S. Army Corps of Engineers delineations, as necessary to ensure the continued health and survival of special-status species and sensitive areas. (DEIR, p. 4.4-30) Development projects shall preferably be modified to avoid impacts on sensitive resources or to adequately mitigate impacts by providing on-site replacement or (as a lowest priority) off-site replacement at a higher ratio. (DEIR, p. 4.4-30)

Mitigation Measure 4.4.2e further requires individual project proponents to obtain all necessary permits pertaining to affected waters of the United States, including wetland habitat, stream channels, and open water habitats regulated by the California Department of Fish and Game and/or the Central Valley Regional Water Quality Control Board. (DEIR, p. 4.4-30) The permitting process will also require compensation for construction impacts. (DEIR, p. 4.4-30)

Finally, where complete avoidance of wetlands is not possible, **Mitigation Measure 4.4.2e** requires provision of on-site replacement habitat through restoration and/or habitat creation at an appropriate ratio determined through consultation with the US Army Corps of Engineers, provided that no net loss of wetland acreage, function, and habitat values occurs. (DEIR, p. 4.4-30) Off-site restoration of wetlands will be allowed only when an applicant has demonstrated that no net loss of wetlands would occur and that on-site restoration is not practical or would result in isolated wetlands of extremely limited value. (DEIR, p. 4.4-30) Off-site wetland mitigation preferably would consist of the same habitat type as the wetland area that would be lost. (DEIR, p. 4.4-30) All actions taken under **Mitigation Measure 4.4.2e** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Several policies and programs contained in the General Plan's Open Space Element are also intended to reduce the impacts to special-status plant and wildlife species. (DEIR, p. 4.4-27) *Policy 5.3.A* seeks to apply mitigation measures to development projects to minimize impacts to biological resources during all stages of development including grading, construction, and occupancy, while *Policy 5.3.B* considers opportunities for habitat preservation, enhancement, and creation in conjunction with public facility projects, particularly storm drainage facilities. (DEIR, p. 4.4-27; General Plan Update, p. 5.0-10) *Policy 5.3.C* states that applicants for new development proposals shall be responsible for costs related to determining the potential for occurrence of protected plant and wildlife species within the proposed Planning Area. (DEIR, p. 4.4-27; General Plan Update, p. 5.0-10) The sensitive natural communities listed in the Draft EIR (riparian, valley oak woodland, and wetlands) have the potential to support many protected species, thus protecting sensitive habitat that protects these species of concern. (DEIR, p. 4.4-27) *Policy 5.3.D* requires that the project applicant shall be responsible for all costs associated with investigating the presence of protected species and the preparation of any required mitigation plans. (DEIR, p. 4.4-27; General Plan Update, p. 5.0-10)

Policy 5.6.A ensures that new development complies with state and federal regulations and standards in order to maintain and improve water quality which maintains and improves sensitive habitat. (DEIR, p. 4.4-27; General Plan Update, p. 5.0-16) Associated *Program 5.6.A.3* seeks to ensure that new development has a minimal impact on natural drainage channels and flow capacity. *Policy 5.6.B* reduces the potential for sediment and other pollutants to contaminate surface and ground water resources, thus protecting sensitive natural habitat. (DEIR, p. 4.4-27; General Plan Update, p. 5.0-16) *Program 5.6.B.1* maintains the natural condition of waterways and floodplains and protects watersheds. (DEIR, p. 4.4-27; General Plan Update, p. 5.0-16)

Implementation of **Mitigation Measures 4.4.2a through 4.4.2e and 4.4.1a through 4.4.1g**, as well as implementation of the abovementioned policies and programs, would ensure that impacts to sensitive natural communities in the General Plan Planning Area would be *less than significant*. (DEIR, p. 4.4-30)

- **Impact 4.4.3. Impacts to Waters of the US, Including Wetlands.** Land uses and development consistent with the General Plan could result in the loss of jurisdictional waters of the U.S. including wetlands. This would be considered a *potentially significant* impact. (DEIR, p. 4.4-31)

(a) Mitigation Measures Adopted by the City.

Mitigation Measures 4.4.1a through 4.4.1g, 4.4.2d and 4.4.2e as discussed under Impacts 4.4.1 and 4.4.2.

(b) Implementation.

Mitigation Measures 4.4.1a through **4.4.1g**, **4.4.2d** and **4.4.2e**, as discussed under **Impacts 4.4.1** and **4.4.2** above, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.4.3** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.4-31)

(c) Findings Concerning Impact 4.4.3.

The City finds that implementation of **Mitigation Measures 4.4.1a** through **4.4.1g**, **4.4.2d** and **4.4.2e** as discussed under **Impacts 4.4.1** and **4.4.2**, as well as implementation of all applicable General Plan policies and programs, would reduce potential impacts to jurisdictional waters of the U.S., including wetlands, to a *less than significant* level. (DEIR, p. 4.4-32)

(d) Facts and Reasoning that Support Findings.

Waters of the U.S., including wetlands, may be negatively affected by residential and commercial development and agricultural and forest management practices. (DEIR, p. 4.4-31) Modifications to waters of the U.S. can alter existing watersheds and their hydrologic functions, including flood attenuation. (DEIR, p. 4.4-31) Conversely, changes to hydrologic inputs and outflow of wetlands (e.g., culvert placement) can alter the size and function of wetlands. (DEIR, p. 4.4-31) Loss of jurisdictional waters and wetlands resulting from implementation of the General Plan would be considered potentially significant unless mitigation is incorporated. (DEIR, p. 4.4-32)

General Plan *Policies 5.3.A, 5.3.B, 5.3.C, 5.3.D, 5.6.A, and 5.6.B* and *Programs 5.6.A.3 and 5.6.B.1*, as discussed under **Impacts 4.4.1** and **4.4.2**, would be implemented along with **Mitigation Measures 4.4.1a** through **4.4.1g**, **4.4.2d** and **4.4.2e** to ensure that impacts to jurisdictional waters and wetlands are reduced to a *less than significant* level. (DEIR, p. 4.4-31)

Incorporation of **Mitigation Measures 4.4.1a** through **4.4.1g**, **4.4.2d** and **4.4.2e**, as well as implementation of the abovementioned General Plan policies and programs would mitigate impacts to waters of the U.S., including wetlands, to a result of no net loss of wetlands. As a result, potential impacts to jurisdictional waters and wetlands will be *less than significant*. (DEIR, p. 4.4-32)

- **Impact 4.4.4. Wildlife Corridors.** Land uses and development consistent with the General Plan could restrict aquatic or terrestrial wildlife movement through travel corridors. This would be considered a *potentially significant* impact. (DEIR, p. 4.4-32)

(a) **Mitigation Measures Adopted by the City**

Mitigation Measures 4.4.1a, 4.4.1b, 4.4.1e, 4.4.1f, 4.4.1g and 4.4.2b as discussed under Impacts 4.4.1 and 4.4.2,

(b) **Implementation.**

Mitigation Measures 4.4.1a, 4.4.1b, 4.4.1e, 4.4.1f, 4.4.1g and 4.4.2b, as discussed under **Impacts 4.4.1 and 4.4.2**, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.4.4** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan.

(c) **Findings Concerning Impact 4.4.4.**

The City finds that implementation of **Mitigation Measures 4.4.1a, 4.4.1b, 4.4.1e, 4.4.1f, 4.4.1g and 4.4.2b** as discussed under **Impacts 4.4.1 and 4.4.2**, as well as implementation of all applicable General Plan policies and programs, would mitigate and reduce potential impacts to wildlife movement corridors to a *less than significant* level.

(d) **Facts and Reasoning that Support Findings.**

The primary travel corridors available in the City Planning Area include the riparian and riverine habitats which provide adequate cover and vegetation to be used as a migratory corridor for common and special-status fish and wildlife species. (DEIR, p. 4.4-33) Implementation of the General Plan may result in disturbance, degradation, and removal of important corridors for the movement of common and special-status wildlife species. This would be considered a *potentially significant* impact unless mitigation is incorporated. (DEIR, p. 4.4-33)

General Plan *Policies 5.3.A*, and *5.6.B* and *Programs 5.6.A.3* and *5.6.B.1*, as discussed under **Impacts 4.4.1 and 4.4.2**, would be implemented along with **Mitigation Measures 4.4.1a, 4.4.1b, 4.4.1e, 4.4.1f, 4.4.1g and 4.4.2b** to ensure that impacts to jurisdictional waters and wetlands are reduced to a *less than significant* level. (DEIR, p. 4.4-33)

Incorporation of **Mitigation Measures 4.4.1a, 4.4.1b, 4.4.1e, 4.4.1f, 4.4.1g and 4.4.2b**, as well as implementation of the abovementioned General Plan policies and programs, would mitigate and reduce potential impacts to wildlife movement corridors to a *less than significant* level. (DEIR, p. 4.5-33)

D. FINDINGS CONCERNING CULTURAL RESOURCES (CHAPTER 4.5):

- **Impact 4.5.1. Potential Destruction or Damage to Known and Undiscovered Prehistoric Resources, Historic Resources, and Human Remains.** Implementation of the General Plan could result in the potential disturbance of cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) and human remains. This would be a *potentially significant* impact. (DEIR, p. 4.5-11)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.5.1a (preserve historic resources)

Mitigation Measure 4.5.1b (prepare surveys and site investigations)

Mitigation Measure 4.5.1c (notification requirements)

(b) Implementation

The above-stated mitigation measures are included in the Mitigation Monitoring and Reporting Program adopted for the Project. A new General Plan goal and related policies have been incorporated into the Land Use Element through the above-stated mitigation measures that will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.5-11 – 4.5-12)

(c) Findings Concerning Impact 4.5.1.

The City finds as follows: **Mitigation Measure 4.5.1a** is incorporated into the General Plan as a new goal within the Land Use Element; **Mitigation Measures 4.5.1b** and **4.5.1c** are incorporated into the General Plan as policies under the preceding General Plan Goal established by **Mitigation Measure 4.5.1a**. (DEIR, pp. 4.5-11 – 4.5-12) The City further finds that implementation of the above-stated mitigation measures would reduce potential impacts to prehistoric resources, historic resources, and inadvertently discovered human remains to a *less than significant* level. (DEIR, p. 4.5-12)

(d) Facts and Reasoning that Support Findings.

Numerous buildings older than 50 years are located within the City of Orland General Plan Planning Area, some dating back to the early 20th century. (DEIR, p. 4.5-11) Some of the buildings have been evaluated for inclusion in the National Register of Historic Places, but many structures remain unevaluated. (DEIR, p. 4.5-11) In addition, implementation of the General Plan could lead to project-level ground-disturbing activities which could uncover additional previously unknown prehistoric resources, historic resources, or human remains within the Planning Area because of Orland's historical occupation by both Native Americans and Euro-Americans. (DEIR, p. 4.5-11)

Mitigation Measures 4.5.1a through **4.5.1c** are intended to reduce the impacts to prehistoric resources, historic resources, and human remains that may result from implementation of the General Plan. (DEIR, p. 4.5-11) **Mitigation Measure 4.5.1a** requires the City to promote the preservation of the historic, archaeological, and paleontological resources of the City for their scientific, educational, and cultural values. All actions taken under **Mitigation Measure 4.5.1a** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.5.1b requires developers to prepare and submit appropriate surveys and conduct site investigations when needed as part of the initial environmental assessment for development projects at their own expense. Surveys and investigations shall be performed under the supervision of a professional archaeologist or other person qualified in the appropriate field and shall be approved by the City. (DEIR, p. 4.5-11) If it is determined that a proposed project would impact a known historical or cultural resource, then each resource must be recorded and evaluated for eligibility for inclusion in the California Register of Historic Resources. (DEIR, p. 4.5-11) All investigations shall be conducted by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in historic archaeology. (DEIR, p. 4.5-11) Where prehistoric or historic resources are discovered that are determined to be eligible for the California Register of Historic Resources, development shall be required to implement measures for the protection of the identified archaeological resources consistent with the provisions of Public Resources Code Section 21083.2 (i.e., excavation of the archaeological resource by qualified archaeologists leading to the curation of recovered materials and publication of resulting information and analysis, and avoidance or capping of the cultural resource site, etc.). (DEIR, p. 4.5-11 – 4.5-12) The results of archival research and/or pre-construction investigations shall be provided to the City for review at the expense of the developer, along with recommendations regarding construction measures (e.g., excavation and recovery or avoidance) prior to the commencement of construction. (DEIR, p. 4.5-12) All actions taken under **Mitigation Measure 4.5.1b** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Mitigation Measure 4.5.1c requires the City to impose the following conditions on all development projects where human remains are discovered during the construction process: (1) "If human remains are discovered, all work must stop in the immediate vicinity of the find; (2) the City of Orland Planning Division shall be notified immediately; and (3) the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. (DEIR, p. 4.5-12) If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. (DEIR, p. 4.5-12)

Implementation of **Mitigation Measures 4.5.1a** through **4.5.1c** would ensure appropriate actions are taken regarding prehistoric and historic resources, and therefore, would reduce potential impacts to a *less than significant* level. (DEIR, p. 4.5-12)

- **Impact 4.5.2. Impacts to Paleontological Resources.** Future construction activities associated with implementation of the General Plan could result in impacts to undiscovered paleontological resources. This is considered a *potentially significant* impact. (DEIR, p. 4.5-12)

(a) **Mitigation Adopted by the City.**

Mitigation Measure 4.5.2 (notification requirements)

(b) **Implementation.**

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. A new General Plan policy has been incorporated into the Land Use Element through the above-stated mitigation measure that will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.5-13)

(c) **Findings Concerning Impact 4.5.2.**

The City finds that the above stated mitigation measure is incorporated into the General Plan as a new policy under the goal incorporated into the Land Use Element through **Mitigation Measure 4.5.1a**. (DEIR, p. 4.5-13) The City further finds that implementation of **Mitigation Measure 4.5.2** would reduce potential impacts to paleontological resources to a *less than significant* level. (DEIR, p. 4.5-13)

(d) **Facts and Reasoning that Support Findings.**

A search of the University of California, Berkeley Museum of Paleontology collections database did not identify any evidence of paleontological resources within the Planning Area. (DEIR, p. 4.5-12) Paleontological resources, however, have been identified in Glenn County. (DEIR, p. 4.5-13) Therefore it is possible that ground-disturbing activities associated with implementation of the General Plan could uncover previously unknown paleontological resources. (DEIR, p. 4.5-12)

Mitigation Measure 4.5.2 is intended to reduce the impacts to paleontological resources that may result from implementation of the General Plan. (DEIR, p. 4.5-13) **Mitigation Measure 4.5.2** requires the City to impose the following conditions on all development projects where paleontological resources (fossils) are discovered during ground disturbing project activity: (1) all work in the immediate vicinity must stop; (2) the City of Orland Planning Division shall be immediately notified; and (3) a qualified paleontologist shall be retained by the developer to evaluate the find(s) and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. (DEIR, p. 4.5-13)

Under **Mitigation Measure 4.5.2** the City and the project applicant must consider the mitigation measures recommended by the qualified paleontologist for any unanticipated discoveries. (DEIR, p. 4.5-13) Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. (DEIR, p. 4.5-13) The project proponent shall be required to implement any mitigation measures deemed necessary by the City and the qualified paleontologist for the protection of the paleontological resources.” (DEIR, p. 4.5-13) All actions taken under **Mitigation Measure 4.5.2** will be required to comply with provisions of CEQA and all other applicable legal requirements.

Implementation of **Mitigation Measure 4.5.2** would ensure appropriate actions are taken regarding paleontological resources, and therefore, would reduce potential impacts to a *less than significant* level. (DEIR, p. 4.5-13)

E. FINDINGS CONCERNING GEOLOGY, SEISMICITY, SOILS AND HAZARDOUS MATERIALS (CHAPTER 4.6):

- **Impact 4.6.1. Potential Seismic Hazards.** Implementation of the General Plan may result in the placement of structures and development in areas of seismic sensitivity. This is considered a *potentially significant* impact. (DEIR, p. 4.6-20)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.6.1 (compliance with the California Building Code’s requirements regarding seismic design)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.6.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.6-21)

(c) Findings Concerning Impact 4.6.1.

The City finds that the above stated mitigation measure is incorporated into the General Plan as a new program under *Policy 4.6.A*. (DEIR, p. 4.6-21) The City further finds that the implementation of the above-stated mitigation measure and all applicable General Plan policies and programs would reduce potential impacts associated with potential seismic hazards to a *less than significant* level. (DEIR, p. 4.6-21)

(d) Facts and Reasoning that Support Findings.

The primary seismic hazard associated with the Planning Area is minor ground shaking, which can result in partial collapse of buildings and extensive damage in poorly built or substandard structures. (DEIR, p. 4.6-20)

The Orland General Plan Planning Area is not located within an Alquist-Priolo earthquake hazard zone. (DEIR, p. 4.6-20) The closest active fault system is the 40-mile-long Willows fault, located about 10 miles west of the City. (DEIR, p. 4.6-20) As such, future seismic events associated with this fault system are not anticipated to adversely affect the Planning Area, and ground rupture due to faulting is considered to be unlikely. (DEIR, p. 4.6-20)

Based upon the seismologic and geologic conditions within the Planning Area, significant damage or risk due to earthquake activity is relatively unlikely. (DEIR, p. 4.6-20) The City adopted the 2001 California Code of Regulations, Title 24, also known as the California Building Code. (DEIR, p. 4.6-20) Implementation of these regulations throughout development is designed to prevent significant damage from ground shaking during seismic events resulting from movement on any of the faults or fault systems discussed within the DEIR. (DEIR, p. 4.6-20)

The potential for soil liquefaction due to earthquakes and ground shaking is considered minimal due to the highly unlikely chance of an earthquake in the region. (DEIR, p. 4.6-20) However, the potential for liquefaction does exist in the case of an earthquake. (DEIR, p. 4.6-20) Areas paralleling Stony Creek at the northern boundary of the Planning Area, which contain clean sand layers with low relative densities coinciding with a relatively high water table, are estimated to have generally high liquefaction potential. (DEIR, p. 4.6-20) However, based upon known soil, groundwater, and ground shaking conditions, the potential for liquefaction within the majority of the Planning Area is considered low. (DEIR, p. 4.6-20)

Mitigation Measure 4.6.1 is intended to reduce seismic hazards that may result from implementation of the General Plan. (DEIR, p. 4.6-21) **Mitigation Measure 4.6.1** requires that all construction comply with the California Building Code, including the requirements for seismic design. (DEIR, p. 4.6-21) **Mitigation Measure 4.6.1** also requires the City to incorporate updated and revised versions of the California Building Code, and public buildings designed for assembly such as schools and police stations shall be constructed to meet state seismic safety and building standards. (DEIR, p. 4.6-21)

Several policies and programs contained in the General Plan's Safety Element are also intended to reduce seismic hazards. (DEIR, p. 4.6-21) *Policy 4.6.A* and *Program 4.6.A.1* require the City to consider the potential for expansive soils and earthquake-related hazards when reviewing applications for development projects. (DEIR, p. 4.6-21; General Plan Update, p. 4.0-14) In most cases the City may require a soils report in order to evaluate shrink-swell and liquefaction potential of proposed project sites and implement measures to minimize unstable soil hazards. (DEIR, p. 4.6-21) *Program 4.6.A.2* requires that public buildings and areas designed for assembly within the Planning Area are constructed to meet seismic safety standards. (DEIR, p. 4.6-21; General Plan Update, p. 4.0-14) *Program 4.6.A.3* and *Program 4.6.A.4* provide assistance to owners of existing buildings making structural improvements to meet seismic standards. (DEIR, p. 4.6-21; General Plan Update, p. 4.0-15)

Policy 4.6.C requires development applications for projects that extract groundwater, oil or gas to include a report evaluating the potential for subsidence and appropriate mitigation measures. (DEIR, p. 4.6-21; General Plan Update, p. 4.0-15)

Implementation of **Mitigation Measure 4.6.1** and the abovementioned policies and programs would reduce the impacts resulting from earthquakes, ground shaking, liquefaction, and other secondary hazards within the City’s Planning Area to a *less than significant* level. (DEIR, p. 4.6-21)

- **Impact 4.6.6. Release of Hazardous Materials.** The Planning Area consists of land uses having the potential to result in the release of hazardous materials. Although there are federal, state, and local laws in place to minimize accidental release of hazardous materials, there is the potential that implementation of the General Plan may result in the release of hazardous materials into the environment. This is considered a *potentially significant* impact. (DEIR, pp. 4.6-25 – 4.6-26)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.6.6 (submission of Environmental Site Assessment)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.6.6** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.6-26)

(c) Findings Concerning Impact 4.6.6.

The City finds that the above-stated mitigation measure is incorporated in to the General Plan as a new program under *Policy 4.7.A*. (DEIR, p. 4.6-26) The City further finds that implementation of the above-stated mitigation measure and all applicable General Plan policies and programs would reduce potential impacts associated with the release of hazardous materials to a *less than significant* level. (DEIR, p. 4.6-26)

(d) Facts and Reasoning that Support Findings.

All uses that handle potentially hazardous materials are required, prior to issuance of a building permit or license, to obtain approval of a hazardous material permit from the Glenn County Environmental Health Department (“Glenn County EHD”). (DEIR, p. 4.6-26) The Hazardous material permit requires the applicant to list all hazardous materials used or generated in the operation of their business. (DEIR, p. 4.6-26) Plans to store, handle, or release hazardous materials must also receive the approval of the Glenn County EHD. (DEIR, p. 4.6-26)

Such uses are monitored by the Glenn County EHD on a regular basis to determine compliance with the hazardous material permit. (DEIR, p. 4.6-26)

Mitigation Measure 4.6.6 is intended to reduce the release of hazardous materials that may result from implementation of the General Plan. (DEIR, p. 4.6-26) **Mitigation Measure 4.6.6** requires project applicants to submit a Phase I Environmental Site Assessment for their project site if the City determines the project may be on or near a potentially contaminated site. (DEIR, p. 4.6-26) The Phase I Environmental Site Assessment shall identify the potential for asbestos, lead, and PCBs to occur on the project site. (DEIR, p. 4.6-26) The City may require a more detailed site assessment (i.e., Phase II Environmental Site Assessment) if it concludes that site conditions warrant further analysis. (DEIR, p. 4.6-26) If contamination of a project site is identified, the City shall require actions that eliminate the hazard posed by the contamination or reduce it to a level that is less than significant. (DEIR, p. 4.6-26)

Several policies and programs contained in the General Plan's Safety Element are also intended to reduce the release of hazardous materials. (DEIR, p. 4.6-26) *Policy 4.7.A* and *Program 4.7.A.1* mandate the City to coordinate hazardous waste management programs with the Glenn County Hazardous Waste Management Plan and the Glenn County Emergency Operations Plan. (DEIR, p. 4.6-26; General Plan Update, pp. 4.0-15 – 4.0-16) *Program 4.7.A.2* ensures compliance with applicable state and local regulations by requiring the City to refer all permits for new projects or major additions to existing uses located on sites identified by the state as having or containing hazardous substances to the Glenn County Health Department. (DEIR, p. 4.6-26; General Plan Update, p. 4.0-16) *Program 4.7.A.3* requires any use which uses or manufactures hazardous substances within one-quarter mile of an existing or proposed school to only be permitted through a conditional use permit with ample assurances that the students will not be placed in a hazardous environment. (DEIR, p. 4.6-26; General Plan Update, p. 4.0-16) Environmental review would ensure that adequate mitigation measures will be identified for future projects on a case-by-case basis that will help to minimize hazardous materials impacts.

Implementation of **Mitigation Measure 4.6.6** and the abovementioned programs and policies, as well as compliance with Glenn County EHD hazardous material permits, would reduce the environmental impacts associated with the release of hazardous materials to a *less than significant* level. (DEIR, p. 4.6-26)

F. FINDINGS CONCERNING NOISE (CHAPTER 4.9):

- **Impact 4.9.3. Noise-Producing Land Uses.** Future development of noise-producing land uses near noise-sensitive land uses would result in *potentially significant* noise impacts under the General Plan. (DEIR, p. 4.9-20)

(a) Mitigation Adopted by the City.

Several policies contained in the General Plan's Noise Element will reduce the impacts that may result from noise-producing land uses authorized under the General Plan. (DEIR, p. 4.9-21)

(b) Implementation.

The General Plan policies applicable to **Impact 4.9.3** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.9-21)

(c) Findings

The City finds that implementation of the applicable General Plan policies would reduce potential impacts associated with noise-producing land uses to a *less than significant* level. (DEIR, p. 4.9-21)

(d) Facts and Reasoning that Support Findings.

The implementation of the General Plan would result in the creation of new land use designations and could result in development of noise-producing land uses near noise-sensitive land uses. (DEIR, p. 4.9-20) Noise produced by new noise-producing projects constructed near existing noise-sensitive areas could cause the City's noise standards to be exceeded, thereby resulting in significant impacts. (DEIR, pp. 4.9-20 - 4.9-21) The General Plan addresses this potential impact by requiring that effective mitigation measures and/or conditions of approval are incorporated into the project design consistent with adopted noise standards. (DEIR, p. 4.9-21) All such mitigation measures and/or conditions of approval will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Several policies contained in the General Plan's Noise Element are intended to reduce the impacts that may result from noise-producing land uses authorized under the General Plan. (DEIR, p. 4.9-21) *Policy 6.1.F* identifies interior and exterior noise level standards for non-transportation noise sources in the City of Orland. (DEIR, p. 4.9-21; General Plan Update, p. 6.0-12) These standards are shown in Table 4.9-7 of the DEIR and Table 6-5 of the General Plan. (DEIR, p. 4.9-16; General Plan Update, p. 6.0-13) *Policy 6.1.H* states that where the noise level standards for Table 4.9-7 are predicted to be exceeded at new uses proposed within the City of Orland which are affected by or include non-transportation noise sources, appropriate noise mitigation measures and/or conditions of approval shall be included in the project design to reduce projected noise levels to a state of compliance with the standards identified in Table 4.9-7. (DEIR, p. 4.9-21; General Plan Update, p. 6.0-14)

Policy 6.1.E states that if an acoustical analysis is required by the City to assess compliance with the City's Noise Element standards, it shall be prepared in accordance with Table 6-4 of the General Plan. (DEIR, p. 4.9-21; General Plan Update, pp. 6.0-12)

Table 6-4 identifies noise analysis standards such as the requirement that all noise analyses include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions as well as the need for all noise analyses to be prepared by qualified persons experienced in the fields of environmental noise assessment and architectural acoustics. (DEIR, p. 4.9-21; General Plan Update, pp. 6.0-12)

Since the policies of the General Plan Noise Element require that noise impacts be evaluated in the case of new noise-producing developments constructed near existing noise-sensitive land uses and that appropriate noise mitigation measures and/or conditions of approval shall be included in the project design of such development, this impact will be *less than significant*. (DEIR, p. 4.9-21)

- **Impact 4.9.4. Current Noise-Sensitive Land Uses.** Implementation of the General Plan would result in significant increases in traffic noise levels at existing noise-sensitive areas within Orland. This is considered a potentially *significant* impact. (DEIR, p. 4.9-21)

(a) **Mitigation Adopted by the City.**

Mitigation Measure 4.9.4 (continue to implement noise reducing standards and regulations of the Zoning Ordinance)

(b) **Implementation.**

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.9.4** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.9-18 - 4.9-21)

(c) **Findings Concerning Impact 4.9.4.**

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new policy under *Goal 6.1*. (DEIR, p. 4.9-23) The City further finds that implementation of the above-stated mitigation measure and all applicable General Plan policies and programs would reduce the potential for impacts to current noise-sensitive land uses, but not to a less than significant level. (DEIR, p. 4.9-23) No other feasible mitigation is available to further substantially reduce or avoid this significant impact. (DEIR, p. 4.9-23) Thus, buildout of the General Plan could result in a *significant and unavoidable* adverse impact with respect to current noise-sensitive land uses. (DEIR, p. 4.9-23)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the remaining significant adverse impacts relating to the Project's impact on current noise-sensitive land uses.

