City of Corning

2014-2034 General Plan
Environmental Impact Report

September 8, 2015

Funded by Community Development Block Grant Funds – Grant 12-CDBG-8379

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City of Corning

2014-2034 General Plan

Environmental Impact Report

SCH#2015052037

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CHAPTER ONE

INTRODUCTION

1.1 PROPOSED ACTION AND PROJECT OBJECTIVES

On May 24, 1994 the City Council adopted *The Corning General Plan* through *Resolution 5-24-94-1* which superseded the *1981 General Plan*. Subsequent to the adoption of the *1994 General Plan* various major general plan updates and/or revisions occurred.

The *1994 General Plan* identified the area along the Highway 99W Corridor as being an area for potential growth and development in the City. The specific plan process was initiated in 1995 with the purpose of providing "a comprehensive set of plans, policies, guidelines, and implementation measures for guiding and ensuring the orderly development of the Highway 99W Corridor." On January 18, 1997 the City Council adopted the *Highway 99W Corridor Specific Plan*.

Other than the *Highway 99W Corridor Specific Plan*, the only other major general plan updates and/or revisions have been with respect to the Housing Element which State law requires to be updated every five years. On October 27, 2009 the City Council adopted the *2009-2014 Housing Element Update of the General Plan*. However, the State of California Department of Housing and Community Development (HCD) in the ensuing months after City Council adoption, required a series of changes to the Update in a non-sequential manner. The City Council after review of the HCD directed changes, reaffirmed their adoption of the *Housing Element Update* on July 13, 2010.

Since almost 20 years had elapsed since the *1994 General Plan* was updated, the City Council in early 2012 began the process to update the General Plan. On October 23, 2012, a presentation to a joint City Council and Planning Commission Public Hearing was made providing an overview of the *2014-2034 General Plan Update* and to identify a *2014-2034 General Plan Update Task Force* (*Task Force*). Whereas, many cities in California appoint a committee comprised of residents, business and organizational representatives, the City Council determined that for efficiency and cost containment purposes, that the Planning Commission serve as the *Task Force* to oversee the update of the Plan.

On February 2, 2013 the first *Task Force* Meeting was held to review the *2014-2034 General Plan Update Overview* and compilation of the *1994 General Plan* Goals, Policies and Implementation Measures. Another meeting was held on April 16, 2013. However, State HCD determined that in order for the City to contract with a consultant that a "Request for Proposal" process needed to be undertaken since the City was utilizing Community Development Block Grant – Planning/Technical Assistance funding from State HCD to assist in funding the Update. The *Task Force* was informed at the May 21, 2013 Planning Commission Meeting that there would be no further meetings regarding *2014-2034 General Plan Update* efforts until the Conditions were cleared.

On January 21, 2014 the *Task Force* reconvened to continue the *2014-2034 General Plan Update* process. *Appendix 8.1* identifies the *2014-2034 General Plan Update Task Force Workshop and Public Hearing dates* and the Planning Commission and City Council Public Hearing dates for the *2014-2034 General Plan Update*.

The City of Corning intends to consider and adopt the revision to the General Plan. Per *Section 15378* of the *California Environmental Quality Act (CEQA) Guidelines*, such an action by the City constitutes a "project" and is subject to environmental review under *CEQA*. A "project" is defined as follows:

a) "Project" means the whole of an action, which has a potential for resulting in a physical change in the environment, directly or ultimately, and that is any of the following:

(1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700.

(2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

(3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

This Environmental Impact Report (EIR) for the General Plan is a *Program Environmental Impact Report* per *Section 15168(a)(3)* of *CEQA*. This EIR is intended to provide information to the public and to decision-makers regarding the potential environmental effects resulting from the adoption of the General Plan by the City of Corning. *Section 15168(a)(3)* describes

> "A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related . . . in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program."

To implement the General Plan, the City of Corning would adopt or approve various specific actions, such as ordinances, specific plans, area plans, use permits, land division maps, etc. all of which would be consistent with the policies and implementation measures in the General Plan.

1.2 PROCEDURES

This EIR was prepared under requirements of the *CEQA* and *Guidelines for the Implementation of the California Environmental Quality Act* (California Administrative Code [CAC], Title 14, and Chapter 3 - hereafter called the *CEQA Guidelines)*. The City of Corning is the Lead Agency responsible for the EIR under *CEQA* with authority to certify the Final EIR as complete and adequate and to approve the revision to the General Plan.

Section 15121 [a] of the *CEQA Guidelines* defines an EIR as an informational document that will:

> ". . . inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

Under *Section 15091* of the *CEQA Guidelines*, the Lead Agency (the City) must make findings prior to approving the project. For each significant environmental effect identified in the EIR, one or more of the following findings must be made:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen (i.e., mitigate) the significant environmental effect as identified in the final EIR.

- Such 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.

- Specific economic, social, or other considerations make unfeasible the mitigation measures or project alternatives identified in the final EIR.

Section 15093 of the *CEQA Guidelines* requires the lead agency decision-makers (the City of Corning City Council) to balance the benefits of a proposed project against any unavoidable environmental effects of the project. If the benefits of the project outweigh the unavoidable adverse environmental effects, the decision-makers may adopt a *Statement of Overriding Considerations*, finding that the environmental effects are considered acceptable.

CEQA is a public process requiring full public disclosure of the expected environmental consequences of the project and its alternatives. This EIR is subject to public review as a Draft EIR as required under Section 15087 of the *CEQA Guidelines* and requires the City to consider input from other agencies, citizen groups, and individuals. The public must be given an opportunity to comment during a public review period of no less than 30 days but not more than 90 days. For the Draft EIR for this project, the review period is 45 days. During the review period, the public and all responsible or interested agencies and organizations will be able to comment, orally or in writing, on the DEIR.

Section 15132 of the *CEQA Guidelines* requires that each comment made during the public review period be responded to in writing. The Final EIR (FEIR) considered for certification will consist of the DEIR with any necessary revisions; comments on the DEIR; a list of commenting individuals, organizations, or agencies; and City responses to comments.

Upon completion of the FEIR, the City will certify its' completion, that it complies with CEQA, and that the information in the FEIR was reviewed and considered prior to making a decision on the project. After reviewing and considering the FEIR, including public comments on the DEIR, the City will then make its findings regarding the proposed project prior to adoption.

As required by *Public Resource Code, Section 21081.6*, the City will adopt a *Mitigation Monitoring Program* which is required to ensure that mitigation measures identified in the *EIR* are implemented. The *Mitigation Monitoring Program* identifies the person or agency responsible for implementing each mitigation measure, the agency to whom implementation of the measure should be reported, and a timetable for implementation and monitoring. *Mitigation Monitoring Programs* also include performance standards used to judge how effective a measure is in meeting its objectives and contingency plans that will take effect if performance standards are not achieved.

1.3 METHODOLOGY AND SCOPE OF THE EIR

On May 12, 2015, a *Notice of Preparation* (*NOP*) (**Appendix 8.2**) determination to prepare an EIR was distributed by the City to local agencies and organizations, the State Clearinghouse, and made available to interested citizens.

Normally for a project, *an Initial Study* is prepared which includes a checklist of anticipated impacts that helps the lead agency to decide whether to prepare an EIR or a Negative Declaration. However, the decision to prepare an EIR was made by the City when authorization to prepare the *2014-2034 General Plan Update* was approved by the City Council. Therefore, the preparation of an Initial Study was not necessary.

The purpose of the *NOP* was to solicit guidance from agencies, organizations and interested citizens as to the scope and content of the environmental information to be included in the EIR. The *NOP* provided information about the project and potential environmental effects to enable recipients to make meaningful responses. This may serve to solve potential problems that would arise in more serious form later.

The *NOP* was sent to the Governor's Office of Planning and Research (OPR) and any known responsible and trustee agencies, individuals and organizations. All responsible and trustee agencies, as well as other interested agencies, citizens groups, and individuals had 30 days to respond to the *NOP*. These responses helped determine the range of environmental issues for the *EIR* to address. A scoping session was held on May 19, 2015. The comment period ended on June 10, 2015 and only two comment letters were received by the Planning Department. The comment letters and a response from the State Clearinghouse are provided in **Appendix 8.2**.

The *Notice of Preparation*, determined that aesthetic/visual, agricultural land, fire hazard, air quality, biological resources, cultural resources, geologic/seismic, land use, traffic/circulation, water supply and quality, noise, and public services and facilities had the potential to significantly impact the environment, even though Policies and Implementation Measures in the *2014-2034 General Plan Update* would mitigate potential impacts to a level of insignificance, except for air quality, climate change, and energy related issues. Procedurally, if the proposed project contains measures designed into the project that would reduce potential impacts to a level of insignificance, the project is "self-mitigating" and *CEQA* does not require the issues to be addressed. However, even though the *2014-2034 General Plan Update* is essentially "self-mitigating," it was determined appropriate to address all of the issues, so that the public, interested agencies and organizations, and decision-makers are well informed and presented a reasoned analysis as to why the majority of the above referenced issues are "self-mitigating."

Once the DEIR was completed, the document and the *2014-2034 General Plan Update* was made available for a 45-day public review period beginning on June 24, 2015 and ending on August 7, 2015. A notice of availability of the DEIR was provided to appropriate agencies and the general public via a *Notice of Completion* (*NOC*) sent to the State Clearinghouse, interested persons, agencies and organizations. The notice of availability was also published in the Corning Observer, the local newspaper with general circulation, and posted at City Hall.

In response to the *NOC*, three letters with written comments were received on the DEIR prior to the close of the 45-day review period, in addition to a response letter from the State Clearinghouse acknowledging that the City complied with the State Clearinghouse review requirements. The comments received and the City's responses to such comments, as well as revisions to the DEIR, are contained in **CHAPTER NINE – COMMENT LETTERS AND RESPONSES TO COMMENTS**.

On August 18, 2015, the Planning Commission held a public hearing to consider the *Draft 2014-2034 General Plan Update* and *Draft EIR* and, made recommendations to the City Council to certify the EIR as complete and adequate and to adopt the 2014 – 2034 General Plan Update with revisions.

The DEIR was revised and the Final EIR (FEIR) dated August 27, 2015 was prepared which, in addition to the *Comments and Response to Comments* on the DEIR, contained the *Mitigation Monitoring Program* (*MMP*). The *MMP* is to be used by City, participating agencies, project contractors, and mitigation monitoring personnel during implementation of mitigation measures identified in the FEIR. The Final EIR *Comments and Response to Comments* was formally released for a 10 day public review period on August 27, 2015. The three agencies that provided written comments were provided the *Comments and Response to Comments* via e-mail earlier on August 14, 2015.

On September 8, 2015, the City Council held a public hearing to consider, certify and adopt the FEIR as complete and adequate. The City Council then considered and adopted the *2014-2034 General Plan Update* as the *City of Corning 2014-2034 General Plan*.

1.4 REPORT FORMAT

The following format will be used in this EIR to describe existing environmental conditions, potential project-related impacts, and mitigation measures for each of the issues to be addressed. [1]

EXISTING CONDITIONS

Existing environmental conditions, specific to the issues identified to be addressed, will be described.

REGULATORY FRAMEWORK

Describes the environmental review and consultation requirements for the proposed project and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The standard by which impacts are measured and the threshold of significance will be presented. In addition, the level at which an environmental impact is considered significant will be identified. A concluding statement of whether or not an identified impact is significant, less than significant, cumulatively significant, etc., will be presented and if mitigation measures are applicable.

If an impact is identified as being potentially significant and requires mitigation, each mitigation measure will be identified and a statement will be made regarding whether the impact can be mitigated (i.e., reduced or lessened) to a less than significant level or, alternatively, whether the impact cannot be mitigated, unavoidable, and/or irreversible.

The *EIR* format will conform to the S*tandards for Adequacy* of an *EIR* as described in *Section 15151* of the *CEQA Guidelines* that state:

> "An *EIR* should be prepared with a sufficient degree of analysis to provide the decision-makers with information which enable them to make a decision which intelligently takes into account environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an *EIR* is to be reviewed in the light of what is reasonably feasible.

[1] *Title 14, California Code of Regulations*

> Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and good-faith effort at full disclosure."

The *CEQA Guidelines* recognize that a general plan EIR will not be as specific as an EIR on an individual project: "The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR".[2] "An EIR on projects such as the adoption or amendment of a local general plan should focus on the secondary effects that can be expected to follow from the adoption, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow".[3] The *CEQA Guidelines* requires that when a proposed project is measured against an adopted general plan, "the analysis shall examine the existing physical conditions as well as the potential future conditions discussed in the plan".[4]

1.5 ORGANIZATION OF THE EIR

CHAPTER ONE – INTRODUCTION, states the nature of the project and inform the reader of the reason for preparing the EIR. It also explains the purposes of *CEQA* and briefly summarizes how the *CEQA* process proceeds, and the organization and format of the EIR.

CHAPTER TWO - EXECUTIVE SUMMARY, identifies each significant effect with proposed mitigation measures that would reduce or avoid that effect; areas of controversy known to the Lead Agency, including issues raised by agencies and the public, and issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects. **Table Es-1** summarizes all impacts and mitigation measures, along with a brief text summarizing the level of significance after mitigation measures are implemented.

CHAPTER THREE - PROJECT DESCRIPTION, describes the project in greater detail, including project objectives, lists of subsequent permits and approvals required, general environmental setting of the project site and surrounding area, discussion of relevant regulations and plans as they relate to the project, and effects found not to be significant should the project be implemented.

CHAPTER FOUR - EXISTING CONDITIONS, IMPACTS AND MITIGATIONS, details the environmental setting as it relates to each environmental issue previously described, identifies and evaluates impacts, including cumulative impacts, and proposes mitigation measures to reduce impacts to less than significant levels.

CHAPTER FIVE - ALTERNATIVES, evaluates alternatives to the proposed project. Per requirements of 15126 [d][2] of the *CEQA Guidelines*, the "no project" alternative must be considered to compare the environmental consequences of the project as proposed to the consequences of taking no action. The potential environmental impact of these alternatives will be compared to the environmental impact of the project as proposed.

CHAPTER SIX – OTHER REQUIRED CEQA SECTIONS includes *Significant Irreversible Environmental Changes* which identifies irreversible impacts, *Cumulative Impacts* which are the result of combining potential impacts of the project with other planned developments, as well as foreseeable development projects, and *Growth Inducing Impacts* which is any growth which

[2] *CEQA Guidelines, Section 15146(a)*
[3] *Ibid. Section 15146(b)*
[4] *Ibid. Section 15125(c)*

exceeds planned growth of an area and results from new development which would not have taken place without the implementation of the proposed project.

CHAPTER SEVEN - REFERENCES, provides names of individuals preparing the EIR, the names and agencies of individuals contacted for information during EIR preparation, and a bibliography that includes references to published literature or technical reports cited.

CHAPTER EIGHT - APPENDIX, provides the Planning Commission/Task Force Workshops and Public Hearings and City Council Public Hearing dates; and, the Notice of Preparation and responses.

CHAPTER NINE – COMMENT LETTERS AND RESPONSES TO COMMENTS, provides written (including e-mails) comments received on the Draft EIR during the public review period and at the Planning Commission hearing soliciting comments. Responses to each comment will be made to supplement, clarify, or amend information provided in the Draft EIR. The Final EIR incorporates changes identified in the Responses.

CHAPTER TEN – MITIGATION MONITORING PROGRAM (MMP), provides the MMP intended to be used by City, participating agencies, project contractors, and mitigation monitoring personnel during implementation of mitigation measures identified.

CHAPTER ELEVEN – RESOLUTION AND CEQA FINDINGS OF FACT, provides *City Council Resolution 09-08-2015-01*certifying and adopting the EIR as complete and adequate, and findings concerning each alternative and each significant environmental impact identified in the DEIR and FEIR.

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CHAPTER TWO

EXECUTIVE SUMMARY

2.1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

The *Environmental Quality Act (State CEQA Guidelines)* provides that this summary identifies each significant effect and proposed mitigation measures that would reduce or avoid that effect. This information is summarized in **Table ES-1 - SUMMARY OF POTENTIAL IMPACTS & MITIGATION MEASURES**, at the end of this chapter. It should be noted that Table ES-1 is only a summary for quick reference. **CHAPTER FOUR - EXISTING CONDITIONS, IMPACTS AND MITIGATIONS** provides a complete analysis and discussion of impacts and mitigation measures, as applicable.

2.2 POTENTIAL AREAS OF CONTROVERSY – ISSUES TO BE RESOLVED

The following issues may produce controversy or require resolution in reviewing and considering the adoption of the *2014-2034 General Plan Update* for a 20 year planning period.

- The projected population and housing growth rates utilized to determine housing needs, in particular compliance with *State of California Department of Housing and Community Development (HCD) Regional Housing Needs Allocation* (*RHNA*) for *Very Low* and *Low* households. The *2014-2034 General Plan Update* identifies that, based on the historical growth period between 1995 and 2014, there is a need to identify a sufficient amount of *Multi-Family Residential* designated land necessary to meet *RHNA* requirements. Therefore, the *2014-2034 General Plan Update* redistributes land use allocations and densities, in particular densities associated with *Multi-Family Residential* classified lands necessary to meet *HCD RHNA* requirements.

  Normally, when general plans are updated, there exists the potential for significant air quality, climate change and energy impacts which cannot be mitigated by the implementation of the general plan. These impacts are attributed to ozone and carbon dioxide emissions resulting from increased traffic generation and land use operations. This requires that the City Council adopt a *Statement of Overriding Consideration* which identifies that there are specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers that would make infeasible the mitigation measures or alternatives identified in the EIR. However, based on the limited amount of development over the last 20 years, when projected over the next 20 years to 2034, these impacts may not result, even cumulatively.

  Impacts may occur incrementally over a longer period of time extending beyond the 20 year framework of the *2014-2034 General Plan Update*, however, it would be speculative to attempt to quantify when impacts could be realized. If development proceeds as it has historically over the last 20 years, impacts will be less-than-significant.

2.3 DESCRIPTION OF ALTERNATIVES

Analysis of potential alternatives to the project is required per *Section 15126[d]* of the *CEQA Guidelines*. *CEQA* case law and subsequent amendments underscore the need to consider a "reasonable range" of alternatives to the project that would feasibly attain most of the project goals and objectives, but would avoid or substantially lessen any significant effects of the project. The comparative merits of the alternatives would be evaluated. A *No Project Alternative* is discussed per requirements of the *CEQA Guidelines.* This will require comparative analysis of project-related effects versus the effects of taking no action.

Alternatives to the project that are evaluated in this Draft EIR are described in detail in *Chapter Five*. Only reasonable alternatives that met the *General Plan Project Objectives* were considered. These alternatives include:

- The *CEQA* required *No Project Alternative* which is the *Existing General Plan*.
- The *Lower Density Residential Alternative* reflects the use of a lower density factor of 4 DU's/Acre for *Residential* and 10 DU's/Acre for *Multi-Family Residential* land uses.
- The *Higher Density Residential Alternative* reflects the use of a higher density factor of 8 DU's/Acre for *Residential* and 24 DU's/Acre for *Multi-Family Residential* land uses.

TABLE ES-1 SUMMARY OF POTENTIAL IMPACTS & MITIGATION MEASURES		
4.1.3 BIOLOGICAL RESOURCES		
IMPACT B-1	**MITIGATIONS B-1 & B-2**	**LEVEL OF SIGNIFICANCE AFTER MITIGATION**
Review of the National Wetland Inventory (NWI) map for the Corning quadrangle identified several wetland features. In addition, existing vacant parcels within the City could potentially impact Jewett Creek, Burch Creek and the Blackburn-Moon Ditch which are designated wetland features. This impact is considered potentially significant.	**Mitigation Measure B-1** To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.", including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented: • Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material. • Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained. • Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion. • Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales). • All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction. • Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB). • Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be	**Mitigation Measures B-1** and **B-2** are advanced to address potential wetlands and vernal pools, with associated special status features. These measures will reduce potential impacts to a **less-than-significant** level.

	sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process. • Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, CDFW) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented. **Mitigation Measure B-2** Conduct a USFWS protocol-level survey for the vernal pool fairy shrimp and vernal pool tadpole shrimp within suitable habitats occurring within the proposed project site, or assume the species are present. If the species are not detected during the protocol-level survey, no further measures or mitigation is required. If either of the species is detected during protocol-level surveys or the presence of the species is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented: • Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS. • For every acre of habitat directly or indirectly affected, at least two vernal pool preservation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure. • For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a USFWS-approved habitat mitigation bank. With USFWS approval, appropriate payment into an in-lieu fee fund, on-site creation, or off-site creation may be used to satisfy this measure.	
4.15.3 AIR QUALITY		
IMPACT AQ-1	**MITIGATION AQ-1**	**LEVEL OF SIGNIFICANCE AFTER MITIGATION**
The modeling results identified in **Table AQ-3** indicate that cumulative emissions from the 313 residential units projected to be constructed over the next 20 years could generate ROG emissions that are above Level "A" thresholds, but below Level "B" thresholds. The impact is **potentially significant**.	The TCAPCD Guidelines provide estimated ranges of efficiencies for SMMs and BMMs that are incorporated into the Project. Assuming an average efficiency for each measure, the following measures can be expected to reduce ROG, NOx, and PM_{10} emissions by about 30% for construction, area source, and operation (vehicle) emissions. • All construction contracts shall include construction dust mitigation measures that contain minimum criteria and related to the use of diesel equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction. • Alternatives to open burning of vegetative material shall be used. Cleared vegetation shall be treated by legal means other than open burning. • Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of construction. • All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property	Through the application of Level "A' and some Level "B" BMMs, as reflected in **Mitigation Measure AQ-1**, further emission reductions could be accomplished to reduce potential impacts to a **less-than-significant** level.

	boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day. • All construction areas (including unpaved driveways and roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions. • All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads. • All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour. • All inactive portions of the site disturbed by construction activities shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established. • The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive construction areas. • All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114. • All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance. • During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the construction area from the adjacent paved road(s). It appears that the existing gravel based road serving the existing well may meet this requirement. • Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of construction activities. • Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the construction area. • Wheel washers shall be installed where project vehicles and/or equipment access paved streets from unpaved roads. • Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter. • Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained. • Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes. • Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.	

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CHAPTER THREE

PROJECT DESCRIPTION

3.1 LOCATION

The City of Corning, California is a rural agricultural community of 7,638 people as of January 1, 2015, situated 25 miles northwest of Chico and 17 miles south of Red Bluff in south central Tehama County (**Figure 1**).[1] The physical layout of the City was established in 1878, when the town named Scatterville, later Riceville, was built. In 1882, the town of Corning was established and merged with Riceville. Since that time, the City and adjacent agricultural areas have seen a slow to moderate increase in population growth. In the past, the population has been distributed as a small nucleus in the incorporated urbanized areas, surrounded by a larger non-urbanized halo in the unincorporated areas.[2]

The City is located in Sections 14, 15, 16, 21, 22, 23, 27 and 28, T. 24 N., R. 3 W., Mount Diablo Base and Meridian, of the USGS 7.5' Corning, California Topographic Quadrangle. The Sphere of Influence (SOI) encompasses some of the above sections in addition to Sections 2, 9, 10, 12, 13, 24, and 26. A 260 acre area within the SOI immediately adjacent to the northern City limits abutting Interstate 5 (I-5) to the west is located in Sections 15 and 16 (**Figure 2**).

Major access to the City from the west is I-5 via the South Avenue and Solano Avenue interchanges. Access from the east is via State Route 99E to South Avenue which eventually merges so that South Avenue where it splits turns into Hoag Avenue before becoming Solano Street at the easterly City Limit line, or one can continue westerly along South Avenue.

California Northern Railroad (CNFR) has a rail line running in a north-south direction through the central part of the City abutting 99W and Third Avenue. CNFR interchanges with the Union Pacific Railroad and historically provided daily and scheduled service for major commodities which were food related being tomato products, olives, rice, cheese, frozen foods, beer, wine and wheat with some stone, petroleum products, and chemicals. Currently, railroad operations are limited due to damage to the Thomes Creek Bridge at Richfield rendering it impassable to the CNFR.

The Corning Municipal Airport is located one mile northeast of Solano Avenue. The Comprehensive Airport Land Use Plan, adopted in 2003, identifies two airport safety zones. The Clear Zone Safety Area allows no residential development within its boundaries. Within the boundaries of the Approach Zone Safety Area, no residential development is permitted within 2,000 feet of the Clear Zone, and low density residential development is allowed at a density of 3.5 dwelling units per acre.

The topography of the Corning area is gently rolling and is transacted by several small creeks or drainage ditches. Natural vegetation is sparse but orchards and urban landscaping create a pleasant semirural environment throughout the year.

Elevations in the City range from approximately 275 mean sea level (MSL) in the northern central portions of the City to approximately 265 MSL in the southeast area of the City. Elevations within the Sphere of Influence (SOI) range from 300 in the northwestern area of the City to 255 feet MSL in the southeast. There is a ridge area abutting the eastern portions of the City with elevations in the 300 to 325 foot range.

[1] California Department of Finance Data for population figures – January 1, 2015.
[2] Eco-Analysts. *Municipal Service Review of the City of Corning, Tehama County, California*

Jewett Creek, an intermittent creek, is located south of the City and north of Burch Creek, a perennial creek. Both creeks flow in a southeastern direction and are tributary to the Sacramento River which is approximately three and one-half miles east of the City. The Blackburn Moon Drain flows from the CNFR tracks in a southeasterly direction in the eastern portion of the City (**Figure 2**) to the Sacramento River.

3.2 CITY CHARACTERISTICS

3.2.1 HISTORICAL BACKGROUND

Prior to Euro-American settlement, the upper Sacramento Valley and the foothill areas to the east of the Sacramento River were the territory of the Wintun Indian Tribes. Two major archaeological sites associated with this society are the Los Molinos Vicinity- - Ishi Site in Deer Creek Canyon and the Sulphur Creek Archaeological District in the Mill Creek Vicinity. Both of these areas are listed in the Federal Register of Historic Places.

Excavations have also uncovered several hundred prehistoric sites, including burial sites, west of the Sacramento River where the Nome Lackee (Nomelaki) tribe is known to have settled. Over 250 settlement sites have been identified along the Sacramento River in Tehama County, as well as several along river tributaries in the foothill regions of the County.

In 1843 General John Bidwell and Major P. B. Reading, on horseback, made a reconnaissance survey of the upper Sacramento Valley region, locating and mapping the creeks and river. In 1845 to 1846 William Moon and his partner, Henry L. Ford, built a house along the Sacramento River near the future town of Corning, destined to become the historic Moon House.

In 1878 the town of Scatterville, later to be called Riceville, was laid out along Main Street south of Solano Avenue. In 1882 the town of Corning was surveyed for the Pacific Improvement Company, an arm of the Southern Pacific Railroad. The original boundaries were North, South, East and West Streets. The interior streets running east to west were named for California Counties and the north to south streets were numbered. Over the years the City of Corning merged with Riceville and expanded through subdivisions and annexations to its present limits. Much of the early development of Corning was through the efforts of the Maywood Colony which promoted agriculture in the area. The City was incorporated in 1907.

The physical layout of Corning is based on the original 19th century plat of the City with streets running north-south and east west. Solano Street was, and remains, the primary business district in the older downtown. Roadside commercial activities are now also located on Old Highway 99 and at the two Interstate Freeway interchanges. By far the largest use of land within the city limits is residential, primarily single family structures on modest size lots. Other specialized land uses such as schools, parks, churches and neighborhood stores are scattered throughout the City. The large Bell-Carter olive processing operation dominates the central district near the railroad.

3.2.2 POPULATION, EMPLOYMENT AND INCOME

The State of California Department of Finance identifies the population of the City of Corning as of January 1, 2015 to be 7,636. **Table 3-1** identifies the population growth per

California Department of Finance between 1995 and 2014 that reflects an average overall growth rate since 1995 of approximately 0.86 percent per year.

TABLE 3-1 POPULATION AND GROWTH		
Year	**Population**	**Growth Rate**
1995	6,513	
1996	6,560	0.72%
1997	6,632	1.10%
1998	6,663	0.47%
1999	6,715	0.78%
2000	6,738	0.34%
2001	6,799	0.91%
2002	6,904	1.54%
2003	6,991	1.26%
2004	7,123	1.89%
2005	7,279	2.19%
2006	7,324	0.62%
2007	7,385	0.83%
2008	7,590	2.78%
2009	7,654	0.84%
2010	7,583	-0.93%
2011	7,664	1.07%
2012	7,659	-0.07%
2013	7,656	-0.04%
2014	7,638	-0.24%

Age Characteristics

Based on 2010 Census data, the population of the City is classified as very young, with a median age of 29.2 years which is less than that of the 2000 census where the median age was 30.9 years. The largest age bracket is persons of 18 to 64 years, which constitutes 57.58 percent of the total population. The 5 to 17 year age bracket, which represents 22.46 percent of the total population is next followed by those persons 0 to 4 years of age which total 758 persons or 9.89% of the population. There are 772 persons 65 and older, or 10.07% of the population.

Race and Ethnic Characteristics

The City of Corning is a community with a predominately White population, as indicated by statistics from the 2010 Census which identifies that 5,510 persons or 71.9 percent of the 7,663 residents are White. American Indians comprise 2.62 percent, or 201 residents. Other major ethnic groups do not have large populations; Asians total 82 (1.07%) Native Hawaiian/Pacific Islander's total 11 (0.14 percent), African Americans or Blacks total 44 (0.57 percent), and persons of Two or More Races comprise 4.16 percent, or 319 residents. Some Other Race Alone totals 1,496 or 19.52%. This may include Hispanics some of who may not have categorized themselves as White.

To account for the City's Hispanic population the 2010 Census addressed Population by Hispanic or Latino Origin (of any race). Persons of Hispanic or Latino Origin comprised 3,271 persons or 42.69 percent of the population. Persons Not of Hispanic or Latino Origin constituted 4,392 persons or 57.31 percent of the population.

Employment Characteristics

The City's current employment opportunities are greatest in the lower-paying industries; service industries associated with retail and food services, and the food processing and wood product industries In addition to paying lower overall wages, service and/or food processing industries typically have a higher percentage of persons working part-time or seasonally than do other types of industries. **Table 3-2** identifies the most common employment industries and occupations.

TABLE 3-2
MOST COMMON EMPLOYMENT INDUSTRIES AND OCCUPATIONS

Employment By Industries	Estimate	Percent
Civilian employed population 16 years and over	2,795	
Agriculture, forestry, fishing and hunting, and mining	221	7.9%
Construction	96	3.4%
Manufacturing	339	12.1%
Wholesale trade	61	2.2%
Retail trade	540	19.3%
Transportation and warehousing, and utilities	148	5.3%
Information	29	1.0%
Finance and insurance, and real estate and rental and leasing	95	3.4%
Professional, scientific, and management, and administrative and waste management services	101	3.6%
Educational services, and health care and social assistance	517	18.5%
Arts, entertainment, and recreation, and accommodation and food services	504	18.0%
Other services, except public administration	81	2.9%
Public administration	63	2.3%

Income & Education Characteristics

According to the 2010 Census, the median income for a household in the City was $32,729, whereas, the national median household income was $45,135. Males had a median income of $22,140 compared to $17,541 for females. The median worker income was $19,834 compared to the national average of $29,701. About 22.7 percent of the population was at, or below the poverty level.

Based on education, 69.4% of the City residents have graduated from High School or achieved further education compared to 80.35% nationally.

3.3 GENERAL PLAN UPDATE (PROJECT) DESCRIPTION

3.3.1 GENERAL PLAN GOALS AND OBJECTIVES

The *General Plan Update* primarily addresses the incorporated limits of the City of Corning which is approximately 2,270 acres, or 3.55 square miles. The City's *Sphere of Influence* of 4,620 acres, approximately 7.22 square miles is not affected by the Update.

Section 15124(b) of the *CEQA Guidelines* requires that the project description include a statement of objectives of the proposed project. The *General Plan Update* advances Goals and Objectives that would address the requirements of the referenced CEQA Guidelines. The general objectives of the *General Plan Update* are:

There are four major goals that the *General Plan Update* advances.

Goal 1 Preserve and enhance the quality of life by providing a variety of living environments and accommodating growth.