(d) Facts and Reasoning that Support Findings.

Implementation of the General Plan would result in greater traffic volumes on City roadways than exist today. (DEIR, p. 4.9-21) The greater traffic volumes would result in increased traffic noise on City roadways. (DEIR, p. 4.9-21) Specifically, changes in traffic noise levels generally ranging from an increase of 0-6 dB (decibels) relative to the existing levels can be expected. (DEIR, p. 4.9-21) Because a traffic noise level increase of 1.5 dB to 5 dB L_{dn} is commonly considered the threshold of significance, depending on the existing levels without the project, the project thresholds of significance would be exceeded. (DEIR, p. 4.9-21)

Mitigation Measure 4.9.4 is intended to reduce the impacts to current noise-sensitive land uses that may result from increased traffic. (DEIR, p. 4.9-23) **Mitigation Measure 4.9.4** requires the City to continue implementing the noise reducing standards and regulations of the Zoning Ordinance to reduce traffic and other noise levels City-wide. (DEIR, p. 4.9-23) Noise reduction shall include, but shall not be limited to, the following reduction measures for noise abatement consideration where reasonable and feasible: (1) noise barrier retrofits; (2) truck usage restrictions in residential areas; (3) reduction of speed limits; (4) use of quieter paving materials; (5) building façade sound insulation; (6) traffic calming; (7) additional enforcement of speed limits and exhaust noise laws; and (8) signal timing. (DEIR, p. 4.9-23) All actions taken under **Mitigation Measure 4.9.4** will be required to comply with the provisions of CEQA and all other applicable legal requirements.

Several policies and programs contained in the General Plan's Noise Element are also intended to reduce the impacts to current noise-sensitive land uses. (DEIR, p. 4.9-20) *Policy 6.1.A* and *6.1.F* identify interior and exterior noise level standards for noise-sensitive areas of new uses affected by traffic or railroad noise sources as well as non-transportation noise sources in the City of Orland. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-11, 6.0-12) These standards are shown in Tables 4.9-6 and 4.9-7 of the DEIR and Tables 6-3 and 6-5 of the General Plan. (DEIR, pp. 4.9-15, 4.9-16; General Plan Update, pp. 6.0-11, 6.0-13) *Policies 6.1.B* and *6.1.H* state that where the noise level standards for Tables 4.9-6 and 4.9-7 are predicted to be exceeded at new uses proposed within the City of Orland which are affected by traffic or railroad noise and/or are affected by non-transportation noise sources, appropriate noise mitigation measures and/or conditions of approval shall be included in the project design to reduce projected noise levels to a state of compliance with the standards identified in Tables 4.9-6 and 4.9-7. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12, 6.0-14)

Policy 6.1D states that if future railroad operations occur during nighttime hours (10 p.m. to 7 a.m.), then proposals for the development of new residential uses within 1,000 feet of railroad grade crossings should address noise impacts in terms of the potential for sleep disturbance. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12) *Policy 6.1E* states that if an acoustical analysis is required by the City to assess compliance with the City's Noise Element standards, it shall be prepared in accordance with Table 6-4 of the General Plan. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12) Table 6-4 identifies noise analysis standards such as the requirement that all noise analyses include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions as well as the need for all noise analyses to be prepared by qualified persons experienced in the fields of environmental noise assessment and architectural acoustics. (DEIR, p. 4.9-20; General Plan Update, pp. 6.0-12)

It is recognized that implementation of **Mitigation Measure 4.9.4** and the abovementioned policies and programs will result in a reduction of traffic noise levels at affected sensitive receptor locations. (DEIR, p. 4.9-23) Nonetheless, despite the implementation of such a noise abatement program, it is infeasible to ensure that existing residential uses will not be exposed to future traffic noise levels exceeding the City's noise standards or significantly exceeding levels they are exposed to today at General Plan buildout. (DEIR, p. 4.9-23) Although a combination of the listed mitigation measures could be highly effective in reducing traffic noise levels on a City-wide basis, it is not possible to state with absolute certainty that it would be possible to mitigate this impact at every noise-sensitive use within the City. (DEIR, p. 4.9-23) As a result, this impact would remain *significant and unavoidable*. (DEIR, p. 4.9-23)

G. FINDINGS CONCERNING POPULATION AND HOUSING (CHAPTER 4.10):

- **Impact 4.10.1. Population and Housing Increase.** Implementation of the General Plan would include an increase in land uses that promote the increase in population and housing in the Planning Area. This is a *significant* impact. (DEIR, p. 4.10-8)

(a) Mitigation Adopted by the City.

None feasible.

(b) Implementation.

Not applicable.

(c) Findings Concerning Impact 4.10.1.

The City finds that implementation of the General Plan will result in land uses that promote an increase in the population of the area. The General Plan does not contain any policies that would limit population growth, which would be infeasible and contradictory to the objectives of the General Plan. (DEIR, p. 4.10-8) No feasible mitigation is available to substantially reduce or avoid this significant impact. (DEIR, p. 4.10-8 – 4.10-9) Therefore, the implementation of the General Plan will result in a *significant and unavoidable* impact to population and housing. (DEIR, p. 4.10-9)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the remaining significant adverse impacts relating to the Project's impact on the increase in population and housing from the General Plan.

(d) Facts and Reasoning that Support Findings.

When considering the potential impacts a project may have on the physical environment, the existing conditions must be compared to the expected outcome the project may produce and the potential environmental impacts this change may cause. (DEIR, p. 4.10-8) The projected increase in General Plan Planning Area population and housing units would result in direct and indirect environmental effects such as noise, demand for services and utilities, traffic, and air quality. (DEIR, p. 4.10-8) These effects associated with buildout of the General Plan are discussed in the relevant chapters of the DEIR. (DEIR, p. 4.10-8)

The population growth estimates defined in Section 4.0 of the DEIR identify that expansion of the City's Planning Area under the General Plan would result in a projected 2028 population of approximately 12,286 persons, an increase of 4,933 persons over the existing population. (DEIR, p. 4.0-5) While the General Plan could, theoretically, allow the buildout of 16,419 housing units with a projected population of 46,513 in the City, the historical growth trends of the City suggest that this extent of growth will not happen during the 2028 planning horizon of the General Plan, even if there is theoretically enough land designated in the General Plan to accommodate this level of growth. (DEIR, p. 4.10-8) Table 4.10-6 of the DEIR shows the projected housing and population increases that may result from implementation of the General Plan. (DEIR, p. 4.10-8)

In order to anticipate the number of housing units and population in Orland in the year 2028, three growth rates were used to develop estimates. (DEIR, p. 4.10-8) The "High" growth rate is a 2.6 percent average annual growth rate, which was the growth rate of the City's population from 1970 to 2000. (DEIR, p. 4.10-8) The "Medium" rate is a 2.2 percent average growth rate, which was the growth rate of the City's population from 1990 to 2000. (DEIR, p. 4.10-8) The "Low" growth rate is a 1.8 percent average annual growth rate. (DEIR, p. 4.10-8)

This was an arbitrarily selected rate, which was obtained by subtracting the Medium rate from the High rate, then subtracting the difference from the Medium rate. (DEIR, p. 4.10-8) The High growth rate of 2.6 percent was used to reach the projected 2028 population of 12,286. (DEIR, p. 4.0-5)

The 2028 projected growth rate scenario represents substantial growth in the area and will have a potentially significant physical effect on the environment. (DEIR, p. 4.10-8) Implementation of the General Plan and the associated land use designations would directly cause growth. (DEIR, p. 4.10-8)

The only mitigation to reduce population and housing unit increases to a less than significant level would be a cessation of housing construction in the City, which is contradictory to the objectives of the General Plan. (DEIR, p. 4.10-8) Since this mitigation is infeasible, the implementation of the General Plan will result in a *significant and unavoidable* impact. (DEIR, p. 4.10-8 – 4.10-9)

H. FINDINGS CONCERNING COMMUNITY SERVICES (CHAPTER 4.11):

- **Impact 4.11.1.1. Fire Protection and Emergency Medical Services.** Implementation of the General Plan would increase the demand for fire protection and emergency medical services. This is considered a *potentially significant* impact. (DEIR, p. 4.11-4)

(a) Mitigation Adopted by the City.

Several policies and programs contained in the General Plan's Safety Element will reduce the impacts on fire protection services. (DEIR, p. 4.11-5)

(b) Implementation.

The General Plan policies and programs applicable to **Impact 4.11.1.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.11-4)

(c) Findings Concerning Impact 4.11.1.1.

The City finds that implementation of the applicable General Plan policies and programs would reduce potential impacts associated with increased demand for fire protection and emergency medical services to a *less than significant* level. (DEIR, p. 4.11-6)

(d) Facts and Reasoning that Support Findings.

Development of the City of Orland under the 2008-2028 General Plan would result in an expansion of the City limits and Planning Area, and could potentially result in an increase of population, housing, and commercial and industrial uses. (DEIR, p. 4.11-4)

Expansion of the city limits would increase response times to locations farther from the existing fire station, reducing the effectiveness of the Fire Department's ability to provide services. (DEIR, p. 4.11-4) At its present staffing levels, the Fire Department could not provide services to potential growth allowed under the General Plan. (DEIR, p. 4.11-4)

The City currently has plans to construct a new water storage tank with a minimum usable capacity of 1 million gallons. (DEIR, p. 4.11-5) Construction of this facility would address the concerns of water supply dependability, particularly if the tank and its pumps are sized to fire flow requirements and normal water usage computed at the peak use period (June to August). (DEIR, p. 4.11-5)

In addition, several policies and programs contained in the General Plan's Safety Element are intended to reduce the impacts on fire protection services. (DEIR, p. 4.11-5) *Policy 4.3.A* seeks to maintain fire protection levels of service by continuing to require development to provide and/or fund fire protection facilities. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.1* calls for development and adoption of standards for fire suppression facilities. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.2* requires review of the need for automatic fire protection sprinklers within new residential and commercial development. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.3* requires all new development to design public facility improvements to ensure that water volume and hydrant spacing are adequate. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.4* recognizes that the City should consider amending or adopting an ordinance that requires clear and recognizable addresses for all structures. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Program 4.3.A.5* enforces the requirements of Public Resources Code Sections 4290 and 4291 on all development projects. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8)

Policy 4.3.B states that the City will continue to support the needs of the Orland Volunteer Fire Department and provide assistance to maintain an efficient and functional fire service operation. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8) *Policy 4.3.C* states that the City will strive to maintain and improve the current Insurance Service Office rating of 4, for safety and associated economic benefits. (DEIR, p. 4.11-5; General Plan Update, p. 4.0-8)

Implementation of the abovementioned policies and programs, as well as construction of a new water storage tank, would ensure adequate fire protection services and facilities for City residents and properties as new development occurs. (DEIR, p. 4.11-6) As a result, impacts to fire protection services after implementation of the General Plan policies and programs will be *less than significant*. (DEIR, p. 4.11-6)

- **Impact 4.11.4.1. Demand on Existing Park Facilities.** Implementation of the General Plan would encourage an increase in the local population, thereby leading to an increase in the use of existing park and recreation service facilities. This is considered a *potentially significant* impact. (DEIR, p. 4.11-22)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.11.4.1 (review impact fee rates applicable to existing public park facilities)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.11.4.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.11-25)

(c) Findings Concerning Impact 4.11.4.1.

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new program under *Policy 5.10.D*. (DEIR, p. 4.11-25) The City further finds that implementation of the above-stated mitigation measure and all applicable General Plan policies and programs would reduce the environmental impacts associated with the increased demand on existing park facilities to a *less than significant* level. (DEIR, p. 4.11-25)

(d) Facts and Reasoning that Support Findings.

The additional demand on existing parks and recreational facilities resulting from implementation of the General Plan, particularly the City-managed facilities, would increase the need for maintenance and improvements. (DEIR, p. 4.11-22) These improvements could have environmental impacts, although the exact impacts cannot be determined since the potential improvements are unknown at this time. (DEIR, p. 4.11-22) However, given the developed character of the existing parks, these impacts are expected to be limited. (DEIR, p. 4.11-22)

The proposed Planning Area has approximately 675 acres of natural open space and another 53.1 acres of improved parks with additional park space and recreational facilities planned. (DEIR, p. 4.11-22) As new developments are proposed, the City will have an opportunity to work with developers to designate additional open space lands and improve lands set aside for developed parks. (DEIR, p. 4.11-22) Opportunities for increased access to Stony Creek are a high priority for the City, which will promote access through the proposed Stony Creek Nature Trail. (DEIR, p. 4.11-22) The existence of additional park area would reduce the impact the increased population would have on existing facilities. (DEIR, p. 4.11-22)

Mitigation Measure 4.11.4.1 is intended to reduce the impacts to existing parks and recreational facilities within the Planning Area that may result from implementation of the General Plan. (DEIR, p. 4.11-25)

Mitigation Measure 4.11.4.1 requires the City to consider the needs of park facilities and will support those needs with budget revenues, grants, and impact fees during its annual budget review. (DEIR, p. 4.11-25) As part of the budget review process, the City shall review impact fee rates to ensure that the cost of improvements is equitably distributed. (DEIR, p. 4.11-25) All actions taken under **Mitigation Measure 4.11.4.1** will be required to comply with all applicable legal requirements.

Several policies and programs contained in the General Plan's Open Space Element are also intended to reduce impacts to parks and recreational facilities. (DEIR, p. 4.11-25) *Policy 5.10.A* seeks to provide parkland acreage and facilities adequate in both location and size to meet the recreational needs of existing and future residents. (DEIR, p. 4.11-25; General Plan Update, p. 5.0-27) *Program 5.10.A.1* requires the City to adopt a park dedication standard of 8.4 acres per 1,000 residents for the City to maintain the existing parks standard. (DEIR, p. 4.11-25; General Plan Update, p. 5.0-27)

Programs 5.10.A.2, 5.10.A.3, and 5.10.A.4 seek the acquisition of land or the addition of improvements in those existing neighborhoods where recreational facilities are currently limited or nonexistent, including most new multi-family development. (DEIR, p. 4.11-25; General Plan Update, p. 5.0-27 – 5.0-28) *Program 5.10.A.6* requires the City to review development proposals for consistency with the General Plan's Open Space Element and require easements, dedications, and improvements when necessary. (DEIR, p. 4.11-25; General Plan Update, p. 5.0-28) This Program is similar to *Program 5.10.A.8* which states that the City will require a neighborhood park and/or recreational facilities within the area designated as the Northeast Specific Plan Area at the expense of any future development. (DEIR, p. 4.11-25; General Plan Update, p. 5.0-28) *Policy 5.10.D* explores available financing and acquisition methods, tools, and techniques in the development and maintenance of park and recreation facilities. (DEIR, p. 4.11-25; General Plan Update, p. 5.0-28) *Program 5.10.D.1* states that the City should explore means for ongoing maintenance of the various facilities, areas, and trails that can be accomplished through agreements with other public agencies, volunteer user groups, and/or private parties. (DEIR, p. 4.11-25 General Plan Update, p. 5.0-28) Environmental review would ensure that adequate mitigation measures will be identified for future discretionary projects on a case-by-case basis that will help to minimize the impact of demand on existing park facilities.

Implementation of **Mitigation Measure 4.11.4.1** and the abovementioned policies and programs would reduce the impacts to existing parks and recreational facilities that may result from implementation of the General Plan to a *less than significant* level. (DEIR, p. 4.11-25)

I. FINDINGS CONCERNING PUBLIC SERVICES AND UTILITIES (CHAPTER 4.12):

- **Impact 4.12.1.1. Water Treatment and Distribution Facilities.** Implementation of the General Plan would result in the need for additional treatment capacity, storage capacity, and other conveyance facilities to meet the projected water demands. This is considered to be a *potentially significant* impact. (DEIR, p. 4.12-7)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.12.1.1a (development of public infrastructure)

Mitigation Measure 4.12.1.1b (sufficient capacity in public facilities; implement sewer, stormwater, and water master plans)

Mitigation Measure 4.12.1.1c (adequate water supply and delivery)

Mitigation Measure 4.12.1.1d (impose conditions related to water capacity on new development projects)

(b) Implementation.

The above-stated mitigation measures are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.12.1.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.12-7)

(c) Findings Concerning Impact 4.12.1.1.

The City finds as follows: **Mitigation Measure 4.12.1.1a** is incorporated into the General Plan as a new policy under *Goal 2.1*; **Mitigation Measure 4.12.1.1b** is incorporated into the General Plan as a new program under the policy established by **Mitigation Measure 4.12.1.1a**; **Mitigation Measure 4.12.1.1c** is incorporated into the General Plan as a new policy under *Goal 5.7*; **Mitigation 4.12.1.1d** is incorporated into the General Plan as a new program under the policy established by **Mitigation Measure 4.12.1.1c**. (DEIR, p. 4.12-8 – 4.12-9) The City further finds that implementation of the above-stated mitigation measures and all applicable General Plan policies and programs would reduce water service-related impacts to a *less than significant* level. (DEIR, p. 4.12-9)

(d) Facts and Reasoning that Support Findings.

Orland's primary water system, Public Water System 1110001, consists of six wells distributed throughout the City. The General Plan would allow urban development in areas currently used for agriculture or that are otherwise undeveloped. (DEIR, p. 4.12-7)

To serve the new development, water lines would need to be installed or extended. Additional wells and water treatment facilities would also be necessary. (DEIR, p. 4.12-7) Additional water infrastructure also may be necessary to serve currently undeveloped areas within the city limits. (DEIR, p. 4.12-7) The City is investigating the possibility of either rehabilitating or replacing the elevated tank. (DEIR, p. 4.12-7) The expansion and development of new water infrastructure facilities could result in physical effects to the environment. (DEIR, p. 4.12-7) Additional water extraction from groundwater sources may also result in physical effects to the environment. (DEIR, p. 4.12-7) The City Engineer has indicated that, should Orland grow to the west, a new well would probably be required on the west side of the freeway. (DEIR, p. 4.12-7) The City's Water System Master Plan recommended that the existing source capacity be increased by a minimum of 620 gallons per minute ("gpm") (from 6,430 to 7,050 gpm) to meet the combined maximum daily demand plus fire flow demand. (DEIR, p. 4.12-7) Future water infrastructure projects would be reviewed for compliance with CEQA on a project-by-project basis. (DEIR, p. 4.12-7)

Mitigation Measures 4.12.1.1a through **4.12.1.1d** are intended to reduce the water service-related impacts that may result from implementation of the General Plan. (DEIR, p. 4.12-8 – 4.12-9) **Mitigation Measure 4.12.1.1a** requires the City to ensure the development of public infrastructure to meet the long-term needs of residents and ensure infrastructure is available at the time such facilities are needed. (DEIR, p. 4.12-8) Public infrastructure developed as a result of **Mitigation Measure 4.12.1.1a** will be required to meet the provisions of CEQA and all other legal requirements.

Mitigation Measure 4.12.1.1b requires the City to maintain sufficient capacity in all public facilities to maintain desired service levels and avoid capacity shortages or other negative effects on safety and quality of life. (DEIR, p. 4.12-8) **Mitigation Measure 4.12.1.1b** also requires the City to continue implementing the City's sewer, stormwater, and water master plans to ensure the development of public facilities in a logical manner that encourages the orderly development of roadways, water and sewer, and other public facilities. (DEIR, p. 4.12-8) All actions taken under **Mitigation Measure 4.12.1.1b** will be required to comply with the provisions of CEQA and all other legal requirements.

Mitigation Measure 4.12.1.1c requires the City to ensure that water supply and delivery systems are available to meet the demand created by new development. (DEIR, p. 4.12-8) All actions taken under **Mitigation Measure 4.12.1.1c** will be required to comply with the provisions of CEQA and all other legal requirements.

Mitigation Measure 4.12.1.1d requires all development projects, excluding subdivisions, to adhere to the following provisions: (1) an assured water supply and delivery system shall be available at the time of project approval; and (2) all required water infrastructure for the project shall be in place prior to project or unit occupancy, or shall be assured through the use of bonds or other financial sureties to the City's satisfaction. (DEIR, p. 4.12-8)

The Orland Public Water Service may provide several alternative methods of supply and/or delivery, provided that each is capable individually of providing water to the project. (DEIR, p. 4.12-8) Water infrastructure may be phased to coincide with the phased development of large-scale projects. (DEIR, p. 4.12-8)

In addition, **Mitigation Measure 4.12.1.1d** requires all subdivision developments to adhere to the following provisions: (1) proposed water supply and delivery systems shall be identified at the time of tentative map approval, to the satisfaction of the City; (2) all new development shall demonstrate prior to the approval of the Final Map that sufficient capacity will be available to accommodate the subdivision plus existing developments, other approved projects in the same service area, and other projects which have received commitments for water service; (3) off-site and on-site water infrastructure sufficient to provide adequate water to the subdivision shall be in place prior to the approval of the Final Map or infrastructure financing shall be assured to the satisfaction of the City, consistent with the requirements of the Subdivision Map Act; and (4) off-site and on-site water distribution systems required to serve the subdivision shall be in place and shall contain water at sufficient quality, quantity, and pressure, prior to the issuance of any building permits. (DEIR, pp. 4.12-8 – 4.12-9) The Orland Public Water System may provide several alternative methods of supply and/or delivery, provided that each is capable individually of providing water to the project. (DEIR, pp. 4.12-8 – 4.12-9) Model homes may be exempted as determined appropriate by, and subject to, approval of the City. (DEIR, p. 4.12-8) All actions taken under **Mitigation Measure 4.12.1.1d** will be required to comply with the provisions of CEQA and all other legal requirements.

Several policies and programs contained in the General Plan's Land Use and Open Space Elements are also intended to reduce water service-related impacts. (DEIR, p. 4.12-7) *Policy 2.2.B* and *Program 2.2.B.1* seek to develop a land use pattern that minimizes the expenditure of public funds for infrastructure. (DEIR, p. 4.12-7; General Plan Update, p. 2.0-13) This would be achieved by identifying existing facilities and infrastructure and using this information to develop a land use pattern that maximizes this infrastructure. (DEIR, p. 4.12-7; General Plan Update, p. 2.0-13)

Policy 5.7.B and associated *Program 5.7.B.1* promote the efficient use of water within the Planning Area, which would be achieved by promoting the use of water-conserving devices for new construction and major renovations. (DEIR, p. 4.12-7; General Plan Update, p. 5.0-18) *Program 5.7.B.2* requires new development to fund its fair share portion of its impacts to all water supply-related services and facilities. (DEIR, p. 4.12-7; General Plan Update, p. 2.0-13) Environmental review would ensure that adequate mitigation measures will be identified for future discretionary projects on a case-by-case basis that will help to minimize the impact of demand on water related services.

Implementation of **Mitigation Measures 4.12.1.1a** through **4.12.1.1d** and the abovementioned policies and programs would ensure that water supply needs are met in a timely, efficient, and logical manner by requiring that the City demonstrate that sufficient capacity and delivery system capabilities are available to support new development in conjunction with existing development.

Therefore, the water service-related impacts that may result from implementation of the General Plan will be *less than significant*. (DEIR, p. 4.12-9)

- **Impact 4.12.1.2. Water Demand.** Implementation of the General Plan would increase demand on existing water supplies. This is considered to be a *potentially significant* impact. (DEIR, p. 4.12-9)

(a) Mitigation Adopted by the City.

Mitigation Measures 4.12.1.1a through 4.12.1.1d as discussed under Impact 4.12.1.1, as well as implementation of all applicable General Plan policies and programs.

(b) Implementation.

Mitigation Measures 4.12.1.1a through 4.12.1.1d, as discussed under **Impact 4.12.1.1** above, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.12.1.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.12-10)

(c) Findings Concerning Impact 4.12.1.2.

The City finds that implementation of **Mitigation Measures 4.12.1.1a through 4.12.1.1d** as discussed under **Impact 4.12.1.1**, as well as implementation of all applicable General Plan policies and programs, would reduce water demand-related impacts to a *less than significant* level. (DEIR, p. 4.12-10)

(d) Facts and Reasoning that Support Findings.

The General Plan would allow for additional development which would require additional water supplies. (DEIR, p. 4.12-9) Currently, the City's water system can meet the demand by its customers. (DEIR, p. 4.12-9) However, increased demand would require more pumping from the City's wells, and additional wells may need to be drilled, as the aquifer system underlying Orland supplies the municipal and agricultural water demands of the City. (DEIR, p. 4.12-9)

The population growth estimates defined in Section 4.0 of the DEIR identify that the 2028 population of the City of Orland will be 12,286, for which the City will need to provide adequate water supply. (DEIR, pp. 4.0-5, 4.12-9 - 4.12-10) According to the Water System Master Plan, the Maximum daily demand in the Year 2020 will be approximately 6,470 gallons per minute ("gpm"). (DEIR, p. 4.12-10) The existing source capacity of approximately 6,430 gpm would nearly meet the maximum daily demand if all City wells were operational, but would not meet the maximum hour demand or the maximum daily demand with coincident fire flow demand. (DEIR, p. 4.12-10)

Additional source capacity of approximately 2,540 gpm will be needed by the year 2020. (DEIR, p. 4.12-10) Based on this data in the Water System Master Plan, which presents City water demand through the year 2020, the projected source capacity need over the General Plan timeline will be approximately 2,982 gpm by the year 2028. (DEIR, p. 4.12-10) As new development occurs during the planning period, new wells will be a requirement and responsibility of the proposed development. (DEIR, p. 4.12-10)

Based upon Department of Health Services (“DHS”) methodology of using 1.31 gpm per service connection and a peak hour of the maximum day demand factor of 1.50, the existing source capacity of 5,430 gpm will serve a total of 3,272 water service connections, or an additional 709 water service connections. (DEIR, p. 4.12-10) Assuming 2.50 persons per water service connection, Orland’s population can increase by 1,773 persons to a total city population of 8,110 persons before additional source capacity is required by DHS. (DEIR, p. 4.12-10) Based on this occupancy factor of 2.50 persons per water service connection and a City population of 12,286 residents, Orland will have approximately 4,914 active water service connections by 2028. (DEIR, p. 4.12-10)

Several policies and programs contained in the General Plan’s Open Space Element are intended to reduce the impacts associated with increased water demand that will result from implementation of the General Plan. (DEIR, p. 4.12-10) *Policy 5.6.E* encourages conservation of water, as well as minimizing costs associated with pumping and delivery systems. (DEIR, p. 4.12-10; General Plan Update, p. 5.0-17) *Policy 5.7.B* promotes the efficient use of water within the Planning Area, which would be achieved by promoting the use of water-conserving devices for new construction and major renovations (*Program 5.7.B.1*). (DEIR, p. 4.12-10; General Plan Update, p. 5.0-18) *Program 5.7.B.2* requires new development to fund its fair share portion of its impacts to all water supply-related services and facilities. (DEIR, p. 4.12-10; General Plan Update, p. 5.0-18)

Implementation of **Mitigation Measures 4.12.1.1a through 4.12.1.1d** and the abovementioned policies and programs, would ensure that sufficient water capacity is available to support new development. (DEIR, p. 4.12-10) Therefore, impacts associated with increased water demand will be *less than significant*. (DEIR, p. 4.12-10)

- **Impact 4.12.2.1. Wastewater Capacity, Conveyance, and Treatment.** Implementation of the General Plan would substantially increase wastewater flows and require additional infrastructure and may require additional treatment capacity to accommodate anticipated demands that would result in a physical effect on the environment. This impact is considered *potentially significant*. (DEIR, p. 4.12-17)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.12.2.1 (impose conditions related to wastewater capacity/treatment)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.12.2.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.12-17 – 4.12-18)

(c) Findings Concerning Impact 4.12.2.1.

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new program under *Policy 5.8.A*. The City further finds that implementation of the above-stated mitigation measure as well as all applicable General Plan policies and programs would reduce wastewater capacity, conveyance, and treatment impacts to a *less than significant* level. (DEIR, p. 4.12-18)

(d) Facts and Reasoning that Support Findings.

Increased development associated with implementation of the General Plan would increase the amount of wastewater generated. (DEIR, p. 4.12-17) Implementation of the General Plan would require additional treatment capacity to serve development under the General Plan. (DEIR, p. 4.12-17)

This means a larger amount of wastewater would need to be treated at the City’s Waste Water Collection and Treatment Facility (“WCTF”), which could significantly exceed the WCTF’s currently allowed treatment capacity. (DEIR, p. 4.12-17) Expansion of the WCTF would be necessary to serve projected development. (DEIR, p. 4.12-17)

Potential environmental effects associated with the expansion of the City’s WCTF include, but are not limited to, construction and operational; air quality and noise effects, biological resource impacts to protected habitat, geologic and hydrologic impacts from construction and operation, and growth inducement. (DEIR, p. 4.12-17) These environmental effects would likely occur at the existing WCTF site as well as at off-site facilities such as reclamation facilities. (DEIR, p. 4.12-17) However, no specific facility expansion designs have been developed to date that would further specify the potential environmental effects. (DEIR, p. 4.12-17)

The City’s WCTF currently has an average flow of 0.72 million gallons per day (“mgd”), with a peak flow of 1.24 mgd. The capacity of the WCTF is 2:1 mgd (based on average flow). (DEIR, p. 4.12-17) Based on these numbers, the system is currently operating at about 36 percent of capacity. (DEIR, p. 4.12-17) Population projections for Orland predict that by 2028 (the life of the General Plan), the population will be 12,286. The wastewater treatment plant can support a population of approximately 12,000. (DEIR, p. 4.12-17)

Mitigation Measure 4.12.2.1 will reduce the impacts to wastewater capacity, conveyance, and treatment that may result from implementation of the General Plan. (DEIR, p. 4.12-18) **Mitigation Measure 4.12.2.1** requires all subdivision developments to adhere to the following provisions, to the extent permitted by state law: (1) all future development shall demonstrate prior to the approval of any Final Map by the City that sufficient treatment capacity is or will be available to accommodate the subdivision; and (2) on-site and off-site sewage conveyance systems required to serve all future development shall be in place prior to the approval of occupancy permits, or their financing shall be assured to the satisfaction of the City, consistent with the requirements of the Subdivision Map Act. (DEIR, p. 4.12-18) All actions taken under **Mitigation Measure 4.12.2.1** will be required to comply with all applicable legal requirements.

Several policies and programs contained in the General Plan's Land Use and Open Space Elements will also reduce the impacts to wastewater capacity, conveyance, and treatment. (DEIR, p. 4.12-17) *Policy 2.2.B* and *Program 2.2.B.1* seek to develop a land use pattern that minimizes the expenditure of public funds for infrastructure. (DEIR, p. 4.12-17; General Plan Update, p. 2.0-13) This would be achieved by identifying existing facilities and infrastructure and using this information to develop a land use pattern that maximizes this infrastructure. (DEIR, p. 4.12-17)

Policy 5.8.A would ensure that adequate wastewater collection and treatment would be maintained for both existing and new development. (DEIR, p. 4.12-17; General Plan Update, p. 5.0-19) *Programs 5.8.A.2 and 5.8.A.4* would establish development impact fees as one source of funding capital improvements and include an analysis to determine the adequacy of fees to fund improvements. (DEIR, p. 4.12-17; General Plan Update, p. 5.0-19) *Program 5.8.A.3* would provide periodic review of the Wastewater Master Plan that identifies necessary improvements and their scheduling as well as development impact fees to provide funding. (DEIR, p. 4.12-17; General Plan Update, p. 5.0-19) *Policy 5.8.B* requires all sewage generators within the city limits to connect to the City's system, except in those areas where on-site treatment and disposal facilities are deemed appropriate and beneficial to the City. (DEIR, p. 4.12-17; General Plan Update, p. 5.0-19) *Program 5.8.B.1* requires the City to update its Municipal Code and Public Works Improvement Standards to incorporate *Policy 5.8.B*. (DEIR, p. 4.12-17; General Plan Update, p. 5.0-20) *Policy 5.8.C* requires that collection systems be designed on a gravity-flow basis except where a site-specific engineering analysis clearly demonstrates the long-term cost-effectiveness of pumped facilities or the infeasibility for gravity flow. (DEIR, p. 4.12-17; General Plan Update, p. 5.0-20) *Program 5.8.C.1* requires the City to update its Public Works Improvement Standards to incorporate *Policy 5.8.C*. (DEIR, p. 4.12-17; General Plan Update, p. 5.0-20) Environmental review would ensure that adequate mitigation measures will be identified for future discretionary projects on a case-by-case basis that will help to minimize the impact of demand on wastewater capacity, conveyance, and treatment.

Implementation of **Mitigation Measure 4.12.2.1** and the abovementioned policies and programs would ensure that sufficient water capacity, conveyance, and treatment is available to support new development in conjunction with existing development.

Therefore, implementation of the General Plan would result in wastewater capacity, conveyance, and treatment impacts that are considered *less than significant*. (DEIR, p. 4.12-18)

- **Impact 4.12.4.1. Solid Waste Disposal Demand.** Implementation of the General Plan would increase solid waste generation and the demand for related services. This is considered a *potentially significant* impact. (DEIR, p. 4.12-24)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.12.4.1a (cost-efficient solid waste collection, disposal and recycling services)

Mitigation Measure 4.12.4.1b (develop guidelines and standards for mandatory recycling)

Mitigation Measure 4.12.4.1c (imposition of impact fees)

Mitigation Measure 4.12.4.1d (develop a solid waste disposal fee system)

(b) Implementation.

The above-stated mitigation measures are included in the Mitigation Monitoring and Reporting Program adopted for the Project. New General Plan goals and policies have been incorporated into the Safety Element through the above-stated mitigation measures that will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.12-25)

(c) Findings Concerning Impact 4.12.4.1.

The City finds as follows: **Mitigation Measure 4.12.4.1a** and **Mitigation Measure 4.12.4.1c** are incorporated into the General Plan as new goals in the Safety Element; **Mitigation Measure 4.12.4.1b** is incorporated into the General Plan as a new policy under the goal established by **Mitigation Measure 4.12.4.1a**; **Mitigation Measure 4.12.4.1d** is incorporated into the General Plan as a new policy under the goal established by **Mitigation Measure 4.12.4.1c**. (DEIR, p. 4.12-25) The City further finds that implementation of the above-stated mitigation measures would reduce the impacts associated with increased solid waste generation and the demand for related services to a *less than significant* level. (DEIR, p. 4.12-25)

(d) Facts and Reasoning that Support Findings.

The land uses associated with the General Plan include residential, commercial, and industrial designations, which would increase solid waste generation over existing conditions. (DEIR, p. 4.12-24)

Most of the additional solid waste would likely be disposed of at the Glenn County Landfill near the unincorporated area of Artois. (DEIR, p. 4.12-24) The current residential solid waste load from the entirety of Glenn County (63 tons per day) is 63 percent of the permitted throughput. (DEIR, p. 4.12-24) A tipping fee increase recently approved by the Glenn County Board of Supervisors will allow the County to expand the landfill at its current site, giving the County an additional 80 to 100 years of capacity. (DEIR, p. 4.12-25)

Mitigation Measures 4.12.4.1a through **4.12.4.1d** will reduce the impacts associated with increased solid waste generation and the demand for related services that may result from implementation of the General Plan. (DEIR, p. 4.12-25) **Mitigation Measure 4.12.4.1a** requires the City to provide for solid waste collection, disposal services, and recycling in a cost-efficient manner. (DEIR, p. 4.12-25) All actions taken under **Mitigation Measure 4.12.4.1a** will be required to comply with all applicable legal requirements.

Mitigation Measure 4.12.4.1b requires the City to continue contracting for garbage and recycling collection services. (DEIR, p. 4.12-25) **Mitigation Measure 4.12.4.1b** also requires the city to develop guidelines and standards for mandatory recycling (AB 939) and organize solid waste disposal in new large-scale developments. (DEIR, p. 4.12-25) All actions taken under **Mitigation Measure 4.12.4.1b** will be required to comply with all applicable legal requirements.

Mitigation Measure 4.12.4.1c requires the City to impose solid waste collection, handling, recycling, composting, recovery, transfer and disposal fees to recover all capital, operating, and maintenance costs associated with the City's solid waste program. (DEIR, p. 4.12-25) All fees imposed under **Mitigation Measure 4.12.4.1c** will be required to comply with all applicable legal requirements.

Mitigation Measure 4.12.4.1d requires the City to develop and continually monitor a solid waste disposal fee system based on the quantity of waste set out for disposal and provide incentives for recovery. (DEIR, p. 4.12-25) **Mitigation Measure 4.12.4.1d** also requires the City to explore available alternatives for the establishment of a fiscally-viable citywide household recycling program. (DEIR, p. 4.12-25) All actions taken under **Mitigation Measure 4.12.4.1a** will be required to comply with all applicable legal requirements.

Implementation of **Mitigation Measures 4.12.4.1a** through **4.12.4.1d** would support a sustainable solid waste service by implementing a disposal fee system while also encouraging recycling, which would assist in reducing the solid waste stream, thereby reducing demand on landfill capacity, and would ensure adequate provision of solid waste services. (DEIR, p. 4.12-25) As a result, impacts associated with increased solid waste generation and the demand for related services will be *less than significant*. (DEIR, p. 4.12-25)

J. FINDINGS CONCERNING TRAFFIC AND CIRCULATION (CHAPTER 4.13):

- **Impact 4.13.1. Increased Traffic Volumes on Local Intersections.** Implementation of the General Plan would result in increased traffic volumes and a decrease in Level of Service (“LOS”) on area intersections. This is considered a *potentially significant* impact. (DEIR, p. 4.13-40)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.13.1 (improvements to affected intersections)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.13.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.13-45)

(c) Findings Concerning Impact 4.13.1.

The City finds that the above-stated mitigation measure is added to the City’s Capital Improvement Program as part of implementation of General Plan *Policy 3.3.A*. (DEIR, p. 4.13-45) The City further finds that Implementation of the above-stated mitigation measure and all applicable General Plan policies and programs would reduce impacts associated with the potential decrease in LOS at intersections within the Planning Area to a *less than significant* level. (DEIR, p. 4.13-47)

(d) Facts and Reasoning that Support Findings.

Under the General Plan, traffic volumes in 2028 would be generally higher than under existing conditions. (DEIR, p. 4.13-40) As a result, vehicle delay at study intersections would be higher than existing conditions. (DEIR, p. 4.13-40) Tables 4.13-2 and 4.13-8 of the DEIR present the a.m. peak hour and p.m. peak hour LOS at each study intersection under existing conditions as well as conditions under the General Plan respectively. (DEIR, pp. 4.13-36 – 4.13-38)

Nine (9) of the 14 study intersections during both the a.m. peak hour and the p.m. peak hour would operate at an acceptable LOS under 2028 General Plan conditions. No improvements are needed at these nine intersections. (DEIR, p. 4.13-40) However, five study intersections would operate at unacceptable LOS under 2028 General Plan conditions:

#1 – Newville Road & County Road HH

Under 2028 General Plan conditions, this intersection would operate at LOS C with 18.4 seconds of delay during the a.m. peak hour and LOS F with 244.3 seconds of delay during the p.m. peak hour. LOS F is considered unacceptable. (DEIR, p. 4.13-40)

#2 – Newville Road & I-5 Southbound Ramps

Under 2028 General Plan conditions, this intersection would operate at LOS C with 15.7 seconds of delay during the a.m. peak hour and LOS F with 253.9 seconds of delay during the p.m. peak hour. LOS F is considered unacceptable. (DEIR, p. 4.13-40)

#3 – Newville Road & I-5 Northbound Ramps

Under 2028 General Plan conditions, this intersection would operate at LOS D with 31.3 seconds of delay during the a.m. peak hour and LOS F with 421.4 seconds of delay during the p.m. peak hour. LOS F is considered unacceptable. (DEIR, p. 4.13-40)

#5 – Walker Street (SR 32) & Sixth Street

Under 2028 General Plan conditions, this intersection would operate at LOS D with 35.4 seconds of delay during the a.m. peak hour and LOS E with 68.8 seconds of delay during the p.m. peak hour. LOS E is considered unacceptable. (DEIR, p. 4.13-40)

#9 – SR 32 & County Road N

Under 2028 General Plan conditions, this intersection would operate at LOS F with 541.5 seconds of delay during the a.m. peak hour and LOS F with overflow conditions during the p.m. peak hour. LOS F is considered unacceptable. (DEIR, p. 4.13-45)

Mitigation Measure 4.13.1 will reduce the decrease in LOS at intersections within the Planning Area that may result from implementation of the General Plan. (DEIR, pp. 4.13-45 -4.13-47) **Mitigation Measure 4.13.1** requires the City to make the following improvements to the intersections listed below:

#1 – Newville Road and County Road HH

- Signalize the intersection.
- Install curbs, gutters, and sidewalks.

With implementation of these measures, this intersection would operate at LOS B with 11.4 seconds of delay during the a.m. peak hour and LOS B with 17.0 seconds of delay during the p.m. peak hour. These LOS are considered acceptable. (DEIR, p. 4.13-45)

#2 – Newville Road & I-5 Southbound Ramps

- Signalize the intersection.
- Install curbs, gutters, and sidewalks.

With implementation of these measures, this intersection would operate at LOS B with 17.1 seconds of delay during the a.m. peak hour and LOS C with 20.1 seconds of delay during the p.m. peak hour. These LOS are considered acceptable. (DEIR, pp. 4.13-45 - 4.13-46)

#3 – Newville Road & I-5 Northbound Ramps

- Signalize the intersection.
- Install curbs, gutters, and sidewalks.

With implementation of these measures, this intersection would operate at LOS B with 15.8 seconds of delay during the a.m. peak hour and LOS C with 24.3 seconds of delay during the p.m. peak hour. These LOS are considered acceptable. (DEIR, p. 4.13-46)

#5 – Walker Street (SR 32) & Sixth Street

- Split the northbound combined through/right-turn lane into an exclusive northbound through lane and an exclusive northbound-to-eastbound right-turn lane.

With implementation of this measure, this intersection would operate at LOS C with 27.0 seconds of delay during the a.m. peak hour and LOS D with 47.8 seconds of delay during the p.m. peak hour. These LOS are considered acceptable. (DEIR, p. 4.13-46)

#9 – SR 32 & County Road N

- Signalize the intersection.
- Install curbs, gutters, and sidewalks.

With implementation of these measures, this intersection would operate at LOS A with 9.9 seconds of delay during the a.m. peak hour and LOS B with 18.8 seconds of delay during the p.m. peak hour. These LOS are considered acceptable. (DEIR, p. 4.13-46)

Several of the policies and programs contained in the General Plan's Circulation Element are also intended to reduce the impacts to intersections within the Planning Area. (DEIR, p. 4.13-45) *Policy 3.1.A* requires the City to develop and maintain a network of roads that is compatible with the general land use patterns of the City. (DEIR, p. 4.13-45; General Plan Update, p. 3.0-15) *Program 3.2.E.1* states that traffic studies of affected streets may be required as part of the environmental assessment of proposed projects to assure City-wide traffic service levels are maintained. (DEIR, p. 4.13-45; General Plan Update, p. 3.0-18) *Program 3.2.E.2* states that traffic studies shall include LOS forecasts to account for individual and cumulative major land use changes in the City. (DEIR, p. 4.13-45; General Plan Update, p. 3.0-18) LOS forecasts shall also be used to identify deficient roadways and update street improvement plans and priorities. (DEIR, p. 4.13-45)

Policy 3.3.B establishes an inventory of City roads which will determine priorities for meeting circulation and transportation needs. Transportation projects shall be prioritized with emphasis on enhancing safety, reducing traffic congestion, and improving traffic circulation. (DEIR, p. 4.13-45; General Plan Update, p. 3.0-20) *Policy 3.3.C* states that the City shall install traffic control devices at intersections, as needed, for public health and safety and to reduce traffic congestion at key intersections throughout the City. (DEIR, p. 4.13-45; General Plan Update, p. 3.0-20) Associated *Program 3.3.C.1* seeks to improve intersections operating at less than p.m. peak-hour level of service "D" conditions by adding appropriate turning lanes to congested approaches, widening intersection approaches, or installing traffic signals. (DEIR, p. 4.13-45; General Plan Update, p. 3.0-20) *Policy 3.4.B* requires the City to work with Caltrans to identify needed improvements to its highway facilities in the City and implement necessary programs to assist in improving State Route interchanges/intersections with local roadways. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-20) *Policy 3.4.C* requires the City to coordinate local transportation plans with regional plans to ensure eligibility for state and federal funding. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-20)

Implementation of **Mitigation Measure 4.13.1** and the abovementioned policies and programs would ensure that these intersections would operate at an acceptable LOS under 2028 General Plan conditions. As a result, impacts to intersections within the Planning Area will be *less than significant*. (DEIR, p. 4.13-47)

- **Impact 4.13.2. Increased Traffic Volumes on Local Roadways.** Implementation of the General Plan would result in increased traffic volumes and a decrease in LOS on area roadways. This is considered a *potentially significant* impact. (DEIR, p. 4.13-47)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.13.1 as discussed under Impact 4.13.1, as well as the implementation of all applicable General Plan policies and programs,.

(b) Implementation.

Mitigation Measure 4.13.1, as discussed under **Impact 4.13.1** above, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 4.13.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.13-48)

(c) Findings Concerning Impact 4.13.2.

The City finds that implementation of **Mitigation Measure 4.13.1** as discussed under Impact 4.13.1, as well as the implementation of all applicable General Plan policies and programs, would reduce impacts associated with the potential decrease in LOS on roadways within the Planning Area to a *less than significant* level. (DEIR, p. 4.13-48)

(d) Facts and Reasoning that Support Findings.

Thirty-nine (39) study roadway segments were analyzed under existing conditions as well as conditions under the General Plan. (DEIR, p. 4.13-47) As shown in Tables 4.13-3 and 4.13-9 of the DEIR, thirty-six (36) of the roadway segments would operate at acceptable LOS. (DEIR, pp. 4.13-23, 4.13-38 - 4.13-39, 4.13-47) However, the following three roadway segments would operate at unacceptable LOS; (1) SR 32 (Walker Street), east of Sixth Street; (2) SR 32 (Walker Street), east of Papst Avenue; and (3) SR 32 (Walker Street), east of County Road N. (DEIR, p. 4.13-47)

Traffic volumes on these three roadway segments would increase substantially from existing conditions to conditions under the General Plan. (DEIR, p. 4.13-47) The large majority of the increase in traffic volumes would be due to an increase in regional through trips – traffic not related to land use development in Orland. (DEIR, p. 4.13-47)

If, hypothetically, there was no future land use development in Orland, these three roadway segments would operate at unacceptable LOS in the future because of the increase in regional through trips. (DEIR, pp. 4.13-47 - 4.13-48) Conversely, if there was no future increase in regional through trips, these three roadway segments would operate at acceptable LOS in the future even with future land use development in Orland.

The unacceptable LOS at the three roadway segments would be consistent with peak hour LOS at intersections along the roadway segments, if the intersections remained in their current unimproved condition. (DEIR, p. 4.13-48) Without future improvements and mitigation, these three intersections would operate at unacceptable LOS under the 2008-2028 General Plan. (DEIR, p. 4.13-48)

Several policies and programs contained in the General Plan's Circulation Element are intended to reduce the decrease in LOS on roadways in the Planning Area that may result from implementation of the General Plan. (DEIR, p. 4.13-48) *Policy 3.1.A* requires the City to develop and maintain a network of roads that is compatible with the general land use patterns of the City. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-15) *Program 3.2.E.1* states that traffic studies of affected streets may be required as part of the environmental assessment of proposed projects to assure City-wide traffic service levels are maintained. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-18) *Program 3.2.E.2* states that traffic studies shall include LOS forecasts to account for individual and cumulative major land use changes in the City. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-18) LOS forecasts shall also be used to identify deficient roadways and update street improvement plans and priorities. (DEIR, p. 4.13-48)

Policy 3.3.B establishes an inventory of City roads which will determine priorities for meeting circulation and transportation needs. Transportation projects shall be prioritized with emphasis on enhancing safety, reducing traffic congestion, and improving traffic circulation. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-20) *Policy 3.3.C* states that the City shall install traffic control devices at intersections, as needed, for public health and safety and to reduce traffic congestion at key intersections throughout the City. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-20) *Policy 3.4.B* requires the City to work with Caltrans to identify needed improvements to its highway facilities in the City and implement necessary programs to assist in improving State Route interchanges/intersections with local roadways. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-20) *Policy 3.4.C* requires the City to coordinate local transportation plans with regional plans to ensure eligibility for state and federal funding. (DEIR, p. 4.13-48; General Plan Update, p. 3.0-20)

Construction of the intersection improvements described under **Mitigation Measure 4.13.1** such as the planned signalization of the intersection of Walker Street (SR 32) and Papst Avenue and the planned signalization of the intersection of SR 32 and County Road N, would result in acceptable traffic operating conditions in this portion of Walker Street (SR 32). (DEIR, p. 4.13-48) As a result, implementation of **Mitigation Measure 4.13.1** and the abovementioned policies and programs will reduce impacts on roadway segment LOS to a *less than significant* level. (DEIR, p. 4.13-48)

1.7.5 CUMULATIVE IMPACTS

In addition to the direct and indirect significant impacts caused by the implementation of the 2008-2028 General Plan (Project)), the City Council finds that the Project will result in the following cumulative impacts:

A. FINDINGS CONCERNING AESTHETICS/LIGHT AND GLARE (CHAPTER 4.1):

- **Impact 4.1.5. Cumulative Impacts to Aesthetics/Light and Glare.** Implementation of the General Plan will encourage new development activities that could degrade the existing visual character or quality of the City. (DEIR, pp. 4.1-10, 5.0-3)

(a) **Mitigation Adopted by the City.**

The General Plan policies and programs discussed under **Impacts 4.1.1** through **4.1.4** (see DEIR, pp. 4.1-4 – 4.1-9, 4.2-17, 5.0-4), as well as existing zoning regulations, would substantially reduce the alteration of visual character, obstruction of scenic vistas, and light/glare impacts within the City..

(b) **Implementation.**

The General Plan goals, policies and programs discussed under **Impacts 4.1.1** through **4.1.4** (see DEIR, pp. 4.1-4 – 4.1-9, 4.2-17, 5.0-4) will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.1-4 – 4.1-9)

(c) **Findings Concerning Impact 4.1.5.**

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.1-10, 5.0-3)

(d) **Facts and Reasoning that Support Findings.**

Future growth in the City could have substantial impacts on the local landscape. (DEIR, pp. 4.1-10, 5.0-3) New development could also be incremental in terms of cumulative regional impacts. (DEIR, pp. 4.1-10, 5.0-3) The conversion of areas of the City from their current rural visual character to a more urban character could result in a cumulatively considerable change in the visual character of the City, as well as obstruct views and scenic vistas. (DEIR, pp. 4.1-10, 5.0-3) Implementation of the General Plan could result in a cumulatively considerable contribution to the overall urbanization of the region with corresponding visual impacts. (DEIR, pp. 4.1-10, 5.0-3)

Implementation of the General Plan policies and programs discussed under **Impacts 4.1.1 through 4.1.4** (see DEIR, pp. 4.1-4 – 4.1-9, 4.2-17, 5.0-4), as well as existing zoning regulations, would substantially reduce the alteration of visual character, obstruction of scenic vistas, and light/glare impacts within the City. (DEIR, pp. 4.1-10, 5.0-3) As a result, cumulative impacts from aesthetics and light/glare are considered *less than cumulatively considerable*. (DEIR, pp. 4.1-10, 5.0-3)

B. FINDINGS CONCERNING AGRICULTURAL RESOURCES (CHAPTER 4.2):

- **Impact 4.2.4. Cumulative Impacts to Agricultural Resources.** Implementation of the General Plan, in addition to existing, proposed, approved, and reasonably foreseeable development in Glenn County would contribute to cumulative land conflicts. This impact is considered *cumulatively considerable*. (DEIR, pp. 4.2-17, 5.0-4)

(a) Mitigation Adopted by the City.

None available.

(b) Implementation.

Mitigation Measure 4.2.1, as discussed under **Impact 4.2.1**, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs discussed under **Impacts 4.2.1 through 4.2.3** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.2-12 – 4.2-16)

(c) Findings Concerning Impact 4.3.6.

The City finds that there are no feasible mitigation measures which the City could adopt at this time which would reduce this cumulative impact to a level of less than significant. (DEIR, pp. 4.2-12 – 4.2-16, 4.2-17, 5.0-4) The City further finds that although the implementation of **Mitigation Measure 4.2.1** and the General Plan goals, policies and programs discussed under **Impacts 4.2.1 through 4.2.3** may work to reduce some portion of the General Plan's contribution to cumulative impacts on agricultural resources, they would not reduce these impacts to a less than significant level. (DEIR, pp. 4.2-12 – 4.2-16, 4.2-17, 5.0-4) For this reason, the impact is *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.2-17, 5.0-4)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative impacts on agriculture.

(d) Facts and Reasoning that Support Findings.