Goal 2 Geographic distribution and the timing of growth shall be directly related to the conservation of natural resources and the provision and/or improvement of public facilities, services and utilities.

Goal 3 Recognition that the general plan is a decision-making tool which will be reviewed and revised periodically.

Goal 4 Application of an inter-jurisdictional approach to planning issues.

The function of the following objectives is to provide guidelines for the overall implementation of the *General Plan Update* and the operation of the planning process. These objectives are advanced as part of the *General Plan Update*.

1-1 To ensure that planning is a comprehensive process that is derived from public policies clearly stated in the General Plan and includes the application of these policies to lands within the City, Planning Area and Sphere of Influence, as applicable through rehabilitation, zoning, subdivision, and other mechanisms and regulations.

1-2 To develop a General Plan which is both internally consistent among all its elements and which provides the policy basis for the rehabilitation, zoning, subdivision, and other implementing mechanisms and ordinances.

1-3 To develop public trust and confidence that the objectives, policies, and implementation measures shall be faithfully adhered to and equitably applied to all land use matters.

1-4 To provide public assurance that the General Plan shall be applied in a manner that responds to local conditions and local concerns through the interpretation of its policies, but only within well-defined and understood limits intended to preserve the overall integrity of the plan.

I-5 To develop a planning process that resists short-term pressures exerted by narrow interests to modify the General Plan, but is capable of thoughtfully responding to significantly changing conditions or community needs.

1-6 To ensure that administration of the planning process is characterized by:

- The efficient and expeditious handling of planning matters through the coordination and communication of the various departments and divisions of the City and other government agencies

- Timely and decisive action on all planning matters.

1-7 To promote a planning process that is accessible to all citizens.

1-8 To fashion a planning process that recognizes the continuing need for citizen review of the objectives, policies, and implementation measures contained in the General Plan.

1-9 To convert the General Plan land use boundaries to precise zoning boundaries through the use of natural and man-made physical boundaries such as creeks, topographic changes, roads, etc., and non-physical boundaries such as property lines, section lines, etc.

3.3.2 GENERAL PLAN ORGANIZATION

Some local governments adopt their general plan elements individually. However, due to the nature of the state's general plan statutes, a number of issues (such as flooding and open space) have to be addressed more than once. This results in needless pages and duplication and makes administration difficult. Therefore, it is proposed that elements be combined so that the Plan is adopted as a single Plan document arranged by primary issue topics within each element. The format addresses all the mandatory general plan elements, but is organized to eliminate redundancies, where possible.

Many general plans, including the City of Corning's *1994 Plan*, include in the body of the Plan all supporting information which provides the basis (or background) for the goals, objectives, policies and implementation measures advanced by the Plan. This approach not only increases the bulk of the document, but also serves as a distraction to the reader. Many readers are only interested in what directly affects their respective properties and possibly projects, in particular policies and implementation measures. They do not wish to "wade" through what they perceive to be an "endless amount" of possibly interesting, but not "necessary information." In addition this increased bulk generates more paper and additional reproduction costs. Therefore, the Plan is provided in two separate documents both of which will comprise the *General Plan Update*.

The first document will be the actual *General Plan Update* that will include text, exhibits and maps that clearly and concisely identify the goals, objectives, policies and implementation measures. *General Plan Elements* will be combined and arranged by primary issue topics within which each element is addressed as discussed further in section.

The *Land Use Map Circulation Maps* are integral parts of the *General Plan Update*. The *Land Use Map* identifies the type of land use permitted on each property and street system. The Circulation Map identifies current and proposed Arterial, Minor Arterials and Collector streets and other streets, as well as rail lines and the location of the Corning Municipal Airport.

The second document is this EIR that identifies the existing natural and man-made conditions within the City. This EIR assists in identifying existing problems and deficiencies as potentially significant adverse environmental impacts. These existing adverse conditions, or impacts serve as the basis for the Goals, Objectives, Policies and Implementation Measures in the Plan, which essentially are "mitigation measures" necessary to reduce the adverse impacts to a less-than-significant level. Those readers desiring to understand the rationale for the Goals, Objectives, Policies and Implementation Measures, or wish to become more familiar with the City, will be able to obtain this document separately from the first document which is the actual Plan with accompanying *Land Use* and *Circulation Maps*. These maps are located at the back of the EIR.

The City combined *General Plan Elements* so that the *General Plan Update* is adopted as a single document arranged by primary issue topics within which each general plan element is addressed. The topics are *Natural Resources Group*, *Public Health and Safety Group*, and *Community Development Group*.

A brief overview for each Group is provided after the listing of topics within each Group. Those topics which are mandatory elements required by state law are identified with an asterisk.

NATURAL RESOURCES GROUP – CONSERVATION* & OPEN SPACE*

- Biological Resources
- Water Resources
- Cultural Resources
- Mineral Resources
- Open Space and Scenic Resources
- Park and Recreation Facilities & Resources

The Natural Resources Group is essentially synonymous for the Conservation and Open Space Elements, where goals, policies, and implementation measures or programs are established that value and protect natural resources to ensure they are available in the future. The primary goal of the Natural Resources Group is to preserve the range of visual, natural, and cultural resources that exemplify the City. This Group strives to minimize the impact of future development in areas with significant visual, natural, and cultural resources and supports the creation and enhancement of important habitat and open space areas that are well managed and maintained. This Group also promotes efficient use of water and other natural resources and strives to ensure the long-term sustainability of non-renewable resources. This Group also supports the conservation and creation of parks, recreational facilities, and open space.

The Natural Resources Group also sets forth goals and polices that minimize agricultural land use conflicts and supports the long-term presence and viability of the City's agricultural industry, as applicable.

HEALTH AND SAFETY GROUP

Safety*

- Seismic & Geologic Hazards
- Flood Protection
- Dam Failure Inundation
- Fire Safety & Sheriff Protection
- Hazardous Materials

Noise*

Planning for growth and development requires the consideration of a wide range of public health and safety issues. Safety hazards are naturally induced, such as seismic and geologic hazards, flooding, and wildland fire hazards. Some hazards are the result of natural hazards that are exacerbated by human activity and alteration of the natural environment, such as dam failure, urban fires, and development in sensitive areas such as floodplains or areas subject to erosion and landslides. Finally, some hazards are manmade, including airport crash hazards, hazardous materials, and crime. In addition to safety issues related to hazardous conditions, the planning process should account for other issues related to

community health and safety, such as medical services, fire and police protection, and noise exposure.

Many of the health and safety risks associated with development can be avoided through locational decisions made at the planning stages of development, while others may be lessened through the use of mitigation measures in the planning and land use entitlement process.

COMMUNITY DEVELOPMENT GROUP

- Land Use*
- Circulation*
- Public Services
- Housing*
- Air Quality
- Climate Change
- Energy

The Community Development Group is comprised of General Plan Elements that address the use of the City of Corning's physical resources in order to define a community in which its residents live, work, shop and play. The Elements are grouped together because they collectively address the development and maintenance of the City.

While often included in the Conservation and Open Space Elements of a general plan, the City of Corning addressed air quality, climate change and energy in the Community Development Group. There is a strong correlation between land use planning, transportation and circulation, and the emission of air quality pollutants, and greenhouse gases (GHG) that contribute to global climate change (GCC) and criteria pollutants that degrade air quality within the region. The primary opportunities to reduce air quality pollutants and GHG emissions are in urbanized areas, such as the City, within the region where land use patterns can best support the increased use of transit and pedestrian activities since most GHGs and air pollutants result from mobile source emissions. The development of a City with sustainable components also contributes to both the reduction in overall air pollutants as well as solving the larger challenges associated with global climate change. A balanced approach to achieving sustainable communities requires the integration of a region-wide multi-modal transportation system with a reduction in the reliance on single-occupant motor vehicles, along with buildings that consume less through design and efficient building materials.

Energy production, transportation, and consumption are key contributors to greenhouse gases affecting climate change, poor local air quality, and a variety of other sustainability challenges. The Community Development Group encourages and supports land use development patterns and transportation choices that reduce pollutants and greenhouse gases. In addition, this Group encourages renewable energy production, along with efficient energy use in buildings and infrastructure and minimizes the impacts of projects that can generate air pollutants.

The policy options available in this Group are closely influenced and in some areas constrained by elements in the Natural Resources and Health and Safety Groups. A major goal of the General Plan is to balance and coordinate the sometimes competing objectives contained in the three General Plan Groups. Achieving this goal requires some understanding of their interrelationships. Elements contained in the Health and Safety

Group place limits on the use of the City's physical resources in order to reduce the risks of loss or damage to life and property. Elements contained in the Natural Resources Group describe the opportunities presented by the City's resource base and define the limits within which these resources may be used on a long-term, sustainable basis. Elements in the Community Development Group must respond to risks posed by natural and man-made hazards and to the opportunities presented by the natural resource base. Responding to these risks and opportunities in a responsible manner will ensure that both present and future generations of City residents, employers and employees will be able to enjoy the quality of life that the City offers.

3.4 PROJECT PERMITS AND APPROVALS

There are no permits associated with the approval of the *General Plan Update*. The Planning Commission recommends certification of the EIR as complete and adequate and recommends adoption of the *General Plan Update* to the City Council. The City Council has to take final action on the recommendations recognizing that they can refer the two documents back to the Planning Commission to address any issues the City Council may raise. Once the City Council certifies the EIR, a *Notice of Completion* is filed at the County Clerk's Office. Copies of the *General Plan Update* are also provided to the State Office of Planning and Research for review.

The City will be required to ensure that zoning is consistent with the General Plan. Therefore, once the *General Plan Update* and accompanying *Land Use Map* and *Circulation Maps* are approved, a Draft Zoning Map will need to be presented for review and adoption.

3.5 INTENDED USES OF THE EIR

The proposed General Plan provides goals, objectives, policies, and implementation measures consistent with the intent of *Government Code Sections 65300* and *65300.5*, which would guide the future, growth of the City. The General Plan also provides a comprehensive framework for the City's subsequent adoption of a wide range of policy documents, standards, specific plans, and regulations. Some of the major policy documents, standards, regulations, programs, and procedures which may be adopted or approved by the City, based on policy direction contained in the *General Plan Update*, are noted in **Table 3-3**.

CEQA and various provisions of the *CEQA* Guidelines authorize the use of the *General Plan Update* EIR for subsequent discretionary projects (such as adopting zoning ordinances and approving specific capital or development projects) in order to streamline and simplify environmental review. One example of streamlining is "tiering".[3] Through tiering, the environmental review for a subsequent project is limited to the additional significant effects that were not examined in the *General Plan Update* EIR or effects that may be mitigated by specific revisions in the project.

It is possible to tier documents in three ways. First, if the *General Plan Update* EIR did not address the environmental effects of a subsequent project, the initial study finds that the project would not have significant effects on an area, a negative declaration may be adopted for that project. Second, if the environmental effects of a subsequent project were addressed in the *General Plan Update* EIR, then that EIR may be adopted for the project.[4] Third, if the subsequent project may cause

[3] *CEQA Guidelines, Section 15152*
[4] *CEQA Guidelines, Section 15153(b)*

significant environmental effects that were not addressed in the *General Plan Update* EIR, only those unique effects need to be addressed in a supplemental EIR, to be issued with the present EIR.[5]

The *CEQA Guidelines* specifies that any EIR or negative declaration using the tiering principle must refer to the prior EIR, state where a copy of that document may be examined, and state that tiering is being used. Tiering may not be employed when the project is inconsistent with the general plan or zoning.[6] Overall, tiering can result in significant cost savings to the City because it reduces the processing time for projects and simplifies the environmental review process. *CEQA* mandates tiering "whenever feasible, as determined by the lead agency".[7]

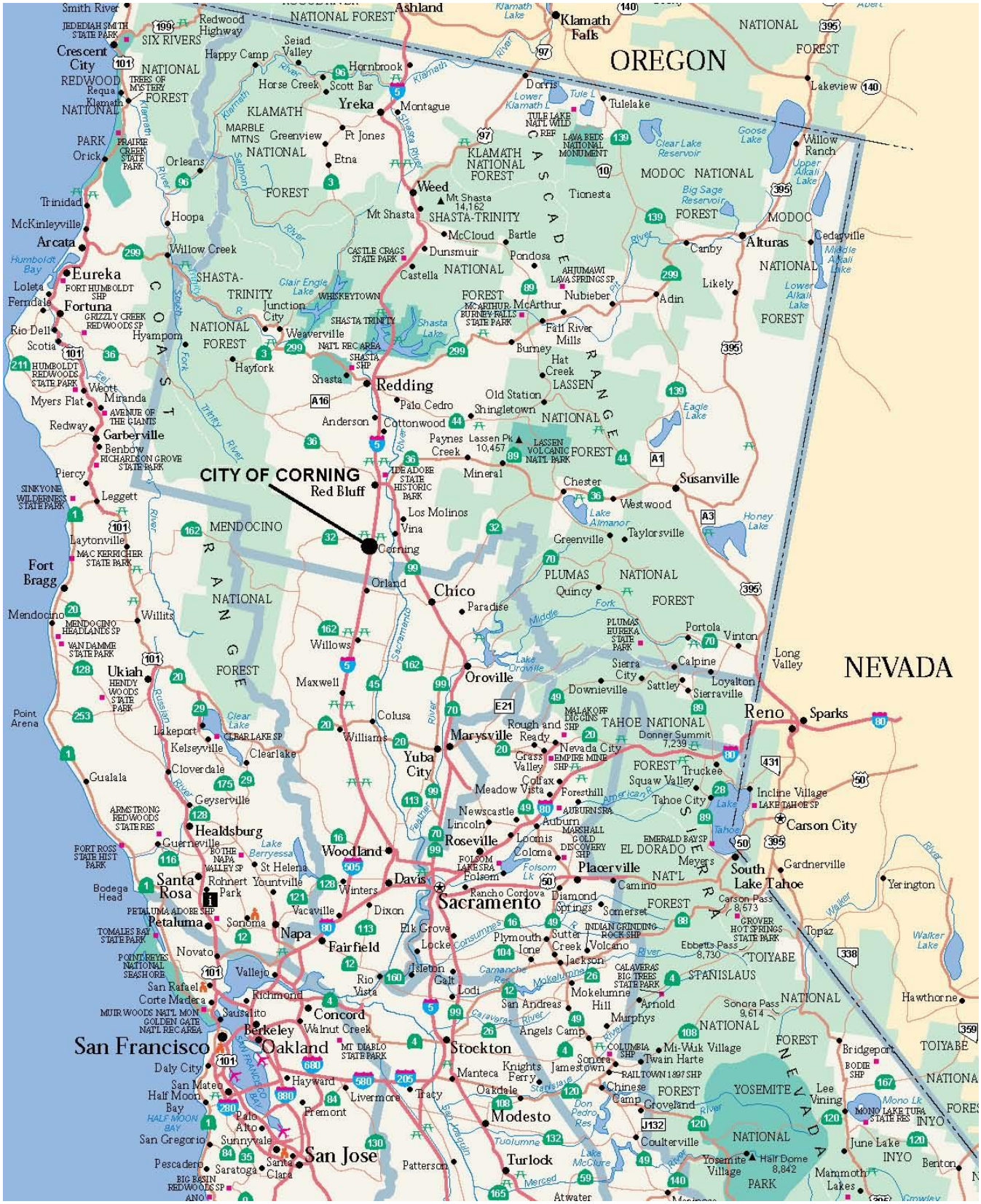
It is proposed that subsequent rezonings in order to make zoning consistent with the *General Plan Update* will tier from the *General Plan Update* EIR.

TABLE 3-3	
TYPICAL GENERAL PLAN IMPLEMENTING MECHANISMS	
Area Plans	Park Dedication Requirements
Bikeways Master Plan	Park Master Plan
Capital Improvements Plan	Public Facilities and Services Ordinance
Code Enforcement	Public Facilities Master Plan
Design Review Guidelines	School Dedication Requirements
Development Agreements	Specific Plans
Economic Development Plan	Subdivision Regulations/Ordinance
Environmental Review Procedures	Traffic Impact Fee Program
Flood Control Regulations	Transit Master Plan
Grading Ordinance	Tree Ordinance
Housing and Building Regulations	Zone of Benefit Fee
Land Development Standards	Zoning Ordinance and Map
Noise Ordinance	

3.6 EFFECTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the *CEQA Guidelines* requires an EIR to briefly discuss those potentially significant project effects that were not found to be significant. The *General Plan Update* addresses all effects and are discussed in detail in the EIR. It should be noted that the *Population and Housing* issues are addressed under *Section 4.12 Land Use*.

[5] *CEQA Guidelines, Section 15168(d)*
[6] *CEQA Guidelines, Section 15152(c)*
[7] *Public Resources Code Sections 21093 and 21094*


CITY OF CORNING
OREGON
NEVADA
Ashland
Klamath Falls
Yreka
Weed
Redding
Red Bluff
Corning
Chico
Oroville
Susanville
Reno
Sparks
Carson City
South Lake Tahoe
Marysville
Yuba City
Roseville
Placerville
Sacramento
Woodland
Davis
Fairfield
Napa
Vacaville
Petaluma
Santa Rosa
Healdsburg
Ukiah
Fort Bragg
Eureka
Arcata
Crescent City
Fortuna
Garberville
Willows
Orland
Colusa
Williams
Yuba City
Lodi
Stockton
Modesto
Turlock
Merced
Concord
Berkeley
Oakland
San Francisco
San Jose
Santa Clara
Sunnyvale
Palo Alto
Fremont
Livermore
Tracy
Hayward
Vallejo
Richmond
Novato
Sonora
Jamestown
Groveland
Coulterville
Yosemite Village
Half Dome 8,842
Mammoth Lakes
Bridgeport
Lee Vining
Mono Lake
Benton
Tonopah
Hawthorne
Yerington
Topaz
Walker Lake
Susanville
Alturas
Cedarville
Lakeview
Tulelake
Klamath Falls
Dorris
Montague
Mt Shasta
McCloud
Dunsmuir
Castella
Burney
Fall River Mills
Adin
Nubieber
McArthur
Bartle
Pondosa
Tionesta
Canby
Likely
Chester
Westwood
Greenville
Taylorsville
Quincy
Portola
Vinton
Long Valley
Calpine
Sierra City
Sattley
Loyalton
Sierraville
Downieville
Truckee
Squaw Valley
Incline Village
Tahoe City
Meadow Vista
Colfax
Grass Valley
Nevada City
Auburn
Lincoln
Newcastle
Loomis
Coloma
Folsom
Rancho Cordova
Diamond Springs
Somerset
Plymouth
Sutter Creek
Ione
Jackson
Volcano
Mokelumne Hill
Arnold
Murphys
Angels Camp
San Andreas
Knights Ferry
Oakdale
Manteca
Patterson
Atwater
Livermore
Pleasanton
Dublin
Walnut Creek
Concord
Martinez
Pittsburg
Antioch
Brentwood
Oakley
Rio Vista
Isleton
Galt
Elk Grove
Dixon
Winters
Woodland
Clarksville
Cameron Park
Shingle Springs
Placerville
Pollock Pines
Kyburz
Ebbetts Pass 8,730
Carson Pass 8,573
Sonora Pass 9,614
Tioga Pass
Mono Lake
Bishop
Lone Pine
Independence
Big Pine
Bishop
Mammoth Lakes
June Lake
Lee Vining
Bridgeport
Topaz
Yerington
Gardnerville
Minden
Carson City
Reno
Sparks
Incline Village
Truckee
Tahoe City
Squaw Valley
Meadow Vista
Colfax
Auburn
Lincoln
Roseville
Rocklin
Loomis
Folsom
Placerville
Diamond Springs
Somerset
Plymouth
Sutter Creek
Jackson
Volcano
Ione

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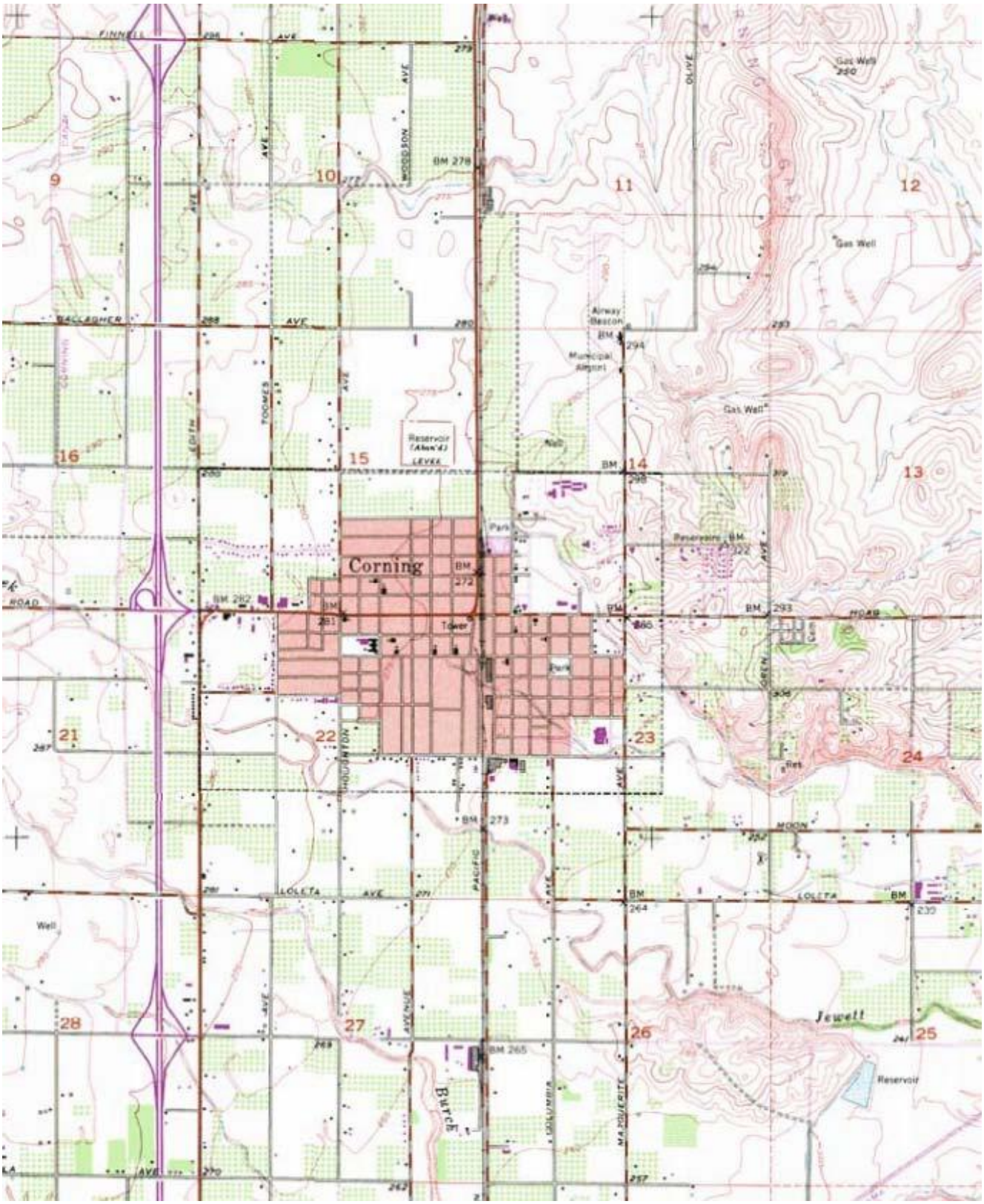

Base Map By MapTech

FIGURE 2 – USGS MAP

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CHAPTER FOUR

EXISTING CONDITIONS, IMPACTS AND MITIGATIONS

NATURAL RESOURCES GROUP – CONSERVATION & OPEN SPACE

4.1 BIOLOGICAL RESOURCES

4.1.1 EXISTING CONDITIONS

There are three general vegetation or habitat types found in the City and Planning Area: valley grasslands, riparian corridors, and agricultural lands. A majority of original natural vegetation within the City has been disturbed or eliminated by development of the City.

Valley grasslands exist predominantly in the northeastern section of the city, and contain primarily introduced grasses. These lands are used mainly for grazing. Specific plant species commonly found in these areas include wild oats, fesques, bromes, filaree, clover, needlegrass, medusa-head, bluegrass, California poppy, and gum plant. These areas also provide valuable habitat for wildlife.

The majority of the naturally occurring riparian areas in Corning have been altered by human activity. Burch Creek, a perennial creek, is located to the south of the City. Jewett Creek, an intermittent creek, is also located south of the City, north of Burch Creek. Burch Creek's riparian corridor is less disturbed by human activities than Jewett Creek. Riparian vegetation associated with both of these streams includes cottonwoods, willows, blackberry vines, cattails, sedges, sycamore, eucalyptus, California black walnut, oak, alder, and giant reed. Invasive vegetation including Arundo, Salt Cedar, and Tree of Heaven have been increasing in riparian areas throughout the north state adversely impacting native vegetation habitats.

Agricultural vegetation is the most common habitat type found in the City. The primary orchard crops produced in and around Corning are olives, nuts, and fruits.

In terms of wildlife, the combination of agricultural uses and urban uses is generally not conducive to large populations of wildlife. Valley grasslands (discussed above) do provide some habitat value for song and game birds, raptors, coots, doves, pheasant, quail, reptiles, insects, jack rabbits and cottontails, coyotes, and deer. Intact and undisturbed riparian corridors can provide valuable habitat for a number of mammal, reptile, bird, and fish species. However, there is not much intact and undisturbed riparian corridor habitat remaining in Corning. Agricultural lands can provide habitat similar to that of the valley grasslands, and support similar species. Irrigated croplands can simulate wetland environments and provide support for migrating waterfowl.

The California Department of Fish and Wildlife (CDFW) maintains the California Natural Diversity Data Base (CNDDB), which lists positive sightings of special status plant and animal species. The data base is modeled after the United States Geological Survey 1:24,000 topographic quadrangles. The City of Corning is covered in the Corning quadrangle. A search of the CNDDB indicates the potential presence of the following species within the Corning quadrangle as presented in **Table B-1**. **Table B-1** also lists if the species is considered threatened or endangered on the state and federal levels, a CDFW listing, and the California Native Plant Society listing.

TABLE B-1 CNDDB RESULTS FOR THE CORNING QUADRANGLE					
Scientific Name	**Common Name**	**Federal Status**	**State Status**	**CDFW Status**	**CNPS List**
Buteo swainsoni	Swainson's hawk	None	Threatened		
Coccyzus americanus occidentalis	western yellow-billed cuckoo	Candidate	Endangered		
Athene cunicularia	burrowing owl	None	None	Species of Concern	
Emys (=Clemmys) marmorata	northwestern pond turtle	None	None	Species of Concern	
Branchinecta lynchi	vernal pool fairy shrimp	Threatened	None		
Downingia pusilla	dwarf downingia	None	None		2
Paronychia ahartii	Ahart's paronychia	None	None		1B
Chamaesyce ocellata ssp. rattanii	Stony Creek spurge	None	None		1B
Gratiola heterosepala	Boggs Lake hedge-hyssop	None	Endangered		1B
Agrostis hendersonii	Henderson's bent grass	None	None		3

There is also the potential for Valley elderberry longhorn beetle, listed as threatened by the federal EPA, and the tri-colored blackbird, a State species of special concern, to occur in the Corning area.

4.1.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for the proposed project and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL

U. S. Army Corps of Engineers

Section 404, Clean Water Act

The objective of the Clean Water Act (CWA 1977, as amended) is to restore and maintain the chemical, physical, and biological integrity of the nation's waters. Discharge of fill material into "waters of the U.S.," including "wetlands," is regulated by the Corps under Section 404 of the CWA (33 USC 1251-1376). Corps regulations implementing Section 404 define "waters of the U.S." to include intrastate waters, including lakes, rivers, streams, wetlands, and natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce. "Wetlands" are defined for regulatory purposes as "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3; 40 CFR 230.3). The placement of structures in "navigable waters of the U.S." is regulated by the Corps under Section 10 of the federal Rivers and Harbors Act (33 USC 401 et seq.). Projects are permitted under either individual or general (e.g., nationwide) permits. The specific applicability of permit types is determined by the Corps on a case-by-case basis.

To determine whether areas that appear to be wetlands are subject to Corps jurisdiction (i.e., are "jurisdictional" wetlands), a wetlands delineation must be performed. Under normal circumstances, positive indicators from three parameters – wetland hydrology,

hydrophytic vegetation, and hydric soils – must be present to classify a feature as a jurisdictional wetland. In addition to verifying wetlands for potential jurisdiction, the Corps is responsible for the issuance of permits for projects that propose the filling of wetlands. Any permanent loss of a jurisdictional wetland as a result of project construction activities is considered a significant impact.

U.S. Fish and Wildlife Service and NOAA Fisheries

Federal Endangered Species Act

Section 7 of the federal Endangered Species Act (FESA) generally prohibits the "taking" of a species listed as endangered or threatened (16 USC 1532, 50 CFR 17.3). Under FESA, the "take" of a threatened or endangered species is deemed to occur when an intentional or negligent act or omission results in any of the following actions: "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." If a federal action, such as the issuance of a Section 404 permit, may affect a listed species or its critical habitat, the responsible federal agency must enter into formal consultation with the USFWS or NOAA Fisheries.

Critical Habitat

Critical habitat is defined in Section 3(5)(A) of the FESA as "(i) the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the [F]ESA, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species." Section 3(3) of the [F]ESA defines "conservation" as "to use and the use of all methods and procedures which are necessary to bring an endangered species or threatened species to the point at which the measures provided pursuant to the [F]ESA are no longer necessary" (i.e., the species is recovered and removed from the list of endangered and threatened species).

The designation of critical habitat directly affects only federal agencies, by prohibiting actions they fund, authorize, or carry out from destroying or adversely modifying critical habitat. Individuals, businesses, and other non-federal entities are not affected by the designation of critical habitat so long as their actions do not require a permit, a license, funding, or other support from a federal agency.

Bald Eagle Protection Act

The bald eagle and golden eagle are federally protected under the Bald Eagle Protection Act (16 U.S.C. 668-668c). It is illegal to take, possess, sell, purchase, barter, offer to sell or purchase or barter, transport, export or import a bald or golden eagle, alive or dead, or any part, nest or egg of these eagles unless authorized by the Secretary of the Interior. Violators are subject to fines and/or imprisonment for up to 1 year. Active nest sites are also protected from disturbance during the breeding season.

Migratory Bird Treaty Act

Migratory birds are protected under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Part 10, including feathers or other parts, nests,

eggs, or products, except as allowed by implementing regulations (50 CFR 21). Most of the birds found in the study area are protected under the MBTA. Thus, project construction has the potential to directly take nests, eggs, young, or individuals of protected species. Further, construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to the abandonment of nests, a violation of the MBTA. Measures that may be instituted to help ensure compliance with the MBTA include the following:

- Grading and other construction activities should be scheduled to avoid the nesting season to the extent possible. The nesting season for most birds in Tehama County extends from March through August.
- If construction is to occur during the breeding season, a qualified biologist should conduct pre-construction surveys no more than 1 week prior to the initiation of construction in any given area to ensure that no nests of species protected by the MBTA would be disturbed during project implementation.
- If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., bushes, trees, grass, buildings, and burrows) that will be removed by the project should be removed before the onset of the nesting season (March) to help preclude nesting. Pre-removal surveys are required for some species. Removal of vegetation or structures slated for removal by the project should be completed outside of the nesting season (i.e., between September 1 and March 1).
- Due to the potential presence of burrowing owl (Athene cunicularia) in the vicinity of the City, the CDFW recommends that potential nesting substrate that will be removed by a proposed project should be completed outside of the nesting season (i.e. between September 1 and January 31).
- If an active nest more than half completed is found, a construction-free buffer zone should be established around the nest. The size of the buffer zone should be determined by a qualified biologist, in consultation with CDFW.

Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), established procedures designed to identify, conserve, and enhance essential fish habitat (EFH) for those species regulated under a federal fisheries management plan (FMP). The MSA requires federal agencies to consult with NOAA Fisheries on all actions, or proposed actions, authorized, funded, or undertaken by the agencies that may adversely affect EFH (MSA section 305[b][2]).