Subsequent land use activities associated with implementation of the General Plan could result in the conversion of, and/or conflict with, agricultural resources in the City. (DEIR, pp. 4.2-17, 5.0-4) Under cumulative conditions, the General Plan and subsequent development would not contribute to significant impacts associated with land use conflicts beyond those discussed in **Impacts 4.2.2** and **4.2.3**. (DEIR, pp. 4.2-14 – 4.2-16, 4.2-17, 5.0-4) Land use conflicts, particularly those between urban and agricultural resources, that would occur under cumulative development conditions would also be site specific. (DEIR, pp. 4.2-17, 5.0-4) However, as discussed under **Impact 4.2.1** (see DEIR, p. 4.2-12 – 4.2-14), General Plan policies and programs listed previously would not reduce the loss of agricultural land to a less than significant level. (DEIR, pp. 4.2-17, 5.0-4)

While **Mitigation Measure 4.2.1** would preserve agricultural lands, it is not known whether these lands would be preserved within the local region. As a result, the General Plan would result in a cumulative direct loss of agricultural land within the area. (DEIR, pp. 4.2-17, 5.0-4)

Implementation of **Mitigation Measure 4.2.1**, and the General Plan policies and programs discussed under **Impacts 4.2.1** through **4.2.3** would reduce the General Plan's contribution to cumulative impacts to agricultural resources. (DEIR, pp. 4.2-17, 5.0-4) However, implementation of the General Plan Land Use Diagram would still contribute incrementally to substantial cumulative impacts on agricultural resources in the region as a result of urban development. (DEIR, pp. 4.2-17, 5.0-4) Therefore, the intensification of development proposed in the General Plan would contribute substantially to farmland conversion in the region, and is considered a *cumulatively considerable, significant and unavoidable* impact. (DEIR, pp. 4.2-17, 5.0-4)

C. FINDINGS CONCERNING AIR QUALITY (CHAPTER 4.3):

- **Impact 4.3.6. Regional Air Quality Impacts.** Implementation of the General Plan along with potential development of the Planning Area would exacerbate existing regional levels of ozone and particulate matter. The General Plan's contribution to these conditions is considered *cumulatively considerable*. (DEIR, pp. 4.3-24, 5.0-5)

(a) Mitigation Adopted by the City.

None available.

(b) Implementation.

Mitigation Measures 4.3.2 through **4.3.4** are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan goals, policies and programs noted in reference to those mitigation measures will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.3-14 – 4.3-23)

(c) Findings Concerning Impact 4.3.6.

The City finds that there are no feasible mitigation measures which the City could adopt at this time which would reduce the impact to a level of less than significant. (DEIR, pp. 4.3-14 – 4.3-23, 4.3-24, 5.0-5 – 5.0-6) The City further finds that the implementation of **Mitigation Measures 4.3.2** through **4.3.4** and the General Plan policies and programs noted in reference to those mitigation measures, would assist in reducing the General Plan's contribution to cumulative regional and local air quality impacts; however, not to a less than significant level. (DEIR, pp. 4.3-14 – 4.3-23, 4.3-24, 5.0-5 – 5.0-6) For this reason, the impact is considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative impacts on regional air quality.

(d) Facts and Reasoning that Support Findings.

Over the life of the General Plan, some of the policies may result in substantial new development and increased population that would in turn adversely impact regional air quality. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6) Buildout of the General Plan would allow for the potential construction of approximately 4,305 dwelling units and 319 acres of commercial, industrial, and office uses over the existing 2003 General Plan buildout conditions. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6) The growth in population and business activity, along with the corresponding increase in vehicle usage, when considered with growth proposed under the General Plan, would contribute to cumulative regional air quality impacts. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6) It also could potentially delay attainment of standards for which counties in the Northern Sacramento Valley Air Basin (NSVAB) currently are in nonattainment status, primarily ozone and PM₁₀. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6)

Air pollutant transport from the Broader Sacramento Area (BSA) has an effect in the NSVAB by adding to the ozone problem within the NSVAB. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6) Ozone precursors are emitted as part of the exhaust of internal combustion engines in the BSA and are transported northward via the prevailing winds. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6) However, Orland cannot control the growth or emissions from neighboring jurisdictions. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6)

Therefore, the emissions from the BSA will continue to impact the NSVAB for the foreseeable future. (DEIR, pp. 4.3-24, 5.0-5 – 5.0-6)

Implementation of **Mitigation Measures 4.3.2** through **4.3.4** and the General Plan policies and programs noted in reference to those mitigation measures (DEIR, pp. 4.3-13 – 4.3-23) would assist in reducing the General Plan’s contribution to cumulative regional and local air quality impacts; however, this contribution is still considered *cumulatively considerable* and *significant and unavoidable*..

D. FINDINGS CONCERNING GREENHOUSE GASES AND CLIMATE CHANGE (CHAPTER 5.0):

- **Impact 5.0.1. Consistency with Greenhouse Gas Reduction Measures.** Subsequent land use activities associated with implementation of the General Plan, in combination with existing, approved, proposed, and reasonably foreseeable development in the Planning Area, would result in the cumulative increase of greenhouse gases including CO₂ emitted into the atmosphere. Implementation of the General Plan would establish a number of policies that would complement and be consistent with the early emissions reduction strategies contained in the *California Climate Action Team’s (CAT) Report to the Governor* and Executive Order S-3-05. This is considered *potentially cumulatively considerable*. (DEIR, p. 5.0-18)

(a) Mitigation Adopted by the City.

Mitigation Measure 5.0.1 (development of a Climate Action Plan)

(b) Implementation.

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs applicable to **Impact 5.0.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 5.0-24 - 5.0-25)

(c) Findings Concerning Impact 5.0.1.

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new policy under *Goal 5.5*. (DEIR, p. 5.0-31) The City further finds that implementation of the above-stated mitigation measure and all applicable General Plan policies and programs would reduce the impacts associated with potential conflicts with state and federal climate change laws to a *less than cumulatively considerable* level. (DEIR, p. 5.0-32)

(d) Facts and Reasoning that Support Findings.

Section 5.0 of the DEIR quantifies total greenhouse gas emissions resulting from implementation of the General Plan, compares the General Plan to the currently available set of strategies from the California Environmental Protection Agency (CalEPA) Climate Action Team (CAT) Report, and evaluates whether implementation of the General Plan would be consistent with the state's ability to attain the goals identified in AB 32 (i.e., reduction of statewide GHG emissions to 1990 levels by 2020). (DEIR, p. 5.0-17)

In addition to consistency with state efforts to reduce GHG emissions, Section 5.0 of the Draft EIR evaluates whether the subsequent development under the General Plan would be exposed to significant environmental impacts associated with the effects of global climate change. (DEIR, p. 5.0-17)

The global greenhouse gas emissions analysis for this EIR is also based on land use designations identified in the Land Use Element of the General Plan and the projected traffic and residential, commercial, office, and industrial uses. (DEIR, pp. 5.0-17 – 5.0-18) Increases in greenhouse gas emissions were calculated using a variety of programs including the EPA *Personal Greenhouse Gas Calculator* for emissions from residential buildings, the EPA *Power Profiler* for emissions resulting from non-residential buildings, and URBEMIS (v9.2.4) for greenhouse gas emissions resulting from mobile emission sources. (DEIR, p. 5.0-18)

Quantification of greenhouse gas emissions sources is subject to substantial uncertainty at this time due to the lack of detailed information on future industrial processes, the extent of equipment activity for future agricultural and forestry activity, the change in carbon sequestration from conversion of natural lands to other land covers, how to account for air travel without double-counting, water supply pumping electricity demand, net methane emissions from landfills, and the actual character of construction activity over the next 20 years. (DEIR, p. 5.0-18) Residential buildings, non-residential buildings, traffic, total General Plan 2028 CO₂ Emissions, and total General Plan Buildout CO₂ Emissions were analyzed in the Draft EIR. (DEIR, pp. 5.0-18 – 5.0-24)

The strategies that apply to the General Plan are contained in Table 5.0-6 of the DEIR. (DEIR, pp. 5.0-26 – 5.0-29) These strategies are broad in their scope and address a wide range of industries and GHG emission sources. (DEIR, p. 5.0-25) Therefore, most of the strategies are not applicable to the General Plan. (DEIR, p. 5.0-25) Also, for those strategies that are applicable, specific regulations or detailed guidance regarding their implementation is typically not available. (DEIR, p. 5.0-25) Thus, the General Plan's compliance with these measures was evaluated by the City qualitatively with the understanding that exact compliance can only be determined once specifically applicable regulations are adopted. (DEIR, p. 5.0-25) The analysis included in Table 5.0-6 focuses on the ability of the General Plan to substantially comply with the applicable strategies. (DEIR, p. 5.0-25)

Implementation of the General Plan would be consistent with several state measures to reduce greenhouse gas emissions. (DEIR, p. 5.0-31) However, implementation of **Mitigation Measure 5.0.1** is required to instigate City-wide programs and policies that contribute to the reduction of GHG emissions. (DEIR, p. 5.0-31) **Mitigation Measure 5.0.1** requires the City to develop a Climate Action Plan (CAP) in order to document how the City plans to reduce its greenhouse gas emissions to the eventual goal of achieving carbon neutrality. (DEIR, p. 5.0-31) The Climate Action Plan shall be updated periodically in order to examine progress of the Plan and contain the following: (1) a city greenhouse gas emission inventory baseline; (2) city greenhouse gas emission forecasts; (3) Greenhouse gas emissions reduction targets; and (4) proposed measures and policies to meet reduction targets. (DEIR, p. 5.0-31) All actions taken under **Mitigation Measure 5.0.1** will be required to comply with all applicable legal requirements.

In addition, several policies and programs contained in the General Plan's Open Space and Circulation Elements are intended to avoid conflicts with state and federal laws regarding greenhouse emissions. (DEIR, p. 5.0-24) *Policy 5.5.A* mandates the City to comply with Assembly Bill 32 ("AB 32") and its governing regulations to the full extent of the City's ability. (DEIR, p. 5.0-24; General Plan Update, p. 5.0-14) *Policy 5.5.B* would further implement any additional adopted State Legislative or regulatory standards, policies and practices designed to reduce greenhouse gas emissions, as those measures are developed. (DEIR, p. 5.0-24; General Plan Update, p. 5.0-14) Similarly, *Policy 4.4.G* ensures that the City will continue to monitor the effects of the California Air Resources Board and other various organizations responsible for the preparation of greenhouse gas reducing standards. (DEIR, p. 5.0-24; General Plan Update, p. 5.0-14) *Policy 5.5.C* explores opportunities to train appropriate City staff on new technology and look for opportunities to improve energy efficiency in public facilities, and thus reduce greenhouse gas emissions. (DEIR, p. 5.0-24; General Plan Update, p. 5.0-14) *Policy 5.5.D* further attempts to reduce greenhouse gas emissions by researching the adoption of sustainable design practices which encourage the use of alternative energy sources and minimize the use of fossil fuels. (DEIR, p. 5.0-24; General Plan Update, p. 5.0-14) *Policy 5.5.E* ensures review of local subdivision, zoning and building ordinances to identify whether impediments exist to the use of alternative energy sources. (DEIR, pp. 5.0-24 – 5.0-25; General Plan Update, p. 5.0-14) *Policy 5.5.H* explores the use of alternative energy sources such as solar and/or wind-powered technologies. (DEIR, p. 5.0-25; General Plan Update, p. 5.0-14) *Policy 5.5.F* encourages the use of alternative forms of transportation within the community to reduce the emissions of greenhouse gases. (DEIR, p. 5.0-25; General Plan Update, p. 5.0-14)

Policy 3.3.C and associated *Program 3.3.C.1* ensure the installation of traffic control devices at intersections, as needed, in order to reduce traffic congestion at key intersections throughout the City. Such measures will reduce the greenhouse gas emissions resulting from congested intersections, lower average speeds, and decrease idling times. (DEIR, p. 5.0-25; General Plan Update, p. 3.0-20) *Program 3.6.A.1* provides for bus pull-outs and transit stops at locations determined by the City and transit agency to be appropriate. (DEIR, p. 5.0-25; General Plan Update, p. 3.0-21)

Policy 3.6.C ensures coordination with regional transit planners to determine the feasibility of developing and/or improving commuter bus service. (DEIR, p. 5.0-25; General Plan Update, p. 3.0-21) *Policy 3.6.B* and associated *Program 3.6.B.1* encourage the use of car-pooling, van-pooling and flexible employment hours for employees in the City. (DEIR, p. 5.0-25; General Plan Update, p. 3.0-21) Improved bus service and expanded car-pooling and van-pooling options will lead to less dependence on the single occupant automobile driver within the City, thus reducing greenhouse gas emissions. (DEIR, p. 5.0-25) *Policies 3.7.A, 3.7.B, 3.7.D, 3.8.A, 3.8.B, Policy 3.8.C, and Program 3.8.B.1* strive to improve pedestrian and bicycle pathways by connecting major destinations in Orland which will also encourage alternative forms of transportation and reduce dependency on automobiles, thus reducing greenhouse gas emissions. (DEIR, p. 5.0-25; General Plan Update, p. 3.0-22)

Implementation of **Mitigation Measure 5.0.1** and the abovementioned policies and programs will reduce the impacts associated with the potential conflicts with state and federal laws regarding greenhouse gas emissions to a *less than cumulatively considerable* level. (DEIR, p. 5.0-32)

- **Impact 5.0.2. Environmental Effects on the City Resulting from Climate Change.** Implementation of the General Plan could substantially increase emissions of greenhouse gas over existing conditions that could result in environmental effects to the City. (DEIR, p. 5.0-32) This is considered *less than cumulatively considerable*.

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

Not applicable.

(c) Findings Concerning Impact 5.0.2.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, p. 5.0-32)

(d) Facts and Reasoning that Support Findings.

As discussed in the “Climate Setting” analysis contained in the DEIR, there have been several technical studies regarding the environmental effects of climate change on the Earth as well as California. (DEIR, pp. 5.0-6 – 5.0-12, 5.0-32) Several adverse environmental effects have been identified that are projected to impact California over the next century. (DEIR, pp. 5.0-6 – 5.0-12, 5.0-32) However, the extent of these environmental effects are still being defined as climate modeling tools become more refined. (DEIR, p. 5.0-32)

Potential environmental effects of climate change that could impact the City could include the following: (1) decreased water supply availability; (2) increased severity of flooding events; (3) increased wildland fire hazards; (4) alteration of natural habitats for special-status plant and animal species; and (5) decreased air quality. (DEIR, pp. 5.0-6 – 5.0-12, 5.0-32)

Based on consideration of the recent regional and local climate change studies, and considering that the City's groundwater source is anticipated to largely remain intact, it is reasonably expected that the impacts of global climate change on the City will be *less than cumulatively considerable*. (DEIR, p. 5.0-32)

E. FINDINGS CONCERNING BIOLOGICAL RESOURCES (CHAPTER 4.4):

- **Impact 4.4.6. Cumulative Impacts to Biological Resources.** Implementation of the General Plan in combination with other reasonably foreseeable projects would result in direct mortality and loss of habitat for special-status species, and loss of waters of the U.S., including wetlands. This impact is considered *cumulatively considerable*. (DEIR, pp. 4.4-33, 5.0-33)

(a) Mitigation Adopted by the City.

Mitigation Measures 4.4.1a through 4.4.2e and the General Plan policies and programs discussed under **Impacts 4.4.1 through 4.4.2**.

(b) Implementation.

Mitigation Measures 4.4.1a through 4.4.2e, as discussed under **Impacts 4.4.1 through 4.4.2**, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan goals, policies and programs applicable to **Impacts 4.4.1 through 4.4.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.3-23 – 4.3-30)

(c) Findings Concerning Impact 4.4.6.

The City finds that implementation of **Mitigation Measures 4.4.1a through 4.4.2e** and the General Plan policies and programs discussed under **Impacts 4.4.1 through 4.4.2** would reduce the General Plan's contribution to the loss of habitat and U.S. waters to a *less than cumulatively considerable* level. (DEIR, pp. 4.4-34, 5.0-33)

(d) Facts and Reasoning that Support Findings.

The vegetation communities/habitats in the City of Orland region are critically important for the protection of several sensitive species. (DEIR, pp. 4.4-33, 5.0-33)

Implementation of the General Plan may result in degradation of wildlife habitat through a variety of actions which, when combined with other habitat impacts occurring from development within surrounding areas, would result in significant cumulative impacts. (DEIR, pp. 4.4-33, 5.0-33) Future development within the City of Orland and the surrounding vicinity would have an unknown and unquantifiable impact on special-status species, biologically sensitive habitats, and potential jurisdictional features (wetlands and water of the U.S.). (DEIR, pp. 4.4-33, 5.0-33) The loss of wetlands and riparian forest along the Stony Creek and Hambright Creek corridors within the Planning Area would result in a decline in water quality condition, which may result in adverse effects to downstream aquatic resources and riparian habitat. (DEIR, pp. 4.4-34, 5.0-33) Furthermore, increased development and disturbance created by human activities (e.g, fires, increased nighttime lighting) would result in direct mortality, habitat loss, and deterioration of habitat suitability. (DEIR, pp. 4.4-34, 5.0-33)

Implementation of **Mitigation Measures 4.4.1a** through **4.4.2e** and the General Plan policies and programs discussed under **Impacts 4.4.1** through **4.4.2** (see Draft EIR, pp. 4.4-23 – 4.4-30) will reduce the General Plan’s impacts to these resources to a less than significant level through either resource avoidance or replacement measures. (DEIR, pp. 4.4-34, 5.0-33) Therefore, the General Plan’s cumulative contribution to impacts on these resources would be reduced to *less than cumulatively considerable*. (DEIR, pp. 4.4-34, 5.0-33)

F. FINDINGS CONCERNING CULTURAL RESOURCES (CHAPTER 4.5):

- **Impact 4.5.3. Cumulative Impacts to Prehistoric, Historic Resources and Human Remains.** Implementation of the General Plan, along with existing, approved, proposed, and foreseeable development in the vicinity of the City, could contribute to cumulative impacts to prehistoric resources, historic resources and human remains. The General Plan’s potential to contribute to the loss of these resources is considered *cumulatively considerable*. (DEIR, pp. 4.5-13, 5.0-33 – 5.0-34)

(a) Mitigation Adopted by the City.

Mitigation Measures 4.5.1a through **4.5.1c**, as discussed under **Impacts 4.5.1**.

(b) Implementation.

Mitigation Measures 4.5.1a through **4.5.1c**, as discussed under **Impact 4.5.1**, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. A new General Plan goal and related policies have been incorporated into the Land Use Element through the above-stated mitigation measures that will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.5-11 – 4.5-12)

(c) Findings Concerning Impact 4.5.3.

The City finds that implementation of **Mitigation Measures 4.5.1a** through **4.5.1c**, as discussed under **Impacts 4.5.1**, would reduce the General Plan's contribution to the disturbance of prehistoric resources, historic resources and human remains to a *less than cumulatively considerable* level. (DEIR, pp. 4.5-11 – 4.5-12, 4.5-13, 5.0-33)

(d) Facts and Reasoning that Support Findings.

Cumulative development in the region would result in the loss and/or degradation of cultural resources. (DEIR, pp. 4.5-13, 5.0-34) The potential disturbance of human remains would also increase. (DEIR, pp. 4.5-13, 5.0-34) These cumulative effects of development on cultural resources would be significant. (DEIR, pp. 4.5-13, 5.0-34) Current archaeological and historical investigations for the project did not identify any prehistoric or historic resources or human remains within the Planning Area boundaries. (DEIR, pp. 4.5-13, 5.0-34) Regardless, there is the potential for the project to uncover previously undiscovered cultural resources because of the area's historic occupation by both Native Americans and Euro-Americans. (DEIR, pp. 4.5-13 – 4.5-14, 5.0-34)

Implementation of **Mitigation Measures 4.5.1a** through **4.5.1c** as discussed in **Impact 4.5.1**, (see DEIR, pp. 4.5-11 – 4.5-12) will assist in reducing significant impacts to known and unknown prehistoric and historic resources and human remains. (DEIR, pp. 4.5-13 – 4.5-14, 5.0-34) Therefore, cumulative impacts related to prehistoric and historic cultural resources and human remains would be reduced to *less than cumulatively considerable*. (DEIR, pp. 4.5-14, 5.0-34)

- **Impact 4.5.4. Cumulative Impacts to Paleontological Resources.** Implementation of the City of Orland General Plan, along with existing, approved, proposed, and foreseeable development in the region could result in the potential disturbance of paleontological resources (i.e., fossils and fossil formations). (DEIR, pp. 4.5-14, 5.0-34) The General Plan's potential to contribute to the loss of these resources is considered *cumulatively considerable*. (DEIR, pp. 4.5-14, 5.0-34)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.5.2, as discussed under **Impact 4.5.2**.

(b) Implementation.

Mitigation Measure 4.5.2, as discussed under **Impact 4.5.2**, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. A new General Plan policy has been incorporated into the Land Use Element through the above-stated mitigation measure that will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.5-13)

(c) **Findings Concerning Impact 4.5.4.**

The City finds that implementation of **Mitigation Measure 4.5.2**, as discussed under **Impact 4.5.2**, would reduce the General Plan's contribution to the disturbance of paleontological resources to a *less than cumulatively considerable* level. (DEIR, pp. 4.5-12 – 4.5-13, 4.5-14, 5.0-34)

(d) **Facts and Reasoning that Support Findings.**

Implementation of the City of Orland General Plan, along with existing, approved, proposed, and foreseeable development in the region could result in the potential disturbance of paleontological resources (i.e., fossils and fossil formations). This is considered *cumulatively considerable*.

Cumulative development in the region would result in the loss and/or degradation of paleontological resources. (DEIR, pp. 4.5-14, 5.0-34) The cumulative effects of development on paleontological resources would be significant. As discussed under **Impact 4.5.2** (see DEIR, pp. 4.5-12 – 4.5-13) there are no known paleontological resources in the Planning Area. (DEIR, pp. 4.5-14, 5.0-34) However, due to the previous discovery of paleontological resources in Glenn County, there is the potential for undiscovered paleontological resources. (DEIR, pp. 4.5-14, 5.0-34)

Implementation of **Mitigation Measure 4.5.2**, as discussed in **Impact 4.5.2** (see DEIR, pp. 4.5-12 – 4.5-13), will assist in reducing significant cumulative impacts to known and unknown paleontological resources. (DEIR, pp. 4.5-14, 5.0-34) Therefore, cumulative impacts related to paleontological resources would be reduced to *less than cumulatively considerable*. (DEIR, pp. 4.5-14, 5.0-34)

G. **FINDINGS CONCERNING GEOLOGY, SEISMICITY, SOILS AND HAZARDOUS MATERIALS (CHAPTER 4.6):**

- **Impact 4.6.9. Cumulative Geologic and Seismic Hazards.** Cumulative development in the City has the potential to locate buildings and persons in areas considered to be potentially hazardous. (DEIR, pp. 4.6-29, 5.0-35) This is considered *less than cumulatively considerable*.

(a) **Mitigation Adopted by the City.**

None required.

(b) **Implementation.**

The General Plan goals, policies and programs discussed under **Impact 4.6.3** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, p. 4.6-23)

(c) Findings Concerning Impact 4.6.9.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.6-29, 5.0-35)

(d) Facts and Reasoning that Support Findings.

Given the General Plan Planning Area's geologic and soil composition, as well as the required compliance with the General Plan policies and programs discussed under **Impact 4.6.3**, the City of Orland General Plan's cumulative geology and soil impacts are considered *less than cumulatively considerable*. (DEIR, pp. 4.6-23, 4.6-29, 5.0-35)

- **Impact 4.6.10. Cumulative Health Risks Resulting from Hazardous Materials.** Implementation of the General Plan could expose persons to hazardous materials throughout the life of the General Plan. (DEIR, pp. 4.6-29, 5.0-35) This is considered *less than cumulatively considerable*.

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan goals, policies and programs discussed under **Impacts 4.6.5** and **4.6.6** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.6-24 – 4.6-26)

(c) Findings Concerning Impact 4.6.10.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.6-29, 5.0-36)

(d) Facts and Reasoning that Support Findings.

The cumulative effects from land uses proposed in association with the General Plan could create a risk to public health from exposure to natural hazards (e.g., flooding and fire) and hazardous materials (groundwater contamination). (DEIR, pp. 4.6-29, 5.0-35) Natural hazards and hazardous material-related impacts are generally site-specific and each individual development project is responsible for mitigating such risks. (DEIR, pp. 4.6-29, 5.0-35)

Exposure to natural hazards can be controlled through proper site design, best management practices during construction and operation, compliance with established building requirements, and appropriate zoning. (DEIR, pp. 4.6-29, 5.0-36 – 5.0-37)

Various land uses (commercial, industrial, schools, and residential properties) will use limited hazardous materials during construction and operational activities. (DEIR, pp. 4.6-29, 5.0-37) All new and existing projects are required to comply with all federal, state, and local regulations regarding the handling, transportation, and disposal of hazardous materials. (DEIR, pp. 4.6-29, 5.0-36) In addition, implementation of the General Plan policies and programs discussed under **Impacts 4.6.5** and **4.6.6** (see DEIR, pp. 4.6-24 – 4.6-26) will reduce public exposure to hazardous materials that may result from implementation of the General Plan. (DEIR, pp. 4.6-24 – 4.6-26) Therefore, the General Plan’s cumulative hazardous material impacts and threats to public health are considered *less than cumulatively considerable*. (DEIR, pp. 4.6-29, 5.0-36)

H. FINDINGS CONCERNING HYDROLOGY AND WATER QUALITY (CHAPTER 4.7):

- **Impact 4.7.5. Cumulative Water Quality Impacts.** Implementation of the General Plan and potential development of the City would include substantial grading, site preparation, and an increase in urbanized development. Increased development would contribute to cumulative water quality impacts. however, this impact is considered *less than cumulatively considerable*. (DEIR, pp. 4.7-28, 5.0-36)

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan policies and programs discussed under **Impacts 4.7.1** through **4.7.4** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.7-19 – 4.3-27)

(c) Findings Concerning Impact 4.7.5.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.7-28, 5.0-37)

(d) Facts and Reasoning that Support Findings.

As described under **Impact 4.7.1** above, implementation of the General Plan would allow for the development of urban uses in an area which is currently vacant land or agricultural land. (DEIR, pp. 4.7-28, 5.0-36) This would add to the potential development activities within Glenn County and adjacent areas, depending on the timing and rate of development. (DEIR, pp. 4.7-28, 5.0-36) Development of this acreage will result in cumulative water quality impacts, which include impacts to surface water and groundwater quality and potential impacts to water supply. (DEIR, pp. 4.7-28, 5.0-36)

All new and redevelopment construction projects are required to submit grading plans, and all grading plans would need to be reviewed and approved by the City. (DEIR, pp. 4.7-28, 5.0-36) These plans would also be submitted to the Central Valley Regional Water Quality Control Board (CVRWQCB) for approval under the National Pollutant Discharge Elimination System (NPDES) construction activities stormwater permit. (DEIR, pp. 4.7-28, 5.0-36 - 5.0-37) New development in excess of one acre is subject to a NPDES permit. (DEIR, pp. 4.7-28, 5.0-37) The state has published a set of best management practices for both pre and post-construction periods. (DEIR, pp. 4.7-28, 5.0-37)

In addition, implementation of the General Plan policies and programs described under **Impacts 4.7.1**, through **4.7.4** (see DEIR, pp. 4.7-19 – 4.7-27) would ensure the attainment of water quality standards and protection of beneficial uses consistent with applicable water quality requirements. (DEIR, pp. 4.7-28, 5.0-37) Therefore, the General Plan's contribution to cumulative water quality impacts would be considered *less than cumulatively considerable*. (DEIR, pp. 4.7-28, 5.0-37)

- **Impact 4.7.6. Cumulative Flood Hazards.** Implementation of the General Plan would increase impervious surfaces and alter drainage conditions and rates in the Planning Area, which could contribute to cumulative flood conditions along the Sacramento River and other local waterways. However, the General Plan contains adequate General Plan policies and programs that address drainage and flooding issues. This is considered *less than cumulatively considerable*. (DEIR, pp. 4.7-29, 5.0-37)

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan policies and programs discussed under **Impact 4.7.4** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.7-25 – 4.3-27)

(c) Findings Concerning Impact 4.7.6.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.7-29, 5.0-37)

(d) Facts and Reasoning that Support Findings.