STATE

<u>California Department of Fish and Wildlife</u>

Streambed Alteration Agreement (Sections 1602 of the California Fish and Wildlife Code)

CDFW has jurisdictional authority over wetland resources associated with rivers, streams, and lakes under California Fish and Game Code Sections 1602. CDFW must be notified when any person, business, state or local government agency, or public utility proposes an activity that will:

- divert, obstruct, or change the natural flow or the bed, channel or bank of any river stream or lake;
- use material from a streambed; or
- result in the disposal or deposition of debris, waste, or other material where it can pass into any river, stream, or lake.

The notification requirement applies to any work undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel. This includes ephemeral streams, desert washes, and water courses with a subsurface flow. It may also apply to any work undertaken within the flood plain of a body of water.

If CDFW determines that the proposed project or activity could have substantial adverse effects on fish or wildlife, a Streambed Alteration Agreement is required. As part of this agreement, CDFW may require reasonable modifications in the proposed construction as would allow for the protection of the fish and wildlife resources.

California Endangered Species Act

Under the California Endangered Species Act (CESA), CDFW has the responsibility for maintaining a list of endangered and threatened species (California Fish and Game Code 2070). CDFW also maintains a list of "candidate species," which are species that CDFW formally notices as being under review for addition to the list of endangered or threatened species. In addition, CDFW maintains lists of "species of special concern," which serve as species "watch lists." Pursuant to FGC section 2085, CESA confers full legal protection of an endangered or threatened species or a candidate species.

Pursuant to the requirements of CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed endangered or threatened species may be present in the project study area and, if so, whether the proposed project would have a potentially significant impact on any of these species. In addition, CDFW encourages informal consultation on any proposed project that may affect a species that is a candidate for state listing.

Project-related impacts to species listed as endangered or threatened under the CESA would be considered significant. State-listed species are fully protected under the mandates of the CESA. "Take" of protected species incidental to otherwise lawful management activities may be authorized under Section 2081 of the Fish and Game Code of California. Authorization from CDFW would be in the form of an Incidental Take Permit.

Native Plant Protection Act

The Native Plant Protection Act (California Fish and Game Code Sections 1900-1913) prohibits the taking, possessing, or sale within the state of any plants with a state designation of rare, threatened, or endangered, as defined by CDFW. An exception to this prohibition allows landowners, under specified circumstances, to take listed plant species, provided that the owners first notify CDFW and give the agency at least 10 days to retrieve (and presumably replant) the plants before they are plowed under or otherwise destroyed. Fish and Game Code Section 1913 exempts from the "take" prohibition "the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right of way". Project impacts to these species are not considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with construction of the project.

Birds of Prey

Under Section 3503.5 of the California Fish and Game Code, "it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird, except as otherwise provided by this code or any regulation adopted pursuant thereto." It should be noted that FGC section 3503 identifies that "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." Protection is thereby extended to all birds.

"Fully Protected" Species

California statutes also accord "fully protected" status to a number of specifically identified birds, mammals, reptiles, amphibians, and fish. These species cannot be "taken," even with an incidental take permit (California Fish and Game Code, Sections 3505, 3511, 4700, 5050, and 5515).

Wetland Habitat

It is the policy of the CDFW to strongly discourage development in wetlands or conversion of wetlands to uplands, and to ensure that proposed projects will result in no net loss of wetland habitat values or acreage. The CDFW recommends avoiding any development or conversion which would result in a reduction of wetland or riparian acreage or wetland or riparian habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland or riparian habitat values or acreage. Analysis of potential impacts to wetlands and sensitive wetland species should include an evaluation of the potential for direct, indirect, and cumulative impacts to these resources. Indirect impacts to wetlands may include hydrological changes, human intrusion into wetlands (off-road vehicle use, dumping, spilling toxic substances) and the drainage of lawn fertilizers, pesticides, and petroleum products into the wetland. Direct impacts to these features should be avoided to the greatest extent possible and secondary impacts reduced through implementation of adequate non-disturbance development buffers.

<u>California Regional Water Quality Control Board</u>

Section 401, Clean Water Act–Water Quality Certification/Waiver

The Central Valley Regional Water Quality Control Board (CVRWQCB) is responsible for enforcing water quality criteria and protecting water resources in the project area. The CVRWQCB is responsible for controlling discharges to surface waters of the state by issuing waste discharge requirements (WDRs), or conditional waivers to WDRs. The CVRWQCB requires that a project proponent obtain a Section 401 (Clean Water Act) water quality certification or waiver for Section 404 permits granted by the Corps. For wetlands impacts totaling less than 1 acre, the CVRWQCB typically issues a waiver, provided the applicant is also applying for a Streambed Alteration Agreement permit from the CDFW. The CVRWQCB has 60 days from the time an application is received to issue a waiver. For projects totaling 1 to 2 acres of wetland impacts, a waiver may also be issued, but only after thorough review by agency or public comments during the 40-day comment period on the Corps' issue notice (if the Corps has required an individual permit). For projects totaling more than 2 acres of wetland removal, the CVRWQCB requires a mitigation plan, a public hearing, and approval of the water quality certification by the State Water Resources Control Board.

4.1.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, construction related direct and indirect impacts on biological resources, in particular candidate, sensitive, or special status species and wetlands is of concern.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

2. A substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space – Biological Resources and in the Health and Safety Group – Flood Protection assist in reducing any potential impacts associated with any candidate, sensitive, or special status species and any riparian habitat or other identified sensitive natural communities:

   - *Biological Resources Policy BR-a and BR-b and Implementation Measures BR-(1) and BR-(2).*
   - *Flood Protection Policies FL-b and FL-c and Implementation Measure FL-(s).*

   Future development of existing and future parcels are located in areas that are either disturbed and/or surrounded by existing development. It is highly unlikely that special species are present. However, when discretionary approvals are sought, the CEQA process, which also requires consultation with responsible and trustee resource agencies, such as the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, will identify the type of biological studies that will be required, when necessary. Evaluations shall also consider potential impacts from artificial light on wildlife habitat. The potential impact to special status species is ***less-than-significant****. Therefore,* ***no mitigation measures*** *are required.*

3. A substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space –

Biological Resources and Water Resources and in the Health and Safety Group – Seismic & Geologic Hazards and Flood Protection assist in reducing potential impacts associated with federally and/or state protected wetlands:

- *Biological Resources Policy BR-a and BR-b and Implementation Measures BR-(1) and BR-(2).*
- *Water Resources Policy W-c and Implementation Measures W-(1), W-(4) and W-(5).*
- *Seismic & Geologic Hazards Policy SG-c.*
- *Flood Protection Policy FL-c and Implementation Measure FL-(2).*

Impact BR-1

Review of the National Wetland Inventory (NWI) map for the Corning quadrangle identified several wetland features. In addition, existing vacant parcels within the City could potentially impact Jewett Creek, Burch Creek and the Blackburn-Moon Ditch which are designated wetland features. Therefore, ***Mitigation Measures BR-1*** *and* ***BR-2*** *are advanced to address potential wetlands and vernal pools, with associated special status features. These measures will reduce potential impacts to a* ***less-than-significant*** *level.*

Mitigation Measure BR-1

To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.", including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:

- *Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.*
- *Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained.*
- *Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.*
- *Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate*

facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).

- *All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction.*
- *Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).*
- *Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process.*
- *Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, CDFW) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.*

Mitigation Measure BR-2

Conduct a USFWS protocol-level survey for the vernal pool fairy shrimp and vernal pool tadpole shrimp within suitable habitats occurring within the proposed project site, or assume the species are present. If the species are not detected during the protocol-level survey, no further measures or mitigation is required. If either of the species is detected during protocol-level surveys or the presence of the species is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented:

- *Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS.*
- *For every acre of habitat directly or indirectly affected, at least two vernal pool preservation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure.*
- *For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a USFWS-approved habitat mitigation bank. With USFWS approval, appropriate payment into an in-lieu fee fund, on-site creation, or off-site creation may be used to satisfy this measure.*

*As part of the CEQA review process, project applicants are strongly encouraged to avoid protected wetlands. If avoidance of impacts on protected wetlands is not feasible, then **Mitigation Measures BR-1** and **BR-2** will need to be implemented. However, the Army Corps, Regional Water Quality Control Board, and/or Department of Fish and Wildlife may still require federal permits. Therefore, in addition to the General Plan Policies and Implementation Measures, the CEQA review process, and adherence to State and federal regulations and permitting requirements would reduce potential impacts to a **less-than-significant** level.*

4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

   Existing and future development under the General Plan Update will not result in the interference with the movement of any native resident wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites since none exist within the City.

   The General Plan Update contains the following Natural Resources Group Conservation & Open Space – Biological Resources and in the Health and Safety Group – Flood Protection Policies and associated Implementation Measure to assist in reducing any potential impacts associated with the movement of migratory fish species:

   - *Biological Resources Policy BR-b and Implementation Measure BR-(1).*
   - *Flood Protection Policy FL-c and Implementation Measure FL-(2).*

   *Furthermore, it should be noted that the majority of the developable sites are disturbed due to agricultural activities and residential development having occurred on some parcels. Potential impacts on native resident or migratory fish species would be **less-than-significant** and **no mitigation measure** is necessary.*

5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

   *The General Plan Update will not conflict with any policies to protect and conserve biological resources and habitats due to the essentially developed nature of the City. There are no local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Protections are provided as part of the CEQA review for projects or actions requiring discretionary approval. Regardless, other State and federal regulations would reduce potential impacts to a **less-than-significant** level.*

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or state habitat conservation plan.

   *The General Plan Update does not conflict with any adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or state habitat conservation plan since none exist in the City or in the area. There is **no impact**.*

4.2 WATER RESOURCES

4.2.1 EXISTING CONDITIONS

The City of Corning is located in the "Corning Sub-basin which comprises the portion of the Sacramento Valley Groundwater Basin bounded on the west by the Coast Ranges, on the north by Thomes Creek, on the east by the Sacramento River, and on the south by Stony Creek. Stony Creek is believed to be a hydrologic boundary throughout the year. The Corning Sub-basin is likely contiguous with the Red Bluff Sub-basin at depth. Annual precipitation ranges from 19- to 25-inches, increasing to the north.

The storage capacity of the sub-basin was estimated based on estimates of specific yield for the Sacramento Valley as developed in DWR (1978). Estimates of specific yield, determined on a regional basis, were used to obtain a weighted specific yield conforming to the sub-basin boundary. The estimated specific yield for the sub-basin is 6.7 percent. The estimated storage capacity to a depth of 200 feet is approximately 2,752,950 acre-feet.

Estimates of groundwater extraction from the Corning Sub-basin are based on surveys conducted during the years of 1993, 1994, and 1997. Surveys included land use and sources of water. Groundwater extraction for agricultural use is estimated to be 152,000 acre-feet. Groundwater extraction for municipal and industrial uses is estimated to be 6,600 acre-feet. Deep percolation of applied water is estimated to be 54,000 acre-feet."

In addition to the City of Corning, the following water agencies extract groundwater from the sub-basin, Orland Unit Water Users' Association, Capay Rancho Water District (WD), Corning WD, Kirkwood WD, Richfield WD, Tehama WD, O'Connell MWD, City of Orland, Glenn Colusa ID, and the Thomes Creek WD.

The City owns and operates its water supply and distribution system, which relies solely on groundwater from the Corning Sub-basin. In 2014, approximately 835.1 million gallons of potable water, or approximately 2,563 acre-feet of water was pumped by the City for residential, commercial, industrial, and landscape (parks) irrigation. This represents approximately 0.093 percent of the sub-basin capacity.

According to the 2013 Water Quality Consumer Confidence Report for 2012 prepared by the City's Public Works Department, eight City wells pump groundwater from the deep-water aquifer located beneath the City. Three additional wells were off-line at the time of the report and not supplying water into the City system due to potential chemical contamination. A newly constructed water well has been added to the Corning Water System. This well is currently under assessment for vulnerability. While the contamination remains well below federal and State EPA limits, the City keeps the wells off-line to ensure the quality of the City's water supply.

4.2.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL

Executive Order 11988

Executive Order 11988 requires federal agencies to prepare floodplain assessments for proposals located within or affecting floodplains. If an agency proposes to conduct an action within a floodplain, it must consider alternatives to avoid adverse effects and incompatible development of the floodplain.

Federal Emergency Management Agency (FEMA)

The City is a participant in the National Flood Insurance Program (NFIP), a Federal program administered by FEMA. Participants in the NFIP must satisfy certain mandated floodplain management criteria. The National Flood Insurance Act of 1968 has adopted as a desired level of protection, an expectation that developments should be protected from floodwater damage of the Intermediate Regional Flood (IRF). The IRF is defined as a flood that has an average frequency of occurrence on the order of once in 100 years although such a flood may occur in any given year. Communities are occasionally audited by the State Department of Water Resources to insure the proper implementation of FEMA floodplain management regulations.

FEDERAL & STATE

Clean Water Act (CWA)

The Clean Water Act (CWA), initially passed in 1972, regulates the discharge of pollutants into watersheds throughout the nation. Section 402(p) of the act establishes a framework for regulating municipal and industrial stormwater discharges under the NPDES Program. Section 402(p) requires that stormwater associated with industrial activities that discharges either directly to surface waters or indirectly through municipal separate storm sewers must be regulated by an NPDES permit.

The State Water Resources Control Board (SWRCB) is responsible for implementing the Clean Water Act and does so through issuing NPDES permits to cities and counties through regional water quality control boards. Federal regulations allow two permitting options for storm water discharges (individual permits and general permits). The SWRCB elected to adopt a statewide general permit (Water Quality Order No. 2003-0005-DWQ) for small MS4s covered under the CWA to efficiently regulate numerous storm water discharges under a single permit. Permittee's must meet the requirements in Provision D of the General Permit which require the development and implementation of a Storm Water Management Plan (SWMP) with the goal of reducing the discharge of pollutants to the maximum extent practicable. The SWMP must include the following six minimum control measures:

- Public Education and Outreach on Storm Water Impacts
- Public Involvement/Participation
- Illicit Discharge Detection and Elimination
- Construction Site Storm Water Runoff Control
- Post-Construction Storm Water Management in New Development
- Redevelopment and Pollution Prevention/Good Housekeeping for Municipal Operations.

LOCAL

Tehama County Flood Control and Water Conservation District Coordinated AB 3030 Groundwater Management Plan

This Plan was adopted in 1998 and a Memorandum of Understanding between TCFCWCD and participating entities recognized their responsibilities in implementing the plan. Participating entities include:

- City of Corning
- Corning Water District
- El Camino Irrigation District
- Rancho Saucos Water District
- Rio Alto Water District
- Sky View County Water District
- City of Red Bluff
- City of Tehama.

The 3030 Groundwater Management Plan's purposes and goals are:

- To balance long-term annual replenishment with extraction, consistent with public interest of the Plan Area population.
- To prevent long-term overdraft of groundwater.
- To develop a comprehensive groundwater basin management program which protects the county's groundwater in order to provide local users with reliable long term water supplies.
- To gain County-wide consensus whenever possible, while implementing the groundwater management plan.
- To develop a plan to protect basin groundwater quality.

4.2.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, construction and water consumption resulting in direct and indirect impacts on water resources, in particular water quality, groundwater depletion, drainage pattern alterations and runoff are of concern.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Violate any water quality standards or waste discharge standards.

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space – Water Resources and in the Health and Safety Group – Seismic & Geologic Hazards assist in reducing any potential impacts associated with surface water quality resource issues:

- *Water Resources Policy W-c and Implementation Measures W-(1), W-(2), W-(3), W-(4), W-(5) and W-(6).*
- *Seismic & Geologic Hazards Policy SG-c.*

In addition to the General Plan Policies and Implementation Measures, compliance with all state and federal water quality standards and waste discharge requirements is required of any existing or future development. Implementation of the general plan will result in ***less-than-significant*** *impacts therefore,* ***no mitigation measures*** *are required.*

2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

   The following General Plan Policies contained in the Natural Resources Group Conservation & Open Space – Water Resources assist in reducing any potential impacts associated with groundwater resource issues:

   - *Water Resources Policies W-a and W-b.*

   The amount of water the City of Corning extracts from the Corning Sub-basin is an insignificant amount of approximately 0.093 percent of the total approximate 2,753,000 acre-feet. The General Plan update and resultant development of will result in ***less-than-significant*** *impacts on ground water supplies or recharge, therefore,* ***no mitigation*** *measures are required.*

3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site.

4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site.

5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

6. Otherwise substantially degrade water quality.

   Excessive erosion requires time and expense to make repairs and could cause violations of discharge requirements. Prevention of erosion usually is less costly than repairs. Erosion control methods are those methods that prevent soil from moving. Soil particles are set in motion either by raindrop impact or flowing water. The faster and deeper the water flows, the more erosion will occur. To reduce erosion, soil is compacted to bond soil particles together and/or covered to reduce raindrop impact and slow runoff. Steeper slopes are more susceptible to erosion because the runoff flows faster. Concentrated flow also increases erosion because greater flow can carry greater sediment, especially on steeper slopes. Erosion control practices include straw mulching for temporary (one season)

control, and seeding & mulching and hydroseeding for long term control. For very steep slopes there are more intensive and costly methods including straw mats and adhesive-type hydroseeding. For roads, gravel is commonly used as a method of erosion control. Culvert downdrains and rock-lined channels are used to route concentrated flows down steeper slopes to prevent erosion from concentrated flow.

Construction requires grading and trenching resulting in disruptions, displacement, compaction, and overcovering of soils, which if not addressed, could result in potential impacts. Minor wind or water erosion of soils could possibly occur during construction activities.

The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space – Biological Resources, Water Resources and Parks & Recreation Facilities & Resources and in the Health and Safety Group – Flood Protection assist in reducing any potential impacts associated with alteration of existing drainage patterns resulting in substantial erosion or siltation and increased run-off resulting in downstream flooding:

- *Biological Resources Implementation Measure BR-(1).*
- *Water Resources Policy Implementation Measures W-(4) and W-(5).*
- *Parks & Recreation Facilities & Resources Implementation Measures PR-(3).*
- *Flood Protection Policy FL-c.*

Prior to the entitlement of any development project involving grading, if the potential exists to impact drainage, which includes the potential for erosion, hydrological and soil studies are required as a component of the CEQA process. The studies will be required to demonstrate that runoff will not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Recommendations identified in the hydrological and soil studies and the imposition of Best Management Practices (BMPs) as conditions of approval, serve to minimize potential impacts. Prior to any site improvement construction, erosion control and grading plans are required to be prepared by qualified experts and submitted to the City Public Works Department, CDFW, and RWQCB for review and approval. More often than naught, drainage patterns of any development site cannot be substantially altered whereby increased run-off results in downstream flooding. In addition, federal and state regulations require the utilization of BMPs as a component of permits required to meet Water Quality Discharge Requirements.

The General Plan Policies and Implementation Measures, hydrology and soil studies, City conditions of approval and City Staff, state and federal oversight all serve to reduce potentially significant impacts to ***less-than-significant*** *levels.* ***No mitigation*** *measures are therefore, required.*

7. Result in inundation by seiche, tsunami, or mudflow.

   Due to the location of the City which is not located in areas subject to seiche, tsunamis or mudflows, the potential impact is not applicable.

4.3 CULTURAL RESOURCES

4.3.1 EXISTING CONDITIONS

In Tehama County, prior to Euro-American settlement, the upper Sacramento Valley and the foothill areas to the east of the Sacramento River were the territory of the Wintun Indian Tribes. Two major archaeological sites associated with this society are the Los Molinos Vicinity Ishi Site in Deer Creek Canyon and the Sulphur Creek Archaeological District in the Mill Creek Vicinity. Both of these areas are listed in the Federal Register of Historic Places.

Excavations have also uncovered several hundred prehistoric sites, including burial sites, west of the Sacramento River where the Nome Lackee (Nomelaki) tribe is known to have settled. Over 250 settlement sites have been identified along the Sacramento River in Tehama County, as well as several along river tributaries in the foothill regions of the County.

In 1843 General John Bidwell and Major P. B. Reading, on horseback, made a reconnaissance survey of the upper Sacramento Valley region, locating and mapping the creeks and river. In 1845 to 1846 William Moon and his partner, Henry L. Ford, built a house along the Sacramento River near the future town of Corning, destined to become the historic Moon House.

The City of Corning is expected to contain limited numbers of seasonal prehistoric gathering and hunting areas. Historic resources expected could be the remains of small homesteads associated with the development of the "Maywood Colony." Most of the area historically consisted of small farms used for orchards and grazing. Overall site sensitivity is considered moderate for historic and low for prehistoric resource types.

4.3.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL

National Historic Preservation Act

Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR 800, 33 CFR 325 for Corps permits, and 36 CFR 60.6 for the National Register of Historic Places (NRHP) eligibility, requires that before beginning any federal project, a federal agency must take into account the effects of the undertaking on historic properties and determine if any properties are eligible for or listed on the NRHP, and afford the Office of Historic Preservation (OHP) an opportunity to comment on these actions. It must be noted that any property judged eligible has the same protections as a listed property.

Section 106 affects projects that occur on federally owned land and involving federal permits, or grants or loans. Examples of Federal undertakings would include: FHA Loans, FAA permits, Corps Section 404 and Nationwide permits, DOT local assistance grants, HUD Block Grants, etc. Specific regulations regarding compliance with Section 106 state

that, although the tasks necessary to comply with Section 106 may be delegated to others, the federal agency is ultimately responsible for ensuring that the Section 106 process is completed according to statute.

National Register of Historic Places

The National Register of Historic Places (NRHP) lists properties that are important to our nation's past. To be eligible for listing, a property must be 50 years of age or more; it must possess historic significance; and it must possess integrity of location, design, setting, materials, workmanship, feeling, and association. Historic significance is the importance of a property to the history, architecture, archaeology, engineering, or cultural aspects of a community. To qualify for the NRHP, a property must have significance in American history at the local, state, or national level. This importance can be present in districts, sites, buildings, structures, and objects that possess integrity and meet one of the following criteria:

- Association with events that have made a significant contribution to the broad patterns of history;
- Associated with the lives of persons significant to our past;
- Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Have yielded, or may be likely to yield, information important in prehistory or history.

STATE

California Environmental Quality Act

As the designated California Environmental Quality Act (CEQA) lead agency for approval of CEQA projects in Tehama County, the County is responsible for compliance with requirements regarding the identification and treatment of historic and prehistoric cultural resources. CEQA requires public or private projects financed or approved by public agencies to assess the effects of the project on cultural resources (Public Resources Code Sections 21082, 21083, 21083.2, and 21084.1 and California Code of Regulations 15064.5 and 15126.6). Cultural resources are defined as buildings, sites, structures, or objects that may have historical, architectural, archaeological, cultural, or scientific importance (Public Resources Code Section 50320.1 Defines Historical Resources). CEQA states that if a project results in significant impacts on important cultural resources, then alternative plans or mitigation measures must be considered.

The CEQA Guidelines define significant historical resources as "resources listed or eligible for listing on the California Register of Historical Resources (CHR)" (Public Resources Code Section 5024.1) (Public Resources Code Section 4850 Defines the California Register of Historic Places). It must be noted that a property judged eligible has the same protection as a property that is listed. A historical resource may be eligible for inclusion in the CHR if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Meets any of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, Section 15064.5(c)(3) of the CEQA Guidelines also requires consideration of an archaeological site that does not meet the criteria defined in subsection (a), but does meet the definition of "an unique archaeological resource" described in Section 21083.2 of the Public Resource Code.

Public Resources Code Section 5097 specifies procedures to be followed in the event that human remains are discovered. The disposition of Native American burials falls within the jurisdiction of the California Native American Heritage Commission (NAHC). California Code of Regulations Section 15064.5(f) identifies the need to establish procedures to be followed in the event of the discovery during construction of buried cultural resources other than human bone on nonfederal land.

4.3.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, construction related direct and indirect impacts on cultural resources, in particular artifacts and human remains is of concern.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

4. Disturb any human remains, including those interred outside of formal cemeteries.

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation and Open Space – Cultural Resources assist in reducing any potential impacts on historical, archaeological, and paleontological resources:

- *Cultural Resources Policy HER-a and Implementation Measures HER-(1) and HER-(2).*

Future development of existing and future parcels are located in areas that are either disturbed and/or surrounded by existing development. It is highly unlikely that cultural resources are present. However, when entitlements are sought the CEQA requires consultation with responsible and trustee resource agencies, such as the California Office of Historical Preservation and Native American Tribal Councils who will identify site sensitivity and the type of cultural studies that will be required, when necessary.

In addition, the City imposes the following conditions of approval that are applied to all construction projects to address potential impacts should any evidence of prehistoric or cultural resources be uncovered during construction grading:

- *Should artifacts or unusual amounts of stone, or shell be uncovered during construction activities, activities shall cease in the area until a qualified archaeologist evaluates the materials. The archaeologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts to those cultural resources that have been encountered (e.g., excavate the significant resource). These additional measures shall be implemented.*

- *If human bone or bones of unknown origin is found during construction, all work within 50 feet of the find shall stop until a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary. The archaeologist may recommend contacting the County Coroner. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person it believes to be the most likely descendant. The most likely descendant shall work with the City to develop a program for reinternment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.*

The General Plan Policies and Implementation Measures, CEQA process consultations with responsible and trustee agencies and organizations, and the imposition of specific conditions of approvals related to cultural and archaeological artifacts and the discovery of human remains, reduce potential cultural resource impacts to a ***less-than-significant*** *level. Therefore,* ***no mitigation measures*** *are required.*

4.4 MINERAL RESOURCES

4.4.1 EXISTING CONDITIONS

Mineral extraction and construction accounted for four percent of the employment in Tehama County in 1983. Fourteen mineral resources have been identified in the County, including aragonite, borax, chalcopyrite, chromite, copper, cristobalite, galena, garnet,

opal, pectolite, penninite, sassolite, and Wallsonite. The most plausible mineral for future development is chromite, used for steel production. In Tehama County, most of the chromite deposits are found in the western section of the County and would therefore have little or no effect on the City. However, the potential exists for relatively minor localized commercial aggregate extraction in the vicinity of Jewett Creek immediately east of I-5.

4.4.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

STATE

The Surface Mining and Reclamation Act Of 1975

The Surface Mining and Reclamation Act of 1975 (SMARA) provides a comprehensive surface mining and reclamation policy that permits and regulates the mining of minerals, as well as the protection and subsequent beneficial use of mined and reclaimed land. The purpose of the act is to ensure that adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition and readily adaptable for alternative land uses.

SMARA requires that local governments address mineral recovery activities through direct regulation of mining operations (including reclamation) and through planning policies that harmonize the mineral resource needs of the state and region with the maintenance of local environmental quality. SMARA also contains strong policies for the conservation of known mineral deposits in the face of competing development so that they will be available for extraction and use.

SMARA establishes a two-step mineral lands inventory process called "classification-designation," intended to ensure that important mineral deposits are identified and protected for continued and further extraction.

4.4.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to mineral extraction are of concern, albeit minor due to the limited potential areas for extraction in the City.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Open Space and Conservation – Mineral Resources assist in reducing potential impacts on mineral resources:

- *Mineral Resources Policy M-a and Implementation Measures M-(1).*

The General Plan Policies and Implementation Measures, CEQA process consultations with responsible and trustee agencies and organizations, and the imposition of specific conditions of approvals related to cultural and archaeological artifacts and the discovery of human remains, reduce potential cultural resource impacts to a ***less-than-significant*** *level. Therefore,* ***no mitigation measures*** *are required.*

4.5 OPEN SPACE & SCENIC RESOURCES

4.5.1 EXISTING CONDITIONS

The City of Corning is located in south central Tehama County and lies just to the east of I-5. The Sacramento River lies to the east of the City of Corning. The surrounding area is primarily farmland. The topography of Corning is essentially flat with gently rolling hills in the eastern portion of the City planning area. The approximate elevation ranges from 263 feet to 305 feet.

The project area is developed with roadways, intersections, residential development, commercial businesses, vacant lots, I-5, and Highway 99W. The California Northern Railroad tracks bisect the City along 3rd Street, which becomes Chicago Avenue south of Solano Street. I-5 within the City limits or adjacent to the Planning Area is not a scenic highway nor is it listed as an eligible scenic highway within this stretch of the freeway.

4.5.2 REGULATORY FRAMEWORK

Due to the nature of aesthetics which directly relate to open space and accompanying scenic resources, the issue can be extremely subjective, however, there are accepted standards that the majority of the public can agree on, particularly when related to building construction. Standards address view obstructions, needless removal of trees, "scarring" from grading, landscaping, sign clutter and street lighting. Another important criterion for visual impacts is visual consistency. Project design should be consistent with natural surroundings and adjacent land uses. For example, a residential development might contrast visually with an industrial facility. Such incompatibilities can be partially mitigated through such measures as fences, and landscaping, to soften the harshness of the contrasts.

The City of Corning does not have any standards for evaluating light and glare impacts. Impacts of light and glare are therefore determined to be potentially significant if the following criteria are met:

- The light and/or glare are continuous, rather than temporary in nature (example: a continuous stream of cars or regular pattern of lighting vs. occasional passing headlights).
- The level of light and/or glare is noticeably higher than the surrounding ambient level of light.

- The light and/or glare have the potential to shine directly into the interior and/or outdoor activity areas of existing or future residences.
- The size of the affected parcels (larger parcels offer greater siting flexibility of residences).

4.5.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to open space and scenic resources are of concern even though much of the City has been developed and/or disturbed by agricultural operations.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Have a substantial adverse effect on a scenic vista.

2. Substantially degrade the existing visual character or quality of the site and its surroundings.

3. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space – Biological Resources, Water Resources, Open Space & Scenic Recourses and in the Health and Safety Group – Flood Protection assist in reducing any potential impacts associated with open space and scenic recourses:

   - *Biological Resources Policy BR-(b) and Implementation Measure BR-(1).*
   - *Water Resources Policy Implementation Measures W-(4) and W-(5).*
   - *Open Space & Scenic Resources Policy OSR-a.*
   - *Parks & Recreation Facilities & Resources Implementation Measures PR-(3).*
   - *Flood Protection Policies FL-B and FL-c.*

   The General Plan does not specifically address new sources of substantial light or glare associated with a proposed project, however, it is an issue evaluated to determine potential impacts on scenic vistas or the potential to substantially degrade the existing visual character or quality of the project site and its surroundings. Therefore, this potential impact is addressed indirectly. Furthermore, the CEQA review process undertaken as part of the project entitlement process evaluates any potential significant adverse impact on open space, scenic resources, and adjacent land uses. If the potential exists then mitigation measures are advanced as project conditions of approval to reduce the potential impacts to a ***less-than-significant*** *level.*

The General Plan Policies and Implementation Measures, the CEQA review process and the imposition of specific conditions of approvals related to open space and aesthetic resources reduce potential impacts to a ***less-than-significant*** *level. Therefore,* ***no mitigation*** *measures are required.*

4. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.

   Whereas, there are no state designated scenic highways, the CEQA review process required for discretionary project entitlements evaluates if a proposed project has the potential to substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings. If the potential exists for significant environmental impacts, then mitigation measures are advanced as project conditions of approval to reduce potential impacts to a ***less-than-significant*** *level and* ***no mitigation*** *measures are required.*

4.6 PARKS & RECREATION FACILITIES & RESOURCES

4.6.1 EXISTING CONDITIONS

Existing City parks offer many recreational opportunities to residents of and visitors to the City, described above. Community involvement, business donations, and agency cooperation have all been key elements in park improvements and maintenance. Community groups involved in recent improvements include the Volunteer Park Improvement Committee, the Rotary Club, the Exchange Club, the Lions Club, the Volunteer Fire Department, Corning Little League, and the Veterans of Foreign Wars. Businesses have donated materials for park improvements, and the California Division of Forestry inmates from Salt Creek Camp have provided labor for several improvements.

Currently, parks are located in all four quadrants in the City whereby, quadrants extend east or west and north and south from a beginning point at the intersection of Solano Street and 3rd Street, referenced here as the "midpoint" of the City. Park facilities are noticeably absent in the west-central area of the City. However, the west-central area can be readily served by Woodson Park and the Corning Community Park serve to meet this area's park and recreational needs. In addition, West Street Elementary is also closely located. The southwestern quadrant of the City, which had previously lacked park facilities, is now being served by the approximate 18.42 acre Corning Community Park.