Urban development under the General Plan would increase impervious surfaces in the Planning Area that would contribute (in combination with cumulative development in the watershed) to increases in flood conditions for area waterways. (DEIR, pp. 4.7-29, 5.0-37)

The project would also increase the regional population that could be exposed to flooding as a result of the failure of Black Butte Dam. (DEIR, pp. 4.7-29, 5.0-37) However, such an event has an extremely low probability of occurring and is not considered to be a reasonably foreseeable event. (DEIR, pp. 4.7-29, 5.0-37)

Implementation of the General Plan policies and programs described under **Impact 4.7.4** (see DEIR, pp. 4.7-25 – 4.7-27) would adequately reduce drainage and flood-related impacts that may result from the implementation of the General Plan. (DEIR, pp. 4.7-29, 5.0-37) Therefore, the General Plan’s contribution to cumulative drainage and flood-related impacts would be considered *less than cumulatively considerable*. (DEIR, pp. 4.7-29, 5.0-37)

I. FINDINGS CONCERNING LAND USE (CHAPTER 4.8):

- **Impact 4.8.4. Cumulative Land Use Conflicts.** Implementation of the General Plan, in addition to existing, proposed, approved, and reasonably foreseeable development in the City and Glenn County, would contribute to cumulative land conflicts. However, this impact would be considered *less than cumulatively considerable*. (DEIR, pp. 4.8-17, 5.0-38)

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan policies and programs discussed under **Impacts 4.2.2, 4.2.3, 4.9.1 and 4.9.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.2-14 – 4.2-16, 4.9-18 – 4.9-20)

(c) Findings Concerning Impact 4.8.4.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.8-18, 5.0-38)

(d) Facts and Reasoning that Support Findings.

Under cumulative conditions, the General Plan and subsequent development would not contribute to land use conflicts beyond those discussed in **Impacts 4.2.2, 4.2.3** (see Draft EIR, pp. 4.2-14 – 4.2-16), **4.9.1** and **4.9.2** (see Draft EIR, pp. 4.9-18 – 4.9-20). (DEIR, pp. 4.8-17, 5.0-38)

Conflicts between planning documents, such as the Orland Haigh Field Airport Comprehensive Land Use Plan and the General Plan Land Use Map, would be specific to the General Plan and to individual development projects and would not have an increased significance in the aggregate under cumulative conditions. (DEIR, pp. 4.8-17, 5.0-38) Similarly, land use conflicts, particularly those between urban and agricultural resources that would occur under cumulative development conditions, would also be site-specific. (DEIR, pp. 4.7-17, 5.0-38) There are known development projects in the City as well as in Glenn County that will contribute to cumulative changes in the landscape and land uses within the Planning Area. (DEIR, pp. 4.8-18, 5.0-38)

In addition, implementation of the General Plan policies and programs described under **Impacts 4.2.2, 4.2.3 and 4.9.2** would adequately reduce land use conflicts that may result from the implementation of the General Plan. (DEIR, pp. 4.8-18, 5.0-38) As a result this impact is considered *less than cumulatively considerable*. (DEIR, pp. 4.8-18, 5.0-38)

J. FINDINGS CONCERNING NOISE (CHAPTER 4.9):

- **Impact 4.9.6. Cumulative Increase of Ambient Traffic Noise Levels.** Implementation of the General Plan would result in significant increases in noise levels within Orland. This is considered *cumulatively considerable*. (DEIR, pp. 4.9-24, 5.0-39)

(a) Mitigation Adopted by the City.

None available.

(b) Implementation.

Mitigation Measure 4.9.4, as discussed under **Impact 4.9.4**, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs discussed under **Impact 4.9.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.9-21 - 4.9-23, 4.9-18 – 4.9-20)

(c) Findings Concerning Impact 4.9.6.

The City finds that there are no feasible mitigation measures which the City could adopt at this time which would reduce the impact to a level of less than significant. (DEIR, pp. 4.9-25, 5.0-39) The City further finds that implementation of **Mitigation Measure 4.9.4** and the General Plan policies and programs discussed under **Impact 4.9.2** would assist in reducing the General Plan's contribution to cumulative noise impacts; however, not to a less than significant level. (DEIR, pp. 4.9-21 - 4.9-23, 4.9-18 – 4.9-20, 4.9-25, 5.0-39) For this reason, the impact is considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.9-25, 5.0-39)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative noise impacts.

(d) Facts and Reasoning that Support Findings.

It is recognized that implementation of **Mitigation Measure 4.9.4** (see DEIR, pp. 4.9-21 - 4.9-23) and the General Plan policies discussed under **Impact 4.9.2** (see Draft EIR, pp. 4.9-18 – 4.9-20) can result in a reduction of traffic noise levels at affected sensitive receptor locations. (DEIR, pp. 4.9-25, 5.0-39) Nonetheless, despite the implementation of such a noise abatement program, it is infeasible to ensure that existing residential uses will not be exposed to future traffic noise levels exceeding the City's noise standards or significantly exceeding levels they are exposed to today. (DEIR, pp. 4.9-25, 5.0-39)

Although a combination of measures could be effective in reducing traffic noise levels, it is not possible to state with absolute certainty that it would be possible to mitigate this impact at every noise-sensitive use within the Planning Area. (DEIR, pp. 4.9-25, 5.0-39) As a result, this impact would remain *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.9-25, 5.0-39)

K. FINDINGS CONCERNING POPULATION, HOUSING AND EMPLOYMENT (CHAPTER 4.10):

- **Impact 4.10.3. Cumulative Population and Housing Growth.** Implementation of the General Plan, in addition to existing, proposed, approved, and reasonably foreseeable development in the area, could result in a cumulative increase in population and housing growth in the City and associated environmental impacts. This is considered *cumulatively considerable*. (DEIR, pp. 4.10-10, 5.0-40)

(a) Mitigation Adopted by the City.

None feasible.

(b) Implementation.

Not Applicable.

(c) Findings Concerning Impact 4.10.3.

The City finds that there are no feasible mitigation measures which the City could adopt at this time which would reduce the impact to a level of less than significant. (DEIR, pp. 4.10-11, 5.0-41) For this reason, the impact is considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.10-11, 5.0-41)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative impacts on population, housing and employment.

(d) Facts and Reasoning that Support Findings.

As shown in Table 4.10-8 of the DEIR, development under the proposed General Plan could potentially lead to a substantial increase in population and housing in the Planning Area under buildout conditions. (DEIR, pp. 4.10-11, 5.0-41) In addition, Table 4.10-7 of the DEIR provides a summary of regional growth projections that encompasses areas that would be directly and indirectly impacted by implementation of the General Plan. (DEIR, pp. 4.10-11, 5.0-41) The projects in these regions would create new residences and employment opportunities in the areas surrounding the City and contribute to the cumulative impacts on population and housing growth in the region. (DEIR, pp. 4.10-11, 5.0-41) The environmental effects of the approved projects in the regions surrounding Orland have already been considered. (DEIR, pp. 4.10-11, 5.0-41) The respective jurisdictions will evaluate the environmental effects of the proposed and reasonably foreseeable projects on population and housing growth as projects are processed. (DEIR, pp. 4.10-11, 5.0-41) As the added population would require housing, this would also lead to a cumulatively considerable increase in housing stock, with the associated environmental impacts discussed under **Impacts 4.10.1** and **4.10.2**. (DEIR, pp. 4.10-11, 5.0-41)

The only mitigation to reduce the population and housing unit increase to a less than significant level would be a cessation of housing construction in the City. (DEIR, pp. 4.10-11, 5.0-41) However, this is contradictory to the objectives of the General Plan and considered infeasible mitigation. (DEIR, pp. 4.10-11, 5.0-41) Therefore, impacts related to population growth would be considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.10-11, 5.0-41)

L. FINDINGS CONCERNING COMMUNITY SERVICES (CHAPTER 4.11):

- **Impact 4.11.1.3. Cumulative Increase in Demand for Fire Protection and Emergency Medical Services.** Implementation of the General Plan in combination with other reasonably foreseeable development would increase the population within the City, contributing to the cumulative demand for fire protection and emergency medical services and related facilities would be required. This is considered *less than cumulatively considerable* (DEIR, pp. 4.11-7, 5.0-41)

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan policies and programs discussed under **Impacts 4.11.1.1** and **4.11.1.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.11-4 – 4.11-6)

(c) Findings Concerning Impact 4.11.1.3.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.11-7, 5.0-42)

(d) Facts and Reasoning that Support Findings.

Implementation of the General Plan would require additional fire related services, equipment, and facilities to adequately serve the projected development within the Planning Area. (DEIR, pp. 4.11-7, 5.0-42) Funding from property taxes, developer fees, impact fees, and other alternative sources of funding would provide sufficient resources to serve the needs of the Orland Volunteer Fire Department. (DEIR, pp. 4.11-7, 5.0-42) Subsequently, future development proposed in association with the General Plan would increase revenues for the Orland Volunteer Fire Department and provide funding to accommodate the additional growth. Individual development projects would be subject to CEQA review on a project-by-project basis, ensuring that impacts would be *less than cumulatively considerable*. (DEIR, pp. 4.11-7, 5.0-42)

On a cumulative basis, future development of residential units in natural areas that support a variety of trees, shrubs, and native grasses (Stony and Hambright Creeks) have the potential to provide a substantial source of fuel and a potential to ignite and pose safety risks to adjacent and surrounding developments. (DEIR, pp. 4.11-7, 5.0-42) Development in these areas has the potential to expose people or structures to risk of loss, injury, or death involving fires. (DEIR, pp. 4.11-7, 5.0-42)

Implementation of General Plan Safety Element policies and programs discussed under **Impacts 4.11.1.1** and **4.11.1.2** (see DEIR, pp. 4.11-4 – 4.11-7) would reduce the General Plan's contribution to cumulative impacts on fire protection and emergency medical service-related impacts to *less than cumulatively considerable*. (DEIR, pp. 4.11-7, 5.0-42)

- **Impact 4.11.2.2. Cumulative Increase in Demand for Law Enforcement Services.** Implementation of the General Plan in combination with other reasonably foreseeable development would increase the population within the City, contributing to the cumulative demand for law enforcement services and facilities. As a result, additional law enforcement services and related facilities would be required. However, this impact is considered *less than cumulatively considerable*. (DEIR, pp. 4.11-11, 5.0-42)

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan policies and programs discussed under **Impact 4.11.2.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.11-9 – 4.11-10)

(c) Findings Concerning Impact 4.11.2.2.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.11-11, 5.0-42)

(d) Facts and Reasoning that Support Findings.

Implementation of the General Plan would require additional law enforcement related services, equipment, and facilities, to adequately serve the projected development within the City. Expansion of the City's Planning Area and city limits under the General Plan would result in a projected 2028 population of approximately 12,286, an increase of 4,933 persons over the existing population. (DEIR, pp. 4.11-11, 5.0-42) The Police Department seeks to maintain an officer per citizen ratio of 1.9 sworn officers per 1,000 residents. Based on these preferred ratios, the City at buildout would require the addition of nine officers and three patrol vehicles. (DEIR, pp. 4.11-11, 5.0-42)

The Police Department notes that the existing station no longer has the capacity to house additional staff and equipment under current conditions; however, renovation of the City-purchased building at 824 Fourth Street will provide adequate space, nearly doubling the area of the current building. (DEIR, pp. 4.11-11, 5.0-42 – 5.0-43)

Funding from property taxes and other alternative sources of funding (such as impact fees) would provide sufficient resources to serve the projected needs of the Orland Police Department. (DEIR, pp. 4.11-11, 5.0-43) Subsequently, future development proposed in association with the General Plan would increase revenues for the Police Department and provide funding to accommodate the additional growth. (DEIR, pp. 4.11-11, 5.0-43) Individual development projects would be subject to CEQA review on a project-by-project basis, ensuring that impacts would be considered *less than cumulatively considerable*.

Implementation of the General Plan policies and programs discussed under **Impact 4.11.2.1** (see DEIR, pp. 4.11-9 – 4.11-11) would ensure that the General Plan's cumulative law enforcement related impacts are *less than cumulatively considerable*. (DEIR, pp. 4.11-11, 5.0-43)

- **Impact 4.11.3.2. Cumulative School Impacts.** Implementation of the General Plan in combination with other reasonably foreseeable development would result in a cumulative increase in student enrollment and require additional schools and related facilities to accommodate the growth. (DEIR, pp. 4.11-19, 5.0-43) This is considered *less than cumulatively considerable*.

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

Not applicable.

(c) Findings Concerning Impact 4.11.3.2.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.11-19, 5.0-44)

(d) Facts and Reasoning that Support Findings.

Implementation of the General Plan would require additional educational services and facilities to adequately serve the projected development within the City. (DEIR, pp. 4.11-19, 5.0-43) Funding from property taxes and other alternative sources of funding such as grants would provide sufficient resources to serve the projected needs of the City schools. (DEIR, pp. 4.11-19, 5.0-43)

However, current State law states that the environmental impact of new development on school facilities is considered fully mitigated through the payment of required development impact fees. (DEIR, pp. 4.11-19, 5.0-43) Furthermore, any significant expansion of school facilities or the development of new school facilities would be subject to the appropriate environmental review. (DEIR, pp. 4.11-19, 5.0-43)

The Orland Unified School District is subject to CEQA and California Department of Education standards for proposed school projects. (DEIR, pp. 4.11-19, 5.0-43) These standards would reduce the potential for significant environmental impacts to occur in association with the construction of new school facilities to the Planning Area. (DEIR, pp. 4.11-19, 5.0-43 – 5.0-44) Additionally, current State law states that the environmental impact of new development on school facilities is considered fully mitigated through the payment of required development impact fees. (DEIR, pp. 4.11-19, 5.0-44) Therefore, cumulative impacts on public school facilities are considered *less than cumulatively considerable*. (DEIR, pp. 4.11-19, 5.0-44)

- **Impact 4.11.4.2. Cumulative Park and Recreation Impacts.** Implementation of the General Plan in combination with other reasonably foreseeable development would require additional park and recreation facilities within the Planning Area boundaries. This is considered *less than cumulatively considerable*. (DEIR, pp. 4.11-26, 5.0-44)

(a) Mitigation Adopted by the City.

Mitigation Measure 4.11.4.1 and the General Plan policies and programs discussed under **Impact 4.11.4.1**.

(b) Implementation.

Mitigation Measure 4.11.4.1, as discussed under **Impact 4.11.4.1**, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs discussed under **Impact 4.11.4.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.11-22 - 4.11-25)

(c) Findings Concerning Impact 4.11.4.2.

The City finds that implementation of **Mitigation Measure 4.11.4.1** and the General Plan policies and programs discussed under **Impact 4.11.4.1** would reduce the General Plan's contribution to cumulative impacts to parks and recreation to a *less than cumulatively considerable* level. (DEIR, pp. 4.11-26, 5.0-44)

(d) Facts and Reasoning that Support Findings.

Under buildout conditions, the City could potentially have an anticipated population of 46,513. The buildout population would be an increase of 39,160 persons over the 2008 population. (DEIR, pp. 4.11-26, 5.0-44) Assuming Orland's park dedication standard of 8.4 acres of improved parkland per 1,000 residents, a total of 329 acres of additional parkland over existing conditions would be needed for parkland acquisition and improvement. (DEIR, pp. 4.11-26, 5.0-44)

Funding from development in-lieu fees and other alternative sources of funding such as grants would provide sufficient resources to serve the projected needs of the City's parks and recreational facilities. (DEIR, pp. 4.11-26, 5.0-44) In addition, implementation of **Mitigation Measure 4.11.4.1** and the General Plan policies and programs discussed under **Impact 4.11.4.1** (see DEIR, pp. 4.11-22 – 4.11-25), ensures that the General Plan's cumulative parks and recreation related impacts are *less than cumulatively considerable*. (DEIR, pp. 4.11-26, 5.0-44)

M. **FINDINGS CONCERNING PUBLIC SERVICES AND UTILITIES (CHAPTER 4.12):**

- **Impact 4.12.1.3. Cumulative Water Service Impacts.** Implementation of the General Plan in combination with other reasonably foreseeable development would increase the population within the Planning Area, contributing to the cumulative demand for water resources, and associated facilities. As a result, additional water supply resources would be required. This is considered *cumulatively considerable*. (DEIR, pp. 4.12-11, 5.0-45)

(a) **Mitigation Adopted by the City.**

Mitigation Measures 4.12.1.1a through 4.12.1.1d and the General Plan policies and programs discussed under **Impact 4.12.1.1**, .

(b) **Implementation.**

Mitigation Measures 4.12.1.1a through 4.12.1.1d, as discussed under **Impact 4.12.1.1**, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs discussed under **Impact 4.12.1.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.12-7 - 4.12-9)

(c) **Findings Concerning Impact 4.12.1.3.**

The City finds that implementation of **Mitigation Measures 4.12.1.1a through 4.12.1.1d** and the General Plan policies and programs discussed under **Impact 4.12.1.1** would reduce the General Plan's contribution to cumulative water service impacts to a *less than cumulatively considerable* level. (DEIR, pp. 4.12-11, 5.0-45)

(d) **Facts and Reasoning that Support Findings.**

The California Water Plan estimates that internal per capita use of water is approximately 80 gallons per person per day which, at full buildout, would increase the water need to a total of 3,721,040 gallons per day for internal (non-irrigation) use. (DEIR, pp. 4.12-11, 5.0-45) Irrigation needs could increase the water demand by another 40 gallons per person per day or more. (DEIR, pp. 4.12-11, 5.0-45) These needs could result in demand for another 1,860,520 gallons per day for a rough total of over 5.5 million gallons per day. (DEIR, pp. 4.12-11, 5.0-45) This equates to approximately 17 acre-feet per day, or approximately 6,205 acre-feet per year. (DEIR, pp. 4.12-11, 5.0-45)

As discussed in Section 4.0 of the DEIR, full buildout of the General Plan is a mathematical calculation and very unlikely to occur within the 2028 planning horizon. (DEIR, pp. 4.0-1, 4.12-11, 5.0-45)

However, at such time as buildout conditions occur, implementation of **Mitigation Measures 4.12.1.1a** through **4.12.1.1d** and the General Plan policies and programs discussed under **Impact 4.12.1.1** (see DEIR, pp. 4.12-7 – 4.12-9) would ensure that there is adequate water supply and facilities available. (DEIR, pp. 4.12-11, 5.0-45) As a result, the General Plan’s contribution to cumulative impacts on water supply would be reduced to *less than cumulatively considerable*. (DEIR, pp. 4.12-11, 5.0-45)

- **Impact 4.12.2.2. Cumulative Wastewater Service Impacts.** Implementation of the General Plan in combination with other reasonably foreseeable development would increase the population within the Planning Area, contributing to the cumulative demand for wastewater services and associated facilities. As a result, additional wastewater service resources would be required. This is considered *cumulatively considerable*. (DEIR, pp. 4.12-18, 5.0-45)

(a) Mitigation Adopted by the City.

Mitigation Measures 4.12.1.1a and **4.12.2.1**, as well as implementation of the General Plan policies and programs discussed under **Impacts 4.12.1.1** and **4.12.2.1**.

(b) Implementation.

Mitigation Measures 4.12.1.1a and **4.12.2.1**, as discussed under **Impacts 4.12.1.1** and **4.12.2.1**, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs discussed under **Impacts 4.12.1.1** and **4.12.2.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.12-8, 4.12-17 – 4.12-18)

(c) Findings Concerning Impact 4.12.2.2.

The City finds that implementation of **Mitigation Measures 4.12.1.1a** and **4.12.2.1**, as well as implementation of the General Plan policies and programs discussed under **Impacts 4.12.1.1** and **4.12.2.1**, would reduce the General Plan’s contribution to cumulative impacts associated with increased demand for wastewater services and facilities to a *less than cumulatively considerable* level. (DEIR, pp. 4.12-19, 5.0-46)

(d) Facts and Reasoning that Support Findings.

The current capacity of the City’s wastewater system is 3.4 million gallons per day (“mgd”) (based on peak flow) and the capacity of the City’s Waste Water Collection and Treatment Facility (“WCTF”) is 2.1 mgd (based on average flows). (DEIR, pp. 4.12-18, 5.0-46) Based on these numbers, the system is currently operating at about 36 percent of capacity. (DEIR, pp. 4.12-18 - 4.12-19, 5.0-46) Potential development constructed as a result of implementation of the General Plan land use designations would substantially increase cumulative demands for wastewater services and related facilities. (DEIR, pp. 4.12-19, 5.0-46)

The contribution of growth under the General Plan would likely trigger the need for new wastewater conveyance and treatment systems. (DEIR, pp. 4.12-19, 5.0-46) The physical effects of constructing new trunk systems and treatment facilities will be analyzed by the City in separate environmental documents. (DEIR, pp. 4.12-19, 5.0-46) All new development projects are required to pay development impact fees and construct necessary wastewater improvements to ensure adequate financing. (DEIR, pp. 4.12-19, 5.0-46)

Implementation of **Mitigation Measures 4.12.1.1a** and **4.12.2.1**, as well as implementation of the General Plan policies and programs discussed under **Impacts 4.12.1.1 and 4.12.2.1** (see DEIR, pp. 4.12-17 – 4.12-18), will assist in reducing the General Plan’s cumulative wastewater-related impacts. (DEIR, pp. 4.12-19, 5.0-46) As a result, the General Plan’s contribution to cumulative impacts on wastewater conveyance and treatment is considered to be *less than cumulatively considerable*. (DEIR, pp. 4.12-19, 5.0-46) This conclusion is applicable to both the potential impacts that could be caused by cumulative conditions and the project’s incremental effects. (DEIR, pp. 4.12-19, 5.0-46)

- **Impact 4.12.3.2. Cumulative Stormwater Service Impacts.** Implementation of the General Plan in combination with other reasonably foreseeable development would increase development within the Planning Area, contributing to the cumulative demand for stormwater services and associated facilities. As a result, additional stormwater service resources would be required. (DEIR, pp. 4.12-22, 5.0-46) This is considered *less than cumulatively considerable*.

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan policies and programs discussed under **Impact 4.12.3.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.12-21 – 4.12-22)

(c) Findings Concerning Impact 4.12.3.2.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.12-22, 5.0-47)

(d) Facts and Reasoning that Support Findings.

As discussed under **Impact 4.12.3.1** (see DEIR, pp. 4.12-21 – 4.12-22), existing downstream storm drainage facilities may have insufficient capacity to accept the additional runoff generated by the additional development. (DEIR, pp. 4.12-22, 5.0-46)

Therefore, construction of stormwater detention facilities and/or downstream storm drainage conveyance facilities would be necessary to reduce the impacts of increased runoff. (DEIR, pp. 4.12-22, 5.0-46 - 5.0-47) The City has adopted a Storm Drainage Master Plan that identifies future needs of the storm drainage system. (DEIR, pp. 4.12-22, 5.0-47)

In addition, implementation of the General Plan policies and programs discussed under **Impact 4.12.3.1** would ensure the contribution of the General Plan to cumulative impacts on stormwater services remains at a level which is considered *less than cumulatively considerable*. (DEIR, pp. 4.12-22, 5.0-47)

- **Impact 4.12.4.2. Cumulative Solid Waste Service Impacts.** Implementation of the General Plan would generate solid waste that would require expanded collection and disposal services. This is considered a *cumulatively considerable* impact. (DEIR, pp. 4.12-26, 5.0-47)

(a) Mitigation Adopted by the City.

Mitigation Measures 4.12.4.1a through 4.12.4.d and the General Plan policies and programs discussed under **Impact 4.12.4.1**.

(b) Implementation.

Mitigation Measures 4.12.4.1a through 4.12.4.1d, as discussed under **Impact 4.12.4.1**, are included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs discussed under **Impact 4.12.4.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.12-24 - 4.12-25)

(c) Findings Concerning Impact 4.12.4.2.

The City finds that implementation of **Mitigation Measures 4.12.4.1a through 4.12.4.1d** and the General Plan policies and programs discussed under **Impact 4.12.4.1** would reduce the General Plan's contribution to cumulative impacts on solid waste services and facilities to a *less than cumulatively considerable* level. (DEIR, pp. 4.12-26, 5.0-47)

(d) Facts and Reasoning that Support Findings.

Based on the City's existing population of 7,353 and assuming that each person generates 0.27 tons of solid waste each year, as established by the California Integrated Waste Management Board ("CIWMB"), buildout of the proposed General Plan would create an additional 10,573 tons of solid waste per year. (DEIR, pp. 4.12-26, 5.0-47) Assuming that each person generates 1.5 pounds of solid waste per day (CIWMB), buildout of the General Plan would result in approximately 60,800 total pounds of solid waste per day. (DEIR, pp. 4.12-26, 5.0-47)

Implementation of **Mitigation Measures 4.12.4.1a** through **4.12.4.1d** and the General Plan policies and programs discussed under **Impact 4.12.4.1** (see DEIR, pp. 4.12-24 – 4.12-25) would ensure that the General Plan’s contribution to cumulative impacts on solid waste services and facilities remains at a level which is considered *less than cumulatively considerable*. (DEIR, pp. 4.12-26, 5.0-47)

- **Impact 4.12.5.2. Cumulative Electrical, Natural Gas and Infrastructure Impacts.** Implementation of the General Plan in combination with other reasonably foreseeable development would increase the population within the Planning Area, contributing to the cumulative demand for energy and communication services and associated facilities. As a result, additional resources would be required. (DEIR, pp. 4.12-33, 5.0-48) However, this is considered a *less than cumulatively considerable impact*.

(a) Mitigation Adopted by the City.

None required.

(b) Implementation.

The General Plan policies and programs discussed under **Impact 4.12.5.1** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.12-29 – 4.12-33)

(c) Findings Concerning Impact 4.12.5.2.

The City finds this impact to be *less than cumulatively considerable*. (DEIR, pp. 4.12-34, 5.0-48)

(d) Facts and Reasoning that Support Findings.