The City currently owns and maintains seven parks and a small plaza all of which total approximately 36.5 acres which are the following:

- Northside Park at 6th and Colusa Streets, features a junior olympic size swimming pool with a smaller pool, a two-court lighted tennis court, playground area with equipment, barbeques, a fenced play area including equipment for small children, water fountains, a basketball court, and a sand-filled volleyball court.

- Flournoy Memorial Park is a small neighborhood park located just south of the senior center which is located at the southeast intersection of 4th Street and South Avenue. The park has picnic areas with tables and grills, a sprinkler system, and a playground area with wooden equipment.

- Estil C. Clark Park is located on Fig Lane, east of Marguerite Avenue across the street from Centennial School. Facilities include a little league field, a tee ball field, concession building and announcer's booth, and bleachers.

- Woodson Park is the oldest of all the parks and contains a playground with equipment and picnic areas set within shady olive trees. The park is located at the corner of Walnut and Peach Streets.

- Yost Park includes a playground and a softball field with a concession room, announcer's booth, and roof canopy for the bleachers. The park is located at the corner of Tehama and First Streets.

- Children's Memorial Park is located on Edith Avenue and contains a grassy area and playground. The metal playground equipment includes a swing set, moon climber, and a slide.

- Martini Plaza is located along the south side of Solano Street just west of the 6th Street intersection. This small downtown plaza contains restrooms, picnic tables, and a water fountain.

- The Corning Community Park, encompassing approximately 18.42 acres located between Toomes Avenue and Houghton Avenue, north and south of Fig Lane, is the most recent park constructed in the City. Phase 1 was completed in 2014 which included the construction of a skate park, basketball/hard ball court, picnic areas, playground, amphitheater, restrooms and parking lot with a pedestrian bridge across Jewett Creek connecting to Phase 2. Phase 2 included the construction of two soccer fields, parking lot, and restrooms with a connecting concession stand was completed in June 2015. A walking and jogging trail system meanders through the facility with open space/riparian preservation along Jewett Creek.

4.6.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

NATIONAL STANDARDS

Although not a regulatory standard, park and recreation standards have been used by the National Recreation and Parks Association (NRPA) in cities, counties, and states throughout the U.S. for nearly 100 years. As applied to public parks and recreation resources, standards provide a measurement of recreation space and facilities that should be provided for specific population numbers. They were established to help determine if an area has sufficient park area, facilities, etc. Standards are also used to establish the space and other requirements for recreation facilities in order to know what improvements a site may accommodate. Recreation area, facility and open space standards are used in the planning, design, and decision-making process.

Standards are needed to: (1) encourage appropriate area, number and location of facilities, thus establishing minimum area or acres to allow for per type of park and; (2) establish a comprehensive and sound fiscal approach for an orderly acquisition and development program. Currently the City has not adopted any form of standards.

STATE

California Government Code Section 66477, often referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees for park and recreation purposes. The required dedication and/or fees are based upon the residential density, parkland cost and other factors. Land dedicated and fees collected may only be used for the purpose of developing new or rehabilitating existing park or recreational facilities. The Quimby Act allows for local recreation and park districts to ask for a dedication of parkland up to 5 acres per 1,000 of projected population. The City has not utilized the Quimby Act and instead imposes a park fee.

4.6.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to parks and recreation resources and facilities are of concern particularly if a significant amount of development occurs in the north-eastern quadrant of the City. Yost Park and to a degree, Corning Union High School could meet needs, however, the park and recreational needs of a major residential development could not be accommodated.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space – Parks & Recreation Facilities & Resources and in the Health and Safety Group – Flood Protection assist in reducing any potential impacts associated with recreation resources.

   - *Parks & Recreation Facilities & Resources Policies PR-a, PR-c and PR-e and Implementation Measures PR-(1), PR-(2) and PR-(4).*
   - *Flood Protection Policy FL-b.*
   - *Noise Policy N-b and Implementation Measures N-(1), N-(4) and N-(5).*

   The combination of the General Plan Policies and Implementation Measures combined with the CEQA review process, undertaken as part of the project entitlement process, evaluates potential significant adverse impact on park and recreation facilities and resources. If the potential exists for significant environmental impacts, then mitigation measures are advanced as project conditions of approval to reduce the potential impacts to a level of insignificance.

HEALTH & SAFETY GROUP

4.7 SEISMIC & GEOLOGIC HAZARDS

4.7.1 EXISTING CONDITIONS

Corning is located within the Great Valley Geomorphic province, which includes the Great Central Valley of California. Primarily, rocks and deposits in this province are sedimentary. The major rock formations in the area include recent alluvial fan deposits from the Sacramento River, and non-marine sedimentary formations from the Pleistocene and Upper Pliocene. The soil series identified in the general vicinity of Corning, and their erodibility, permeability, and expansivity are listed in **Table SG-1**.

TABLE SG-1
SOIL SERIES

Series	Erodibility	Permeability	Expansivity
Altamont	Low	Very Slow	High
Arbuckle	Low	Slow	Moderate
Clear Lake	Low	Very Slow to Slow	High
Corning	Low	Slow	High
Cortina	Low	Medium	High
Hillgate	High	Slow	High
Maywood	Median to High	Median to Very Slow	Low
Peters	Low	Slow	High
Tehama	Low to High	Slow	Moderate
Tuscan	Median	Slow	Moderate

Active earthquake faults can be found throughout California; however the City is located in an area that is considered to be relatively free of seismic hazards in the immediate vicinity. The most significant seismic activity that can be anticipated in the area is ground shaking generated by seismic events on distant faults. The closest of which is the Elder Creek Fault, which lies approximately five miles to the southwest. The Cleveland Hills Fault, most recently active in 1975, lies 51 miles away from the City. There is no evidence of a "potentially active fault," located in the area, which could result in significant damage to structures and associated infrastructure.

The City and SOI is not affected by Alquist-Priolo Earthquake Fault Zones as of May 1, 1999, as determined by the California Geologic Survey. The City and SOI is located in a low severity earthquake area, as designated by the California Geologic Survey and are considered to be at low risk for impacts associated with earthquakes.

In terms of seismic shaking, the different geologic materials that underlie the region have different shaking characteristics. The areas which are comprised of alluvium from the Sacramento River have more potential for ground shaking than those comprised of consolidated bedrock. Due to the minimal possibility of a strong intensity earthquake event, and the depth of the groundwater in Corning, it is not likely that liquefaction will occur in the planning area. Landslides are also unlikely as the slope and topography in Corning are gentle, although there is a limited risk that landslides may occur along the creeks in the area (Blackburn Moon Drain, Burch Creek, and Jewett Creek). These areas also carry a slight risk of erosion hazards.

A tsunami is highly unlikely to occur as the City is not located in any proximity to an ocean. Likewise, the risk of seiche is remote as the nearest water bodies (Black Butte Lake and Lake Shasta) are too far away to affect Corning. Mount Lassen, the nearest center of

potential volcanic activity, is located approximately 55 miles northeast of the City, minimizing the potential for volcanic hazards impacts.

4.7.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

STATE

The Alquist-Priolo Earthquake Zoning Act Of 1972

The Alquist-Priolo Earthquake Fault Zoning Act of 1972 (prior to January 1, 1994 called the Alquist-Priolo Special Studies Zones Act) sets forth the policies and criteria of the State Mining and Geology Board that governs the exercise of governments' responsibilities to prohibit the location of developments and structures for human occupancy across the trace of active faults. The policies and criteria are limited to potential hazards resulting from surface faulting or fault creep within Earthquake Fault Zones delineated on maps officially issued by the State Geologist. Working definitions include:

> Fault: A fracture or zone of closely associated fractures along which rocks on one side have been displaced with respect to those on the other side.
>
> Fault Zone: A zone of related faults, which commonly are braided, and sub parallel, but may be branching and divergent. A fault zone has a significant width (with respect to the scale at which the fault is being considered, portrayed, or investigated), ranging from a few feet to several miles.
>
> Sufficiently Active Fault: A fault that has evidence of Holocene surface displacement along one or more of its segments or branches (last 11,000 years).
>
> Well-Defined Fault: A fault whose trace is clearly detectable by a trained geologist as a physical feature at or just below the ground surface. The geologist should be able to locate the fault in the field with sufficient precision and confidence to indicate that the required site-specific investigations would meet with some success.

"Sufficiently Active" and "Well Defined" are the two criteria used by the State to determine if a fault should be zoned under the Alquist-Priolo Act.

4.7.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts from seismic and geologic hazards are of concern particularly if development occurs near creeks, on earthwork comprised primarily of fill soils, or on expansive soils.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and, landslides.

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

   The following General Plan Policy and associated Implementation Measure contained in the: Health and Safety Group – Seismic and Geologic Hazards assist in reducing any potential impacts associated with seismic and geologic hazards:

   - *Seismic and Geologic Hazards Policy SG-a and Implementation Measure SG-(1).*

   In addition, adherence to the Uniform Building Code and given the fact that the City is located in a low risk area for impacts associated with earthquakes and seismic-related issues such as landslides and liquefaction, reduce potential impacts to a ***less-than-significant*** *level. Therefore,* ***no mitigation*** *is necessary.*

3. Result in substantial soil erosion or the loss of topsoil.

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space – Water Resources and Parks & Recreation Facilities & Resources, and in the Health and Safety Group – Flood Protection, assist in reducing any potential impacts associated with alteration of existing drainage patterns resulting in substantial erosion or siltation and increased run-off resulting in downstream flooding:

   - *Water Resources Policy W-c and Implementation Measures W-(1), W-(4) and W-(5).*
   - *Parks & Recreation Facilities & Resources Implementation Measures PR-(3).*
   - *Flood Protection Policy FL-c.*

   Prior to the entitlement of any development project involving grading, if erosion potential exists, hydrological and soils studies will be required to be prepared as part of the CEQA process. The studies will need to substantiate that runoff will not create erosion impacts and if so, provide the necessary mitigation measures to minimize erosion to avoid being a source of substantial polluted runoff.

   At the time of entitlement approval, recommendations identified in the hydrological and soil studies, Best Management Practices (BMPs) will be imposed as conditions of approval to minimize potential impacts. In addition, federal and state regulations require the utilization of BMPs as a component of permits required to meet Water Quality Discharge Requirements.

   The General Plan Policies and Implementation Measures, hydrology and soil studies, City conditions of approval and state and federal oversight all serve to

*reduce potentially significant impacts to **less-than-significant** levels. **No mitigation** measures are therefore, required.*

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

   *The design of structures located on expansive soils is required to follow the requirements of the Uniform Building Code to reduce potential impacts to a **less-than-significant** level. Therefore, **no mitigation** is necessary.*

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

   *All new development within the City will connect to the City's wastewater collection and treatment system, resulting in **no impact** from septic systems or alternative wastewater disposal systems.*

4.8 FLOOD PROTECTION

4.8.1 EXISTING CONDITIONS

In terms of flood hazards, the City is subject to flooding from three basic sources: natural seasonal flooding, dam inundation, and mud and debris flows. Natural flooding is a result of seasonal storms that create runoff that can cause streams to overflow their natural banks or man-made levees. Dam inundation could occur from a structural failure of the Shasta Dam, releasing significant floodwaters to the Sacramento River, which is located five miles east of the City. According to the City's General Plan, the California Office of Emergency Services states that the City would not be in an area of dam inundation resulting from the failure of the Shasta Dam.

Natural seasonal flooding is most likely to occur in the southern portion of the City, which lies within the flat flood plains of Jewett and Burch Creeks. These two drains comprise the largest drainage system in Corning by removing and transporting surface water runoff from areas northwest of the City to the Sacramento River. In addition the Blackburn-Moon Ditch with its Central Drain tributary located within the City, also flows to the Sacramento River.

Review of the Flood Insurance Rate Map (FIRM) for the City of Corning, Community Map Numbers 06103C1465H, 06103C1460H and 06103C1470H with an effective date of September 29, 2011. Lands within the City are located within Special Flood Hazard Areas Zone A where no base flood elevations were determined, Zone AE where base flood elevations have been determined and Zone A0 where flood depths range from one to three feet and waters usually sheet flow on sloping terrain.

Areas within the City that primarily experience periodic flooding are located along Jewett Creek principally in the area south of Fig Lane between I-5 and the California Northern Railroad tracks/Kirkwood Road.

4.8.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL

Federal Emergency Management Agency (FEMA)

The City of Corning is not a participant in the National Flood Insurance Program (NFIP), a Federal program administered by the Federal Emergency Management Agency (FEMA). Participants in the NFIP must satisfy certain mandated floodplain management criteria. The National Flood Insurance Act of 1968 has adopted as a desired level of protection, an expectation that developments should be protected from floodwater damage of the Intermediate Regional Flood (IRF). The IRF is defined as a flood that has an average frequency of occurrence on the order of once in 100 years although such a flood may occur in any given year. If the City participated in the NFIP, it would be occasionally audited by the Department of Water Resources to insure the proper implementation of FEMA floodplain management regulations.

STATE

The Coby-Alquist Floodplain Management Act

The Coby-Alquist Floodplain Management Act encourages local governments to plan, adopt and enforce floodplain management regulations (California Water Code Section 8400, et seq.). Where a federal flood control project report has been issued designating floodway boundaries, the Department of Water Resources or the State Reclamation Board will not appropriate money in support of the project unless the applicable agency has enacted floodplain regulations. Those regulations must provide that:

- Construction of structures in the floodway that may endanger life or significantly reduce its carrying capacity shall be prohibited.
- Development will be allowed within the “restrictive zone” between the floodway and the limits of the floodplain as long as human life and the carrying capacity of the floodplain are protected (Water Code Section 8410).

Office of Emergency Services

The Governor’s Office of Emergency Services (OES) coordinates overall state agency response to major disasters in support of local government. The office is responsible for assuring the state’s readiness to respond to and recover from natural, manmade, and war-caused emergencies, and for assisting local governments in their emergency preparedness, response and recovery efforts. OES is the “grantee” for federal disaster assistance, principally from the Federal Emergency Management Agency (FEMA). During the recovery phase of a disaster, OES helps local governments assess damages and assists them with federal and state grant and loan applications to repair damaged public property.

LOCAL

Tehama County Sheriff's Department

The Tehama County Sheriff's Department Office of Emergency Services (TESA) is responsible for the disaster planning, assistance and coordination of all jurisdictions within Tehama County. A comprehensive program should include disaster preparedness and response plans, modification of local building codes, and encouragement to use the Neighborhood Emergency Services Team (NEST). Review of individual projects should include an assessment of risk from natural and human-made hazards, evacuation routes and response plans, appropriate land use density, intensity, design, development, and building standards and other mitigation to reduce risk and facilitate disaster preparedness and response.

4.8.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to flood impacts are of concern particularly in developed and undeveloped areas currently subject to periodic flooding.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site.

2. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

3. Place within a 100-year flood hazard area structures which would impede or redirect flood flows.

4. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

   The following General Plan Policies and associated Implementation Measures contained in the Natural Resources Group Conservation & Open Space – Biological Resources, Water Resources and Parks & Recreation Facilities & Resources, and in the Health and Safety Group – Flood Protection assist in reducing any potential impacts associated with flooding:

   - *Water Resources Policy Implementation Measure W-(4).*
   - *Parks & Recreation Facilities & Resources Implementation Measures PR-(3).*

- *Flood Protection Policies FL-a FL-c.*

Prior to the entitlement of any development project involving grading, if the potential exists to impact drainage, hydrological studies are required as a component of the CEQA process. The studies will be required to demonstrate that runoff will not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

At the time of entitlement approval, recommendations identified by the hydrological study and the imposition of Best Management Practices (BMPs) as conditions of approval serve to minimize potential impacts. More often than not, drainage patterns of any development site cannot be substantially altered whereby increased run-off results in downstream flooding. In addition, federal and state regulations require the utilization of BMPs as a component of permits required to meet Water Quality Discharge Requirements.

The General Plan Policies and Implementation Measures, hydrology studies, City conditions of approval and state and federal oversight all serve to reduce potentially significant impacts to ***less-than-significant*** *levels.* ***No mitigation*** *measures are therefore, required.*

5. Result in inundation by seiche, tsunami, or mudflow.

   Due to the location of the City which is not located in areas subject to seiche, tsunamis or mudflows, the potential impact is not applicable.

4.9 FIRE SAFETY & LAW ENFORCEMENT

4.9.1 EXISTING CONDITIONS

Fire Safety

The City of Corning Fire Department provides fire protection services and emergency medical services within a five-square mile area of the City, including the business district, two shopping centers, and several large truck stops. The Department is centrally headquartered in the City at 814 Fifth Street, resulting in an average response time of three to five minutes. Backup services for areas proposed for annexation to the City are provided by the Tehama County Rural station, which has a three to five minute response time to the outlying areas.

Insurance Services Office (ISO) ratings are used by insurance companies to determine fire insurance rates. The rating takes into account the number of firefighting personnel and equipment available to an area and the average emergency response times. Ratings range from one through ten, with one indicating excellent fire service and ten indicating minimal or no protection. Based on its average response time for fire and medical emergencies, the Fire Department's current ISO rating is four. The City does not currently include fire protection fees in its residential development fee system

The Department maintains a fleet of equipment in fair to excellent condition. These include three pumpers (two with a capacity of 1,250 gallons per minute (gpm) and one with an

output of 1,500 gpm); two brush trucks; and a rescue squad. The standard initial dispatch for a dwelling unit is two pumper trucks and the rescue unit.

In terms of wildland fire hazards, the City is primarily surrounded by agricultural uses, with some stands of oak woodlands. The fuel necessary to feed a large wildland fire is not existent within or adjacent to Corning. A wildland fire has not affected Corning within recent memory, and Corning has established a weed abatement ordinance to reduce the accumulation of weeds and other flammable materials within the City. The unincorporated lands surrounding the City are rated "Moderate" for Wild Land Fire Severity.

Law Enforcement

The Corning Police Department (CPD) provides continuous law enforcement and emergency assistance services to areas located within the City limits. The department also maintains a fleet of 14 vehicles, including special duty vehicles (such as the Youth Programs van), two Citizens on Patrol volunteer vehicles, one Community Service Officer/Animal Control vehicle, one K-9 vehicle, and one unmarked Detective vehicle. The CPD focuses their efforts on several specific local problems, including narcotics and gang activity. For example, in 2004, approximately 2,564 hours of CPD labor were spent on narcotics, with an additional 200 hours per year for each officer assigned to the Tehama County task force for gang activity. The City does not currently include police protection fees in its residential development fee system.

4.9.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development entitlements.

LOCAL

Fire Codes and Guidelines

The availability of sufficient water flows and pressure are a basic requirement of the City of Corning Fire Department, which coordinates fire response in the City. The Fire Department will require all new developments within the County to design improvements to ensure that water volume and hydrant spacing are adequate to support efficient and effective fire suppression without disruption to community water supplies. Fire Department requirements are determined for specific development projects at the design stage and are based on the California Building Code (CBC). In addition to meeting minimum fire flow requirements, all development projects in the unincorporated areas of the County would be required to meet other various, fire protection requirements identified in the plan check and review process. The City also requires new developments and redevelopment projects provide approved access for all emergency vehicles, including fire trucks and firefighting equipment.

4.9.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to fire safety and law enforcement are of concern particularly with respect to meeting acceptable levels of service.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

   The following General Plan Policies and associated Implementation Measures contained in the Health and Safety Group – Fire Safety and Law Enforcement and the Community Development Group – Public Services and Facilities assist in reducing any potential impacts associated with fire safety and law enforcement:

   - *Fire Safety and Law Enforcement Policies FS-a, FS-b, and FS-c and Implementation Measures FS-(1), FS-(3) and FS-(4).*
   - *Public Services and Facilities Implementation Measure (PF-(3).*

   Prior to the approval of any development project, as part of the entitlement process, the Planning Department consults with the Fire and Police Departments as a component of the CEQA process and to determine potential impacts and mitigation measures which are then imposed as conditions of approval of the project.

   The General Plan Policies and Implementation Measures and City imposed conditions of approval serve to reduce potentially significant impacts to ***less-than-significant*** *levels.* ***No mitigation*** *measures are therefore, required.*

2. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire and police protection services.

   The following General Plan Policies and associated Implementation Measures contained in the Health and Safety Group – Fire Safety and Law Enforcement, Hazardous Materials and Safety and Noise assist to reduce potential impacts associated with fire safety and law enforcement:

   - *Fire Safety and Law Enforcement Policies FS-d and FS-e.*
   - *Hazardous Materials and Safety Implementation Measure HM-(3).*
   - *Noise Policies N-a and N-b and Implementation Measures N-(1), N-(4), and N-(5).*
   - *Public Services and Facilities Policies PF-a and PF-b.*

   As a component of the entitlement and CEQA process, the Planning Department consults with Fire and Police Department Staff to determine potential impacts and mitigation measures to be imposed as conditions of project approval.

   The General Plan Policies and Implementation Measures and City imposed conditions of approval serve to reduce potentially significant impacts to ***less-than-significant*** *levels.* ***No mitigation*** *measures are therefore, required.*

4.10 HAZARDOUS MATERIALS & SAFETY

4.10.1 EXISTING CONDITIONS

Portions of the City are located along the I-5 corridor, and an east-west route to I-5 from State Route 99 bisects Corning. There is a possibility that vehicles transporting hazardous materials could experience an accident along these major transportation routes. The Corning Municipal Airport is located on Marguerite Avenue just north of Blackburn Avenue, and is comprised of 179 acres. In 2003, the Tehama County Airport Land Use Commission adopted a Comprehensive Airport Land Use Plan, identifying a Clear Zone and an Approach Zone, and development land use criteria for each of these zones.

According to Section 25117 of the California Health and Safety Code, a hazardous material is any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health or the environment if released into the workplace or the environment. Hazardous substances can take the form of a solid, dust, liquid, or fume and exhibit any of the criteria set forth in 22 CCR, Chapter 30, Article 11. A list of wastes that are presumed hazardous is presented in Chapter 30, Article 9 of Title 22. Hazardous waste criteria include toxicity, ignitability, reactivity, and corrosivity.

The Hazardous Waste and Substances Sites (Cortese) List website, maintained by the California State Department of Toxic Substances Control Hazardous Waste and Substances Sites List (Cortese List) indicates that there are no listed sites in the City.[1]

4.10.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development construction and operation of projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies, as applicable.

FEDERAL

The Hazardous Materials Transportation Act of 1975

The Hazardous Materials Transportation Act of 1975 (HMTA) as amended, is the major transportation-related statute affecting the Department of Energy (DOE). The objective of the HMTA according to the policy stated by Congress is "...to improve the regulatory and enforcement authority of the Secretary of Transportation to protect the Nation adequately against risks to life and property which are inherent in the transportation of hazardous materials in commerce." The HMTA empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property."

Regulations apply to "...any person who transports, or causes to be transported or shipped, a hazardous material; or who manufactures, fabricates, marks, maintains, reconditions, repairs, or tests a package or container which is represented, marked, certified, or sold by such person for use in the transportation and commerce of certain hazardous materials."

[1] http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

The Hazardous Materials Transportation Uniform Safety Act

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the Hazardous Materials Transportation Act, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

Hazardous Materials Handling

At the federal level, the principal agency regulating the generation, transport, and disposal of hazardous substances is EPA, under the authority of the Resource Conservation and Recovery Act (RCRA). The RCRA established an all-encompassing federal regulatory program for hazardous substances that is administered by EPA. Under the RCRA, EPA regulates the generation, transportation, treatment, storage, and disposal of hazardous substances. The RCRA was amended in 1984 by the Hazardous and Solid Waste Amendments of 1984 (HSWA), which specifically prohibits the use of certain techniques for the disposal of various hazardous substances. The Federal Emergency Planning and Community Right to Know Act of 1986 imposes hazardous materials planning requirements to help protect local communities in the event of an accidental release. The EPA has delegated much of the RCRA requirements to the DTSC.

Hazardous Materials Releases

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980 (U.S. Code, Title 42). This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, $1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and established a trust fund to provide for cleanup when no responsible party could be identified. The law authorizes two kinds of response actions: 1) short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and 2) long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life threatening. These actions can be conducted only at sites listed on EPA's National Priorities List (NPL). CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

CERCLA created the Superfund Program in order to clean up uncontrolled or abandoned hazardous-waste sites and to respond to accidents, spills, and other emergency releases of pollutants and contaminants. Section 101 of CERCLA defines a list of hazardous chemicals

for which the U.S. EPA must establish regulations. Releases of CERCLA hazardous substances in amounts greater than their "reportable quantity" must be reported to the National Response Center and to state and local government officials. Hazardous substances identified in CERCLA include all chemicals on the following regulatory lists: Clean Air Act list of hazardous air pollutants (HAPs); Clean Water Act list of hazardous substances and priority pollutants; Solid Waste Disposal Act list of hazardous wastes; and Toxic Substances Control Act list of imminent hazards.

Worker Safety Requirements

The U.S. Department of Labor Occupational Safety & Health Administration (OSHA) is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

Federal Aviation Regulations

The Code of Federal Regulations, Title 14, Volume 2 revised as of January 1, 2004 (14CFR77.1) pertains to aeronautics and space. Chapter 1 specifically includes the Federal Aviation Administration regulations and Part 77 (Federal Aviation Regulation or FAR Part 77) pertains to objects affecting navigable airspace. FAR Part 77 establishes standards for determining obstructions in navigable airspace; sets forth the requirements for notice to the Administrator of certain proposed construction or alteration; provides for aeronautical studies of obstructions to air navigation in order to determine their effect on the safe and efficient use of airspace; provides for public hearings on the hazardous effects of proposed construction or alteration on air navigation; and provides for the establishment of antenna farm areas.

STATE

Hazardous Wates and Substances Sites

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. . DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. As previously noted, the website maintained by the California State Department of Toxic Substances Control Hazardous Waste and Substances Sites List identifies that there are no listed sites in the City.

Hazardous Materials Handling

The California Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories. A Business Plan includes an inventory of hazardous materials handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures (California Health and Safety Code, Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management

of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the State. Local agencies administer these laws and regulations.

Worker Safety Requirements

The California Occupational Safety and Health Administration (Cal-OSHA) assumes primary responsibility for developing and enforcing workplace safety regulations within California. Cal-OSHA regulations pertaining to the use of hazardous materials in the workplace, as detailed in CCR Title 8, include requirements for safety training, availability of safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. Cal-OSHA enforces hazard communication program regulations that contain training and information requirements, including procedures for identifying and labeling hazardous substances, communicating hazard information related to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees at hazardous waste sites. The hazard communication program requires that Material Safety Data Sheets (MSDS) be available to employees and that employee information and training programs be documented.

Emergency Response to Hazardous Materials Incidents

California has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local government and private agencies. Response to hazardous materials incidents is one part of this plan. The plan is managed by the State Office of Emergency Services (OES), which coordinates the responses of other agencies including Cal-EPA, the California Highway Patrol (CHP), the California Department of Fish and Game, the Central Valley Regional Water Quality Control Board, and the Tehama County Sheriff's Department.

Hazardous Materials Transport

The U.S. Department of Transportation regulates hazardous materials transportation between states. State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation (Caltrans). Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads.

It is illegal to transport explosives or inhalation hazards on any public highway not designated for that purpose, unless the use of the highway is required to permit delivery, or the loading, of such materials (Cal. Vehicle Code §§ 31602(b), 32104(a)). When transporting explosives through or into a city for which a route has not been designated by CHP, drivers must follow routes as may be prescribed or established by local authorities (California Vehicle Code, Section 31614(a)). The transportation of explosives in quantities of 1,000 pounds or less, or other than on a public highway, is subject to the California Health and Safety Code (California Vehicle Code, Section 31601(a)).

LOCAL

County Emergency Response/Evacuation Plans

The Tehama County Sheriff's Department Office of Emergency Services (TESA) is responsible for the disaster planning, assistance and coordination of all jurisdictions within

Tehama County. The State of California passed legislation authorizing the Office of Emergency Services (OES) to prepare a Standard Emergency Management System (SEMS) program, which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. The County of Tehama is currently coordinating with the Office of Emergency Services to develop and implement an Emergency Disaster Plan. It should be noted that the City of Corning Fire Department is a member of the Shasta Cascade Hazardous Materials Response Team (SCHMRT).

4.10.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Direct and indirect impacts related to hazardous materials are primarily of concern when materials are transported through the City. No hazardous material sites exist within the City.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

4. Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

   The following General Plan Policy and associated Implementation Measure contained in the Health and Safety Group – Hazardous Materials assist in reducing any potential impacts associated with hazardous materials transport and disposal:

   - *Hazardous Materials and Safety Policy HM-a and Implementation Measures HM-(1) and HM-(2).*

   Prior to the entitlement of any development project involving hazardous materials, whether a component of the construction process and/or operation of the proposed use, documentation will need to be reviewed by not only the City, but also the Tehama County Department of Environmental Health. Activities include, but are not limited to underground hazardous materials storage tanks, medical wastes, hazardous materials business plan, and hazardous materials.

The General Plan Policies and Implementation Measures, and the permitting, operational, and reporting requirements imposed by the county, state and federal governments, makes it is highly unlikely that the release of hazardous materials into the environment at a level that would present a hazard to the environment or to human or animal life would occur. Therefore, potential significant impacts are considered ***less-than-significant. No mitigation*** *measures are required.*

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

   The following General Plan Policy contained in the Health and Safety Group – Hazardous Materials, assists in reducing any potential impacts associated with hazardous materials transport and disposal:

   - *Hazardous Materials and Safety Policy HM-a.*

   In addition, the Comprehensive Airport Land Use Plan (2003) restricts the type and amount of development that can occur within the identified Clear Zone Safety Area (no residential structures allowed) and the Approach Zone Safety Area (no residential structures within 2,000 feet of the Clear Zone and a density of 3.5 dwelling units per acre beyond that.

   The General Plan Policy along with the restrictions within the Safety Areas, and adherence to applicable City, State, and Federal regulations will reduce safety issues associated with the Corning Municipal Airport to ***less-than-significant*** *levels and* ***no mitigation*** *is required.*

7. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

   The following General Plan Policy and Implementation Measure contained in the Health and Safety Group – Hazardous Materials, assists in reducing any potential impacts associated with hazardous materials transport and disposal:

   - *Hazardous Materials and Safety Policy HM-a and Implementation Measure HM-(2).*

   The City does not currently have an adopted Emergency Disaster Plan. The Corning Fire Department is in the process of preparing such a plan, but it had not been completed or adopted at the time of this analysis. The impact of new development on emergency response routes and emergency evacuation routes will be determined as part of the CEQA review process for discretionary projects subject to City entitlement approvals. The City of Corning Fire Department is a member of the Shasta Cascade Hazardous Materials Response Team (SCHMRT).

   The General Plan Policy and Implementation Measure and the CEQA review process for projects will reduce potential impacts associated with emergency routes safety issues associated with the Corning Municipal Airport to ***less-than-significant*** *levels and* ***no mitigation*** *is required.*

4.11 NOISE

Noise is often described as unwanted sound. Sound is defined as any pressure variation in air that the human ear can detect. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and hence are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, called Hertz (Hz).

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by weighting the frequency response of a sound level meter by means of the standardized A-weighting network. There is a strong correlation between A-weighted sound levels (expressed as dBA) and community response to noise. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this document are in terms of A-weighted levels.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (Leq), which corresponds to a steady-state A-weighted sound level containing the same total energy as a time-varying signal over a given time period (usually one hour). The Leq is the foundation of the composite noise descriptor, Ldn, and shows very good correlation with community response to noise. The Day-night Average Level (Ldn) is based upon the average noise level over a 24-hour day, with a +10 decibel weighting applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because Ldn represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

Noise in the community has often been cited as being a health problem, not in terms of actual physiological damages such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities such as sleep, speech, recreation and tasks demanding concentration or coordination. When community noise interferes with human activities or contributes to stress, public annoyance with the noise source increases the acceptability of the environment for people decreases. This decrease in acceptability and the threat to public well-being are the basis for land use planning policies preventing exposures to excessive community noise levels.

To control noise from fixed sources, which have developed from processes other than zoning or land use planning, many jurisdictions have adopted community noise control ordinances. Such ordinances are intended to abate noise nuisances and to control noise from existing sources. They may also be used as performance standards to judge the creation of a potential nuisance, or potential encroachment of sensitive uses upon noise-producing facilities. Community noise control ordinances are generally designed to resolve noise problems on a short-term basis (usually by means of hourly noise level criteria), rather than on the basis of 24-hour or annual cumulative noise exposures.

In addition to the A-weighted noise level, other factors should be considered in establishing criteria for noise sensitive land uses. For example, sounds with noticeable tonal content such as whistles, horns, droning or high-pitched sounds may be more annoying than the A-weighted sound level alone suggests. Many noise standards apply a penalty, or correction, of 5 dBA to such sounds. The effects of unusual tonal content are generally more of a concern at nighttime, when residents may notice the sound in contrast to low levels of background noise.

Because many residential areas in small communities such as Corning experience very low noise levels, residents may express concern about the loss of "peace and quiet" due to the introduction of a sound which was not audible previously. In very quiet environments, the introduction of virtually any change in local activities will cause an increase in noise levels. A change in noise level and the loss of "peace and quiet" is the inevitable result of land use or activity changes in such areas. Audibility of a new noise source and/or increases in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes.

4.11.1 EXISTING CONDITIONS

The existing noise environment in the City is typical of developing rural communities located along major highways, with the primary noise sources originating from the I-5 corridor, the California Northern Railroad (CNFR) tracks, the Corning Municipal Airport and the Hwy 99W/Solano Street/Hoag Road/Hall Road/South Avenue, which is a transportation route from State Route 99 to I-5. Several large truck stops are located at, and in close proximity, to the South Avenue/I-5 interchange, and are open 24 hours a day. School and park facilities, in particular playing fields, are another noise source.

Interstate 5

The only major residential developed area in the City impacted by I-5 freeway traffic is the Spring Mountain apartment complex located at the corner of Blackburn and Edith Avenues. Residences adjacent to I-5 could be exposed to traffic noise levels in excess of 75 dB Ldn based on evaluations undertaken for other projects in Tehama County. **Table N-1** identifies existing noise levels along I-5 for portions of various segments through the City of Corning.[2]

TABLE N-1
I-5 EXISTING NOISE LEVELS AT 70 MPH - 2005

Segment	ADT	60 dB	65 dB
Liberal To South Avenue	27,000	1,166	541
South Avenue to Corning Avenue	28,500	1,187	551
Solano Street to Finnell Avenue	30,000	1,184	550

California Northern Railroad

CNFR has a rail line running in a north-south direction through the central part of the City. CNFR interchanges with the Union Pacific Railroad and provides daily and scheduled service for major commodities which are food related being tomato products, olives, rice, cheese, frozen foods, beer, wine and wheat with some stone, petroleum products, and chemicals. However, service is not as frequent as Union Pacific which also accommodates passenger service via AMTRAC.

Based on studies undertaken by Union Pacific, the average sound exposure levels (SEL) for freight train operations along the UPRC railroad track is approximately 100 dB at a distance of 100 feet from railroad track centerline. For Union Pacific operations are continuous throughout the year, although a reduction of service occurs in the off-season. The trains run 24 hours a day without any particular times favored. The numbers of trains and the times they run vary day to day depending on business levels, traffic on the railroad and weather. This is not the case for CNFR which runs infrequently. However, based on Union Pacific's level of activity and sound exposure levels, the railroad noise exposure at

[2] PMC. September 2008. Page 4.10-5. *Draft EIR Tehama County 2008-2028 General Plan*

a distance of 100 feet from the tracks is predicted to be approximately 70 dB Ldn, with the distances to the 60 and 65 dB Ldn railroad noise contours extending 460 and 215 feet from the tracks, respectively.

Corning Municipal Airport

The airport not only serves the City of Corning, but all the surrounding regional area. It provides a complete range of general aviation services. In the California Aviation System Plan, the airport is identified as a community general aviation airport, and the National Plan of Integrated Airspace Systems identifies the facility as a basic utility airport. The airport consists on one primary runway (17-35) which is approximately 2,699 feet long and may serve aircraft weighting up to 30,000 pounds. This might include aircraft such as single engine, smaller business jets and ultralight aircraft. On an annual average basis, there are approximately 24 operations per day.

Located within the northeast quadrant of the City at the intersection of Neva and Marguerite Avenues, it is comprised of 179 acres of City owned land. The airport began in 1940 with a 77 acre site and has grown to include the two paved runways, modern lighting system, hangers, and other supporting facilities including a rotating beacon, runway end identifier lights (REIL), high intensity runway light (HIRL), and visual approach slope indicator because the airport is self-controlled and does not operate an Air Traffic Control Tower (ATCT). There are currently 15 front line hangers and 23 tie downs adjacent to Runway 17-35. Future proposals include expanding the existing runway from 2,700 ft. to over 3,300 ft. in length that will include another 16 tie downs on and another 29 Hangers.

Wadell Engineering Corporation developed an identification of noise contours for the Corning Municipal Airport on behalf of the Tehama County Airport Land Use Compatibility Plan (TCACLUP). On the contour maps for both the 2,700-foot and the 3,300-foot versions of the runway, three contours were identified (55 CNEL, 60 CNEL and 65 CNEL) which extend approximately 500 feet to the east and west of the center of the runway and 1,500 feet to the north and south of the respective ends of the runway. Because of the airport's small size and lack of commercial air traffic, the noise levels are not considered significant within the contour lines of the runway.

Although occasional aircraft overflights of the City occur, the City of Corning is located well beyond the noise impact zones of the airport. As a result, the existing ambient noise environment of the City of Corning is not significantly influenced by aircraft noise.

A major source of noise is the Bell Carter olive plant on Second Street. Sources include, but are not limited to forklifts, the speaker phone system, processing machinery, and on-site cars and trucks.

Parks and Schools

There are eight parks and six public school uses within the City limits. Noise generated by these uses depends on the age and number of people utilizing the respective facility at a given time, and the types of activities they are engaged in. School playing field activities tend to generate more noise than those of neighborhood parks, as the intensity of school playground usage tends to be much higher. At a distance of 100 feet from an elementary school playground being used by 100 students, average and maximum noise levels of 60 and 75 dB, respectively, can be expected. At organized events such as high-school football games with large crowds and public address systems, the noise generation is often

significantly higher. As with service commercial uses, the noise generation of parks and school playing fields is variable.

4.11.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL GUIDELINES

The U.S. Environmental Protection Agency (EPA) also offers guidelines for community noise exposure in the publication *Information on the Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*. These guidelines consider occupational noise exposure as well as noise exposure in the home. The "Levels Document" recognizes an exterior noise level of 55 dB Ldn as a goal to protect the public from hearing loss, activity interference, sleep disturbance and annoyance. The EPA notes, however, that this level is not a regulatory goal, but is a level defined by a negotiated scientific consensus without concern for economic and technological feasibility or the needs and desires of any particular community. The EPA and other Federal agencies have adopted suggested land use compatibility guidelines, which indicate that residential noise exposures of 55 to 65 dB Ldn are acceptable. EPA has also prepared a *Model Community Noise Control Ordinance*, using Leq as the means of defining allowable residential noise level limits. The EPA model contains no specific recommendations for local noise level standards, but reports a range of Leq values as adopted by various local jurisdictions. The mean daytime residential noise standard reported by the EPA is 57 dBA (Leq); the mean nighttime residential noise standard is 52 dBA (Leq).

STATE GUIDELINES

The State Office of Planning and Research (OPR) *Noise Element Guidelines* include recommended exterior and interior noise level standards for local jurisdictions to identify and prevent the creation of incompatible land uses due to noise. The OPR guidelines contain a land use compatibility table, which describes the compatibility of different land uses with a range of environmental noise levels in terms of Ldn. A noise environment of 60 dB Ldn or less is considered to be normally acceptable for residential uses according to those guidelines.

Related State Regulations

Other state laws and regulations regarding noise control are directed towards aircraft, motor vehicles and noise in general.

The California Vehicle Code sets noise emission standards for new vehicles including autos, trucks, motorcycles and off-road vehicles. Performance standards also apply to all vehicles operated on public streets and roadways. *Section 216* of the *Streets and Highways Code* regulates traffic noise received at schools near freeways.

Title 24 of the *California Code of Regulations* sets interior noise level standards within multiple-occupancy dwellings affected by noise from traffic, aircraft operations, railroads and industrial facilities. The *State Penal Code* (*Section 415*) prohibits load and unusual noise that disturbs the peace, while the *State Civil Code* defines public nuisances that may

be caused by noise. *CEQA* includes noise as one of the factors in determining environmental impacts.

LOCAL

Airport Noise Policies

The TCACLUP advanced the following noise policies adopted by the City of Corning.

1. Airport/Land use noise compatibility shall be evaluated in terms of the Community Noise Equivalent Level (CNEL), as defined in Title 21 of the California Administration Code.
2. The maximum noise exposure that shall be considered normally acceptable for residential areas is 60 dBA CNEL.
3. The relative acceptability or unacceptability of particular land uses with respect to the noise levels to which they would be exposed as indicated in the "Airport/Land Use Noise Compatibility Criteria" matrix, Table 2. These criteria shall be the principal determinants of whether a proposed land use is compatible with the noise impact from a nearby airport, but special circumstances, which would affect the specific proposal's noise sensitivity (e.g., the extent or lack of outdoor activity), also shall be taken into account.
4. One of the conditions for approval of a land use which is "marginally acceptable" or "normally unacceptable" for the given noise environment is that the building must provide a satisfactory degree of noise attenuation. If the structure can reduce the noise exposure to the indicated level, the use may be acceptable. It should be noted that the interior noise criteria are measured in terms of maximum noise levels of individual events and not average noise levels as represented by CNEL values. Since maximum exterior individual event noise levels are greater than the CNEL value at a given location, the required noise reduction of the structure thus will be greater than the difference between the interior noise level criterion and the CNEL value.
5. In applying the interior noise level criteria, engine run-up noise shall be considered as a source of commonly occurring exterior noise.
6. When applying the noise compatibility criteria to a given location, the basis for evaluation shall be the maximum Community Noise Equivalent Level to which the location is or is forecast to be exposed.
7. If a noise analyses, including noise monitoring, is conducted for a particular location and the results indicate that the maximum CNEL will be less than shown herein, the lower exposure level may be used for the land use evaluation at the discretion of the Airport.

Common Noise Sources

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale uses the hearing threshold (20 micropascals of pressure), as a point of reference, defined as 0 dBA. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers is a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dBA. Another useful aspect of the decibel scale

is that changes in decibel levels correspond closely to human perception of relative loudness. **Table N-2** illustrates common noise levels associated with various sources.

TABLE N-2 SOUND PRESSURE LEVELS OF COMMON SOUNDS AND NOISES		
Sound Quality Threshold of Feelings	**Decibels**	**Sound Source**
Threshold of Pain	130	Stock car races, jet takeoff at 100-200 feet.
Pain	120	Rocket engine, Ram Jet Turbojet: 7,000 pounds thrust
Deafening	110	Propeller aircraft, Boiler factory, Nearby riveter, Drop Hammer, Thunder
	100	Subway
Very Loud	90	Loud Street Noises, drill
Loud	80	Police Whistle, Portable sander
Noisy	70	Normal Radio, Noisy Office, Average Traffic
	60	Noisy home
Moderate	50	Average office, Ordinary Conversation, Quiet radio
Quiet	40	Quiet home, private office
Faint	30	Average auditorium
	20	Quiet conversation
Very Faint	10	Rustle of leaves, Whisper
Threshold of Audibility	0	Soundproof room

In 1987, the California Department of Health Services published guidelines for the noise element of local general plans. These guidelines include a noise level/land use compatibility chart that categorizes various outdoor Ldn ranges into four compatibility categories (normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable), an acceptable range for playgrounds and neighborhood parks is 55-70 dB Ldn. The acceptable noise levels impacting residences was 70 dB Ldn.

Construction Noise Sources

The major source of noise impacts will result from short-term construction. Existing residences will more than often be located within a reasonable proximity (50-100 feet) of future development. **Table N-3** identifies noise levels associated with construction equipment.

TABLE N-3 PRELIMINARY LIST OF CONSTRUCTION EQUIPMENT	
Type of Equipment	**Maximum Level, dB at 50 feet**
Bulldozers	87
Heavy Trucks	88
Backhoe	85
Pneumatic Tools	85

Existing Accepted Noise Attenuation Guidelines

Depending on location and/or the results of a noise evaluation for a particular proposed project, the City utilizes various design mechanisms that are encouraged to be incorporated into project design for projects having the potential to impact sensitive land use receptors such as residences, hospitals, schools, etc.

Any noise problem may be considered as being composed of three basic elements: the noise source, a transmission path, and a receiver. The appropriate acoustical treatment for a given project should consider the nature of the noise source and the sensitivity of the

receiver. As previously noted, the problem should be defined in terms of appropriate criteria (Ldn, Leq, or Lmax), the location of the sensitive receiver (inside or outside), and when the problem occurs (daytime or nighttime). Noise control techniques should then be selected to provide an acceptable noise environment for the receiving property while remaining consistent with local aesthetic standards and practical structural and economic limits. Fundamental noise control options which can reduce potential noise impacts to less-than-significant levels include, but are not limited to the following:

Use of Setbacks: Noise exposure may be reduced by increasing the distance between the noise sources and receiving use. Setback areas can take the form of open space, frontage roads, recreational areas, storage yards, etc. The available noise attenuation from this technique is limited by the characteristics of the noise source, but is generally about 4 to 6 dB per doubling of distance from the source.

Use of Barriers: Shielding by barriers can be obtained by placing walls, berms or other structures, such as buildings, between the noise source and the receiver. The effectiveness of a barrier depends upon blocking line-of-sight between the source and receiver, and is improved with increasing the distance the sound must travel to pass over the barrier as compared to a straight line from source to receiver. The difference between the distance over a barrier and a straight line between source and receiver is called the "path length difference," and is the basis for calculating barrier noise reduction.

Barrier effectiveness depends upon the relative heights of the source, barrier and receiver. In general, barriers are most effective when placed close to either the receiver or the source. An intermediate barrier location yields a smaller path-length-difference for a given increase in barrier height than does a location closer to either source or receiver.

For maximum effectiveness, barriers must be continuous and relatively airtight along their length and height. To ensure that sound transmission through the barrier is insignificant, barrier mass should be about 4 pounds per square foot, although a lesser mass may be acceptable if the barrier material provides sufficient transmission loss. Satisfaction of the above criteria requires substantial and well-fitted barrier materials, placed to intercept line of sight to all significant noise sources. Earth, in the form of berms or the face of a depressed area, is also an effective barrier material.

There are practical limits to the noise reduction provided by barriers. For vehicle traffic or railroad noise, a 5 to 10 dB noise reduction may often be reasonably attained. A 15 dB noise reduction is sometimes possible, but a 20 dB noise reduction is extremely difficult to achieve. Barriers usually are provided in the form of walls, berms, or berm/wall combinations. The use of an earth berm in lieu of a solid wall may provide up to 3 dB additional attenuation over that attained by a solid wall alone, due to the absorption provided by the earth. Berm/wall combinations offer slightly better acoustical performance than solid walls, and are often preferred for aesthetic reasons.

Site Design: Buildings can be placed on a project site to shield other structures or areas, to remove them from noise-impacted areas, and to prevent an increase in noise level caused by reflections. The use of one building to shield another can significantly reduce overall project noise control costs, particularly if the shielding structure is insensitive to noise.

Site design should guard against the creation of reflecting surfaces which may increase onsite noise levels. For example, two buildings placed at an angle facing a noise source may cause noise levels within that angle to increase by up to 3 dB. The open end of "U-shaped" buildings should point away from noise sources for the same reason. Landscaping walls or noise barriers located within a development may inadvertently reflect noise back to a noise-sensitive area unless carefully located. Avoidance of these problems while attaining an aesthetic site design requires close coordination between local agencies, the project engineer and architect, and the noise consultant.

Noise Reduction by Building Facades: When interior noise levels are of concern in a noisy environment, noise reduction may be obtained through acoustical design of building facades. Standard construction practices provide 10 15 dB noise reduction for building facades with open windows, and approximately 25 dB noise reductions when windows are closed. Thus a 25 dB exterior-to-interior noise reduction can be obtained by the requirement that building design include adequate ventilation systems, allowing windows on a noise-impacted facade to remain closed under any weather condition.

Where greater noise reduction is required, acoustical treatment of the building facade is necessary. Reduction of relative window area is the most effective control technique, followed by providing acoustical glazing (thicker glass or increased air space between panes) in low air infiltration rate frames, use of fixed (non-movable) acoustical glazing or the elimination of windows. Noise transmitted through walls can be reduced by increasing wall mass (using stucco or brick in lieu of wood siding), isolating wall members by the use of double or staggered stud walls, or mounting interior walls on resilient channels. Noise control for exterior doorways is provided by reducing door area, using solid-core doors, and by acoustically sealing door perimeters with suitable gaskets. Roof treatments may include the use of plywood sheathing under roofing materials.
An additional measure to prevent sound from entering through attic vents would be to acoustically baffle all attic vents. The baffles should introduce at least one 90 degree obstruction to the flow of air through the vent. The baffle should be lined with an acoustically absorbent material such as, one-inch thick, 3 PCF fiberglass duct liner.

Use of Vegetation: Trees and other vegetation are often thought to provide significant noise attenuation. However, approximately 100-feet of dense foliage (i.e., a mass of vegetation such that no visual path extends through the foliage) is required to achieve a 5 dB attenuation of traffic noise. Thus the use of vegetation as a noise barrier should not be considered a practical method of noise control unless large tracts of dense foliage are part of the existing landscape.

Vegetation can be used to acoustically "soften" intervening ground between a noise source and receiver, increasing ground absorption of sound and thus increasing the attenuation of sound with distance. Planting of trees and shrubs is also of aesthetic and psychological value, and may reduce adverse public reaction to a noise source by removing the source from view, even though noise levels will be largely unaffected. It should be noted, however, that trees planted on the top of a noise control berm can actually slightly degrade the acoustical performance of the barrier. This effect can occur when high frequency sounds are diffracted (bent) by foliage and directed downward over a barrier.

The effects of vegetation upon noise transmission are minor and are primarily limited to increased absorption of high frequency sounds and to reducing adverse public reaction to the noise by providing aesthetic benefits.

4.11.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to noise are of concern particularly with respect to construction related impacts.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Exposure of people to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

   The following General Plan Policy and associated Implementation Measure contained in the Health and Safety Group – Noise assist in reducing any potential impacts associated with the exposure of persons to noise levels in excess of acceptable standards, groundborne vibration or noise levels, and substantial permanent increases in existing ambient noise levels:

   - *Noise Policies N-a and N-b and Implementation Measures N-(1) through N-(7).*

   It is important to note that Policy N-a has reduced the acceptable noise threshold of 70 Ldn identified in the previous General Plan to a range of 60 – 65 Ldn depending on the receptor sensitivity or noise source(s). Future residential development will be required to comply with an exterior noise level standard of 65 dB Ldn.

   Prior to the entitlement of any development project where the project may have the potential to impact sensitive noise receptors, or be impacted by excessive noise generators, such as traffic along I-5, a noise evaluation may be required if the project design does not take into consideration noise attenuation measures. If a noise evaluation is required, mitigations identified will be required as a conditions of project entitlement approval(s).

   The General Plan Policies and Implementation Measures, project design and, if required, noise evaluations will result in conditions of approval that all serve to

*reduce potentially significant impacts to **less-than-significant** levels with n**o mitigation** measures imposed.*

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

   The following General Plan Policy contained in the Health and Safety Group – Noise, assists in reducing any potential substantial temporary or period increase in ambient noise levels. Normally the source of the impacts is project construction, in particular the use of heavy equipment:

   - *Noise Policies N-a and N-b.*

   Implementation of the General Plan will create temporary noise impacts during construction, particularly with impacts on existing or future noise sensitive receptors. The types of construction equipment used during construction typically generate noise levels of 70-90 dB at a distance of 50 feet with maximum levels of 85 – 88 dB at 100-feet while the equipment is operating. Construction equipment operations can vary from intermittent to fairly continuous, with multiple pieces of equipment operating concurrently. Construction activities are temporary in nature and would likely occur during normal daytime working hours.

   *The General Plan Policies and the limitation of construction activities that substantially exceed ambient noise levels to day-time hours, to be imposed as a project condition of approval will reduce potentially significant impacts to **less-than-significant** levels with **no mitigation** measures required.*

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

   The following General Plan Policy contained in the Health and Safety Group – Noise, assists in reducing any potential impacts associated with excessive airport noise operations:

   - *Noise Implementation Measure N-(6).*

   The 2003 Comprehensive Airport Land Use Plan restricts the type and amount of development that can occur within the identified Clear Zone Safety Area (no residential structures allowed) and the Approach Zone Safety Area (no residential structures within 2,000 feet of the Clear Zone and a density of 3.5 dwelling units per acre beyond that). The new Large Lot Residential General Plan Land Use Classification limits residential development to one dwelling unit per 2-acres which is consistent with the Comprehensive Airport Land Use Plan and TCAPLUCP.

   *The General Plan Policy along with the Safety Areas restrictions and adherence to applicable Comprehensive Airport Land Use Plan and TCAPLUCP policies and standards, will reduce noise exposure issues associated with the Corning Municipal Airport to **less-than-significant** levels and **no mitigation** is required.*

6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

   There are no private airstrips within or adjacent to the City. The threshold is not applicable.

COMMUNITY DEVELOPMENT GROUP

4.12 LAND USE

4.12.1 EXISTING CONDITIONS

The incorporated area of the City currently consists of approximately 2,005 acres, primarily located east of I-5. Land uses within this area cover a broad spectrum of use, including residential, commercial, industrial, aviation, agriculture/semi-rural residential, public service/utility, floodplain, and vacant property. In 1994 when the *General Plan Land Use Element* was prepared, the City encompassed approximately 1,743 acres. *Residential* classified lands totaled approximately 495 acres. *Commercial* and *Industrial* land use classifications comprised approximately 178 and 39.2 acres, respectively. The *Public Services/Utilities* classification totaled about 181 acres of which approximately 18 acres were *Park* classified land.

The *1994 General Plan* land uses, respective acreages and percentages are identified in **Table LU-1**. Whereas, the *1994 General Plan Land Use Map* identified the *Multi-Family Residential* land use, the *1994 General Plan* did not separate the *Residential* classification into *Multi-Family Residential* and *Single Family Residential* land use classifications.

TABLE LU-1
GENERAL PLAN LAND USES

Land Use Classification	Gross Allowable Density	
	Acres	Percentage
Residential	494.8	28.0
Commercial	177.6	10.0
Industrial	39.2	2.0
Aviation	10.8	0.6
Agriculture[1]	549.0	31.0
Public Services/Utilities	180.7	10.0
Floodplains[2] Vacant[3]	290.7	17.0
Total	**1,743.0**	**100.0**

[1] Includes single family residential parcels.
[2] The Floodplain is considered a zone/overlay district and would generally decrease land use allowed by zoning district or devoted to other uses along Jewett and Burch Creeks.
[3] Of the total vacant land, 61.2 acres is zoned AV and will have constricted use (i.e. no housing opportunities).

Since the *1994 General Plan*, 262 acres have been annexed to the City. Included in the annexations were 149.58 acres of land adjacent to the Corning Municipal Airport and 77.64 acres for the proposed Mountain View Estates development that was classified as an *Unclassified* land use. The remaining approximate 24 primarily located in the southeastern area was classified *Residential* and approximately 11 acres was *Unclassified* in the southern area.

The City has planned for the future growth through the adoption of a Municipal Service Review (MSR) in 2005. The MSR allowed the Tehama County LAFCo to expand the

City's SOI by an additional 4.65 square miles, or 2,950 acres. The current SOI encompasses 7.22 square miles, or 4,620 acres contiguous to nearly all sides of the City.

The *General Plan Update* does not amend land uses within the SOI. The City completed annexations to provide an adequate supply of vacant residential, commercial, and industrial lands within the current City limits. The SOI provides the City the ability to annex additional lands should the need arise over the next 20 years. Annexation requests by individual land owners would be considered through the LAFCO process.

The State of California Department of Finance identifies the population of the City of Corning as of January 1, 2015 to be 7,638. Over the last 20 years the average overall growth rate was approximately 0.86 percent per year. However, over the last 10 years, the growth rate was approximately 0.25 percent per year. In 2008 the City experienced a growth of 2.19 percent, an increase in 215 residents from 7,385 to 7,590. In 2009 another slight increase of 64 residences increased the population to 7,654. Since then the population decreased slightly to 7,638 residents, a loss of residents.

As of January 1, 2015, the State Department of Finance estimated the total number of housing units to be 2,861, an increase of 268 housing units since 1995, for an average housing growth rate of 0.52 percent. Similar to the decrease in population growth rate over the last 10 years, housing has only grown at a rate of 0.17 percent per year. Only 93 housing units were constructed during this time period. The growth rates for population and housing are indicative of the 2007-2009 recession. Whereas, many areas in the state have improved economically, the north state including the City of Corning has not.

Housing supply is greatly affected by the amount of available vacant land designated for residential use and the density at which development is permitted. There currently exists approximately 103 acres of vacant General Plan classified and zoned residential lands that are capable of supporting an additional 527 dwelling units with a resultant increase in population of 1,533 persons based on 2.91 persons per household (**Table LU-2**). There are another 134 acres of approved single family residential subdivisions projects which 548 units resulting in an additional 1,594 persons (**Table LU-3**).

TABLE LU-2
CURRENT PARCELS CLASSIFIED FOR RESIDENTIAL DEVELOPMENT

Id.	APN	Acres	Sq. Ft.	GP	Zone	Density Factor	Potential DU's
1	071-062-41	0.26	11,326	R	R-1	6	1
2	071-071-05	0.25	10,890	R	R-1-8	4	1
3	071-071-06	0.25	10,890	R	R-1-8	4	1
4	071-072-04	0.25	10,890	R	R-1-8	4	1
5	071-074-16	0.17	7,405	R	R-1-8	4	0
6	071-074-17	0.17	7,405	R	R-1-8	4	0
7	071-080-48	0.19	8,276	R	R-1-8	4	0
8	071-080-49	0.19	8,276	R	R-1-8	4	0
9	071-080-50	0.19	8,276	R	R-1-8	4	0
10	071-080-52	1.22	53,143	R	R-1-8	4	4
11	071-105-23	0.18	7,841	R	R-1	6	1
12	071-126-15	0.14	6,098	R	R-2	12	1
13	071-131-01	0.22	9,583	R	R-2	12	2
14	071-174-16	0.29	12,632	R	R-1-2	10	2
15	071-192-31	0.2	8,712	R	R-1-2	10	2
16	071-202-17	0.24	10,454	R	R-1-2	10	2
17	071-211-06	0.25	10,890	R	R-1-2	10	2
18	071-212-20	4.96	216,058	R	R-1	6	29
19	071-212-23	0.25	10,890	R	R-1	6	1
20	071-212-24	0.18	7,841	R	R-1	6	1

TABLE LU-2 CURRENT PARCELS CLASSIFIED FOR RESIDENTIAL DEVELOPMENT							
Id.	**APN**	**Acres**	**Sq. Ft.**	**GP**	**Zone**	**Density Factor**	**Potential DU's**
21	071-212-25	0.18	7,841	R	R-1	6	1
22	071-226-03	0.13	5,663	R	R-1	6	0
23	071-226-09	0.13	5,663	R	R-1	6	0
24	071-244-15	0.15	6,534	MFR	R-4	20	3
25	071-261-01	5.77	251,341	R	R-1	6	34
26	071-261-03	2.89	125,888	R	R-1	6	17
27	071-271-07	0.16	6,970	R	R-1-2	10	1
28	071-300-02	11.42	497,455	R	R-1-A	6	68
29	073-010-24	2.54	110,642	R	R-1	6	15
30	073-010-44	2.05	89,298	R	R-1-2	10	20
31	073-010-46	8.74	380,714	R	R-1	6	52
32	073-010-51	0.19	8,276	R	R-1	6	1
33	073-020-12	4.26	185,566	R	R-1-8	4	17
34	073-020-17	4.69	204,296	R	R-1-10	4	18
35	073-020-59	2.5	108,900	R	R-1-10	4	10
36	073-020-60	2.5	108,900	R	R-1-10	4	10
37	073-020-65	1.24	54,014	R	R-1-10	4	4
38	073-020-73	4.85	211,266	R	R-1-8	4	19
39	073-033-04	0.37	16,117	R	R-1	6	2
40	073-033-05	0.14	6,098	R	R-1	6	0
41	073-071-10	0.14	6,098	R	R-1-2	10	1
42	073-083-08	0.22	9,583	R	R-1-2	10	2
43	073-084-22	0.34	14,810	R	R-1-2	10	3
44	073-086-07	0.2	8,712	R	R-1-2	10	2
45	073-112-09	0.16	6,970	R	R-1-2	10	1
46	073-114-05	0.16	6,970	R	R-1-2	10	1
47	073-120-10	20	871,200	R	R-1-8	4	80
48	073-141-09	0.25	10,890	R	R-1-2	2	0
49	073-200-05	0.2	8,712	R	R-1	6	1
50	073-200-11	0.2	8,712	R	R-1	6	1
51	073-200-57	0.26	11,326	R	R-1-10	4	1
52	073-230-20	0.27	11,761	R	R-1	6	1
53	073-230-40	0.3	13,068	R	R-1	6	1
54	073-260-22	4.99	217,364	R	R-1-A	6	29
55	073-260-23	5	217,800	R	R-1-A	6	30
56	073-260-33	1.15	50,094	R	R-1-A	6	6
57	073-260-34	2	87,120	R	R-1-A	6	12
58	073-260-35	2	87,120	R	R-1-A	6	12
59	073-270-21	0.14	6,098	R	R-1	6	0
Totals		**102.93**					**527**

TABLE LU-3 INVENTORY OF APPROVED RESIDENTIAL DEVELOPMENTS						
Name	**APN's**	**Acres**	**GP**	**Zone**	**Density Factor**	**DU's**
Salado Orchards Phase 2 – September 9, 2009	071-020-71	4.8	R	R-1	7.5	36
TR Ranch – May 9, 2006	073-120-18	10	R	R-1-8	4	35
Corning North – October 10, 2006	071-030-06,16	33.1	R	R-1	6	134
Stonefox – June 14, 2005	073-120-09,12, 30,35	24.86	R	R-1	6	80
Fig Lane – April 11, 2006	071-250-06	11.69	R	R-1	6	44
Blackburn Circle – August 9, 2005	075-080-19	20	R	R-1-8	4	95
Juniper Ridge – August 8, 2006	071-300-03	11.42	R	R-1-8	4	52
Marguerite Tract – February 14, 2006	0073-120-16, 24,31	15.4	R	R-1-8	4	58
Shaan Tract – September 11, 2007	75-310-42	2.74	R	R-1-8	4	14
	Totals	**134.01**				**548**

Based on the total 237 acres of vacant land classified and designated for residential land uses, cumulatively there exists the potential for an additional 1,075 residential dwelling

units within the current City boundaries with an accompanying population yield of 3,128 persons.

Although there is a sufficient amount of *Residential* classified vacant lands identified for residential development, there is only one vacant parcel classified as *Multi-Family Residential*, however, the parcel is only 6,534 square feet in size and only three dwelling units would be able to be developed. Clearly there is a shortage of available vacant *Multi-Family Residential* parcels to provide higher density housing options such as apartments or 3 and 4-plex dwelling units. In addition, this shortage means that the City will be unable to meet the states requirement to provide sufficient land for 411 housing units identified as the City's regional fair share in the *2007-2014 Regional Housing Needs Allocation* (*RHNA*). Of the 411 housing units, 155 must be constructed to meet the needs of *Very Low* and *Low* income households and this can only be accomplished through constructing multi-family housing such as apartments.

The adopted *2009-2014 Housing Element Update* identified that there would be a need to general plan amend and rezone existing parcels to ensure that the *RHNA* was met. However, since the *2009-2014 Housing Element Update* was adopted the City must update the previous *Housing Element* with a new *2014-2019 Housing Element Update* that reflects a new *RHNA* requirement for 176 housing units of which 68 housing units must meet the needs of *Very Low* and *Low* income households. Therefore, the housing needs of 587 households must be met of which 223 are *Very Low* and *Low* income.