As discussed under **Impact 4.12.5.1** (see DEIR, pp. 4.12-29 – 4.12-33), infrastructure and facility extensions would be required to serve future development. New developments generally provide the required infrastructure to connect to these systems or provide easements within which the necessary infrastructure can be installed. In general, new utility lines can be installed with little difficulty. (DEIR, pp. 4.12-34, 5.0-48) However, installation of new facilities could have potentially significant environmental impacts. (DEIR, pp. 4.12-34, 5.0-48) Future energy and communications infrastructure projects would be reviewed for compliance with CEQA on a project-by-project basis. (DEIR, pp. 4.12-34, 5.0-48)

Implementation of the General Plan policy and programs discussed under **Impact 4.12.5.1** would ensure the General Plan’s contribution to cumulative impacts on energy and communication services remains at a level which is considered *less than cumulatively considerable*. (DEIR, pp. 4.12-34, 5.0-48)

N. **FINDINGS CONCERNING TRANSPORTATION AND CIRCULATION (CHAPTER 4.13):**

- **Impact 4.13.6. Cumulative Impacts to State Route 32.** Implementation of the General Plan along with potential development outside of the City Planning Area would increase traffic volumes on SR 32 through the year 2028 and beyond the General Plan 20-year planning horizon. The General Plan's contribution to these conditions is considered *potentially cumulatively considerable*. (DEIR, pp. 4.13-51, 5.0-49)

(a) **Mitigation Adopted by the City.**

Mitigation Measure 4.13.6 (participation in roadway improvement program(s))

(b) **Implementation.**

The above-stated mitigation measure is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policy and program applicable to **Impact 4.13.6** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. ((DEIR, pp. 4.13-53, 5.0-50))

(c) **Findings Concerning Impact 4.13.6.**

The City finds that the above-stated mitigation measure is incorporated into the General Plan as a new policy under *Goal 3.4*. (DEIR, pp. 4.13-53, 5.0-50) The City further finds that implementation of the above-stated mitigation measure and all applicable General Plan policies and programs would assist in reducing the General Plan's contribution to cumulative impacts associated with increased traffic volumes on SR 32; however, not to a less than significant level. (DEIR, pp. 4.13-53, 5.0-50) No other feasible mitigation is available to further substantially reduce or avoid this significant impact. (DEIR, pp. 4.13-53, 5.0-50) For this reason, the impact is considered *cumulatively considerable and significant and unavoidable*. (DEIR, pp. 4.13-53, 5.0-50)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative impacts to SR 32.

(d) **Facts and Reasoning that Support Findings.**

Beyond the 20-year planning horizon of the General Plan, traffic volumes on SR 32 would continue to increase from both land use development in Orland and from regional through trips unrelated to development in Orland. (DEIR, pp. 4.13-52, 5.0-49)

Caltrans is the agency responsible for SR 32. The *Transportation Concept Report State Route 32 (Report)* (California Department of Transportation, 2007) is Caltrans' long range planning document for SR 32. (DEIR, pp. 4.13-52, 5.0-49)

This *Report* provides a description of improvements recommended by Caltrans for the portion of SR 32 in the Orland Planning Area. (*Transportation Concept Report State Route 32*; DEIR, pp. 4.13-52, 5.0-49)

The *Report* presents the following descriptions of “Conceptual Improvements” with estimated construction costs in thousands of dollars and estimated construction completion year: (1) “Expansion of east/west parallel facilities, to be integrated in planned development” (cost to be identified; 2010); (2) “Widen to four lanes with left-turn lane channelization from Papst Avenue to County Road N” (\$2,678; 2015/2020); (3) “Traffic signals SR 32 at Papst, Hambright Road, Orland Park, and County Road N, with intersection improvements when warranted” (Locally funded - \$1,000; 2007/2010); and (4) “Curbs, gutters and sidewalks east of East Street should be considered in conjunction with planned development” (to be part of development). (*Transportation Concept Report State Route 32*; DEIR, pp. 4.13-52, 5.0-49 – 4.13-50)

Mitigation Measure 4.13.6 is intended to reduce the General Plan’s contribution to cumulative impacts associated with increased traffic volumes on SR 32. (DEIR, pp. 4.13-53, 5.0-50) **Mitigation Measure 4.13.6** requires the City to participate in regional roadway facility improvement programs established by Glenn County and/or Caltrans in order to address its fair share of traffic impacts. (DEIR, pp. 4.13-53, 5.0-50) All actions taken under **Mitigation Measure 4.13.6** will be required to comply with all applicable legal requirements.

In addition, *Program 3.3.C.1* states that signalization shall be considered at the intersection of SR 32 and the northbound ramps at Interstate 5, while *Policy 3.4.B* requires the City to work with Caltrans to identify needed improvements to its highway facilities in the City and implement necessary programs to assist in improving State Route interchanges/intersections with local roadways. (DEIR, pp. 4.13-53, 5.0-50)

Implementation of **Mitigation Measure 4.13.6**, *Program 3.3.C.1*, *Policy 3.4.B*, and implementation of the improvements recommended by Caltrans, would reduce this impact. (DEIR, pp. 4.13-53, 5.0-50) However, until such time that the improvements identified in the *Report* are programmed and funded their implementation cannot be ensured. (DEIR, pp. 4.13-53, 5.0-50) Therefore, this impact would be considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.13-53, 5.0-50)

- **Impact 4.13.7. Cumulative Impacts to East-West Roadways.** Implementation of the General Plan along with potential development outside of the City Planning Area would increase demand for additional east-west roadway capacity. This is considered *cumulatively considerable*. (DEIR, pp. 4.13-53, 5.0-50)

(a) **Mitigation Adopted by the City.**

None available.

(b) Implementation.

Mitigation Measure 4.13.6, as discussed under **Impact 4.13.6**, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. The General Plan policies and programs discussed under **Impacts 4.13.1** and **4.13.2** will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.13-51 - 4.13-53, 4.13-40 – 4.13-48)

(c) Findings Concerning Impact 4.13.7.

The City finds that there are no feasible mitigation measures which the City could adopt at this time which would reduce the impact to a level of less than significant. (DEIR, pp. 4.13-54, 5.0-51) The City further finds that implementation of **Mitigation Measure 4.13.6** and the General Plan policies and programs discussed under **Impacts 4.13.1** and **4.13.2** would assist in reducing the General Plan’s contribution to cumulative impacts associated with increased traffic volumes on east-west roadways; however, not to a less than significant level. (DEIR, pp. 4.13-54, 5.0-51) For this reason, the impact is considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.13-54, 5.0-51)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative impacts to east-west roadways.

(d) Facts and Reasoning that Support Findings.

The circulation system in the Orland Planning Area includes several north-south roadways including I-5, 8th Street, 6th Street, East Street, Papst Avenue, and County Road N. (DEIR, pp. 4.13-53, 5.0-50) In part, because of I-5 and the railroad tracks that both run north-south, east-west roadways are more limited, with SR 32 and South Street being the main east-west roadways. (DEIR, pp. 4.13-53, 5.0-50) This pattern of roadways results in the circulation system having greater capacity in the north-south direction and relatively less capacity in the east-west direction. (DEIR, pp. 4.13-53, 5.0-50)

In the future, demand for additional east-west roadway capacity will increase from land use development and from regional through trips unrelated to development in Orland. (DEIR, pp. 4.13-53, 5.0-50) Caltrans recommends in its *Transportation Concept Report* for SR 32 that “Expansion of east/west parallel facilities, to be integrated in planned development . . .” (*Transportation Concept Report State Route 32*; DEIR, pp. 4.13-53, 5.0-50 – 4.13-51)

The General Plan circulation system includes the extension of Stony Creek Drive to the east and west. (DEIR, pp. 4.13-53, 5.0-51) The extension of Stony Creek Drive would provide additional east-west capacity through the northern part of the City. (DEIR, pp. 4.13-53, 5.0-51) Further additions to east-west capacity in the northern part of the City are constrained by existing land use development and the presence of Stony Creek waterway. (DEIR, pp. 4.13-53 – 4.13-54, 5.0-51)

The General Plan contains no policies or programs that would assist in reducing potential impacts to east-west roadways specifically. (DEIR, pp. 4.13-53, 5.0-51) However, the policies and programs listed under **Impacts 4.13.1 and 4.13.2** (see DEIR, pp. 4.13-40 – 4.13-48) would assist in reducing impacts to east-west roadways. (DEIR, pp. 4.13-54, 5.0-51)

Development beyond the 20-year planning period in the area south of South Street would be substantial. Buildout development would include:

- Low Density Residential, Light Industrial/Commercial, and Heavy Industrial development between the current City Limits and County Road 18;
- Light Industrial/Commercial, and Heavy Industrial development in the vicinity of Haigh Field; and
- Residential Estate development between County Road 18 and County Road 20. (DEIR, pp. 4.13-54, 5.0-51)

Buildout development would not occur until beyond the 20-year General Plan planning horizon and would be approximately equal in size to the existing City. (DEIR, pp. 4.13-54, 5.0-51) Due to the current limitation on east-west capacity, this development would result in substantial demand for additional east-west capacity. In order to reduce this impact to a less than significant level, the City should reserve right-of-way along the County Road 18 corridor as land use development occurs in the corridor. (DEIR, pp. 4.13-54, 5.0-51) The right-of-way should be wide enough for a four-lane roadway. (DEIR, pp. 4.13-54, 5.0-51) In the future, as more is known about the size and nature of development in the corridor, quantitative analysis should be conducted to identify the specific improvements that should be implemented. (DEIR, pp. 4.13-54, 5.0-51)

Mitigation Measure 4.13.6 ensures that such analysis will take place by requiring the City to participate in regional roadway facility improvement programs established by Glenn County and/or Caltrans. (DEIR, pp. 4.13-53, 4.13-54, 5.0-51)

However, until such time that the right-of-way along the County Road 18 corridor is able to be reserved by the City and the recommended quantitative analysis and subsequent improvements are programmed and funded, their implementation cannot be ensured. (DEIR, pp. 4.13-54, 5.0-51) Therefore, this impact would be considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.13-54, 5.0-51)

- **Impact 4.13.8. Cumulative Impacts to County Road HH.** Implementation of the General Plan along with potential development outside of the City Planning Area would increase demand for additional capacity on County Road HH. This is considered *cumulatively considerable*. (DEIR, pp. 4.13-54, 5.0-52)

(a) **Mitigation Adopted by the City.**

None available.

(b) **Implementation.**

Mitigation Measure 4.13.6, as discussed under **Impact 4.13.6**, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. A new General Plan policy has been incorporated into the Land Use Element through the above-stated mitigation measure that will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.13-53, 5.0-50)

(c) **Findings Concerning Impact 4.13.8.**

The City finds that there are no feasible mitigation measures which the City could adopt at this time which would reduce the impact to a level of less than significant. (DEIR, pp. 4.13-55, 5.0-52) The City further finds that implementation of **Mitigation Measure 4.13.6** would assist in reducing the General Plan's contribution to cumulative impacts associated with increased traffic volumes on County Road HH; however, not to a less than significant level. (DEIR, pp. 4.13-55, 5.0-52) For this reason, the impact is considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.13-55, 5.0-52)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative impacts to County Road HH.

(d) **Facts and Reasoning that Support Findings.**

Extending County Road HH to the south from its current terminus at County Road 15 to County Road 16 is included in the General Plan. (DEIR, pp. 4.13-55, 5.0-52) Both widening and extending County Road HH would be needed to support land use development in this area on the west side of I-5. (DEIR, pp. 4.13-55, 5.0-52)

It is recommended that the alignment of County Road HH traverse to the southwest from the current terminus at County Road 15 to provide a minimum of 500 feet of spacing between the existing intersection of South Street (County Road 16) and I-5 southbound ramps and the future intersection of County Road HH and County Road 16 (KD Anderson and Associates, 2009). (DEIR, pp. 4.13-55, 5.0-52)

Providing adequate spacing between these two intersections would prevent queues from one intersection interfering with operation of the other intersection. (DEIR, pp. 4.13-55, 5.0-52)

The alignment of County Road HH is off-set at the intersection with County Road 14. A distance of about 100 feet currently exists at the intersection. (DEIR, pp. 4.13-55, 5.0-52) As County Road HH would function as a north-south collector, elimination of the off-set at the intersection is recommended to improve the capacity of the intersection and the roadway (KD Anderson and Associates, 2009). (DEIR, pp. 4.13-55, 5.0-52) This would require right-of-way acquisition and would affect existing structures. (DEIR, pp. 4.13-55, 5.0-52) Land at one of the corners of the intersection would need to be acquired to align the roadway at the County Road 14 intersections. (DEIR, pp. 4.13-55, 5.0-52)

The off-set alignment of County Road HH at County Road 14 would reduce the capacity of County Road HH and impair the ability of County Road HH to function as a collector roadway. (DEIR, pp. 4.13-55, 5.0-52) Locating the intersection of County Road HH and County Road 16 less than 500 feet away from the intersection of South Street (County Road 16) and the I-5 southbound ramps would result in a potential interference between these two intersections. (DEIR, pp. 4.13-55, 5.0-52)

In order to reduce this impact to a less than significant level, realigning County Road HH and County Road 14 would be required as well as locating the intersection of County Road HH and County Road 16 a minimum of 500 feet away from the intersection of South Street (County Road 16) and the I-5 southbound ramps. (DEIR, pp. 4.13-55, 5.0-52) **Mitigation Measure 4.13.6** encourages such actions by requiring the City to participate in regional roadway facility improvement programs established by Glenn County and/or Caltrans in order to address its fair share of traffic impacts. (DEIR, pp. 4.13-53 - 4.13-55, 5.0-52)

However, until such time that these improvements are programmed and funded, their implementation cannot be ensured. (DEIR, pp. 4.13-55, 5.0-52) Therefore, this impact would be considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.13-55, 5.0-52)

- **Impact 4.13.9. Cumulative Impacts to County Road 20.** Implementation of the General Plan along with potential development outside of the City Planning Area would increase demand for additional roadway capacity on County Road 20. This is considered *cumulatively considerable*. (DEIR, pp. 4.13-55, 5.0-53)

(a) Mitigation Adopted by the City.

None available.

(b) Implementation.

Mitigation Measure 4.13.6, as discussed under **Impact 4.13.6**, is included in the Mitigation Monitoring and Reporting Program adopted for the Project. A new General Plan policy has been incorporated into the Land Use Element through the above-stated mitigation measure that will be implemented through discretionary review, project conditions, and General Plan consistency findings of projects developed under the updated General Plan. (DEIR, pp. 4.13-53, 5.0-50)

(c) Findings Concerning Impact 4.13.9.

The City finds that there are no feasible mitigation measures which the City could adopt at this time which will reduce the impact to a level of less than significant. (DEIR, pp. 4.13-56, 5.0-53) The City further finds that implementation of **Mitigation Measure 4.13.6** would assist in reducing the General Plan's contribution to cumulative impacts associated with increased traffic volumes on County Road 20; however, not to a less than significant level. (DEIR, pp. 4.13-56, 5.0-53) For this reason, the impact is considered *cumulatively considerable* and *significant and unavoidable*. (DEIR, pp. 4.13-56, 5.0-53)

As is fully explained in the Statement of Overriding Considerations in Section 1.7.8, the environmental, economic, social, and other benefits of the Project outweigh and override the significant adverse cumulative impacts to County Road 20.

(d) Facts and Reasoning that Support Findings.

Currently, access to I-5 in the Orland Planning Area is limited to two interchanges: at SR 32 and at South Street. An analysis of traffic operations at these two interchanges is discussed in Section 4.13, of the DEIR. (DEIR, pp. 4.13-56, 5.0-53) The analysis indicates that these two interchanges, with recommended improvements, would operate at acceptable levels through the 20-year General Plan planning period. (DEIR, pp. 4.13-56, 5.0-53)

The occurrence of buildout of the City Land Use Diagram in the long term future will result in development along the southern portion of the Orland Planning Area which would lead to an increase in demand for access to I-5. (DEIR, pp. 4.13-56, 5.0-53) The level of this demand has not been quantitatively analyzed. (DEIR, pp. 4.13-56, 5.0-53) However, because of the current limited access to I-5 it is possible that General Plan buildout would result in the need for an additional I-5 interchange. (DEIR, pp. 4.13-56, 5.0-53)

When freeway interchanges are located too close to one another, merging, diverging, and weaving movements at one interchange interfere with vehicle movements at the next interchange. (DEIR, pp. 4.13-56, 5.0-53) In urbanized areas, freeway interchanges should be located at least one mile apart to avoid this interference. (DEIR, pp. 4.13-56, 5.0-53)

County Road 20 is located one mile south of the existing I-5 interchange at South Street. Because of its location in the southern portion of the Planning Area, locating an interchange at the County Road 20 crossing of I-5 would be logical. (DEIR, pp. 4.13-56, 5.0-53) It is important to note, however, additional quantitative analysis would be needed in the future to determine the need for the additional interchange. (DEIR, pp. 4.13-56, 5.0-53)

To reduce this impact to a less than significant level, the City should reserve right-of-way along the County Road 20 corridor as land use development occurs in the corridor. (DEIR, pp. 4.13-56, 5.0-53) The right-of-way should be wide enough for a four-lane roadway and should include enough right-of-way for an interchange at I-5. (DEIR, pp. 4.13-56, 5.0-53) In the future, as more is known about the size and nature of development in the corridor, quantitative analysis should be conducted to identify the specific improvements that should be implemented. (DEIR, pp. 4.13-56, 5.0-53) **Mitigation Measure 4.13.6** ensures that such analysis will take place by requiring the City to participate in regional roadway facility improvement programs established by Glenn County and/or Caltrans in order to address its fair share of traffic impacts. (DEIR, pp. 4.13-56, 5.0-53)

However, until such time that these actions are programmed and funded their implementation cannot be ensured. (DEIR, pp. 4.13-56, 5.0-53) Therefore, this impact would be considered *cumulatively considerable* and *significant and unavoidable*.

1.7.6 GROWTH-INDUCING EFFECTS

CEQA Guidelines Section 15126 requires that an EIR evaluate the growth-inducing impacts of a proposed action. (CEQA Guidelines, 15126(d).) A growth-inducing impact is defined as, “the way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” (CEQA Guidelines, 15126.2(d).) Included in this are projects which would remove obstacles to population growth. (CEQA Guidelines, 15126.2(d).) It must not be assumed that growth in an area is necessarily beneficial, detrimental, or of little significance to the environment. (CEQA Guidelines, 15126.2(d).)

The CEQA Guidelines further explain that the environmental effects of induced growth are considered indirect impacts of the proposed action. (CEQA Guidelines, 15126.2(d).) These indirect impacts or secondary effects of growth may result in significant, adverse environmental impacts. Potential secondary effects of growth include increased demand on other community and public services and infrastructure, increased traffic and noise, and adverse environmental impacts such as degradation of air and water quality, degradation or loss of plant and animal habitat, and conversion of agricultural and open space land to developed uses. Growth inducement also may constitute an adverse impact if the growth is not consistent with or accommodated by the land use plans and policies for the area affected.

A. FINDINGS CONCERNING GROWTH INDUCING EFFECTS.

The City finds that population growth in the City's Planning Area resulting from implementation of the General Plan may be substantial. (DEIR, p. 7.0-9)

B. FACTS AND REASONING THAT SUPPORT FINDINGS.

Based on Government Code Section 6300, the General Plan is intended to serve as the overall plan for the physical development of Orland. (DEIR, p. 7.0-8) While the General Plan does not specifically propose any development projects, it does regulate future population and economic growth of the City that would result in indirect growth-inducing effects. (DEIR, p. 7.0-8)

Implementation of the General Plan would refine existing land use designations in the City and establish new policies, programs and design guidelines to guide and manage development and land uses in the City. (DEIR, p. 7.0-8) This would also include policy direction on roadway facility improvements, public service improvements and the extension and expansion of utilities. (DEIR, p. 7.0-8) Sections 4.1 through 4.13 of the DEIR discuss the specific environmental effects resulting from the proposed land use patterns and associated extension of public services, by environmental issue. If the General Plan were to result in full buildout of the proposed land uses, 16,419 residential units and a population of approximately 46,513 would result. (DEIR, p. 7.0-8) However, as discussed in Section 4.0 of the DEIR, this growth is not likely to occur within the General Plan planning period. (DEIR, p. 7.0-8)

As such, a number of growth projections were analyzed which resulted in a determination of the highest growth scenario for the planning period. In order to anticipate the number of housing units and population in the year 2028, three growth rates were used to develop estimates. (DEIR, p. 7.0-8) The "High" growth rate is a 2.6 percent average annual growth rate, which was the growth rate of the City's population from 1970 to 2000. (DEIR, p. 4.10-8, 7.0-8) The "Medium" rate is a 2.2 percent average growth rate, which was the growth rate of the City's population from 1990 to 2000. (DEIR, p. 4.10-8, 7.0-8) The "Low" growth rate is a 1.8 percent average annual growth rate. (DEIR, p. 4.10-8, 7.0-8) This was an arbitrarily selected rate, which was obtained by subtracting the Medium rate from the High rate, then subtracting the difference from the Medium rate. (DEIR, p. 4.10-8, 7.0-8) Based on the High, Medium or Low growth rate scenarios, the 2028 City population may reach 12,286, 11,363, or 10,506 respectively. (DEIR, p. 7.0-8) This represents a potential increase of population over existing conditions of 4,933 under the High growth rate, 4,010 under the Medium growth rate, and 3,153 under the Low growth rate. (DEIR, p. 7.0-8)

The General Plan would also encourage the development of infrastructure, including extension of infrastructure into unserved areas, to support the projected development. (DEIR, p. 7.0-8 – 7.0-9) It is anticipated that agricultural areas within the proposed Planning Area may be pressured to develop, if adjacent lands are developed and infrastructure is extended under the General Plan. (DEIR, p. 7.0-9) In addition, the extension of infrastructure would place growth pressure on adjoining land areas. (DEIR, p. 7.0-9)

Environmental effects of growth on adjacent properties resulting in conversion of existing land uses especially on lands beyond the City's proposed Planning Area would be similar to those associated with the proposed project evaluated in Sections 4.1 through 4.13 of the DEIR. (DEIR, p. 7.0-9) These effects include impacts associated with traffic, noise, air quality, hydrology and water quality, hazards, public services, utilities and services, cultural resources, geological resources, biological resources, land use, population and housing, agricultural resources and visual resources. (DEIR, p. 7.0-9) However, this growth would further contribute to these local and regional environmental impacts beyond the effects of the project. (DEIR, p. 7.0-9) As a result, the General Plan is considered to be growth-inducing. (DEIR, p. 7.0-9)

1.7.7 BASIS TO APPROVE THE PROJECT RATHER THAN AN ALTERNATIVE TO THE PROJECT

A. ANALYSIS OF ALTERNATIVES UNDER CEQA.

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine, with respect to such impacts, whether there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. (DEIR, p. 6.0-1) As noted under the head "Findings Required under CEQA" above (Section 1.7.1), an alternative may be "infeasible" if it fails to fully promote the lead agency's underlying goals and objectives with respect to the project. Thus, "feasibility under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project. (*City of Del Mar, supra*, 133 Cal.App.3rd at p. 417; see also *Sequoyah Hills, supra*, 23 Cal.App.4th at p. 715.) The project objectives provide a basis for comparing project alternatives and determining the extent that the objectives would be achieved relative to the project.

B. OBJECTIVES OF THE GENERAL PLAN.

The objectives of the proposed General Plan are as follows:

- (1) Establish a compact and contiguous growth pattern that reinforces past development patterns and limits the encroachment of urban development on the agricultural economy and environmental resources outside the Sphere of Influence.
- (2) Establish multiple connections, as part of all new development projects, to neighborhoods adjacent to the projects.
- (3) Ensure that new developments use a street pattern, building and parking siting arrangement, scale, and landscape character which builds on and extends Orland's traditional street grid and character.

- (4) Ensure adequate public services, facilities, and recreational opportunities will be provided or are available before new development projects proceed.
- (5) Provide commercial, office-professional, light industrial and industrial lands in sufficient acreages to allow for a balance of job and housing growth.
- (6) Improve the quality of the built environment with every new building or development project. (DEIR, p. 3.0-9)

C. REMAINING SIGNIFICANT AND UNAVOIDABLE IMPACTS.

The following are impacts that the City Council finds will be lessened with mitigation measures, but will still remain significant and unavoidable after the implementation of the mitigation measures:

- Impact 4.2.1** (substantial loss of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland)
- Impact 4.2.2** (conflicts between existing agricultural uses and future urban development within the proposed Planning Area)
- Impact 4.2.4** (substantial contribution to cumulative conflicts between existing agricultural uses and future urban development within the proposed Planning Area)
- Impact 4.3.2** (substantial increase in short-term emissions that would affect local air quality)
- Impact 4.3.3** (substantial increase in long-term emissions that may result in violation of ambient air quality standards)
- Impact 4.3.4** (substantial increase in toxic air contaminant sources which may affect surrounding land uses)
- Impact 4.3.6** (substantial contribution to cumulative increase in regional air quality degradation)
- Impact 4.9.4** (substantial increase in traffic noise levels at existing noise-sensitive areas within the Planning Area)
- Impact 4.9.6** (substantial increase in ambient traffic noise levels within the Planning Area)
- Impact 4.10.1** (substantial increase in population and demand for housing within the Planning Area)

- Impact 4.10.3** (substantial contribution to the cumulative increase in population and demand for housing within the Planning Area)
- Impact 4.13.6** (substantial contribution to the cumulative increase in traffic volumes on SR 32)
- Impact 4.13.7** (substantial contribution to the cumulative increase in demand for additional east-west roadway capacity)
- Impact 4.33.8** (substantial contribution to the cumulative increase in demand for additional roadway capacity on County Road HH)
- Impact 4.13.9** (substantial contribution to the cumulative increase in demand for additional roadway capacity on County Road 20) (DEIR, pp. 7.0-2 – 7.0-7)

D. SUMMARY OF DISCUSSION OF ALTERNATIVES IN THE FINAL EIR.

The Draft EIR evaluates a range of potential alternatives to the Project. (DEIR, pp. 6.0-1 – 6.0-64) The Draft EIR examines the environmental impacts of each alternative in comparison with those of the Project and the relative ability of each alternative to satisfy the Project Objectives. (DEIR, pp. 6.0-44 – 6.0-47) The Draft EIR also compares the environmental impacts of the Project and each of the alternatives. (DEIR, pp. 6.0-48 – 6.0-64) The Draft EIR also summarizes the process of selecting the alternatives evaluated in the Draft EIR as well as alternatives rejected for further evaluation and the bases for their rejection.

E. SUMMARY OF ALTERNATIVES EVALUATED IN THE DRAFT EIR.

CEQA Guidelines Section 15126.6 requires a discussion of a reasonable range of alternatives to the project or to the location of the project. (DEIR, p. 6.0-1) However, an EIR need not consider an alternative whose implementation is remote or speculative. (DEIR, p. 6.0-1) The alternatives selected for analysis must be those that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. (DEIR, p. 6.0-1) Thus, the range of alternatives evaluated in the Draft EIR was dictated by the range of significant impacts identified in the Draft EIR. (DEIR, pp. 6.0-2 – 6.0-4) Based on the environmental analysis contained in Sections 4.1 through 4.13 of the Draft EIR, the following alternative scenarios were selected and evaluated at a qualitative level of detail:

- No Project Alternative – This alternative would maintain the General Plan approved in 2003.
- Secondary Sphere of Influence Alternative – This alternative would reduce the General Plan Planning Area to be more consistent with the Secondary Sphere of Influence boundary.
- County General Plan Alternative – This alternative will reflect land uses identified in the Glenn County General Plan for the area surrounding the City of Orland. (DEIR, p. 6.0-4)

F. ALTERNATIVE 1 – NO PROJECT ALTERNATIVE.

(a) Characteristics.