As part of the *2009-2014 Housing Element Update*, a windshield survey of exterior housing conditions was undertaken in April 2009. Experience determined that there is a very good correlation between the exterior of a residence reflecting interior conditions. Based on the survey, the City has approximately 94 percent of its housing stock in good and decent condition and 176 housing units, 131 (4.6 percent) were considered suitable for rehabilitation. Due primarily to the extreme condition of disrepair, 41 housing units were deemed unsuitable for rehabilitation and need to be demolished.

Typically, housing units over 20 years of age are the most likely to need moderate and major rehabilitation work to elevate them to a "standard" condition. It is unlikely that units constructed in the past 20 years would require more than minimum level on-going maintenance.

Of the 131 housing units suitable for rehabilitation, 118 housing units were considered substandard if they meet the following definition: Those buildings which exhibit one or more critical structural, plumbing, and/or electrical deficiency or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. Units are also considered substandard if they do not provide safe and adequate shelter or endanger the health, safety, or well-being of the occupants.

Substandard housing units are further classified into those that are suitable for rehabilitation and those which are not suitable for rehabilitation. The following definition of "suitable for rehabilitation" is used: Those buildings which exhibit one or more of the deficiencies listed under the above definition of substandard, all of which can be repaired in conformity with current codes and ordinances for a sum not to exceed the value of the building. There are 67 housing units suitable for rehabilitation. Residences are considered "not suitable for rehabilitation" when the cost of the needed repairs would exceed the value of the structure. As previously noted, there are 41 housing units that are not suitable for rehabilitation and need to be removed.

The survey determined that there are approximately 68 housing units that need minor repairs. These housing units, while not categorized as substandard thereby needing rehabilitation, need primarily weatherization improvements such as window replacement and more than likely, insulation.

4.12.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

STATE

California Government Code

California state law requires that every city and county adopt a General Plan to guide physical development of land within the jurisdictions' boundaries. The law requires the Plan to be comprehensive, and requires the Plan at a minimum to contain the following elements: land use, circulation, housing, conservation, open space, noise and safety. State planning laws relating to General Plans are contained in Chapter 3 of the California Government Code.

Farmland Mapping and Monitoring Program

The Farmland Mapping and Monitoring Program is a farmland classification system for Important Farmland that is administered by the California Department of Conservation. The system classifies agricultural land according to its soil quality and irrigation status. The best quality agricultural land is Prime Farmland which is land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed according to current farming methods. The land must have been used for production of irrigated crops at least sometime during the two crop cycles prior to the mapping date.

LOCAL

City of Corning General Plan

As previously noted, on May 24, 1994 the City Council adopted *The Corning General Plan* which superseded the *1981 General Plan*. Subsequent to the adoption of the *1994 General Plan* on January 18, 1997 the City Council adopted the *Highway 99W Corridor Specific Plan*. Since then, the only other major general plan update and/or revision was the adoption of the *2009-2014 Housing Element Update* on October 27, 2009 which was reaffirmed on July 13, 2010. This *2014-2034 General Plan Update* will supersede the current *1994 General Plan* and certain land use classifications identified in the *Highway 99W Corridor Specific Plan*.

Zoning Ordinance

The City's Zoning Ordinance implements the goals and policies of the General Plan. It establishes zoning districts that guide the development and use of land within the City by defining allowable land uses within each district. The Zoning Ordinance provides development standards such as land use limitations, building setbacks, height limits, and

sign standards, among others. By State law, the Zoning Ordinance must be consistent with the adopted General Plan. Therefore, when the City adopts the 2014-2034 General Plan, the City will need to update its Zoning Ordinance as necessary to maintain consistency.

Airport Land Use Plans

There are two public airports within Tehama County: Corning Municipal Airport, which is owned and operated by the City of Corning, and the Red Bluff Municipal Airport, which is owned and operated by the City of Red Bluff.

The Tehama County Airport Land Use Commission adopted a Comprehensive Land Use Plan (CLUP) for the Red Bluff Airport Land Use Plan in 1990 (revised in 2001), and for the Corning Municipal Airport in 1991. The CLUP regulates land use in three primary areas: safety zones, noise zones, and height restrictions. It provides land use compatibility guidelines for lands near the airport to avert potential safety problems and to ensure unhampered airport operations. Under California Government Code Section 65302.3(a), general plans must be consistent with any airport land use plan adopted pursuant to Public Utilities Code Section 21675. Section 4.13, Transportation and Circulation, provides more information regarding the airports and their CLUPs.

Local Agency Formation Commission of Tehama County

In 1963, the State Legislature created local agency formation commissions (LAFCo's) for each county, and assigned to LAFCo's the authority to regulate local agency boundary changes. Subsequently, the State expanded the authority of LAFCo's, most recently with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Among the goals of LAFCo's, in accordance with State law, are goals to preserve agricultural and open space land resources, and to provide for efficient delivery of community services.

The Tehama County LAFCo has authority over land use decisions in Tehama County affecting local agency boundaries. Its authority extends to the incorporated cities within the County. Specifically, LAFCo has the authority to review and approve or disapprove the following:

- Annexations to or detachments from cities and districts.
- Formation or dissolution of districts.
- Incorporation or disincorporation of cities.
- Consolidation or reorganization of cities and districts.
- Establishment of subsidiary districts.
- Development of, and amendments to, Spheres of Influence (SOI). The SOI is the probable physical boundary and service area of each local government agency. This may extend beyond the current service area of the agency.
- Extensions of service beyond an agency's jurisdictional boundaries.
- Provision of new or different services by districts.
- Proposals that extend service into previously unserved territory in unincorporated areas.

In addition, the Tehama County LAFCo can initiate and conduct a Municipal Service Review (MSR) for services within its jurisdiction. An MSR typically includes a review of existing municipal services provided by a local agency and its infrastructure needs and deficiencies. It also evaluates financing constraints and opportunities, management

efficiencies, opportunities for rate restructuring and shared facilities, local accountability and governance, and other issues.

4.12.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to land use are of concern particularly with respect to land use compatibility impacts and the need to increase the availability of multi-family land to provide an affordable housing choice such as apartments.

Based on the 237 acres of land use designated and zoned for residential land uses, cumulatively there exists the potential for an additional 1,075 residential dwelling units within the current City boundaries with an accompanying population yield of 3,128 persons. This land area is more than sufficient to meet the single family residential needs of the City for many years, however, multi-family land is not available to provide other housing choices and for the City to meet their *RHNA* allocation of 587 dwelling units of which, 223 are needed to meet the needs of *Very Low* and *Low income* households.

The *General Plan Update* identifies that approximately 42 acres of existing *Unclassified* (10.3 acres), *Commercial* (1.2 acres), *Residential* (17.9) and *HWY99-W Specific Plan* (12.8 acres) lands will be reclassified to the *Multi-Family Residential* land use. These lands would then be rezoned to accommodate up to 800 multi-family DU's. Not only will the existing *RHNA* requirements be met, but there will be a sufficient amount of inventory to meet future *RHNA* allocations. An additional 418 *Residential* (69.5 acres) and 82 *Large Lot Residential* DU's (219.8 acres) could be constructed. The *2014-2034 General Plan Update* will reclassify approximately 369 acres which could allow the construction of up to 1,300 DU's.

The *Unclassified* and *Agricultural* land use classifications were deleted from the *Existing General Plan*. The *Unclassified* classification is no longer a land use standard utilized as a general plan land use classifications.

The *Agricultural* classification was originally applied to approximately 63 acres of land, the majority of which were comprised of parcels averaging 10,000 square feet located between Houghton Avenue and Third Street along Fig Lane. Some larger parcels ranging between two and nine acres are located west of Toomes Avenue primarily south of Lolita Avenue to the southern City Limits. Approximately 66 of the parcels have existing residences located on them. However, in order to accommodate the very limited amount of agricultural activities and the larger animals housed on some of these parcels the new land use classification of *Large Lot Residential* was created and applied to these parcels. Future development of *Large Lot Residential* parcels will be limited to a density of one dwelling unit per two acres.

In addition to the 63 acres being reclassified to *Large Lot Residential*, 12 parcels comprising 122 acres located north of Blackburn Avenue between the railroad and the Corning Municipal Airport, were reclassified to *Large Lot Residential*. Thirty of these acres were *Unclassified* and 92 acres were classified as *Industrial*. It was determined that future industrial uses should be sited within the *HWY99-W Specific Plan* area or in close proximity to I-5.

Table LU-5 identifies the *General Plan Update* land use classifications. The *General Plan Land Use Map* in the *General Plan Update* document identifies the distribution of the land use classifications throughout the City.

TABLE LU-5 GENERAL PLAN UPDATE LAND USE CLASSIFICATIONS		
LAND USE	**ACRES**	**PERCENT**
Large Lot Residential – LLR	218.7	10.9
Residential – R	781.5	39.0
Multi-Family Residential – MFR	111.9	5.6
Commercial – C	55.6	2.8
Industrial – I	78.0	3.9
Public Municipal – PM	342.7	17.1
HWY 99-W Specific Plan – HWY99-W	299.2	14.9
Park	36.6	1.8
Total	**1924.4**	
Interstate 5/Street Right-of Way[1]	80.6	4.0
	2,005.0	**100.0**

[1] Not considered a Land Use Classification.

Taking into account the 2,861 dwelling units that exist in the City as of January 1, 2015 plus the 527 DU's that could be constructed on existing vacant parcels (**Table LU-2**), plus the 548 DU's from approved subdivisions (**Table LU-3**) and then adding the 1,300 DU's from the reclassified residential lands, up to 5,236 residential units could be developed at full buildout in the City. The future units would represent 45.4 percent of the total number of dwelling units. Based on 2.91 persons per household, a population of approximately 15,500 could be realized, an increase of 7,862 residents over the 7,638 residents as of January 1, 2015.

It should be recognized that based on the 0.52 percent growth rate in housing over the last 20 years that ultimate residential buildout of the City will not be realized over the next 20, or even 40 or 60 years. Over the next 20 years 313 residential units are projected to be constructed, 660 in 40 years and 1,044 in 60 years.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Physically divide an established community.

   The following General Plan Policies and Implementation Measures contained in the Community Development Group – Land Use and Circulation, assist in reducing potential impacts associated with physically dividing the community, in particular existing neighborhoods:

   - *Land Use Policies LU-h and LU-m and Implementation Measures LU-(2) and LU-(8).*
   - *Circulation Implementation Measure C-(12).*

   Development projects are reviewed as part of the entitlement process to ensure that there are no localized or project specific land use compatibility impacts which could lead to physically dividing the community. If necessary, mitigations are imposed as conditions of project approval, otherwise the proposed project would

not proceed due to land use incompatibility, unless a general plan amendment is one of the entitlements being sought.

Adherence of future residential development projects with all existing and proposed general plan goals, policies, and implementation measures, and adherence to existing and proposed zoning standards, will reduce any potential land use and planning impacts to a ***less-than-significant*** *level. N****o mitigation*** *is required.*

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

   The following General Plan Policies and Implementation Measures contained in the Community Development Group – Land Use and Circulation, assist in reducing potential impacts associated with land use plan, policy, or regulation of an agency with jurisdiction over the project, particularly those adopted for avoiding or potential environmental effects:

   - *Land Use Policies LU-e, LU-f and LU-g and Implementation Measures LU-(1), LU-2(2) and LU-(5).*
   - *Circulation Implementation Measures C-(6), C-(7), C-(9), C-11 and C-(12).*

   When discretionary development project approvals are sought, the CEQA process, requires consultation with state and federal responsible and trustee resource agencies which will serve to identify any potential conflicts. If necessary, evaluations will be required to be undertaken to address the conflicts and advance mitigation measures which would be adopted by the City as conditions of approval. In addition, many state and federal agencies require compliance their policies, regulations and standards which further assures avoidance or mitigation of environmental effects. These procedures and requirements and adherence to the General Plan Policies and Implementation Measures reduces potential impacts to ***less-than-significant.*** *Therefore,* ***no mitigation measures*** *are required.*

3. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension or roads or other infrastructure.

   The General Plan Update designates a sufficient amount of residentially designated land to accommodate the future housing needs of projected population growth over the next 20 years and beyond. This includes a sufficient amount of multi-family designated lands to accommodate construction of housing necessary for the 587 RHNA identified households of which 223 are Very Low and Low income households. However, based on the historical population and housing data from the last 20 years from 1995 through 2014, projected growth rates between the 2014 through 2034 planning period will not generate a sufficient amount of housing constructed to meet the identified RHNA household needs.

   Based on the 0.52 percent growth rate in housing over the last 20 years ultimate residential buildout of the City will not be realized over the next 20, or even 40 or

60 years. Over the next 20 years only 313 residential units are projected to be constructed.

All of the projected housing can be developed on land that is already served by the necessary infrastructure for residential development, or on land that can have the necessary infrastructure systems readily extended.

Adoption and implementation of the General Plan Update is not expected to induce substantial growth that would require significant new infrastructure, displace substantial numbers of existing housing, or necessitate the construction of replacement housing. Potential impacts to ***less-than-significant*** *and* ***no mitigation measures*** *are required.*

4. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

5. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

   The General Plan Update does not call for the removal of substantial numbers of existing housing thereby displacing a substantial number of people in order to accommodate future housing needs. Furthermore, the projected housing can be developed on land that is already served by the necessary infrastructure for residential development, or on land that can have the necessary infrastructure systems readily extended.

   For this reason, adoption and implementation of the Housing Element Update will not be expected to induce substantial growth that would require significant new infrastructure, displace substantial numbers of existing housing, or necessitate the construction of replacement housing. The potential impact is ***less-than-significant*** *and* ***no mitigation*** *is required.*

6. Conflict with any applicable habitat conservation plan or natural community conservation plan.

   The General Plan Update does not conflict with any adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or state habitat conservation plan since none exist in the City or in the area. There is ***no impact****.*

5. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

6. Conflict with existing zoning for agricultural use, or a Williamson Act contract.

   Whereas, there are parcels in the City shown on the maps, albeit small and thereby not agriculturally viable, that are identified as Farmland of Local Importance, they are not identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. In addition, there are no properties under a Williamson Act contract in the City.

Where existing small scale agricultural operations exist on some parcels, such as olive groves, the General Plan Update will not introduce incompatible land use since there are no land use designated agricultural lands or significant agricultural commercial operations. The General Plan Update provides a new land use classification, Large Lot Residential, that accommodates limited agricultural operations and large animals. Therefore, there will not be any conflicts with existing or adjacent agricultural operations and impacts are considered as being ***less-than-significant****.* ***No mitigation*** *is required.*

7. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526).

8. Result in the loss of forest land or conversion of forest land to non-forest use.

   There is no forest land located in the City. These threshold are ***not applicable****.*

9. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

   The General Plan Update does not involve changes in the existing environment which could result in the conversion of Farmland or forest land to non-agricultural or non-forest uses. There is ***no impact****.*

4.13 CIRCULATION

4.13.1 EXISTING CONDITIONS

The streets and highway classification system is based on functional categories used by Federal, State, County and regional agencies. The City recommends the designation of the street system within its boundaries to these agencies. Many of these recommendations are incorporated into the plans and programs of these agencies, and are a basis for grants, loans and entitlements to the City.

Each classification has specific standards and criteria through which design and route are developed. These criteria include:

- Expected peak traffic load on existing and potential roads;
- Existing and potential development and land use;
- Potential physical improvements, such as number of lanes and potential for road widening;
- Special designations, such as scenic routes.

The City's Street Standards are established to accommodate traffic requirements and street parking when appropriate by identifying recommended widths. (Standards do not consider median construction, or intersection lane widening which may require additional width and right of way.) Furthermore, these standards are applied primarily to new alignments, as they may conflict with existing facilities, which for various reasons are inconsistent in right-of-way or other constraints. Interpretations and/or recommendations regarding

minimum street widths is the responsibility of the City Engineer with input provided as part of the planning process.

Functional classification by the City divides all streets and highways into several broad categories. These are freeway, state highway, arterial, collector, and local streets.

- Freeway – Freeways are high-speed vehicle corridors with no at-grade crossings interrupting the flow of traffic. Cross traffic is grade separated and access to the freeway utilizes various forms of interchanges.

  The utility of the freeway system depends on proper linkage to the rest of the circulation system. Land near interchange areas is highly prized because of accessibility and visibility. Interchanges are focal points for commercial activity. The community must consider the substantial effect of the freeway on the entire circulation system, especially streets, which interface with the freeway and frontage roads.

- State Highway – Provides limited access and higher speed road for travel between communities. Medium capacity two-lane roadways with one lane in each direction. The passing of slower vehicles requires the use of the opposing lane where traffic gaps allow.

- Arterial – Arterial streets carry the vehicular traffic of intra-community travel as well as providing access to the rest of the county transportation system. Arterials provide for the movement of large volumes of through traffic between major traffic generators. Parking and driveway access should be restricted on major arterials. Arterial street typical sections include a median divider to facilitate left turn movements. Landscaping is also recommended where feasible to improve the visual appearance of the arterial corridor. Access to arterials should be by minor arterial, collector and local streets.

- Minor Arterial – A minor arterial street provides for the movement of intra-community traffic and is less traveled than arterial streets. They also provide for the movement of traffic to and from collector streets, major arterial streets and the freeway. Minor arterials are the foundation of an efficient, attractive and safe circulation system.

- Collector – The collector street system moves traffic between local and arterial streets, with some direct access to parcels and property. Collectors are used mainly for traffic movements within residential, commercial, and industrial areas. Typically, a 40-foot pavement section within a 50-foot right of way is sufficient. With such widths, smooth traffic flow may be regulated by stop signs on local streets with left or right turn channelization provided. This cross section will permit two moving lanes of traffic, on-street parking, sidewalks, and public utility easements, as well as street tree wells on each side in both residential and commercial and industrial areas. Collector streets can accommodate specific turn lanes with the removal or restriction of on-street parking. These roadways serve traffic between major and local roadways and neighborhoods.

- Local Street – Local streets provide direct access to land uses, and are generally residential. Local streets should be designed to eliminate through traffic except in

commercial and industrial districts. Consequently, local streets are often designed to curve, turn or cul-de-sac to discourage through traffic if possible.

The purpose of local streets is to provide internal circulation and primary and secondary access. As subdivisions are developed, they should provide a minimum of two points of standard access for adequate access and emergency vehicle consideration. Design of local streets should consider police surveillance and firefighting ability, and must be developed to minimum City standards.

The City's circulation system includes I-5 (Freeway), former State Highway 99W (Arterial), Solano Street (Arterial), South Avenue (Arterial), Third Street (Arterial), Hoag Road (Arterial), Blackburn Avenue (Arterial) Kirkwood and Second Street (Arterial and Minor Arterial), Edith Avenue (Collector) Colusa Street (Collector), Fig Lane (Collector), Houghton Avenue (Collector), Marguerite Avenue (Collector), Toomes Avenue (Collector), and Woodson and Sixth Street (Collector). These roadways provide the majority of access to work, shopping, and home trips in the City.

Highway 99W is used by local and regional traffic. Access to the communities of Richfield and Proberta is via 99W to the north of Coming. In addition, 99W allows access to County Roads A11 and A8 in order to cross the Sacramento River at Tehama and Los Molinos.

The South Avenue corridor between 1-5 and State Highway 99E is an important arterial that includes County Route A9. The California Department of Transportation (Caltrans) recognizes the need for a possible 1-5 and 99E link, but no formal plans exist for using South Avenue or any other corridor for this purpose. This does not mean it will not happen; only that Caltrans might someday undertake a study for an I-5 to 99E link.

Intersections are areas within a circulation system where the flow of traffic is often interrupted. Interruptions can occur from any number of sources (stop signs, traffic lights, bicycle and pedestrian crossings, etc.). Vehicle conflicts or accidents are more susceptible at intersections. Important Intersections in Corning include South Avenue & 99W, 99W & Solano Street/Edith, Solano Street & Toomes Avenue, Solano & 6th Street, Solano & 3rd Street, and Solano Street & Marguerite Avenue.

The General Plan projected that traffic will increase at all intersections and roadways within the City at maximum build-out. The only intersection or roadway that falls below the Level of Service (LOS) C is the South Avenue and 99W area. Part of the reason is the high volume of heavy truck traffic and projected future automobile and truck as development increases along the 99W corridor. The following describes the various Level of Service categories.

- Level of Service A – Free flow of individual users that are not interrupted by other users in the traffic pattern. Any intersection delays are less than 5 seconds.
- Level of Service B – Constant flow with a large freedom to maneuver, but with some interference from other users. Intersection delays are between 5 and 15 seconds.
- Level of Service C – Restricted flow which remains constant, but interference from other user is noticeable. Intersection delays range from 15 to 25 seconds.
- Level of Service D – High-density but stable flow. Freedom to maneuver is restricted and intersection delays range from 25 to 40 seconds.

- Level of Service E – Traffic flow is at or near capacity and freedom to maneuver is extremely difficult. Intersection delays of 40 to 60 seconds can be expected.
- Level of Service F – Traffic flow approaches a level that exceeds the amount that can be served. Traffic is stop-and-go and queues form. Delays at intersections are greater than 60 seconds.

The City has identified improvements intended to accommodate projected traffic volumes and help maintain the City's level of service (LOS) policy. Included in the recently completed street projects are miscellaneous asphalt repairs in the northwestern portion of the City, ongoing street patching caused by rain damage and street sweeping by Corning Disposal under a Franchise Agreement.

City and County pavement has suffered from years of funding shortfalls for maintenance and rehabilitation. At least 900 (38 percent) of the 2,400 lane miles of streets and roads maintained by Tehama County are deficient and need rehabilitation. In addition, some of the right of way widths are only 40 feet, which is less than the minimum 60-feet width city requirement. These substandard streets must be reconstructed and brought up to City standards when the properties adjacent to the roads are developed. The cost of this improvement will be borne by the developers of the adjacent land.

The necessary rehabilitation of roads that the City will be acquiring through annexations within the SOI will be funded, in part, by the new development. Developers are currently responsible for full improvements of the lane adjoining the project and one-half of the adjacent lane. There are currently no funds for the roads to be connected to the existing roadways between improved areas. Some of these improvements will be funded by traffic impact fees.

According to the *General Plan*, the Planning Commission identified some overall concerns and important issues for future development. These include:

1. the need to protect future east-west and north-south right-of-ways for an efficient circulation system;
2. residential driveway access to arterial roadways;
3. the lack of access to land east of CNFR Railroad and west of the airport;
4. the high accident rate at Toomes and Solano Street;
5. the traffic count program initiated by the City; and
6. the need for a contiguous bicycle path system.

When, and if, the City annexes more County areas, the amount of substandard roads will increase, more than doubling under the expanded SOI. As new properties develop, the developers are required to provide street improvements, including at least one half of a lane, curbs, gutter, and sidewalks. If development occurs in a patchwork fashion across the City's new SOI, this will result in a mix of poor and substandard roads connected to improved roads in front of subdivisions.

Corning Municipal Airport is located within the City Limits. The runway is 2,700 feet long, 50 feet wide, and lighted. No commercial air service is available. The nearest commercial air service is in Redding and Chico.

Although the City does not currently offer municipal bus services, bus service is provided by the Tehama Rural Express (TRAX) which provides public transit service in Tehama

County, including within downtown Corning, and to the outlying communities. The City's Transportation Facility is located on the southeastern corner of Solano and Third Streets. The Transportation Center is centrally located downtown to provide a convenient place for residents and visitors using the TRAX Bus System. The complex is composed of a park and ride lot and is currently being used as the Corning Recreation Department office. Students attending Shasta College in Redding are provided shuttle service in the City, offering one trip daily with three pick up points.

The City currently has only Class III Bicycle Routes. Class III routes are those that share usage of streets with pedestrians and vehicular traffic.

Pedestrian needs can usually be accommodated by the construction of sidewalk and pathways. In areas with little or no development, adequate shoulders (4 to 6 feet wide) are usually provided for pedestrians. The requirements for sidewalks are addressed in the City's Land Division Standard and associated regulations, requirements, and map processing procedures. It is desirable to combine pedestrian and bicycle facilities. This is important in planning new development areas. The use of pedestrian and bicycle facilities to link areas of home, work, school, and commercial uses can be used to reduce vehicle traffic and air pollution.

The *General Plan Update* encourages bicycle and pedestrian transportation, both on-and off-street. To this end, the City recently began undertaking a *Bike and Pedestrian Transportation Improvement Plan* funded by a Caltrans Transportation Planning Grant. The Plan will identify the City's existing network of pedestrian and bicycle routes and facilities and provide the framework for future facilities.

4.13.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL

STATE

State of California Transportation Concept Reports

The Transportation Concept Report (TCR) is a California Department of Transportation System Planning Document that includes an analysis of a transportation route or corridor. A TCR establishes a 20-year consensus-based concept for how California State highways should operate and broadly identifies the nature and extent of improvements needed to attain that operating condition. A TCR identifies long-range objectives for a route and helps to guide short-term decisions for improvements. It is part of the continuing, cooperative and comprehensive transportation planning process.

Regional Transportation Plan

The *2006 Regional Transportation Plan (RTP)* has been prepared and adopted by the Tehama County Transportation Commission (TCTC) in response to State law. It describes planned transportation development in the Tehama County region through fiscal year 2030, with major emphasis on improvements scheduled in the short-term.

Consistency within the *RTP* is required in a number of areas. The first aspect is the consistency between this Plan and other existing local and state planning documents. This includes the *2014-2034 General Plan Update*; the *Tehama County Bikeways Plan*; *City of Corning Airport Master Plan* and annual *Capital Improvement Plans (CIP)*; the *Overall Work Program (OWP)*; *Transit Americans with Disabilities (ADA) Plan* and the *Transit Development Plan (TDP)*. This consistency is demonstrated throughout the *RTP's Policy Element* where goals, objectives and policies for the various modes have been extracted from the source document for use in the *RTP*.

Airport Land Use Plans

The Tehama County Airport Land Use Commission adopted *a Comprehensive Land Use Plan (CLUP)* for the Red Bluff Airport Land Use Plan in 1990, and revised in 2001, and the Corning Municipal Airport in 1991. The *CLUP* regulates land use in three major areas: safety zones, noise zones, and height restrictions. It provides land use compatibility guidelines for lands near the airport, to avert potential safety problems and to ensure unhampered airport operations. Under California Government Code Section 65302.3(a), general plans must be consistent with any airport land use plan adopted pursuant to Public Utilities Code Section 21675.

4.13.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to traffic circulation are of concern particularly with respect to construction related impacts. The *General Plan Circulation Map* in the *General Plan Update* document identifies the street classification system used.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

2. Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

3. Result in inadequate emergency access.

   The following General Plan Policies and Implementation Measures contained in the Community Development Group – Circulation, assist in reducing potential impacts associated with land use plan, policy, or regulation of an agency with jurisdiction over the project, particularly those adopted for avoiding or potential environmental effects:

- *Circulation Policies C-a, C-b, C-c, C-g and C-j and Implementation Measures C-(1) through C-(5) and C-(10).*

When discretionary development project approvals are sought, the CEQA and entitlement review processes, requires possible consultation with Caltrans, Tehama County Public Works when their respective systems may be impacted, and with the City Public Works Department to identify any potential impacts to the existing circulation system. Potential impacts could be due to design, incompatible uses, and inadequate emergency access. If necessary, mitigation measures which would be adopted by the City as conditions of approval, will be identified to address potential impacts. These procedures and requirements and adherence to the General Plan Policies and Implementation Measures reduces potential impacts to ***less-than-significant.*** *Therefore,* ***no mitigation measures*** *are required.*

4. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

5. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

   The following General Plan Policies contained in the Community Development Group – Circulation, assist in reducing potential impacts associated with conflicts with an applicable congestion management program and alternative transportation policies, plans, or programs:

   - *Circulation Policies C-e, C-f, C-h and C-i and Implementation Measure C-(6).*

   When discretionary development project approvals are sought, the CEQA and entitlement review processes, requires consultation with Caltrans and the Tehama County Regional Transportation Commission and with the City Public Works Department to identify any potential conflicts with congestion management programs. If necessary, mitigation measures, which would be adopted by the City as conditions of approval, will be identified to address potential impacts. These procedures and requirements and adherence to the General Plan Policies and Implementation Measures reduces potential impacts to ***less-than-significant. No mitigation measures*** *are required.*

6. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

   The Comprehensive Airport Land Use Plan (2003) restricts the type and amount of development, including associated street locations and improvements, which can occur within the identified Clear Zone Safety Area and the Approach Zone Safety Area (no residential structures within 2,000 feet of the Clear Zone. The new Large Lot Residential General Plan Land Use Classification limits residential development to one dwelling unit per 2-acres and road locations will be carefully evaluated to ensure that there is not increase in traffic levels that could result in substantial safety risks.

The following General Plan Policies contained in the Community Development Group – Circulation, assists in reducing any potential impacts associated with increased traffic levels or change in location of traffic patterns that could result in substantial safety risks:

- *Circulation Policies C-a and C-c.*

The General Plan Policy along with the restrictions within the Safety Areas, and adherence to applicable Comprehensive Airport Land Use Plan and TCAPLUCP policies and standards, will reduce traffic associated safety risks associated with the Corning Municipal Airport to ***less-than-significant*** *levels and* ***no mitigation*** *is required.*

4.14 PUBLIC SERVICES & FACILITIES

4.14.1 EXISTING CONDITIONS

SCHOOL SERVICES

The Corning Union Elementary School District and the Corning Union High School District provide educational services. The following schools exist in the City:

- Olive View Elementary K-6
- West Street Elementary K-6
- Columbia Academy K-8
- Woodson Elementary K-8
- Maywood Middle School 7-8
- Corning High School 9-12
- Centennial High School 9-12
- Corning Center for Alternative Learning (C-CAL) 9-12

Corning High School receives students from the surrounding areas including the City, Richfield, Kirkwood, Paskenta, Flournoy, and Capay.

The Corning Elementary and High School districts collect school mitigation fees on all new developments to maintain the level of service that is currently provided. Developers are required to participate in the fee program per 1998 Senate Bill 50 that collects funds based on the square footage for a project, at a current rate of $3.36 square feet of residential development and $0.54 per square feet of commercial and industrial development.

CITY SERVICES

Before a development permit is granted, it must be determined that public services and facility systems are adequate to accommodate any increased demand generated by a proposed project. Costs associated with site improvements are an important component of new residential development costs. Site improvements costs are applied to provide sanitary sewer, water service and other infrastructure for the project. In addition, the City may require the payment for various offsite improvements as part of project mitigation measures (e.g., payment towards an offsite traffic signal). Developers of new residential projects are also required to construct all onsite streets, sidewalks, curb, gutter and affected portions of

offsite arterials. The following provides information regarding the adequacy of public services and facilities.

Wastewater Collection and Treatment

The sewer system is a closed sanitary sewer system that collects wastewater from all City residents and businesses and transports it to the Wastewater Treatment Plant (WWTP) southeast of the City. The sewer collection system is composed largely of lines measuring six or eight inches in diameter that extend down the centerline of City streets.

The City's original sewer system was constructed over 90 years ago, eliminating the problem of mixed sewer collection and septic tank systems in the City. The City has been proactive in maintaining its sewer system – it replaced the majority of the old sewer lines between 1997 and 2000 to avoid costly repairs and replacements in the future, and in anticipation of growth. This also reduced problems with infiltration and inflow. The funding for the replacement project came from a Farm Home Loan, and the project was carried out in three stages. In all, approximately 35,700 linear feet of sewer lines were replaced.

A number of future capital improvements are also needed that include the extension of sewer main lines, improvements to the lift stations, and future sewer expansion engineering. While these lines appear to be suitable to the current City population, increased flows may require the replacement with larger diameter collector and trunk lines to serve new areas.

The proximity of existing sewer lines to future annexations varies by location. In some areas, the existing system is in close proximity – between 200 and 1,500 feet. Other areas face challenges in connecting to the system, largely due to changes in topography and sheer distance. These areas may require the construction of new lines and lift (pump) stations to raise the wastewater to a higher elevation to continue gravity flow at an acceptable slope and depth.

In anticipation of the growth and development within the SOI, the City prepared estimates for design and construction of new trunk sewer and water mains in the northwest and southwest areas of the City. The 2005 Northwest and Southwest Corning Area Drainage Study and Assessment of Related Water, Sewer, and Street Needs identified projected improvements to include the northwestern area of the City (Blackburn Avenue to Gallagher and I-5 to Highway 99-W) and the southwestern area (Fig Lane to Viola Avenue, and I-5 to the California Northern Railroad).

The City's Wastewater Treatment Plant (WWTP) is situated between the City and Sacramento River off Gardiner Ferry Road, approximately 3.5 miles east of the City. The WWTP is operated privately under contract with the City to maintain the sewer collection system and coordinate with the RWQCB and Air Resources Board. The facility is permitted by the RWQCB to discharge up to 1.75 million gallons per day (mgd) and has a capacity of 1.4 mgd. Wastewater treatment averages 600 – 800 thousand gallons per day. In 2014, 2,275 connections to the sewer collection system were present in the City. This is composed of 2,020 residential, 242 commercial, 8 institutional, and 5 heavy commercial connections.

Water Service

The City supplies domestic water to residents located within the City limits. City water originates from ten well locations, which consist of deep well turbine pumps that pump ground water from the deep, unconfined aquifer located beneath the City. Water quality is generally good, but three additional wells remain off line due to detected or imminent contamination by Tetrachloroethylene (TCE) or Methyl Tertiary Butyl Ether (MTBE). The Regional Water Quality Control Board is currently monitoring the contamination and is facilitating remediation.

In 2014, 2,264 connections to the water distribution system were present in the City. This is composed of 1,978 residential, 253 commercial, 5 industrial, and 12 irrigation connections. All connections are operated on a metered rate system, and all agricultural irrigation water is provided from outside sources. There are approximately 23 miles of water mains (121,200 linear feet) and two water storage tanks to equalize pressure: one 100,000 gallon tank at Third and Butte streets and a second 5,000 tank supplying the South Avenue area. Water lines in the City are typically 8 inches in diameter, with a range from 4 to 15 inches.

All residential and commercial water service customers in the City are metered for water use and pay appropriate fees. The fees fund the operation and maintenance of the water system. New development is subject to payment of impact fees that will be used to provide new wells to supplement the public water system.

Currently, the water distribution lines maintained by the City do not extend beyond the City limits into the areas proposed for future annexation. Distance varies from 200 feet to 0.25 mile. Future developments will be required to extend water lines and loop the distribution system whenever feasible to provide required fire flows and minimize dead end water lines. According to the 20 year plan, the City will need to add nine new well sites, to be acquired during the subdivision process. However, based on development experienced over the last ten years, future projections do not foresee the need for these wells within a 20 year period. Regardless, if necessary, developers are required to dedicate land for future well sites, and may be required to construct new wells, pumps, controls, and other appurtenances to City standards. Additionally, while current City distribution lines are currently adequate in size, they often do not have the capacity or standards required to support future development. Some water lines may need to be replaced completely with larger pipes in order to serve residents in the expanded sphere. The cost of these improvements related to increased development will be borne upon the developers through impact fees or required construction or replacement of facilities.

Storm Water Drainage

If the City has one significant infrastructure constraint that is readily identified, it is the storm drainage system. The City uses a combination of underground pipes and surface channels to drain storm water from improved areas of the City. The main surface channel is the Blackburn–Moon Drainage Ditch, which is a highly modified natural channel. It is used to collect storm water drainage and direct it out to the WWTP for eventual discharge to the Sacramento River. Jewett Creek is a perennial stream that originates west of the City and flows though the southern portion of the City. It receives some surface drainage from less intensely developed portions of the City. In the late 1980s, it was planned as a major collector of storm water drainage from the southern portions of the City.

Drainage within the City is problematic because of the flat topography of the area. An expansion of the storm water system will actually improve the current drainage situation because it will allow surface runoff to flow away from the City. Onsite detention facilities are standard for commercial developments. The current standard for detention is to meet the needs of a 25-year storm for a period of four hours. These standards are currently being met; however, the two regions of concern for the City are between the City and the Sacramento River, and just west of the City in the Red Hills area. The City needs to revisit the concept of a Master Drainage Plan to reduce loads on the City's WWTP and to more efficiently handle drainage. The City is currently studying the issue of storm water system improvements between Gallagher and North Street, across to SR 99W.

Significant problems will be generated as more development occurs in the northeastern portion of the City. In this location, there is more variation in topography, and access to the Blackburn-Moon Ditch will require lift stations for storm water flows. The City needs to develop a policy of onsite detention and retention, especially on projects with ten or more homes. The outfall line to the Sacramento River will either need to be increased in size, or a second parallel outfall line constructed to handle the increased amounts of treated effluent.

Solid Waste

USA Waste of California, Inc., DBA as Corning Disposal provides solid waste curb-side collection services under a franchise agreement which expires March 31, 2018. Corning Disposal has the right to request a five-year renewal and additional five-year agreements may be granted by the City. Corning Disposal provides waste, curb recycle and green waste containers. Street sweeping is performed twice per month. Corning Disposal's local office and yard are located at the Waste Management Recycling Center in the County. The franchise agreement calls for the collection of solid waste from homes and businesses and transport to the Tehama County Landfill in Red Bluff for disposal. The total residential collection services in 2014 was 1,851 of which 285 services were for senior residences.

Tehama County and the City of Red Bluff jointly own the Tehama County/Red Bluff Sanitary Landfill (TCRBLMA), a 159-acre site located approximately 2.5 miles northwest of the City of Red Bluff. The TCRBLMA contracts with Waste Connections for operation of the landfill. The landfill has a maximum permitted daily capacity of 400 tons per day (TPD), with an average daily loading of 216 TPD. Phase I of the landfill is expected to close in June 2016. Phase II of the landfill will remain open with a projected closing date of 2053.

In 1997, by an updated agreement, the Cities of Red Bluff, Corning and Tehama and the County of Tehama entered into a joint powers agreement which created the Tehama County/Red Bluff Landfill Management Agency as a public entity separate and distinct from the member entities, for the purpose of funding the cost of administering and maintaining the existing sanitary landfill site. The joint powers agreement was terminated by the City on June 9, 2015. However, a new agreement was amended and restated the joint powers agreement reconstituting the Tehama County/Red Bluff Landfill Management Agency as the Tehama County Solid Waste Management Agency.

4.14.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) was enacted in 1976 to address the huge volumes of municipal and industrial solid waste generated nationwide. After several amendments, the Act as it stands today governs the management of solid and hazardous waste and underground storage tanks (USTs). RCRA, enacted in 1976, is an amendment to the Solid Waste Disposal Act of 1965. RCRA has been amended several times, most significantly by the Hazardous and Solid Waste Amendments (HSWA) of 1984.

RCRA is a combination of the first solid waste statutes and all subsequent amendments. RCRA authorizes EPA to regulate waste management activities. RCRA authorizes states to develop and enforce their own waste management programs, in lieu of the federal program, if a state's waste management program is substantially equivalent to, consistent with, and no less stringent than the federal program.

STATE

State of California Water Control Board

Created by the State Legislature in 1967, the five-member Board protects water quality by setting statewide policy, coordinating and supporting the Regional Water Board efforts, and reviewing petitions that contest Regional Board actions. Together with the Regional Boards, the State Board is authorized to implement the federal Clean Water Act in California and is also solely responsible for allocating surface water rights.

In regard to water quality, the State Water Board works in coordination with the Regional Water Boards to preserve, protect, enhance and restore water quality. Major areas of focus include:

- Stormwater
- Wastewater treatment
- Water quality monitoring
- Wetlands protection
- Ocean protection
- Environmental education
- Environmental justice
- Clean up contaminated sites, including brownfields
- Low-impact development
- Underground Storage Tank Cleanups
- Groundwater Protection

The State Water Board and the nine Regional Water Boards are responsible for swift and fair enforcement when the laws and regulations protecting our waterways are violated. The Water Boards also work with federal, state and local law enforcement, as well as other environmental agencies to ensure a coordinated approach to protecting human health and the environment.

The State Water Board provides financial assistance via loans and grants for constructing municipal sewage and water recycling facilities, remediation for underground storage tank releases, watershed protection projects, and for nonpoint source pollution control projects.

The State Water Board has several financial programs to help local agencies and individuals prevent or clean up pollution of the state's water.

Anyone wanting to divert water from a stream or river not adjacent to their property must apply for a water right permit from the State Water Board. The State Water Board issues permits for water rights specifying amounts, conditions and construction timetables for diversion and storage. Decision-making stems from water availability, prior water rights and flows needed to preserve instream uses, such as recreation and fish habitat.

California State Regional Water Control Board

There are nine regional water quality control boards statewide. The nine Regional Boards are semi-autonomous and are comprised of seven part-time Board members appointed by the Governor and confirmed by the Senate. Regional boundaries are based on watersheds and water quality requirements are based on the unique differences in climate, topography, geology and hydrology for each watershed. Each Regional Board makes critical water quality decisions for its region, including setting standards, issuing permits (waste discharge requirements), determining compliance with those requirements, and taking appropriate enforcement actions. The City of Corning is located within Region 5 – the Central Valley Regional Water Quality Control Board.

California Integrated Waste Management Act

The California Integrated Waste Management Act of 1989 (AB 939) requires every city and county in the State to prepare a Source Reduction and Recycling Element to its Solid Waste Management Plan that identifies how each jurisdiction will meet the mandatory State waste diversion goals of 25 percent by 1995, 50 percent by 2000, and 75% by 2020. The purpose of AB 939 is to "reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible." The term "integrated waste management" refers to the use of a variety of waste management practices to safely and effectively handle the municipal solid waste stream with the least adverse impact on human health and the environment. The Act has established a waste management hierarchy, as follows: Source Reduction; Recycling; Composting; Transformation; and Disposal.

In 2010, the Californian Integrated Waste Management Board, which dealt with recycling and waste reductions was abolished and the Boards duties and responsibilities were transferred to the California Department of Resources Recycling and Recovery (Cal Recycle). Subsequent to AB 939, California's Legislature and Governor Brown, through enactment of AB 341 directed CalRecycle to propose a plan for the next step in the evolution of California's solid waste stream management. The law establishes a policy goal for California that not less than 75% of the solid waste generated be source-reduced, recycled or composted by 2020.

The California Integrated Waste Management Act of 1989 required stricter requirements for landfill development, source reduction and recycling efforts. In cooperation with the County and the cities in the County, including Corning, the Tehama County Sanitary Landfill Association (TCSLA) is responsible for maintaining the Integrated Waste Management Plan.

LOCAL

Tehama County Flood Control and Water Conservation District (TCFCWCD) Coordinated AB 3030 Groundwater Management Plan

This plan was adopted in1998 and a Memorandum of Understanding between TCFCWCD and participating entities recognized their responsibilities in implementing the plan, including:

- City of Corning
- Corning Water District
- El Camino Irrigation District
- Rancho Saucos Water District
- Rio Alto Water District
- City of Red Bluff
- City of Tehama

4.14.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to public services and facilities are of concern particularly with respect to wastewater and water related impacts.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.

   Corning school districts are collecting School Facilities Mitigation Fees on all new construction to enable them to maintain the current level of service. The fee program rates are $3.36 per square foot for residential development and $0.54 per square foot for commercial and industrial development. The assessment of the fees ensures that the General Plan Update will not result in a significant impact under CEQA, in accordance with Senate Bill 50, which became effective in 1998.

   The following General Plan Policy contained in the Community Development Group – Public Services & Facilities, assists in reducing potential impacts associated with school services and facilities:

   - *Public Services & Facilities Policy PF-a.*

   The General Plan Policy along with the School Facilities Mitigation Fee reduces potential impacts to ***less-than-significant*** *levels and* ***no mitigation*** *is required.*

2. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

3. Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

4. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

   The following General Plan Policies and Implementation Measures contained in the Community Development Group – Public Services & Facilities and the Natural Resources Group Conservation and Open Space – Water Resources, assist in reducing potential impacts associated with wastewater treatment requirements, services and facilities:

   - *Public Services & Facilities Policy PF-a.*
   - *Water Resources Policies W-a, W-b, and W-d and Implementation Measures W-(2).*

   Development projects are reviewed as part of the entitlement process to ensure that there are no localized or project specific wastewater treatment impacts. If necessary, mitigations are imposed as conditions of approval. In addition, the City imposes residential development fees specific to sewer connections. These actions and the General Plan Policies and Implementation Measures reduce potential impacts to a level that is ***less-than-significant*** *and therefore, requires* ***no mitigation*** *measures.*

5. Require or result in the construction of new water supply and/or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

6. Have sufficient water supplies available to serve the project from existing entitlements and resources, or new or expended entitlements needed.

   The following General Plan Policies contained in the Community Development Group – Public Services & Facilities and the Natural Resources Group Conservation and Open Space – Water Resources, assist in reducing potential impacts associated with water supply, services and facilities:

   - *Public Services & Facilities Policies PF-a and PF-b.*
   - *Water Resources Policies W-a and W-b.*

   Development projects are reviewed as part of the entitlement process to ensure that there are water supply, services and facilities impacts. If needed, mitigations are imposed as conditions of project approval. In addition, the City imposes residential development fees for the provision of water service. These actions and the General Plan Policies reduce potential impacts to a level that is ***less-than-significant*** *and therefore, requires* ***no mitigation*** *measures.*

7. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

   The following General Plan Policies and Implementation Measures contained in the Community Development Group – Public Services & Facilities and the Natural Resources Group Conservation and Open Space – Water Resources, assist in reducing potential impacts associated with storm water drainage facilities:

- *Public Services & Facilities Policy PF-a and Implementation Measures PF-(2) and PF-(3).*
- *Water Resources Policies W-c and Implementation Measures W-(4) and W-(6).*

Development projects are reviewed as part of the entitlement process to ensure that there are no localized or project specific wastewater treatment impacts. If necessary, mitigations are imposed as conditions of project approval. In addition, the City imposes residential development fees specific to sewer connections. These actions and the General Plan Policies and Implementation Measures reduce potential impacts to a level that is ***less-than-significant*** *and therefore, requires* ***no mitigation*** *measures.*

8. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

9. Comply with federal, state, and local statutes and regulations related to solid waste.

The Tehama County Landfill has future capacity to meet the solid waste disposal needs of the City. Future development will comply with applicable elements of the California Solid Waste Reuse and Recycling Access Act of 1991. Solid waste diversion, source reductions, recycling and contracting for solid waste and recycling collection services, also serve to extend the life of the landfill. Also, each development project undergoes CEQA environmental review to determine solid waste impacts and conditions of project approval are imposed, as necessary.

The following General Plan Policies contained in the Community Development Group – Public Services & Facilities and Air Quality, assists in reducing potential impacts associated with school services and facilities:

- *Public Services & Facilities Policy PF-a.*
- *Air Quality Policy AQ-i.*

The General Plan Policies and City imposed conditions of approval reduce potentially significant impacts associated with solid waste services and facilities to ***less-than-significant*** *levels.* ***No mitigation*** *measures are therefore, required.*

4.15 AIR QUALITY

4.15.1 EXISTING CONDITIONS

The City and Planning Area is located in the Northern Sacramento Valley Air Basin (*NSVAB*) which is one of the air "sub-basins" within the Sacramento Valley Air Basin. The other sub-basin is the Greater Sacramento Air region. The *NSVAB* encompasses Shasta, Tehama, Glenn, Butte, Colusa, Sutter, and Yuba counties. The basin's principal geographic features include a large valley bounded on the north and west by the Coastal Mountain Range and on the east by the southern portion of the Cascade Mountain Range and the northern portion of the Sierra Nevada. The basin is about 200 miles long in a north-south direction, and has a maximum width of about 150 miles, although the valley floor averages only about 50 miles in width. The mountain ranges reach heights in excess of

6,000 feet with peaks rising much higher. The general elevation of the Project site is about 275 feet above mean sea level.

The area climate is characterized by hot, dry summers and cool, wet winters. During the summer months from mid-April to mid-October, significant precipitation is unlikely and temperatures range from daily maximums exceeding 100° Fahrenheit (°F) to evening lows in high 50s and low 60s. During the winter, highs are typically in the 60s with lows in the 30s. Wind direction is primarily along the valley due to the channeling effect of the mountains to either side of the valley. During the summer months, surface air movement is from the south, particularly during the afternoon hours. During the winter months, wind direction is more variable.

The quantity of air pollutant emissions generated within the *NSVAB* is small compared to the more densely populated areas such as the Sacramento and the San Francisco Bay areas. Nevertheless, the following characteristics of the *NSVAB* make it susceptible for the build-up of air pollution.

- Pollution generated in the broader Sacramento area and San Francisco Bay area can be transported northward into the *NSVAB.*
- The mountain ranges to the west, north, and east of the *NSVAB* act as horizontal barriers which restrict the flow of pollution out of the basin.
- The valley portion of the *NSVAB* (those areas below 1,000 feet elevation) is often subjected to temperature inversions that typically occur during cool, calm nights that restrict vertical mixing and dilution of pollutants.
- The typical clear skies and warm temperatures in the summer months promote the formation of the photochemical pollutant ozone.

4.15.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

FEDERAL & STATE

The federal and state governments have enacted laws mandating the identification of areas not meeting the ambient air quality standards and development of regional air quality plans to eventually attain the standards. National ambient air quality standards are determined by the US EPA. The standards include both primary and secondary ambient air quality standards. Primary standards are established with a safety margin. Secondary standards are more stringent than primary standards and are intended to protect public health and welfare. States have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards.

Federal and State air quality standards have been established for six ambient air pollutants, commonly referred to as “criteria” air pollutants standards based on a comprehensive review of their health effects. The criteria air pollutants for which federal and state ambient standards have been established include ozone (O3), carbon monoxide (CO), nitrogen monoxide (NO), sulfur dioxide (SO2), suspended particulate matter (PM10), fine particulate matter (PM2.5) and lead (Pb). In this analysis, O3 is evaluated by assessing emissions of O3 precursors: reactive organic gases (ROG) and Nitrogen Oxides (NOx).

Both the U. S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants which represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. **Table AQ-1** identifies the major criteria pollutants, characteristics, health effects and typical sources. The federal and California state ambient air quality standards are summarized in **Table AQ-2**, which also identifies Toxic Air Contaminant (TAC) standards.

TABLE AQ-1
US EPA CRITERIA POLLUTANTS

Pollutant	Characteristics	Health Effects	Major Sources
Ozone	A highly reactive photochemical pollutant created by the action of sunshine on ozone precursors (primarily reactive hydrocarbons and oxides of nitrogen). Often called photochemical smog.	Eye irritation Respiratory function impairment	Combustion sources such as factories and automobiles, and evaporation of solvents and fuels.
Carbon Monoxide	An odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels.	Impairment of oxygen transport in the bloodstream Aggravation of cardiovascular disease Fatigue, headache, confusion, dizziness Can be fatal in the case of very high concentrations	Automobile exhaust, combustion of fuels, combustion of wood in woodstoves and fireplaces.
Nitrogen Dioxide	Reddish-brown gas that discolors the air, formed during combustion.	Increased risk of acute and chronic respiratory disease	Automobile and diesel truck exhaust, industrial processes, and fossil-fueled power plants.
Sulfur Dioxide	A colorless gas with a pungent, irritating odor.	Aggravation of chronic obstruction lung disease	Automobile and diesel truck exhaust, industrial processes, and fossil-fueled power plants.
Suspended Particulate Matter (PM_{10})	Solid and liquid particles of dust, soot, aerosols, and other matter that are small enough to remain suspended in the air for a long period of time.	Aggravation of chronic disease and heart/lung disease symptoms	Combustion, automobiles, field burning, factories, and unpaved roads. Also a result of photochemical processes.
Lead	A metal that occurs both naturally in the environment and in manufactured products.	Organ damage Reproductive Disorders Osteoporosis Brain and nerve impairment Heart and blood disease/impairment	Sources include industrial sources and crustal weathering of soils followed by fugitive dust emissions

Source: California Air Resources Board; US Environmental Protection Agency

TABLE AQ-2 FEDERAL AND STATE AIR QUALITY STANDARDS			
Pollutant	**Average Time**	**California Standards[a] Concentration[c]**	**Federal Standards[b] Primary[c, d]**
Ozone (O_3)	1 hour	0.09 ppm (180µg/m^3)	—
	8 hours	0.07 ppm (137 mg/m^3)	0.075 ppm (157 µg/m^3)
Particulate Matter (PM_{10})	24 hours	50 µg/m^3	150 µg/m^3
	Annual arithmetic mean	20 µg/m^3	—
Fine Particulate Matter ($PM_{2.5}$)	24 hours	—	35 µg/m^3
	Annual arithmetic mean	12 µg/m^3	12 µg/m^3
Carbon Monoxide (CO)	8 hours	9 ppm (10 µg/m^3)	9 ppm (10 mg/m^3)
	1 hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)
Nitrogen Dioxide (NO_2)	Annual arithmetic mean	0.030 ppm (57 µg/m3)	0.053 ppm (100 µg/m^3)
	1 hour	0.18 ppm (339 µg/m3)	100 ppb (188 µg/m3)
Sulfur Dioxide (SO_2)	Annual arithmetic mean	—	0.030 ppm (80 µg/m^3)
	24 hours	0.04 ppm (105 µg/m^3)	0.14 ppm (365 µg/m^3)
	1 hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)
Lead (Pb)[e]	30-day average	1.5 µg/m^3	—
	Calendar quarter	—	1.5 µg/m^3
Visibility Reducing Particles	8 hours	[f]	—
Sulfates	24 hours	25 µg/m^3	—
Hydrogen Sulfide	1 hour	0.03 ppm (42 µg/m^3)	—
Vinyl Chloride[e]	24 hours	0.01 ppm (26 µg/m^3)	—

Notes: ppm = Parts Per Million; µg/m^3 = micrograms per cubic meter; mg/m^3 = milligrams per cubic meter

[a] California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 ad 24 hour), nitrogen dioxide, suspended particulate matter – PM_{10}, $PM_{2.5}$, and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

[b] National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest either hour concentration or a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration of 150 µg/m^3) is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98% of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact US EPA for further clarification and current federal policies.

[c] Concentrations expressed first in units in which it was promulgated. Equivalent units given in parentheses are based on a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

[d] National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

[e] The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

[f] Extinction coefficient of 0.23 per kilometer — visibility of ten miles or more due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.

Source: California Air Resources Board, Ambient Air Quality Standards June 4, 2013.

The federal and state ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and particulate matter (PM10 and PM2.5). The following provides a description of the various Criteria Pollutants identified in **Table AQ-1**.

Ozone: O3 is a photochemical oxidant and the major component of smog. While O3 in the upper atmosphere is beneficial to life by shielding the earth from harmful ultraviolet radiation from the sun, high concentrations of O3 at ground level are a major health and environmental concern. O3 is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) and oxides of nitrogen (NOx) in the presence of sunlight. These reactions are stimulated by sunlight and temperature so that peak O3 levels occur typically during the warmer times of the year. Both VOCs and NOx are emitted by transportation and industrial

sources. VOCs are emitted from sources as diverse as automobiles, chemical manufacturing, dry cleaners, paint shops and other sources using solvents.

The reactivity of O3 causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O3 not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O3 for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Major ozone precursors include mobile sources such as cars, light-duty, and heavy duty trucks, and stationary emission sources such as industrial facilities, home furnaces, wood burning appliances, and waste disposal and treatment facilities.

Carbon Monoxide: Carbon Monoxide (CO) is a colorless, odorless and poisonous gas produced by incomplete burning of carbon in fuels. When CO enters the bloodstream, it reduces the delivery of oxygen to the body's organs and tissues. Health threats are most serious for those who suffer from cardiovascular disease, particularly those with angina or peripheral vascular disease. Exposure to elevated CO levels can cause impairment of visual perception, manual dexterity, learning ability and performance of complex tasks. The primary source of carbon monoxide is automobile use.

Nitrogen Dioxide: Nitrogen Dioxide (NO_2) is a brownish, highly reactive gas that is present in all urban atmospheres. NO_2 can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections. Nitrogen oxides are an important precursor both to ozone (O_3) and acid rain, and may affect both terrestrial and aquatic ecosystems.

The major mechanism for the formation of NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO). NO_2 plays a major role, together with VOCs, in the atmospheric reactions that produce O_3. NO_2 forms when fuel is burned at high temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

Particulate Matter: Suspended particulate matter (PM) is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size and chemical composition, and can be made up of many different materials such as metals, soot, soil, and dust. Particulate Matter is light enough to be suspended in the air for a prolonged period of time and are directly emitted into the air by sources such as factories, power plants, cars, construction activity, fires and natural windblown dust. Particles formed in the atmosphere by condensation or the transformation of emitted gases such as SO_2 and VOCs are also considered particulate matter.

"Inhalable" PM consists of particles less than 10 microns in diameter, and is defined as "suspended particulate matter" or PM_{10}. Fine particles are less than 2.5 microns in diameter ($PM_{2.5}$). $PM_{2.5}$, by definition, is included in PM_{10}. The State of California regularly reviews scientific literature regarding the health effects and exposure to PM and other pollutants. On May 3, 2002, the California Air Resources Board (CARB) staff recommended lowering the level of the annual standard for PM_{10} and establishing a new annual standard for $PM_{2.5}$ (particulate matter 2.5 micrometers in diameter and smaller).

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO_2) and laboratory studies of animals and humans, there are major concerns for effects on human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. The major population subgroups that appear to be most sensitive to particulate matter effects include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children.
Under the federal Clean Air Act, Tehama County is currently considered in attainment or unclassified for all national ambient air quality standards, except for ozone. Previous to 2008, Tehama County was considered in attainment for ozone, however, in March 2008 the EPA revised the attainment standard for ozone to 75 parts per billion (ppb) from 84 ppb.[3] The County is a nonattainment area for the more stringent state ambient air quality standards for ozone and PM_{10}. The air districts of the *NSVAB* have jointly prepared and adopted a uniform air quality attainment plan addressing ozone and PM_{10} (NSVAB, 2007).

Tehama County currently exceeds the State's ambient standards for ozone (smog) and particulates (fine, airborne particles). Consequently, these pollutants are the focus of local air quality policy, especially when related to land use and transportation planning. Even with application of measures to reduce emissions for individual projects, cumulative impacts are unavoidable when ozone and/or particulate emissions are involved. For example, the primary source of emissions contributing to ozone is from vehicles. Any project that generates vehicle trips has the potential of contributing incrementally to the problem.

LOCAL

The County is located in a nonattainment area for the more stringent state ambient air quality standards for ozone and PM_{10}. The air districts of the *NSVAB* have jointly prepared and adopted the *Northern Sacramento Valley Planning Area 2009 Triennial Air Quality Attainment Plan*. The California Clean Air Act (CCAA) requires that an Attainment Plan be developed by all non-attainment Districts for ozone (O_3), carbon monoxide (CO), sulfur oxides (SOx), nitrogen oxides (NOx), and suspended particulate matter (PM_{10}) that are either receptors or contributors of transported air pollutants. The purpose of the Plan is to comply with the requirements of the CCAA as implemented through the California Health and Safety Code. Districts in the *Northern Sacramento Valley Planning Area* (NSVPA) are required to update the Plan every three years. The Plan is formatted to reflect the 2008 baseline emissions year with a planning horizon of 2020.

The Tehama County Air Pollution Control District (TCAPCD) utilizes strategies identified in their December 2009 *Planning & Permitting Air Quality Handbook Guidelines for Assessing Air Quality Impacts* (*TCAPCD Guidelines*) to reduce emissions associated with new and modified indirect sources of pollution in an effort to accurately determine and mitigate project-related impacts to the extent feasible. Emission reduction goals of 20 to 25 percent are established depending on the projected level of unmitigated emissions for a project. Mitigation thresholds are established for the important regional/local pollutants, including: Reactive Organic Gases (ROG) and Oxides of Nitrogen (NOx), which are ozone precursors, and Inhalable Particulate Matter 10 Micron (PM_{10}). The mitigation thresholds for these pollutants are tiered at two levels:

[3] Alan Abbs, Air Pollution Control Officer, TCAPCD, April 11, 2008 correspondence

Level "A"	Level "B"
25 pounds per day of NOx	137 pounds per day of NOx
25 pounds per day of ROG	137 pounds per day of ROG
80 pounds per day of PM_{10}	137 pounds per day of PM_{10}

If a project has unmitigated emissions less than the Level "A" threshold, then it is viewed as a minor project (from an air quality perspective) and only application of Standard Mitigation Measures (SMM) is required to try to achieve at least a 20 percent reduction in emissions, or the best reduction feasible otherwise. Land uses that generate unmitigated emissions above Level "A" require application of appropriate Best Available Mitigation Measures (BAMM) in addition to the SMM in order to achieve a net emission reduction of 20 percent or more. If after applying SMM and BAMM a use still exceeds the Level "B" threshold, then a minimum of 25 percent of the unmitigated emissions exceeding 137 pounds per day must be offset by reducing emissions from existing sources of pollution; otherwise, an Environmental Impact Report is required.

4.15.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to air quality are of concern particularly with respect to cumulative impacts.

In order to calculate the emissions for the key pollutants previously discussed, the *URBEMIS2007* for Windows air quality computer model (*Version 9.2.4*) was used as prescribed by the TCAPCD for general plan modeling. Air quality modeling was undertaken for the construction of 313 residential dwelling units over a twenty year span between 2014 and 2034. Air quality modeling was not undertaken for commercial and industrial land uses since approximately only 3.1 acres of *Commercial* designated lands are being converted to *Residential* and *Multi-Family Residential* land uses. Although approximately 93.2 acres of *Industrial* land use was converted primarily to *Large Lot Residential* (92 acres) and 1.2 acres of *Commercial*, the *HWY 99-W Specific Plan* has an abundance of land, approximately 91 acres, that could be utilized for Commercial and Industrial uses, should the need arise.

Construction emission modeling was not undertaken since development of the 313 dwelling units will occur over a 20 year period of time and in small development increments reflective of past development. **Table LU-3** identified several approved tentative tract maps that range from 14 to 134 dwelling units, an average of approximately 61 dwelling units per tract map. Such size developments are usually constructed over an approximate one to two year time period whereby air quality impacts are short-term and not cumulatively considerable. In addition, construction air-quality mitigation measures are implemented as identified in **Mitigation Measure AQ-1** to reduce construction emission impacts to ***less-than-significant*** levels.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Conflict with or obstruct implementation of the applicable air quality plan.

   The following General Plan Policy and associated Implementation Measure contained in the Community Group – Air Quality assist to avoid any potential conflicts or obstruct the implementation of the Northern Sacramento Valley Planning Area 2009 Triennial Air Quality Attainment Plan and other state and federal air quality regulations and standards:

   - *Air Quality Policies AQ-f and AQ-k and Implementation Measure (AQ-(1).*

   The General Plan Policies and Implementation Measure and existing state and federal standards and regulations ensure that existing and future land uses will not conflict with or obstruct implementation of applicable air quality plans. There is ***no impact*** *and* ***no mitigation*** *is required.*

2. Violate any air quality standard or contribute to an existing or projected air quality violation.

3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors.

4. Expose sensitive receptors to substantial pollutant concentrations.

   The modeling results identified in ***Table AQ-3*** *indicate that cumulative emissions from the 313 residential units could generate ROG emissions that are above Level "A" thresholds, but below Level "B" thresholds. Through the application of Level "A' and some Level "B" BMMs, as reflected in* ***Mitigation Measure AQ-1****, further emission reductions could be accomplished.*

TABLE AQ-3
AREA SOURCE AND OPERATIONAL (VEHICLE) EMISSIONS – 313 DU'S

Emission	Emissions (lbs/day)[1]		
	ROG	NOx	PM_{10}
Area Source	21.09	3.54	0.04
Operational (Vehicles)	13.85	9.62	39.88
Total	**34.94**	**13.16**	**39.92**
Level "A" Thresholds	25	25	80
Level "B" Thresholds	137	137	137
Level "B" Exceedance	N/A	N/A	N/A

[1] Winter emissions were utilized since they are higher than summer emissions.