Under **Alternative 1**, the City of Orland 2008-2028 General Plan and its associated Land Use Diagram would not be adopted. (DEIR, p. 6.0-4) The existing 2003 Orland General Plan policy document and Land Use Diagram would remain in effect. (DEIR, p. 6.0-4) The City would utilize its existing zoning and other regulations regarding development within the City's jurisdiction. (DEIR, p. 6.0-4) Infrastructure would be installed under existing plans, if applicable. Existing General Plan policies and programs would continue to be in effect. (DEIR, p. 6.0-4)

Alternative 1 would designate approximately 2,407.6 acres into various residential land uses. Approximately 440 acres would be reserved for open space resource conservation. (DEIR, p. 6.0-5)

Buildout under **Alternative 1** would result in approximately 12,113 residential dwelling units and an associated population of 35,082, as well as development of commercial, industrial, and public uses. (DEIR, p. 6.0-5) The analysis of **Alternative 1** is consistent with the requirements for the analysis of a No Project Alternative, as set forth in CEQA Guidelines Section 15126.6(e). More specifically, CEQA Guidelines Section 15126.6(e)(3)(A) states that, when the project under evaluation is the revision of an existing land use or regulatory plan, the No Project Alternative will be the continuation of the existing plan.

(b) Findings Concerning Alternative 1.

The City finds that **Alternative 1** does not meet the proposed General Plan's stated objective of ensuring that adequate public services, facilities, and recreational opportunities will be provided or are available before new development projects proceed, and therefore, is infeasible. Consequently, the City rejects **Alternative 1**.

(c) Facts and Reasoning that Support Findings.

Alternative 1 does not provide the following policies and programs contained in the proposed General Plan:

Policy 4.3.B: Continue to support the needs of the Orland Volunteer Fire Department and provide assistance as necessary to maintain an efficient and functional fire service operation. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-8)

Policy 4.4A: Provide high-quality police services for City residents and businesses with adequate facilities, modern technology and current training to maximize job performance. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-10)

- Program 4.4.A.1:* Continue to emphasize the use of modern technology in providing effective law enforcement for the community and support such technology in providing effective law enforcement for the community and support such technology through the budget. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-10)
- Program 4.4.A.2:* Continue to participate in mutual aid agreements and coordination between the City's Police Department and other law enforcement agencies. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-11)
- Program 4.4.A.3:* Support the needs of the City's Police Department with budget revenues, grants, and impact fees. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-11)
- Policy 4.4.B:* Incorporate police protection considerations into City and community activities. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-11)
- Program 4.4.B.1:* Refer development proposals to the City Police Department for review and comment. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-11)
- Program 4.4.B.2:* Promote ongoing public safety programs, including Neighborhood Watch, Police Explorers, Volunteers in Police Services and other public education and crime prevention efforts. (DEIR, p. 6.0-12; General Plan Update, p. 4.0-11)
- Policy 5.5.A* Work to comply with AB 32 and its governing regulations to the fullest extent possible. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)
- Policy 5.5.B:* Implement any additional adopted State legislative or regulatory standards, policies and practices designed to reduce greenhouse gas emissions, as those measures are developed. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)
- Policy 5.5.C:* Explore opportunities to train City Staff on new technology and look for opportunities to improve energy efficiency in public facilities. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)
- Policy 5.5.D:* Research and consider the adoption of sustainable design practices which encourage the use of alternative energy sources to ensure future development minimizes the use of fossil fuels and greenhouse gas-emitting energy consumption. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)

- Policy 5.5.E:* Review local subdivision, zoning, and building ordinances to identify whether impediments exist to the use of alternative energy sources. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)
- Policy 5.5.F:* Encourage the use of alternative forms of transportation within the community to reduce the emissions of greenhouse gases.. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)
- Policy 5.5.G:* Continue to monitor the efforts of the California Air Resources Board and other various organizations responsible for the preparation of greenhouse gas-reducing standards. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)
- Policy 5.5.H:* Explore and encourage the use of alternative energy sources such as solar and/or wind-powered technologies. (DEIR, p. 6.0-18; General Plan Update, p. 5.0-14)
- Policy 5.6.C:* Explore the use of pervious concrete/pavement to allow the continued filtration of groundwater into the soil. (DEIR, p. 6.0-10; General Plan Update, p. 5.0-16)

As a result, **Alternative 1** does not adequately meet the proposed General Plan's objective of ensuring that adequate public service opportunities will be provided or are available before new development projects proceed.

G. ALTERNATIVE 2 – SECONDARY SPHERE OF INFLUENCE ALTERNATIVE.

(a) Characteristics.

Under **Alternative 2**, the updated General Plan Planning Area would be reduced to be more consistent with the Secondary Sphere of Influence boundary. (DEIR, p. 6.0-18) This change would move the southern Planning Area boundary to Road 20, effectively removing approximately 500 acres of the Residential Estates designation from the Planning Area (a potential of 1,000 residential units and 3,000 residents). (DEIR, p. 6.0-18) These lands would maintain Glenn County land use designations and remain under County jurisdiction. (DEIR, p. 6.0-18) The northern, eastern and western boundaries would remain the same as the updated Project. (DEIR, p. 6.0-18) **Alternative 2** would also include the area surrounding the Haigh Field Airport similar to the Project. (DEIR, p. 6.0-1)

Buildout under **Alternative 2** would result in approximately 15,210 residential dwelling units and an associated population of 42,940, as well as development of commercial, industrial, and public uses within the General Plan Planning Area. (DEIR, p. 6.0-18) The estimated population is based upon the analysis used in Table 4.0-1 of Section 4.0 of the Draft EIR.

The 500 acres south of County Road 20 would maintain Glenn County land use designations (Rural Residential, Service Commercial, and Multi-Family Residential) and remain under County jurisdiction. Potential development that could result on this acreage under the County land use designations include 78 rural residential units, 1,230 multi-family residential units, and 21 acres (914,760 square feet) of developable commercial space.

CEQA Guidelines Section 15126.6(e)(2) indicates that an environmentally superior alternative must be identified in a Draft EIR. Based on the summary of information presented in **Table 6.0-7** of the Draft EIR, **Alternative 2** would result in less potential for development and population growth and would be the environmentally superior alternative. (DEIR, p. 6.0-18, 6.0-47)

(b) Findings Concerning Alternative 2.

The City finds that **Alternative 2** does not meet the objectives of the proposed General Plan and therefore, is infeasible. Consequently, the City rejects **Alternative 2**.

(c) Facts and Reasoning that Support Findings.

Under **Alternative 2**, the General Plan Planning Area would be reduced as the southern Planning Area boundary would be located at Road 20 instead of Road 21. (DEIR, p. 6.0-47) All lands south of Road 20 would maintain Glenn County land use designations and remain under County jurisdiction. (DEIR, p. 6.0-47) However, maintaining County land use designations and County control over these lands would not serve the overall community growth objectives sought by the proposed General Plan with respect to the preferred density, location, and intensity of land uses. (DEIR, p. 6.0-47) Therefore, **Alternative 2** does not adequately meet the proposed General Plan's objectives related to growth. (DEIR, p. 6.0-47)

H. ALTERNATIVE 3 – COUNTY GENERAL PLAN ALTERNATIVE.

(a) Characteristics.

Alternative 3 would reflect land uses identified by Glenn County for the area outside the City of Orland City limits yet within the City Planning Area. (DEIR, p. 6.0-31) The use of this alternative is dependent on the availability of land use information for the Glenn County General Plan update. (DEIR, p. 6.0-31) For example, while Glenn County has completed a Draft Preferred Land Use scenario for the unincorporated lands surrounding the City, the characteristics of intensity for each Glenn County land use designation has yet to be determined. (DEIR, p. 6.0-31)

Therefore, for the purposes of this analysis, the characteristics of intensity for each Glenn County designation will be assumed to mimic the proposed characteristics of intensity identified under the City of Orland General Plan update.

Buildout under **Alternative 3** would result in approximately 16,526 residential dwelling units and an associated population of 46,411, as well as development of commercial, industrial, and public uses within the General Plan Planning Area. (DEIR, p. 6.0-32) The estimated population is based upon the analysis used in **Table 4.0-1** of Section 4.0 of the Draft EIR.

Alternative 3 would have a similar potential to experience negative environmental effects as the Project. However, buildout of **Alternative 3** would theoretically result in slightly more residential units and people than the Project. As a result, the Project is the superior environmental alternative.

(b) Findings Concerning Alternative 3.

The City finds that **Alternative 3** does not meet the objectives of the proposed General Plan and therefore, is infeasible. Consequently, the City rejects **Alternative 3**.

(c) Facts and Reasoning that Support Findings.

Since Buildout of **Alternative 3** will result in more development and population growth than the proposed General Plan, it does not meet the following proposed General Plan goals:

- Goal 2.2:* Maintain a compact urban form and preserve agricultural land. (DEIR, p. 6.0-35; General Plan Update, p. 2.0-13)
- Goal 4.3:* Protect people and property within the City of Orland against fire-related loss and damage. (DEIR, p. 6.0-41; General Plan Update, p. 4.0-8)
- Goal 4.4:* Provide police and emergency medical services in a well-planned, cost-effective, and professional manner. (DEIR, p. 6.0-41; General Plan Update, p. 4.0-10)
- Goal 5.5:* Reduce the contribution of greenhouse gases from existing sources and minimize the contribution of greenhouse gases from new construction and sources. (DEIR, p. 6.0-44, 6.0-46 – 6.0-47; General Plan Update, p. 5.0-13)
- Goal 5.6:* Conserve, enhance, and manage water resources, protect the quality and ensure an adequate long-term supply of water for domestic, agricultural, industrial and recreational use. (DEIR, p. 6.0-43; General Plan Update, p. 5.0-16)
- Goal 5.7:* Protect the quantity and quality of community water supplies. (DEIR, p. 6.0-43; General Plan Update, p. 5.0-18)

- Goal 5.8:* Provide quality wastewater service to all existing and future city residents. (DEIR, p. 6.0-43; General Plan Update, p. 5.0-19)
- Goal 5.9:* Provide for the collection, transport, and stormwater in a safe manner to protect people and property from damage arising from storm drainage. (DEIR, p. 6.0-44; General Plan Update, p. 5.0-21)
- Goal 5.10:* Develop and sustain an integrated and cohesively designed park system that is complementary to existing and proposed development as well as the natural environment. (DEIR, p. 6.0-42; General Plan Update, p. 5.0-27)

As a result, **Alternative 3** does not adequately meet the following objectives of the proposed General Plan:

- (1) Establish a compact and contiguous growth pattern that reinforces past development patterns and limits the encroachment of urban development on the agricultural economy and environmental resources outside the Sphere of Influence.
- (4) Ensure adequate public services, facilities, and recreational opportunities will be provided or are available before new development projects proceed.

Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) indicates that an environmentally superior alternative must be identified in a Draft EIR. Based on the summary of information presented in Table 6.0-7 of the Draft EIR, the environmentally superior alternative to the Project is Alternative 2 – Secondary Sphere of Influence Alternative.

Alternative 2 generally has reduced adverse impacts on the environment than the Project. However, Alternative 2 may not adequately meet the 2008-2028 General Plan update objectives related to growth. In addition, Alternative 2 may result in environmentally similar impacts than the Project in a number of areas. Under Alternative 2, the General Plan Planning Area would be reduced as the southern Planning Area boundary would be located at Road 20 instead of Road 21. All lands south of Road 20 would maintain Glenn County land use designations and remain under County jurisdiction. However, it has been determined by the City that maintaining County land use designations and County control over these lands would not serve the overall community growth Objectives sought by the City with respect to the preferred density, location, and intensity of land uses.

Conclusions Regarding Project Alternatives

Based on the foregoing analysis and pursuant to CEQA Guidelines Section 15126.6, the City has considered a range of reasonable alternatives to the Project, which could feasibly attain most of the basic Objectives of the Project but would avoid or substantially lessen certain significant effects of the Project. The City has evaluated the comparative merits of the various alternatives and identified and analyzed potential environmentally superior alternatives in addition to the No Project alternative.

For the purposes of the EIR, **Alternative 2** is environmentally superior because this alternative would reduce impacts in the most topic areas compared to the 2008-2028 General Plan.

Based on this analysis and substantial evidence in the record, the City finds and determines that components of **Alternative 2** are economically, legally, socially, technologically and environmentally feasible. However, the General Plan update must be adopted and implemented as a whole, and the components must be internally consistent. As explained more fully above, none of the alternatives, in its pure form, is feasible within the meaning of CEQA and therefore each alternative is rejected in favor of the 2008-2028 General Plan.

1.7.8 OVERRIDING CONSIDERATIONS JUSTIFYING PROJECT APPROVAL

“CEQA recognizes that in determining whether and how a project should be approved, a public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social factors and in particular the goal of providing a decent home and satisfying living environment for every Californian.” (CEQA Guidelines, Section 15021(d); see also *City of Del Mar*, supra, 133 Cal.App.3rd at p. 417.) To reflect the ultimate balancing of competing public objectives when the agency decides to approve a project that will cause one or more significant effects on the environment, an agency must prepare a statement of overriding considerations. (CEQA Guidelines, Sections 15021(d), 15093.) A statement of overriding considerations must set forth the specific reasons why the agency found that the project’s “specific economic, legal, social, technological, or other benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, Sections 15093(a), 15043(b); see also Pub. Resources Code, Section 21981(b).)

In accordance with CEQA Guidelines Section 15093, the City Council has, in determining whether or not to approve the proposed General Plan, balanced the economic, social, technological, and other benefits of the General Plan against its unavoidable environmental risks, and has found that the benefits of the General Plan outweigh the significant adverse environmental effects that are not mitigated to less-than-significant levels, for the reasons set forth below.

The following statements identify the reasons why, in the City Council’s judgment, the benefits of the Project outweigh its unavoidable significant effects.

Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings and in the documents found in the Record of Proceedings, as defined in Section 1.5 above.

The Project is a guide for both land use change and resource conservation in Orland through 2028. It contains the policy framework necessary to fulfill the Objectives (Section 1.4 above) for the 2008-2028 General Plan. The General Plan reflects the priorities of Orland's residents. Although certain aspects of the 2008-2028 General Plan are required by State law, the content of Orland's General Plan is specific to the priorities of Orland's residents and public officials.

ECONOMIC DEVELOPMENT

The quality of life experienced by City residents is greatly affected by the local economy and their sense of economic well being. The City of Orland's economy is rooted in agriculture, and other private and public employment sectors.

The City wishes to more closely match the skills and interests of its existing and future residents with local employment opportunities. The City's approval of the proposed General Plan promotes a healthy diverse local economy that focuses on local competitive advantages, diversified businesses, a highly trained and educated workforce, accessibility to multi-modal transportation options, and efficient and environmentally sustainable energy sources. (General Plan Update, pp. 2.0-12 -2.0-15, 3.0-20 -3.0-23) The quality of life of Orland's existing and future residents depends on increasing opportunities to live, work, and recreate locally

SOCIAL EQUITY

The 2008-2028 General Plan emphasizes social equity by promoting a range of local housing choices that best meet residents' needs, regardless of household type, income, needs, and preferences. (Housing Element Update, pp. 39-48) The General Plan provides policies to ensure the City is, and will be, home to all generations – a community where children can grow, raise families, and stay in the community as they age. (Housing Element Update, pp. 47-48; General Plan Update, pp. 5.0-27 – 5.0-28) Policies will encourage a variety of jobs, activities, travel options, and public services accessible to all residents. (General Plan Update, pp. 2.0-3 -2.0-4, 2.0-12 - 2.0-15, 4.0-2, 4.0-8, 4.0-10 – 4.0-11, 5.0-19 – 5.0-20, 5.0-21 -5.0-22) Growth is to be managed as a way of maintaining and improving the local quality of life and enhancing social, economic, and physical community connectivity. (General Plan Update, pp. 2.0-3 - 2.0-4, 2.0-12 - 2.0-15, 3.0-15 -3.0-21, 5.0-27 – 5.0-28)

LONG-RANGE GUIDE FOR GROWTH MANAGEMENT

The 2008-2028 General Plan provides the City with a guide for day-to-day decision making toward long-term prosperity and sustainability. (DEIR, pp. 3.0-5 – 3.0-19; General Plan Update, p. 1.0-1, 1.0-8) Together, the General Plan Elements are a comprehensive statement of the goals, policies, standards, and implementation measures for managing growth and conservation within the City. (DEIR, pp. 3.0-5 – 3.0-19; General Plan Update, p. 1.0-1)

The General Plan is structured to achieve its goals by the year 2028. (General Plan Update, p. 1.0-5) The planning process allows periodic updates to address any deviations from the General Plan's goals or political-economic conditions. (DEIR, p. 3.0-6) The General Plan's goals and policies are intended to maintain and enhance the small-town character, while allowing for economic growth and conservation of environmental resources. (DEIR, p. 4.1-5; General Plan Update, pp. 2.0-12 – 2.0-28, 5.0-4 - 5.0-6, 5.0-10, 5.0-12, 5.0-13 – 5.0-14, 5.0-16 – 5.0-17, 5.0-18, 5.0-27 – 5.0-28) The updated policies are considered feasible and as such, take into account current land and economic conditions and realistic growth assumptions. (DEIR, pp. 4.0-4 - 4.0-6; Housing Needs Assessment, pp. A-1, A-5 – A-12; General Plan Update, pp. 2.0-7 – 2.0-8) The growth estimates used in developing the General Plan and analyzing environmental impacts are consistent with emerging land use policies and goals at the regional level. (DEIR, pp. 4.0-4 - 4.0-6) The 2008-2028 General Plan recognizes that regional planning is crucial to addressing today's most pressing planning issues, including reduction of vehicle miles traveled, improving air quality, reducing greenhouse gas emissions, preservation of agriculture, water quality management, housing, and transportation planning and investment. (Housing Element Update, pp. 32-49; General Plan Update, pp. 5.0-2 - 5.0-27)

General Plan Update Reflects Current Environmental and Planning Trends

The City has changed substantially since the last General Plan update (2003), and the region has experienced very substantial change. (General Plan Update, pp. 1.0-2 – 1.0-4) The General Plan upholds and greatly expands and enhances the decision making guide provided in the previous General Plan. (DEIR, pp. 3.0-6 – 3.0-9) The Plan provides new tools and strategies designed to maintain and enhance long-term quality of life in Orland, and in the northern Sacramento Valley. (DEIR, pp. 3.0-9 – 3.0-19)

The 2008-2028 General Plan contains a variety of policies and implementation measures that incorporate the latest State and federal regulations on wetlands and habitat preservation, air quality management, water quality protection, cultural resources, hazards and hazardous materials, and other key topics. (DEIR, p. 4.5-12; General Plan Update, pp. 4.0-4 - 4.0-5, 4.0-15 – 4.0-16, 5.0-14, 5.0-16) The 2028 General Plan reflects the existing on-the-ground land use context, which has changed locally and regionally since the last General Plan update.

The 2008-2028 General Plan intends to protect both important natural resources and people; directing development away from hazardous areas; preserving agriculture; maintaining and improving air quality; protecting public health; avoiding damage to important habitat areas; reducing greenhouse gas emissions; and promoting energy conservation. (DEIR, pp. 3.0-6 – 3.0-19)

The City finds that each of the above listed reasons favoring approval of the Project is supported by substantial evidence in the record. Any one of the above listed reasons is sufficient, in and of itself, to support the approval of the Project, notwithstanding the significant and unavoidable environmental impacts described in this document.

1.8 MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with CEQA and the CEQA Guidelines, the City Council must adopt a mitigation monitoring and reporting program (MMRP) to ensure that the mitigation measures adopted herein are implemented in the implementation of the Orland 2008-2028 General Plan.

The Mitigation Monitoring and Reporting Program must identify the entity responsible for monitoring and implementation and the timing of such activities. The City will use the MMRP to track compliance with project mitigation measures. The MMRP will remain available for public review during the compliance period.

1.8.1 CEQA Requirement

Section 21081.6 of the Public Resources Code requires a Lead Agency that approves or carries out a project, where a CEQA document has identified significant environmental effects, to adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment.”

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared to provide for the monitoring of mitigation measures required of the Orland 2008-2028 General Plan, as set forth in the Final EIR. The City of Orland (City) is the Lead Agency that must adopt the MMRP for development and operation of the Project. This report will be kept on file with the City of Orland Community Services Department, 815 Fourth Street, Orland, CA 95963.

The CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097(d), “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any portion of the Project, as identified in the EIR.

The Orland General Plan contains the seven elements mandated by State law. Together, these Elements represent Orland’s overarching policy and planning document. The General Plan contains the community’s long-range Objectives for conservation and physical development in the City. The General Plan provides decision makers, City staff, property owners, and the public at large with the City’s policy direction for managing land use change. The General Plan is comprehensive in scope, addressing land use, transportation, housing, economic development, public facilities and infrastructure and open space preservation, among many other subjects. The General Plan includes land use designations that represent future development potential.

The General Plan also includes narrative policies, many of which would mitigate potential environmental impacts.

There is a detailed description of mitigating policies in each section of the EIR. Although these policies would mitigate or avoid impacts, they are not mitigation measures, but rather are parts of the General Plan, just as land use designations are part of the General Plan. Therefore, General Plan policies are not included in the MMRP.

1.8.2 Project Monitoring and Reporting Program

The information presented later in this MMRP includes those mitigation measures for the General Plan identified in the EIR and the party responsible for verification. The information, which constitutes the monitoring and reporting plan, includes the following:

- A listing of every mitigation measure contained in the EIR.
- Timing of implementation of each mitigation measure.
- Identification of individuals or organizations responsible for monitoring and/or reporting.
- Identification of individuals or organizations responsible for verifying compliance.

1.8.3 Changes to Mitigation Measures

Any substantive change in the MMRP shall be reported in writing. Modifications to the mitigation measures may be made by the City subject to one of the following findings, documented by evidence included in the record:

- The mitigation measure included in the FEIR and the MMRP is no longer required because the significant environmental impact identified in the FEIR has been found not to exist, or to occur at a level which makes the impact less than significant as a result of changes in the General Plan, changes in conditions of the environment, or other factors.

OR,

- The modified or substitute mitigation measure provides a level of environmental protection equal to, or greater than that afforded by the mitigation measure included in the FEIR and the MMRP; and,
- The modified or substitute mitigation measure or measures do not have significant adverse effects on the environment in addition to, or greater than those which were considered by the responsible hearing bodies in their decisions on the FEIR and the General Plan; and

- The modified or substitute mitigation measures are feasible, and the City, through measures included in the MMRP or other City procedures, can ensure implementation.

1.8.4 Support Documentation

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the Project file with the MMRP and shall be made available to the public upon request.

MITIGATION MONITORING AND REPORTING PROGRAM

AGRICULTURAL RESOURCES:

- ❖ **Mitigation Measure 4.2.1:** The following mitigation measure shall be included as a program under General Plan Policy 5.1.1:

The City shall review development projects to mitigate for conversion of Prime Farmland and Farmland of Statewide Importance as defined on the California Department of Conservation Important Farmland Map for Glenn County for parcels of 40 acres or larger in size as of the adoption date of this General Plan to urban uses:

- (1) granting a farmland conservation easement to or for the benefit of the City and/or a qualifying entity approved by the City, at a 1:1 ratio for each acre and quantity developed;
- (2) if the City adopts a farmland conservation program, by payment of an in-lieu fee as established by the farmland conservation program, which shall be reviewed and adjusted periodically to ensure that the fee is adequate to offset the cost of purchasing farmland conservation easements at a 1:1 ratio; or
- (3) other form of compensation at a 1:1 ratio, such as improvements to existing agricultural land, that is acceptable to the City and conserves the farmland in perpetuity. The City shall use minimum standard guidelines identifying requirements for conservation easements, including timing of conservation easements, location of land to be preserved, land mitigation ratio and quantity, and minimum standards for conservation easements.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, Glenn County Department of Agriculture, State Department of Conservation.

AIR QUALITY:

- ❖ **Mitigation Measure 4.3.2:** The following mitigation measure shall be added as a new program under Policy 5.4.B of the General Plan:

The City shall require that individual development projects are analyzed as part of project review in accordance with the Glenn County Air Pollution Control District – recommended methodologies, and significance threshold and shall require that all recommended mitigation measures are incorporated to reduce short-term construction emissions attributable to individual development projects.

Party Responsible for Implementing: Community Services Department, Glenn County Air Pollution Control District.

Timeframe for Implementation: Prior to (planning phase) and during project construction as required.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, Glenn County Air Pollution Control District.

- ❖ **Mitigation Measure 4.3.3a:** The following mitigation measure shall be added as a new policy under Goal 5.4 of the General Plan:

All new discretionary projects shall be evaluated to determine potential significant project-specific air quality impacts and shall be required to incorporate appropriate design, construction, and operational features to reduce emissions of criteria pollutants regulated by the state and federal governments below the applicable significance standard(s) or implement alternate and equally effective mitigation strategies consistent with Glenn County Air Pollution Control District air quality improvement programs to reduce emissions.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning process, project design, and construction.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, Glenn County Air Pollution Control District.

- ❖ **Mitigation Measure 4.3.3b:** The following mitigation measure shall be added as a new policy under Goal 5.4 of the General Plan:

The City shall prohibit wood-burning open masonry fireplaces in all new development. Fireplaces with EPA-approved inserts, EPA-approved stoves, and fireplaces burning natural gas will be allowed.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During project design and construction.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, Glenn County Air Pollution Control District.

- ❖ **Mitigation Measure 4.3.4:** The following mitigation measure shall be added as a new Policy under Goal 5.4 of the General Plan:

The City shall strive to minimize the exposure of sensitive uses, such as residences, schools, day care, group homes, or medical facilities to industrial uses, transportation facilities, or other sources of state-regulated air toxics through the planning review process.

Party Responsible for Implementing: Community Services Department, Glenn County Air Pollution Control District

Timeframe for Implementation: During the planning and design processes.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, Glenn County Air Pollution Control District.

BIOLOGICAL RESOURCES:

- ❖ **Mitigation Measure 4.4.1a:** The following mitigation measure shall be implemented as a program under Policy 5.3.A of the General Plan:

Continue to require environmental review of development applications pursuant to CEQA to assess the impact of proposed development on species and habitat diversity, particularly special-status species, sensitive natural communities, wetlands, and habitat connectivity. Require adequate mitigation measures for ensuring the protection of sensitive resources.

Party Responsible for Implementing: Community Services Department.

Timeframe for Implementation: During the planning and design processes.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, other State and Federal Agencies as applicable.

- ❖ **Mitigation Measure 4.4.1b:** The following mitigation measure shall be implemented as a program under Policy 5.3.A of the General Plan:

Cooperate and work with all trustee agencies and agencies with review authority pursuant to CEQA to ensure that development within the City does not substantially affect areas identified to contain or possibly support special-status species. Areas that may support special-status species include annual grassland communities, jurisdictional and isolated wetland features, agricultural communities that contain wetlands, riparian communities including oak woodlands, and drainages including rivers, streams, and creeks.

Party Responsible for Implementing: Community Services Department.

Timeframe for Implementation: During the planning and design phases.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, CA Dept. of Fish and Game, other State and Federal Agencies as applicable.

- ❖ **Mitigation Measure 4.4.1c:** The following mitigation measure shall be implemented as a program under Policy 5.3.A of the General Plan:

For landscape plans, the City shall prepare lists of appropriate native landscape species and inappropriate invasive exotic species for use by property owners in developing landscape plans or enhancing existing landscaping, and include in the Design Guidelines. List shall be prepared with input from the California Department of Fish and Game, Agricultural Commissioner, University of California Cooperative Extension, California Native Plant Society, and other appropriate sources to verify suitability.

Party Responsible for Implementing: Community Services Department, Public Works Department, other State and Federal Agencies as applicable.

Timeframe for Implementation: During the design phase.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, Glenn County Department of Agriculture, and other State and Federal Agencies as applicable.

- ❖ **Mitigation Measure 4.4.1d:** The following mitigation measure shall be implemented as a program under Policy 5.3.A of the General Plan:

As part of the discretionary review of proposed development, prohibit the use of highly invasive species in landscaping. Encourage use of native or compatible non-native plant species indigenous to the site vicinity as part of the discretionary review of project landscaping. Additionally, require that landscaping improvements for community parks, trails, and other public areas include the use of native plant materials or compatible non-native plant species that recognize and enhance the natural resource setting of the City.

Party Responsible for Implementing: Community Services Department, Public Works Department.

Timeframe for Implementation: During the planning and design phases.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, other State and Federal Agencies as applicable.

- ❖ **Mitigation Measure 4.4.1e**: The following mitigation measure shall be implemented as a program under Policy 5.3.A of the General Plan:

The City shall seek to preserve wetlands, habitat corridors, sensitive natural communities, and other essential habitat areas that may be adversely affected by public or private development projects where special-status plant and animal species are known to be present or potentially occurring based on City biological resource mapping or other technical material. When identified development impacts to these habitats cannot be feasibly avoided, developers shall be responsible for mitigation. Such mitigation measures may include providing and permanently maintaining similar quality and quantity of replacement habitat, enhancing existing habitat areas, or paying fees toward an approved habitat mitigation bank. Replacement habitat may occur either on-site or at approved off-site locations.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During planning and design phases; prior to construction.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, other State and Federal Agencies as applicable.

- ❖ **Mitigation Measure 4.4.1f**: The following mitigation measure shall be implemented as a program under Policy 5.3.D of the General Plan:

As part of the discretionary review process, a biological resources assessment may be required to consider the impacts of proposed development projects on special-status species and/or the habitats that support these species. If proposed development is located outside of ecologically sensitive areas, no site-specific assessment of biological resources may be necessary.

As part of the discretionary review process, biological resource assessments shall be required prior to the approval of a development within 300 feet of any river, stream, creek, wetland, or area identified to contain or possibly contain special-status plant and animal species, as determined by the City, City biological resource mapping and data provided in the General Plan DEIR, or other technical material. The biological resources assessment shall determine the presence/absence of these special-status plant and animal species on the site. The surveys associated with the assessment shall be conducted during the appropriate seasons for proper identification of the species. The assessment will consider the potential for significant impacts on special-status plant and animal species and will identify feasible mitigation measures to mitigate such impacts to the satisfaction of the City and appropriate governmental agencies (e.g., US Fish and Wildlife Service and California Department of Fish and Game). These required mitigation measures of impacts will ensure that projects do not contribute to the decline of the affected species such that their decline would impact the viability of the species.

Mitigation measures on a project-by-project basis may include the following:

- For special-status plant species: preservation of existing populations from direct and indirect impacts, and seed and soil collection that ensures that the plant population is maintained.
- For special-status animal species: avoidance of the species and its habitat as well as the potential provision of habitat buffers, avoidance of the species during nesting or breeding seasons, replacement or restoration of habitat on- or off-site, relocation of the species to another suitable habitat area presently uninhabited by the species, or payment of mitigation credit fees.
- Participation in a habitat conservation plan.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases; during pre- and post-construction.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, other State and Federal Agencies as applicable.

- ❖ **Mitigation Measure 4.4.1g:** The following mitigation measure shall be implemented as a policy under Goal 5.3 of the General Plan:

Protect sensitive biological resources and habitat corridors through environmental review of development applications in compliance with CEQA provisions, participation in comprehensive habitat management programs with other local and resource agencies, and continued acquisition and management of open space lands that provide for permanent protection of important natural habitats.

Party Responsible for Implementing: Community Services Department.

Timeframe for Implementation: During the planning and design processes; on-going.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, other State and Federal Agencies as applicable.

- ❖ **Mitigation Measure 4.4.2a:** The following mitigation measure shall be implemented as a program under Policy 5.3.A of the General Plan:

The City of Orland should encourage the retention of large or otherwise significant trees both in residential, non-residential, and open space areas by:

- Encouraging or revising development plans to retain trees.

- Revising development plans that would remove significant trees so that those trees are saved.
- Minimizing development impact on trees with standards to minimize damage during construction and provisions to assure that building foundations, utilities, walkways, irrigation, or use patterns will not damage root structures or trunks.
- In instances when the retention of large or otherwise significant trees (i.e., native oak trees) in residential, non-residential, and open space areas is infeasible and their removal is unavoidable, project developers shall be responsible for mitigation. All required tree mitigation shall conform to the following guidelines:
 - On-site mitigation through tree replacement is the preferred mitigation method.
 - The location and condition under which replacement trees are planted must be carefully selected to allow for practicable and feasible future development to minimize the likelihood that future tree removal is not required, and to maximize the likelihood that the replacement trees will survive and thrive.
 - Provide appropriate replacement of lost large or otherwise significant trees (native oak trees) or preservation at a 2:1 ratio for habitat loss.
 - Transplanted trees, whether from on-site or off-site, may be accepted as replacement trees, but shall be given a discounted value, based on anticipated survival rates, as compared with nursery stock. The discounted value specified in the guidelines shall be reviewed from time to time.
 - Any replacement tree, including a transplanted tree, which dies within five years of being planted, must be replaced on a one to one basis.
 - Where mitigation formulas use percentages, results will always be rounded up to the next whole number percentage.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases; On-going.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, and other State and Federal Agencies as applicable.

❖ **Mitigation Measure 4.4.2b:** The following mitigation measure shall be implemented as a policy under Goal 5.3 of the General Plan:

- Maintain and expand the tree canopy through consideration of tree protection standards.

The following mitigation measure shall be implemented as a program under the preceding policy:

- Encourage and cooperate with other responsible agencies to plan and implement an integrated management plan for the long-term conservation and restoration of riparian corridors within the City's Planning Area.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning process; On-going.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, and other State and Federal Agencies as applicable.

❖ **Mitigation Measure 4.4.2c:** The following mitigation measure shall be implemented as a policy under Goal 5.3 of the General Plan:

- The City shall make every effort to protect remaining riparian vegetation along Stony Creek, Hambright Creek, and their tributaries within the Planning Area. To this end, projects with discretionary approval shall provide a minimum 100-foot buffer from Stony Creek and Hambright Creek, and a 50-foot buffer from their primary tributaries. The buffer shall be measured outward from the top of each bank. Constructed canals and ditches are excluded from this buffer requirement.

The City may provide for variances to these standards in existing developed areas and other areas where the provision of such buffers is not feasible. Development shall not occur within these buffers, except as part of greenway enhancement to include trails and bikeways. Impacts associated with these potential variances and/or greenway enhancements shall be mitigated by developers. Such mitigation measures may include providing and permanently maintaining similar quality replacement habitat at a 1:1 ratio for habitat loss.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Public Works Department, and other State and Federal Agencies as applicable.

❖ **Mitigation Measure 4.4.2d**: The following mitigation measure shall be implemented as a policy under Goal 5.3 of the General Plan:

- Design public access to avoid or minimize disturbance to sensitive resources, including necessary buffer areas, while facilitating public use, enjoyment, and appreciation of wetlands.

Party Responsible for Implementing: Community Services Department, City Engineer, Public Works Department.

Timeframe for Implementation: During the planning and design phases.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Engineer, City Public Works Department, and other State and Federal Agencies as applicable.

❖ **Mitigation Measure 4.4.2e**: The following mitigation measure shall be implemented as a policy under Goal 5.3 of the General Plan:

- Protect wetlands through careful environmental review of proposed development application. Recognize the U.S. Army Corps of Engineers as the designated permitting agency that regulates wetlands.

The following mitigation measure shall be implemented as a program under the preceding policy:

- Require development proponents to submit detailed assessments of sites with wetlands pursuant to CEQA and to demonstrate compliance with state and federal regulations.

Assessments shall be conducted by a qualified professional to determine wetland boundaries and the presence of sensitive resources including endangered and special-status species and their habitat, to assess the potential impacts, and to identify measures for protecting the resource and surrounding buffer habitat.

Assessments will delineate and map waters of the United States, including wetlands and open water habitats, and will make recommendations for avoidance. Wetlands and waters of the United States shall be identified in delineations approved by the U.S. Army Corps of Engineers.

The following mitigation measure shall be implemented as a program under the preceding policy:

- Restrict or modify proposed development in areas that contain wetlands, as defined by U.S. Army Corps of Engineers delineations, as necessary to ensure the continued health and survival of special-status species and sensitive areas. Development projects shall preferably be modified to avoid impacts on sensitive resources or to adequately mitigate impacts by providing on-site replacement or (as a lowest priority) off-site replacement at a higher ratio.

The following mitigation measure shall be implemented as a program under the preceding policy:

- The City shall require the project proponent to obtain all necessary permits pertaining to affected waters of the United States, including wetland habitat, stream channels, and open water habitats regulated by the California Department of Fish and Game and/or the Central Valley Regional Water Quality Control Board prior to construction. Grading or other construction activities within streambeds or open waters may require streambed alteration agreements from the California Department of Fish and Game.

Discharge of fill into waters of the United States will require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers and Clean Water Act Section 401 certification from the Central Valley Regional Water Quality Control Board. The permitting process will also require compensation for construction impacts.

The following mitigation measure shall be implemented as a program under the preceding policy:

- Where complete avoidance of wetlands is not possible, require provision of on-site replacement habitat through restoration and/or habitat creation at an appropriate ratio determined through consultation with the U.S. Army Corps of Engineers, provided that no net loss of wetland acreage, function, and habitat values occurs. Allow restoration of wetlands off-site only when an applicant has demonstrated that no net loss of wetlands would occur and that on-site restoration is not practical or would result in isolated wetlands of extremely limited value. Off-site wetland mitigation preferably would consist of the same habitat type as the wetland area that would be lost.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Engineer, City Public Works Department, and other State and Federal Agencies as applicable.

CULTURAL RESOURCES:

❖ **Mitigation Measure 4.5.1a:** The following mitigation measure shall be added as a new goal within the City of Orland General Plan Land Use Element:

- Promote the preservation of the historic, archaeological, and paleontological resources of the City for their scientific, educational, and cultural values.

Party Responsible for Implementing: Community Services Department.

Timeframe for Implementation: During the planning and design phases.

Party Responsible for Verifying Compliance: City of Orland Community Services Department and State Agencies as applicable.

❖ **Mitigation Measure 4.5.1b:** The following mitigation measure shall be incorporated as a policy under the preceding Goal in **Mitigation Measure 4.5.1a:**

- The City shall require the appropriate surveys and site investigations when needed as part of the initial environmental assessment for development projects in accordance with the California Environmental Quality Act (CEQA). Surveys and investigations shall be performed under the supervision of a professional archaeologist or other person qualified in the appropriate field and shall be approved by the City.
- If it is determined that a proposed project would impact a known historical or cultural resource, then each resource must be recorded and evaluated for eligibility for inclusion in the California Register of Historic Resources. All investigations shall be conducted by a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in historic archaeology.
- Where prehistoric or historic resources are discovered that are determined to be eligible for the California Register of Historic Resources, development shall be required to implement measures for the protection of the identified archaeological resources consistent with the provisions of Public Resources Code Section 21083.2 (i.e., excavation of the archaeological resource by qualified archaeologists leading to the curation of recovered materials and publication of resulting information and analysis, and avoidance or capping of the cultural resource site, etc.). The results of archival research and/or pre-construction investigations shall be provided to the City for review, along with recommendations regarding construction measures (e.g., excavation and recovery or avoidance) prior to the commencement of construction.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases; during construction if resources are discovered.

Party Responsible for Verifying Compliance: City of Orland Community Services Department and State Agencies as applicable.

❖ **Mitigation Measure 4.5.1c:** The following mitigation measure shall be incorporated as a policy under the preceding Goal in **Mitigation Measure 4.5.1a:**

- The City shall impose the following conditions on all discretionary projects in areas which do not have a significant potential for containing archaeological or paleontological resources: “If human remains are discovered, all work must stop in the immediate vicinity of the find, the City of Orland Planning Division shall be notified immediately, and the County Coroner must be notified according to Section 7050.5 of California’s Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.”

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases; during construction if resources are discovered.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, Glenn County Sheriff’s Department (County Coroner), and State Agencies as applicable.

❖ **Mitigation Measure 4.5.2:** The following mitigation measure shall be incorporated as a policy under the Goal in **Mitigation Measure 4.5.1a:**

- The City shall impose the following conditions on all discretionary projects in areas which do not have a significant potential for containing archaeological or paleontological resources: “If any paleontological resources (fossils) are discovered during ground disturbing project activity, all work in the immediate vicinity must stop and the City of Orland Planning Department shall be immediately notified. A qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources.

- “The City of Orland and the project applicant shall consider the mitigation measures recommended by the qualified paleontologist for any unanticipated discoveries. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The project proponent shall be required to implement any mitigation measures deemed necessary by the City of Orland and the qualified paleontologist for the protection of the paleontological resources.”

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases; during construction if resources are discovered.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, Glenn County Sheriff’s Department (County Coroner), and State Agencies as applicable.

GEOLOGY, SEISMICITY, SOILS, AND HAZARDOUS MATERIALS:

- ❖ **Mitigation Measure 4.6.1:** The following mitigation measure shall be implemented as a program under Policy 4.6.A of the General Plan:
 - The City shall require that all construction comply with the California Building Code, including the requirements for seismic design. The City shall incorporate updated and revised versions of the California Building Code, and public buildings designed for assembly such as schools and police stations shall be constructed to meet state seismic safety and building standards.

Party Responsible for Implementing: Community Services Department, City Engineer, City Public Works Department.

Timeframe for Implementation: During the planning and design phases of specific projects.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Engineer, City Public Works Department.

- ❖ **Mitigation Measure 4.6.6:** The following mitigation measure shall be incorporated as a program under Policy 4.7.A of the General Plan:
 - As part of its Development Review process, the City shall require project applicants to submit a Phase I Environmental Site Assessment for their project site if the City determines the project may be on or near a potentially contaminated site.

The Phase I Environmental Site Assessment shall identify the potential for asbestos, lead, and PCBs to occur on the project site. The City may require a more detailed site assessment (i.e., Phase II Environmental Site Assessment) if it concludes that site conditions warrant further analysis. If contamination of a project site is identified, the City shall require actions that eliminate the hazard posed by the contamination or reduce it to a level that is less than significant. Actions may include, but are not limited to, removal of the contamination or avoidance of use of contaminated groundwater.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During the planning and design phases; prior to any construction.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Engineer, Glenn County Air Pollution Control District, Glenn County Environmental Health Department, other State Agencies as applicable.

NOISE:

❖ **Mitigation Measure 4.9.4:** The following mitigation measure shall be added as a new policy under Goal 6.1 of the General Plan:

- The City shall adopt a citywide noise reduction program to reduce traffic and other noise levels Citywide. The program shall include, but shall not be limited to, the following specific elements for noise abatement consideration where reasonable and feasible.
 - Noise barrier retrofits
 - Truck usage restrictions
 - Reduction of speed limits
 - Use of quieter paving materials
 - Building façade sound insulation
 - Traffic calming
 - Additional enforcement of speed limits and exhaust noise laws
 - Signal timing

Party Responsible for Implementing: Community Services Department, City Engineer, City Public Works Department.

Timeframe for Implementation: Following General Plan adoption: target 2012.

Party Responsible for Verifying Compliance: City of Orland Community Services Department, City Engineer, City Public Works Department, Caltrans.

COMMUNITY SERVICES:

- ❖ **Mitigation Measure 4.11.4.1:** The following mitigation measure shall be incorporated as a program under Policy 5.10.D in the Open Space, Conservation, and Public Facilities Element:
 - During its annual budget review, the City shall consider the needs of park facilities and will support those needs with budget revenues, grants, and impact fees. As part of the budget review process, the City shall review impact fee rates to ensure that the cost of improvements is equitably distributed.

Party Responsible for Implementing: City Recreation Department, City Public Works Department.

Timeframe for Implementation: Annually.

Party Responsible for Verifying Compliance: City Manager, City Engineer, City Recreation Department, City Council.

PUBLIC SERVICES:

- ❖ **Mitigation Measure 4.12.1.1a:** The following mitigation measure shall be added as a policy in the Land Use Element under Goal 2.1 of the General Plan:

The City shall ensure the development of public infrastructure to meet the long-term needs of residents and ensure infrastructure is available at the time such facilities are needed.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: At the time improvements are needed.

Party Responsible for Verifying Compliance: Community Services Department, City Engineer, City Public Works Department.

❖ **Mitigation Measure 4.12.1.1b**: The following mitigation measures shall be added as programs under the preceding Policy:

- Require sufficient capacity in all public facilities to maintain desired service levels and avoid capacity shortages or other negative effects on safety and quality of life.
- Continue to implement the City's adopted sewer, stormwater, and water master plans to ensure the development of roadways, water, and sewer, and other public facilities.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During project planning and design phases.

Party Responsible for Verifying Compliance: Community Services Department, City Engineer, City Public Works Department.

❖ **Mitigation Measure 4.12.1c**: The following mitigation measure shall be added as a policy in the Open Space, Conservation, and Public Facilities Element under Goal 5.7 of the General Plan:

- The City shall ensure that water supply and delivery systems are available to meet the demand created by new development.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During project planning and design phases.

Party Responsible for Verifying Compliance: Community Services Department, City Engineer, City Public Works Department.

❖ **Mitigation Measure 4.12.1.1d**: The following mitigation measures shall be added as programs under the preceding Policy:

- Require all development projects, excluding subdivisions, to adhere to the following provisions:
- ✗ An assured water supply and delivery system shall be available at the time of project approval. The Orland Public Water Service may provide several alternative methods of supply and/or delivery, provided that each is capable individually of providing water to the project.

- ✘ All required water infrastructure for the project shall be in place prior to project or unit occupancy, or shall be assured through the use of bonds or other financial sureties to the City's satisfaction. Water infrastructure may be phased to coincide with the phased development of large-scale projects.
- Require all subdivision developments to adhere to the following provisions:
 - ✘ Proposed water supply and delivery systems shall be identified at the time of tentative map approval, to the satisfaction of the City. The Orland Public Water System may provide several alternative methods of supply and/or delivery, provided that each is capable individually of providing water to the project.
 - ✘ All new development shall demonstrate prior to the approval of the Final Map that sufficient capacity will be available to accommodate the subdivision plus existing developments, other approved projects in the same service area, and other projects which have received commitments for water service.
 - ✘ Off-site and on-site water infrastructure sufficient to provide adequate water to the subdivision shall be in place prior to the approval of the Final Map or infrastructure financing shall be assured to the satisfaction of the City, consistent with the requirements of the Subdivision Map Act.
 - ✘ Off-site and on-site water distribution systems required to serve the subdivision shall be in place and shall contain water at sufficient quality, quantity, and pressure, prior to the issuance of any building permits. Model homes may be exempted from this policy as determined appropriate by, and subject to approval of, the City.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During project planning and design phases.

Party Responsible for Verifying Compliance: Community Services Department, City Engineer, City Public Works Department.

- ❖ **Mitigation Measure 4.12.2.1:** The following mitigation measure shall be added as a program under Policy 5.8.A of the General Plan:

Require all subdivision developments to adhere to the following provisions, to the extent permitted by state law:

- All future development shall demonstrate prior to the approval of the Final Map by the City that sufficient treatment capacity if or will be available to accommodate the subdivision.

- On-site and off-site sewage conveyance systems required to serve all future development shall be in place prior to the approval of occupancy permits, or their financing shall be assured to the satisfaction of the City, consistent with the requirements of the Subdivision Map Act.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During project planning and design phases.

Party Responsible for Verifying Compliance: Community Services Department, City Engineer, City Public Works Department.

- ❖ **Mitigation Measure 4.12.4.1a:** The following mitigation measure shall be incorporated as a Goal in the City of Orland General Plan Safety Element under Goal 4.7:

The City shall provide for solid waste collection, disposal services, and recycling in a cost-efficient manner.

Party Responsible for Implementing: City Public Works Department, County of Glenn Public Works/Landfill, Waste Management.

Timeframe for Implementation: During project planning and design phases; during construction and post-construction – on-going.

Party Responsible for Verifying Compliance: City Public Works Department, County of Glenn Public Works/Landfill, Waste Management.

- ❖ **Mitigation Measure 4.12.4.1b:** The following mitigation measures shall be incorporated as policies under the preceding Goal:
 - Continue contracting for garbage and recycling collection services.
 - Develop guidelines and standards for mandatory recycling (AB 939) and organize solid waste disposal in new large-scale developments.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: During project planning and design phases; during construction and post-construction – on-going.

Party Responsible for Verifying Compliance: City Public Works Department, County of Glenn Public Works/Landfill, Waste Management.

- ❖ **Mitigation Measure 4.12.4.1c:** The following mitigation measure shall be incorporated as a goal in the City of Orland General Plan Safety Element under Goal 4.7:

Solid waste collection, handling, recycling, composting, recovery, transfer and disposal fees shall recover all capital, operating, and maintenance costs associated with the City solid waste program.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation.

Timeframe for Implementation: Post-construction and on-going.

Party Responsible for Verifying Compliance: City Public Works Department, County of Glenn Public Works/Landfill, Waste Management.

- ❖ **Mitigation Measure 4.12.4.1d:** The following measures shall be incorporated as policies under the preceding Goal:
 - Develop and continually monitor a solid waste disposal fee system based on the quantity of waste set out for disposal and provide incentives for recovery.
 - Explore available alternatives for the establishment of a fiscally-viable citywide household recycling program.

Party Responsible for Implementing: Specific projects proposed under the General Plan are responsible for implementing mitigation; Glenn County Public Works/Landfill, Waste Management.

Timeframe for Implementation: In place through Glenn County and Waste Management; On-going.

Party Responsible for Verifying Compliance: City Public Works Department, County of Glenn Public Works/Landfill, Waste Management.

TRANSPORTATION AND CIRCULATION:

- ❖ **Mitigation Measure 4.13.1:** The following intersections shall be added to the City's Capital Improvement Program as part of implementation of General Plan Policy 3.3.A:
- **#1 – Newville Road and County Road HH:**
 - Signalize the intersection.
 - No additional lanes are necessary. However, the intersection should be improved to modern design standards (e.g., curbs, gutter, and sidewalks). With implementation of these measures, this intersection would operate at LOS B with 11.4 seconds of delay during the a.m. peak hour and LOS B with 16.9 seconds of delay during the p.m. peak hour. These LOS are considered acceptable.
 - **#2 – Newville Road and I-5 Southbound Ramps:**
 - Signalize the intersection.
 - No additional lanes are necessary. However, the intersection should be improved to modern design standards (e.g., curbs, gutter, and sidewalks). With implementation of these measures, this intersection would operate at LOS B with 17.1 seconds of delay during the a.m. peak hour and LOS C with 20.0 seconds of delay during the p.m. peak hour. These LOS are considered acceptable.
 - **#3 – Newville Road and I-5 Northbound Ramps:**
 - Signalize the intersection.
 - No additional lanes are necessary. However, the intersection should be improved to modern design standards (e.g., curbs, gutter, and sidewalks). With implementation of these measures, this intersection would operate at LOS B with 15.8 seconds of delay during the a.m. peak hour and LOS C with 24.3 seconds of delay during the p.m. peak hour. These LOS are considered acceptable.
 - **#5 – Walker Street (SR 32) and Sixth Street:**
 - Split the northbound combined through/right turn lane into an exclusive northbound through lane, and an exclusive northbound-to-eastbound right-turn lane. With implementation of this measure, this intersection would operate at LOS C with 27.1 seconds of delay during the a.m. peak hour and LOS D with 48.1 seconds of delay during the p.m. peak hour. These LOS are considered acceptable.

- #9: SR 32 and County Road N:
 - Signalize the intersection.
 - No additional lanes are necessary. However, the intersection should be improved to modern design standards (e.g., curbs, gutter, and sidewalks). With implementation of these measures, this intersection would operate at LOS A with 9.9 seconds of delay during the a.m. peak hour and LOS B with 18.8 seconds of delay during the p.m. peak hour. These LOS are considered acceptable.

Party Responsible for Implementing: Community Services Department, City Engineering, City Public Works Department.

Timeframe for Implementation: Following General Plan Adoption – On-going.

Party Responsible for Verifying Compliance: Community Services Department, City Engineering, City Public Works Department, Caltrans as applicable (I-5 and SR 32).

- ❖ **Mitigation Measure 4.13.6:** The following mitigation measure shall be added as a new policy under Goal 3.4 of the General Plan:
 - The City shall participate in regional roadway facility improvement programs established by Glenn County and/or Caltrans in order to address its fair-share of traffic impacts.

Party Responsible for Implementing: Community Services Department, City Engineering, City Public Works Department.

Timeframe for Implementation: Following General Plan Adoption – On-going.

Party Responsible for Verifying Compliance: Community Services Department, City Engineering, City Public Works Department, Caltrans as applicable (I-5 and SR 32).

Greenhouse Gases and Climate Change:

- ❖ **Mitigation Measure 5.0.1:** The following mitigation measure shall be implemented as a policy under Goal 5.5 of the General Plan:
 - The City shall instigate the development of a Climate Action Plan in order to document how the City plans to reduce its greenhouse emissions to the eventual goal of achieving carbon neutrality. This Climate Action Plan shall be updated periodically in order to examine progress of the Plan and shall contain the following:
 - ✗ A City greenhouse gas emission inventory baseline.
 - ✗ City greenhouse gas emission forecasts.
 - ✗ Greenhouse gas emissions reduction targets.
 - ✗ Proposed measures and policies to meet reduction targets.

Party Responsible for Implementing: Community Services Department.

Timeframe for Implementation: Following General Plan Adoption; target date – as funding is available.

Party Responsible for Verifying Compliance: Community Services Department.