   The following General Plan Policy and associated Implementation Measure contained in the Community Group – Air Quality assist to address violation or contribution to an existing or projected air quality violation and not result, to the maximum extent feasible, in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard:

   - *Air Quality Policies AQ-a through AQ-e and AQ-g through AQ-j and Implementation Measure (AQ-(1).*

Prior to the entitlement of any significant development project where the project may have the potential to impact air quality, an air quality analysis which includes modeling to determine if the project has unmitigated emissions less than the Level "A" threshold, then it is viewed as a minor project (from an air quality perspective) and only application of Standard Mitigation Measures (SMM) is required to try to achieve at least a 20 percent reduction in emissions, or the best reduction feasible otherwise. Land uses that generate unmitigated emissions above Level "A" require application of appropriate Best Available Mitigation Measures (BAMM) in addition to the SMM in order to achieve a net emission reduction of 20 percent or more. If after applying SMM and BAMM a use still exceeds the Level "B" threshold, then a minimum of 25 percent of the unmitigated emissions exceeding Level "B" thresholds must be offset by reducing emissions from existing sources of pollution; otherwise, an Environmental Impact Report is required. The application of SMM or BAMM and, if required, EIR mitigation measures will be impose as a conditions of project entitlement approval.

The General Plan Policies and Implementation Measures, project design and, if required, air quality evaluations could result in conditions of approval that all serve to reduce potentially significant impacts to ***less-than-significant*** *levels with* ***mitigation*** *measures imposed in the form of SMM or BAMM. Should an EIR be required for future projects, either mitigations or a Statement of Overriding Considerations will need to be adopted by the City Council if they wish to approve a project that after the application of EIR mitigation measures, air quality impacts are not reduced to below a level of significance.*

A Statement of Overriding Considerations is made when the City Council decides to approve a project that will cause one or more significant environmental effects. The statement must reflect the ultimate balancing of competing public objectives (including environmental, legal, technical, social, and economic factors) with approval of the project. The statement must be in writing and state specific reasons supporting the approval based on the final EIR or other substantial evidence in the record.

Impact AQ-1

The modeling results identified in ***Table AQ-3*** *indicate that cumulative emissions from the 313 residential units projected to be constructed over the next 20 years could generate ROG emissions that are above Level "A" thresholds, but below Level "B" thresholds. The impact is* ***potentially significant****. Through the application of Level "A' and some Level "B" BMMs, as reflected in* ***Mitigation Measure AQ-1****, further emission reductions could be accomplished to reduce potential impacts to a* ***less-than-significant*** *level.*

Mitigation Measure AQ-1

The TCAPCD Guidelines provide estimated ranges of efficiencies for SMMs and BAMMS that are incorporated into the Project. Assuming an average efficiency for each measure, the following measures can be expected to reduce ROG, NOx, and PM_{10} emissions by about 30% for construction, area source, and operation (vehicle) emissions:

- *All construction contracts shall include construction dust mitigation measures that contain minimum criteria and related to the use of diesel*

equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction.

- *Alternatives to open burning of vegetative material shall be used. Cleared vegetation shall be treated by legal means other than open burning.*
- *Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of construction.*
- *All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day.*
- *All construction areas (including unpaved driveways and roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions.*
- *All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads.*
- *All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour.*
- *All inactive portions of the site disturbed by construction activities shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established.*
- *The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive construction areas.*
- *All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114.*
- *All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance.*
- *During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the construction area from the adjacent paved road(s). It appears that the existing gravel based road serving the existing well may meet this requirement.*
- *Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of construction activities.*
- *Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the construction area.*
- *Wheel washers shall be installed where project vehicles and/or equipment access paved streets from unpaved roads.*
- *Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be*

used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter.

- *Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained.*
- *Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes.*
- *Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.*

5. Create objectionable odors affecting a substantial number of people.

   Existing and future residential development is the principal land use that is sensitive to odors which emanate from either "smoke stack" industrial uses or from agricultural uses primarily due to animal waste. Existing and/or future residential development is not located or proposed to be located near any of these types of uses in the City. Furthermore, projects seeking entitlements that propose land uses that generate objectionable odors will be subject to CEQA environmental evaluation. Due to this oversight, at the project specific level, potential impacts would be ***less-than-significant*** *and* ***no mitigation*** *is required.*

4.16 CLIMATE CHANGE

4.16.1 EXISTING CONDITIONS

California is a substantial contributor of global greenhouse gases, emitting over 400 million tons of carbon dioxide (CO_2) each year. Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Methane is also an important greenhouse gas that potentially contributes to global climate change. Greenhouse gases are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. Because primary greenhouse gases have a long lifetime in the atmosphere, accumulate over time, and are generally well mixed, their impact on the atmosphere is mostly independent of the point of emission.

4.16.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

STATE

Assembly Bill 32 (Global Warming Solutions Act) (AB-32) was passed by the California Legislature on August 31, 2006. It requires the State's global warming emissions to be reduced to 1990 levels by 2020. The reduction would be accomplished through an enforceable statewide cap on global warming emissions that would be phased in starting in 2012. In June 2007, the California Air Resources Control Board (CARB) is required to publish a list of discrete greenhouse gas emissions that can be reduced. Emission reductions shall include carbon sequestration projects and best management practices that are technologically feasible and cost-effective. However, AB 32 did not provide thresholds or methodologies for analyzing a project's impacts regarding global climate change and

primarily provides a timeframe for establishing plans, policies, and studies to address global climate change.

Executive Order S-3-05 also recognized the importance of preparedness in that it directed the Secretary of the California Environmental Protection Agency (Cal EPA) to lead an effort to evaluate the impacts of climate change on California and to examine adaptation measures that would best prepare the state to respond to the adverse consequences of climate change. In response to S-3-05, the Climate Action Team (CAT) was convened, which comprised representatives from Cal EPA, CARB, Integrated Waste Management, California Energy Commission, and several other state departments. The CAT prepared the Climate Action Team Report to Governor Schwarzenegger and the Legislature (dated March 2006), which provides an overview of scientific evidence regarding climate change as well as potential effects on California. The report also provides recommendations regarding strategies the state should pursue to reduce climate change emissions.

In light of legislation such as AB 32 and Executive Order S-3-05, there was much debate regarding the analysis of global climate change in CEQA documents. On April 13, 2009, the Governor's Office of Planning and Research (OPR), submitted to the Secretary for Natural Resources amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The CEQA Guideline amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in draft CEQA documents. The Natural Resources Agency subsequently certified and adopted the amendments, as required by Senate Bill 97. OPR then adopted the amendments consistent with Public Resources Code section 21083.05 which was added to CEQA by SB 97. Provided in the CEQA Guideline amendments was the checklist for greenhouse gas emissions utilized in this Initial Study.

LOCAL

In addition to the CEQA Guideline amendments, air districts have traditionally provided guidance to local lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. Recognizing the need for a common platform of information and tools to support decision makers as they establish policies and programs for greenhouse gasses and CEQA, the California Air Pollution Control Officers Association (CAPCOA) prepared a white paper reviewing policy choices, analytical tools, and mitigation strategies. The paper was intended to serve as a resource for public agencies as they establish agency procedures for reviewing greenhouse gas emissions from projects under CEQA. In order to provide a threshold for CO2 and CO2 equivalents for purposes of CEQA analysis a threshold of 900 metric tons per year provides guidance, in accordance with the CAPCOA document.

The 900 metric ton screening criteria (CO2 or CO2 equivalents generated annually) being used is a conservative criterion for determining if a project requires further analysis and mitigation with regard to climate change.

4.16.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to greenhouse gases are of concern particularly with respect to cumulative impacts.

It should be recognized that due to the worldwide scope of global climate change, it is not anticipated that any project will, by itself, have a substantial effect on global climate change. No single development, developments, or a county can be deemed individually responsible for global temperature increases and rising sea levels. Instead, greenhouse gas emissions from the existing and future development within the County will combine with greenhouse gas emissions emitted across California, the United States, and the world to cumulatively contribute to global climate change.

Emitting CO2 into the atmosphere is not itself an adverse environmental affect. It is the cumulative increased concentration of CO2 in the atmosphere resulting in global climate change and the associated consequences of climate change that results in adverse environmental affects (e.g., sea level rise, loss of snowpack, severe weather events). Approval of the *General Plan Update*, and subsequent increases in residential densities do not directly result in a physical effect from development and energy consumption, however, the development that ensues as result of the *General Plan Update* would have an incremental contribution of CO2 into the atmosphere. The question is if the increase is potentially significant.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

   As part of the air quality modeling undertaken for the 313 dwelling units for the 2014 – 2034 General Plan period, modeling determined that area source emissions would be 1,400 tons over the 20 year time period, or 70 tons/year and operational (vehicle) carbon dioxide (CO2) emissions would be 4,120 tons, or 206 tons/year. Therefore, over the 20 year period, there would be a total of 5,520 tons or 276 tons/year of CO2 emissions. Potential impacts, on a yearly basis over the next 20 years would not exceed the 900 metric tons per year screening criteria and would therefore, ***not be*** *considered* ***cumulatively significant*** *on a yearly basis and would* ***not require mitigation****.*

   The following General Plan Policies and Implementation Measures contained in the Community Group – Climate Change and Air Quality assist to reduce the generation of greenhouse gases, either directly or indirectly:

   - *Climate Change Policies CC-c, CC-d, CC-f, CC-g and CC-h.*
   - *Air Quality Policies AQ-a through AQ-e and AQ-g through AQ-j and Implementation Measure (AQ-(1).*

   In general, the General Plan Policies and Implementation Measures, project design and operations and, if required, greenhouse gas evaluations could result in conditions of approval that all serve to reduce potentially significant impacts to less-than-significant levels with the imposition of mitigation measures. Should an EIR be required for a future discretionary project, either mitigations or a Statement of Overriding Considerations will need to be adopted by the City Council if they wish to approve a development project that after the application of EIR mitigation measures, greenhouse gas impacts are not reduced to below a level

of significance. Therefore, greenhouse gas impacts would be ***cumulatively significant****. However, for the 313 residential units to be developed over the next 20 years, impacts are* ***less-than-significant*** *on a yearly basis.*

2. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

   The following General Plan Policies and Implementation Measures contained in the Community Group – Climate Change and Air Quality assist to avoid conflicts with applicable plans, policies or regulations of an agency adopted for the purpose of reducing the emissions of greenhouse gases:

   - *Climate Change Policies CC-a, CC-b and CC-e.*
   - *Air Quality Policies AQ-a, AQ-f, AQ-j and AQ-k and Implementation Measures (AQ-(1).*

   The proposed General Plan Update does not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing greenhouse gases and therefore, there is ***no impact*** *and* ***no mitigation*** *is required.*

4.17 ENERGY

4.17.1 EXISTING CONDITIONS

City of Corning residents, commercial, industrial and public service providers obtain their electrical and natural gas service from Pacific Gas and Electric (PG&E).

PG&E owns and operates electricity infrastructure in the City and throughout Tehama County that includes power lines, powerhouses, and substations. PG&E no longer owns all of its facilities, having sold some recently as a result of legislative deregulation. PG&E produces some of its own power and purchases some of its electricity through the Independent System Operator, which in turn obtains electricity from a number of companies that operate power plants throughout the Western Grid. The Western Grid is a multi-state grid that provides electricity from as far away as Washington State and Canada.

The existing PG&E natural gas facilities consist of 41/2-inch to 16-inch pipelines delivering service to all residential, commercial, and industrial customers that are not served by private propane tanks. As with telephone and cable service, natural gas lines are typically co-located with other utilities in trenches to reduce construction costs and environmental impacts. All construction and maintenance activities for natural gas facilities are the responsibility of PG&E.

4.17.2 REGULATORY FRAMEWORK

This section describes the environmental review and consultation requirements for development and possibly construction projects and identifies the permits and approvals that must be obtained from local, state, and federal agencies before construction begins.

STATE

Californians consumed 285,574 gigawatt hours (GWh) of electricity in 2008, supplied by several sources (CEC 2009). In 2008, the California electricity mix included natural gas (45.7 percent), coal (18.2 percent), large hydroelectric plants (11 percent), and nuclear (14.4 percent). The remaining 10.6 percent was supplied from renewable resources such as wind, solar, geothermal, biomass, and small hydroelectric facilities. California's natural gas use is continuing to grow from 41.5 percent in 2006 to 45.7 percent in 2008 (CEC 2007; CEC 2009) due in part to the use of natural gas for electric power production. California's energy use per person has remained stable for more than 30 years while the national average has steadily grown (CEC 2009). However, the California Energy Commission (CEC) estimates that California's energy consumption will grow by 1.2 percent per year from 2010 to 2018 with peak demand growing an average of 1.3 percent annually over the same period (CEC 2009). Further, additional energy efficiency measures are needed to meet the Assembly Bill (AB) 32 greenhouse gas (GHG) reduction goal of reducing statewide GHG emissions to 1990 levels by 2020 (refer to Section 4.5 Climate Change and Greenhouse Gases, for a discussion of AB 32).

In 2002, California established its Renewable Portfolio Standard (RPS) program[4] with the goal of increasing the annual percentage of renewable energy in the state's electricity mix by the equivalent of at least 1 percent of sales with an aggregate total of 20 percent by 2017. The California Public Utilities Commission (CPUC) subsequently accelerated that goal to 2010 for retail sellers of electricity (Public Utilities Code Section 399.15(b)(1)). Governor Schwarzenegger signed Executive Order (EO) S-14-08 in 2008, increasing the target to 33 percent renewable energy by 2020. In July 2009, the CEC reported that as of 2008, three investor owned utilities were providing 13 percent of their sales from eligible renewable resources and it was expected that the 15 largest publicly owned utilities would achieve 12.4 percent by 2011, both far below the goal of 20 percent for 2010 (CEC 2009).[5]

California Building Energy Efficiency Standards

Title 24, Part 6 of the California Code of Regulations, known as the Building Energy Efficiency Standards, was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. After adoption of the California Energy Security and Reliability Act of 2000 (AB 970), the California Energy Commission produced changes to the Building Energy Efficiency Standards. In November 2003 the California Energy Commission adopted these updated standards. The California Building Standards Commission adopted the 2005 changes in July 2003 and the updated standards took effect on October 1, 2005. In 2008, energy standards were updated again.

California's Building Energy Efficiency Standards are now updated on an approximate three-year cycle. The 2013 Standards improve upon the 2008 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2013 Standards went into effect July 1, 2014. The 2016 Standards will continue to improve upon the current 2013 and will go into effect on January 1, 2017.

[4] The Renewable Portfolio Standard is a flexible, market-driven policy to ensure that the public benefits of wind, solar, biomass, and geothermal energy continue to be realized as electricity markets become more competitive. The policy ensures that a minimum amount of renewable energy is included in the portfolio of electricity resources serving a state or country.

[5] The energy supply discussion is derived from the April 2013 *County of Imperial Sugarcane and Sweet Sorghum-to-Ethanol, Electricity and Bio-Methane Facility Draft EIR.*

If the City of Corning desired, they could proceed through a process that the state has established which allows local adoption of energy standards that are more stringent than the statewide Title 24 energy standards. This process allows local governments to: adopt and enforce energy standards in advance of the statewide standards effective date; require additional energy conservation measures; and, set more stringent energy budgets. However, due to the comprehensiveness of the Title 24 energy standards there is no need for the City to do so.

4.17.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

A. Basis for Environmental Impacts

Impacts of the proposed Project are measured against existing or baseline conditions. Due to the existing and future development that the *General Plan Update* accommodates, direct and indirect impacts related to energy are of concern particularly with respect to cumulative impacts on climate change.

Title 24 of the California Administrative Code sets forth mandatory energy standards for new development and requires the adoption of an "energy budget." Subsequently, the construction industry must meet these standards and the City is responsible for enforcing the energy conservation regulations. Alternatives that are available to meet the energy standards include, but are not limited to:

- A passive solar approach that requires suitable solar orientation, appropriate levels of thermal mass, south facing windows and moderate insulation levels.
- Higher levels of insulation than what is previously required, but not requiring thermal mass or window orientation requirements.
- Active solar water heating in exchange for less stringent insulation and/or glazing requirements.
- Utilization of energy efficient equipment.

PG&E provides a variety of energy conservation services, as well as energy assistance programs in particular for lower income households to help lower income households to conserve energy and control utility costs. These programs include, but are not limited to the California Alternate Rates for Energy (CARE), the Relief for Energy Assistance through Community Help (REACH), Family Electric Rate (FERA), Energy Savings Assistance, Medical Baseline Allowance, Energy Star, Central System Natural Gas Water Heaters, Gas Boiler for Water and Space Heating, and Central Natural Gas Furnaces programs. Commercial and industrial related programs include Time-Varying Pricing, Time-of-Use and Peak Day Pricing programs. PG&E has also sponsored rebate programs, which include some of the above programs, that encourage customers to purchase more energy-efficient appliances and heating and cooling systems that meet the ENERGY STAR® standards

The Self Help Home Improvement Program (SHHIP) manages a weatherization program in Tehama County for lower-income households under contract with PG&E, which also provides the funding. Eligible households may receive attic insulation, caulking, door replacement and weather-stripping, and glass replacement.

B. Thresholds of Significance

For the purposes of this EIR, an impact would be considered significant if it would result in any of the following:

1. The construction or operation of the proposed facilities would result in the wasteful, unnecessary, or inefficient use of energy resources. Environmental effects may include the project's energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the project on local and regional energy supplies; the effects of the project on peak and base period demands for electricity and other forms of energy; the degree to which the project complies with existing energy standards; the effects of the project on energy resources; and the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

   The following General Plan Policies and Implementation Measures contained in the Community Group – Energy, Climate Change and Air Quality assist to reduce the generation of energy, either directly or indirectly:

   - *Energy Policies E-a through E-e and Implementation Measures E-(1) through E-(5).*
   - *Climate Change Policies CC-c, CC-d, CC-f, CC-g and CC-h.*
   - *Air Quality Policies AQ-d, AQ-e, AQ-g, AQ-h and AQ-k and Implementation Measure AQ-(1).*

   The General Plan Policies and Implementation Measures, project design and operations and, if required, energy evaluations could result in conditions of approval that all serve to reduce potentially significant impacts to less-than-significant levels with the imposition of mitigation measures. In general, the City strives to reduce the amount of energy consumed by existing users throughout the City in addition to all future residential, commercial, industrial, and public service facility development. Implementation of the policies and efforts identified would assist to reduce energy consumption to a ***less-than-significant*** *level.*

   Should an EIR be required for a future discretionary project,, either mitigations or a Statement of Overriding Considerations will need to be adopted by the City Council if they wish to approve a particular development project that, after the application of EIR mitigation measures, energy impacts are not reduced to below a level of significance. However, for the 313 residential units to be developed over the next 20 years, impacts are ***less-than-significant*** *on a yearly basis and no mitigation is required.*

CHAPTER FIVE

ALTERNATIVES TO THE PROPOSED ACTION

5.1 ALTERNATIVES

The purpose of this Chapter is to identify the most environmentally advantageous alternative(s) to the proposed project. *Section 15126.6* of the *CEQA Guidelines* requires an EIR to describe a reasonable range of alternatives to a project, or to the location of a project that could feasibly attain the project objectives, and evaluate the relative merits of each alternative in terms of environmental effects. The *CEQA Guidelines* also require the reasons for selecting a presumably environmentally superior alternative over other alternatives. Also, the *No Project* alternative (*Existing General Plan*) must be compared to other alternatives to determine whether taking no action is environmentally superior to taking the proposed action, or an alternative to it. Reasonable alternatives to the proposed action which still attain the project objectives of adopting the *City of Corning 2014-2034 General Plan Update* are:

- The *CEQA* required *No Project Alternative* which is the existing *1994 General Plan*.
- The *Lower Density Residential Alternative* reflects the use of a lower density factor of 4 DU's/Acre for *Residential* and 10 DU's/Acre for *Multi-Family Residential* land uses.
- The *Higher Density Residential Alternative* reflects the use of a higher density factor of 8 DU's/Acre for *Residential* and 24 DU's/Acre for *Multi-Family Residential* land uses.

5.1.1 NO PROJECT ALTERNATIVE

Under the *No Project Alternative*, the *2014-2034 General Plan Update* would not be adopted and the *1994 General Plan* would continue to guide development in the City. The key differences between the *1994* and the *2014-2034 General Plan Update* are:

- The *Unclassified* and *Agriculture* land use classifications would remain.
- The *Large Lot* Residential that basically replaces the *Agricultural* classification and is more reflective of the size and uses of the underlying parcels would not be advanced.
- The *1994 General Plan* does not provide vacant *Multi-Family Residential* classified lands to provide a higher density type of living environment and is also necessary to meet State of California mandated *Regional Housing Needs Allocation* (*RHNA*) requirements.
- The amount of existing *Industrial* designated lands far exceeds the need or demand for such lands.
- The *1994 General Plan* does not provide *Public Services*, *Air Quality*, *Climate Change*, and *Energy Elements*.
- The *1994 General Plan* does not identify *Objectives* for each *Element*.
- The *2014-2034 General Plan Update* clearly updates and identifies those streets within the City and Sphere of Influence that truly function as Arterials, Minor Arterials and Collectors.

Overall environmental impacts associated with the *2014-2034 General Plan Update* would not be significantly reduced since the increases in *Residential* and *Multi-Family* classified lands are being offset by a reductions of 93 acres of *Industrial* classified lands. In addition, the existing approximate 118.6 acres of *Unclassified* lands are being classified for *Large Lot Residential*, *Residential* and *Multi-Family Residential* land uses.

5.1.2 LOWER DENSITY RESIDENTIAL ALTERNATIVE

This alternative places greater emphasis on the development of the reclassified vacant single family lands at a lower density than proposed in the *2014-2034 General Plan Update*. The *2014-2034 General Plan Update* utilizes a density factor of 4.5 DU's/Acre for the existing vacant *Residential* classified parcels and approved tract maps, which total 1,075 DU's on 237 acres. A density of 6 DU's is used for the 69.5 acres reclassified to *Residential* and 19 DU's/Acre is used for the 42 acres of *Multi-Family Residential* reclassified land. The density of *Large Lot Residential* lands remained at 2 acres per DU.

The *Lower Density Residential Alternative* reflects the use of a lower density factor for reclassified lands of 4 DU's/Acre for *Residential* land uses and 10 DU's/Acre for *Multi-Family Residential* land uses.

This alternative would result in a total of 1,855 dwelling units of which 1,353 would be *Residential* DU's, 420 would be *Residential Multi-Family* DU's and 82 *Large Lot Residential* DU's. The *2014-2034 General Plan Update* generates 2,375 DU's and this alternative is 520 less DU's.

This alternative would generate a population of 5,398 persons, which is 1,513 less persons than the *2014-2034 General Plan Update* projected population of 6,911 persons.

Overall environmental impacts associated with this alternative compared to the *2014-2034 General Plan Update* would not be significantly reduced since the land area proposed for development is still the same. The land form would still be altered since the same areas would still be developed, just with less density. Therefore, potential aesthetic, drainage, erosion, biological, water quality and biological impacts could still occur. Public service and facilities, traffic, noise, air quality, climate change and energy impacts would be reduced, albeit not significantly over a 20 year time period.

5.1.3 HIGHER DENSITY RESIDENTIAL ALTERNATIVE

This alternative places greater emphasis on the development of reclassified vacant single family lands at higher densities than proposed in the *2014-2034 General Plan Update*. As previously noted, the *2014-2034 General Plan Update* utilizes a density factor of 4.5 DU's/Acre for the existing vacant *Residential* classified parcels and approved tract maps, a total of 1,075 DU's on 237 acres. A density of 8 DU's is used for the 69.5 acres reclassified to *Residential* and 24 DU's/Acre is used for the 42 acres of *Multi-Family Residential* reclassified land. The density of Large Lot Residential lands remains at 2 acres per DU.

This alternative results in a total of 2,721 dwelling units of which 1,631 would be *Residential* DU's, 1,008 would be *Residential Multi-Family* DU's and 82 *Large Lot Residential* DU's. The *2014-2034 General Plan Update* identifies 2,375 DU's and this alternative would result in 346 more DU's.

This alternative would generate a population of 7,918 persons, which is 1,007 more persons than the *2014-2034 General Plan Update* projected population of 6,911 persons.

Overall environmental impacts associated with this alternative compared to the *2014-2034 General Plan Update* would increase. Environmental impacts on the natural environment, due to the land form alteration would be similar to the other alternatives, in particular with

respect to aesthetics, drainage, erosion, biological, water quality and biological impacts. These impacts could be readily mitigated, however, air quality, climate change and energy impacts could be significant, not because of the increase in housing, but due to the population increase. The population increase would result in an increased demand on public services and facilities, in particular water resources and wastewater treatment, impacts due to increased traffic and noise levels and their attendant impacts.

5.2 PREFERRED ALTERNATIVE

Based on the environmental evaluation in **Chapter 4 - Existing Conditions, Impacts and Mitigations**, and the comparative analysis in this chapter, it is evident that overall, the environmentally superior alternative is the *2014-2034 General Plan Update Alternative*. More importantly it should be recognized that land availability for development purposes is not the issue, the demand for any form of development and associated construction, regardless of alternative, is not present.

Based on the historical growth rate over the last 20 years of 0.52 percent for housing and 0.86 percent for population, it is projected that 313 DU's could be constructed with a population projection of 910 persons for the residences. However, if the population growth of 0.86 percent is realized over the next 20 years, that would result in an overall population growth of approximately 1,427 persons resulting in a need for 490 DU's. The 313 projected DU's would create a demand for an additional 177 DU's. What is not taken into account are vacancy rates.

Over the last 20 years housing vacancy rates have ranged between 7.33 percent in Year 2000 to a high of 8.50 percent in Year 2012. The average over the last 20 years has been 7.93 percent. Since 2009 vacancy rates have averaged 8.41 percent. The vacancy rate for last year was 8.40 percent. Utilizing an average vacancy rate of 7.93 percent over the last 20 years, it is projected that there are 227 DU's available. These 227 DU's could meet the increased population demand of 177 DU's that construction of the 313 DU's over 20 years would not meet.

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CHAPTER SIX

OTHER REQUIRED CEQA SECTIONS

6.1 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the *CEQA Guidelines* requires analysis of significant irreversible changes that implementation of the project would bring about. Specifically, this section of the *Guidelines* is concerned with irreversible commitments of non-renewable resources.

Implementation of the *2014-2034 General Plan Update* would result in certain irreversible environmental changes. Development activities would require the commitment of natural resources. As full implementation of the General Plan progresses, an increasing commitment of building materials, natural gas, electricity, and petroleum would be required. This represents an irretrievable commitment of resources due to their non-renewable or slowly renewable nature. Development would also commit future generations to land uses classified in the *2014-2034 General Plan Update*. Implementation would also alter the biology of undeveloped lands as they become urbanized and the natural habitat reduced. Once committed to urban land uses, the land is essentially irretrievably converted from its natural state.

6.2 CUMULATIVE EFFECTS

Section 15130 of the *CEQA Guidelines* requires analysis of a projects contribution to significant cumulative impacts. Cumulative impacts occur when the incremental effects of a project, which may or may not be individually significant, are combined with the effects of later phases or other elements of that project or the effects of other projects to produce a significant impact.

The cumulative impact discussion reflects the severity of the impacts and their likelihood of occurrence, but the discussion does not need to provide the level of detail provided for the effects attributable to the project. Standards of practicality and reasonableness are used and focus is on the cumulative impact to which the identified on-going projects contribute, rather than the attributes of other projects that do not contribute to the cumulative impact.

Quantification can be difficult for cumulative impacts, as it requires speculative estimates of impacts including, but not limited to the following; the geographic diversity of impacts (impacts of future development may affect different areas), variations in time of impacts, and data for buildout projections may change following subsequent approvals. However, every attempt has been made herein to make sound qualitative judgements of the combined effects of, and relationship between, land uses and potential impacts and not to engage is speculation, to the maximum extent feasible.

This EIR assesses the overall environmental effects of the *2014-2034 General Plan Update* at a program level of detail. This EIR evaluates the overall (cumulative) effects of buildout in accordance with the land use designations, land use assumptions, and the Goals, Objectives, Policies, and Implementing Measures contained in the *2014-2034 General Plan Update*.

As of January 1, 2015, there were approximately 7,638 residents and 2,861 DU's in the City of Corning. At buildout in the year 2132, the City is anticipated to have a housing inventory of 5,236 DU's which based on 2.91 persons per DU generates a population of 15,237 persons. Therefore, an additional 7,599 residents are anticipated in the City under *2014-2034 General Plan Update* buildout conditions.

Pursuant to *Section 15355(b)* of the *CEQA Guidelines*, "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects."

Cumulative development associated with the *2014-2034 General Plan Update* and future growth within the City would result in potential impacts to the following resource areas:

- Biological Resources
- Water Resources
- Flood Protection
- Parks & Recreation Facilities & Resources
- Seismic & Geologic Hazards
- Noise
- Land Use
- Circulation
- Fire Safety & Law Enforcement
- Public Services & Facilities
- Air Quality
- Climate Change

BIOLOGICAL RESOURCES

The proposed project, in combination with other reasonably foreseeable projects, could result in impacts on special-status species, and waters of the U.S., including wetlands. This would be a potentially cumulatively considerable impact. However, implementation of the *2014-2034 General Plan Update* policies and implementation measures identified in Section 4.1 – Biological Resources will reduce potential impacts to biological resources to a less than significant level through either resource avoidance or mitigation measures. Cumulative impacts would be reduced to a less than cumulatively considerable level.

WATER RESOURCES

The *2014-2034 General Plan Update* would not result in any significant hydrology or drainage impacts. Any future development projects in the City would be required to mitigate specific hydrologic impacts on a project-by-project basis. Therefore, any such impacts associated with individual project development under proposed buildout conditions would be site-specific and would not contribute to cumulative impacts.

FLOOD PROTECTION

The implementation of the *2014-2034 General Plan Update* and associated implementation programs as discussed in **Section 4.8 – Flood Protection**, would help to reduce any flood and drainage impacts in the City. The General Plan policy provisions and standard conditions of approval for drainage impacts and possible associated flooding would require development and remodeling proposals in areas subject to flooding to avoid the subject area altogether, provide a minimum flood protection level equal to a 100-year storm event, pursue sources of state and federal funding, and establish and maintain an effective emergency response program that anticipates the potential for disasters. Thus, implementation of the *2014-2034 General Plan Update* provisions and continued implementation of standards for flood protection and the standard conditions of approval would reduce this impact to be less than cumulatively considerable.

PARKS & RECREATION FACILITIES & RESOURCES

Buildout of the *2014-2034 General Plan Update* would result in significant parks and recreation impacts. The increase in population within the City that would result from implementation of the *2014-2034 General Plan Update* would burden existing parks and recreation facilities. However, future development could be required to pay park and recreation fees towards the cost of providing and maintaining the facilities. An alternative is for development to directly provide facilities as mitigation for these impacts. Payment of fees and/or implementation of facilities on a project-by-project basis would offset cumulative park and recreation facilities and resources impacts by providing funding for new and/or renovated parks equipment and facilities.

On a project by project basis, development of future projects in the region, as well as under buildout of the *2014-2034 General Plan Update*, would result in an increase in the demand on existing City and regional parks and recreation facilities. As previously noted, the *2014-2034 General Plan Update* would substantially burden the current parks and recreation facilities. As such, the incremental impact of buildout associated with the *2014-2034 General Plan Update* when considered in combination with regional buildout could be cumulatively significant for parks and recreation.

GEOLOGIC AND SEISMIC HAZARDS

Future development in the City would encounter geologic and limited seismic risks based on their individual site constraints. Implementation of the *2014-2034 General Plan Update* would not result in any significant geologic and seismic impacts. The geologic and seismic impacts of individual project development under proposed buildout conditions would be site-specific and would not contribute to cumulative impacts.

NOISE

Increased traffic volumes resulting from *2014-2034 General Plan Update* buildout and buildout of surrounding lands in the region are anticipated to result in cumulatively substantial increases in vehicular noise levels along major thoroughfares in the area, in particular I-5, Hwy 99 W, Marguerite Avenue, Solano Avenue, and South Avenue. Although residences and other sensitive land uses located along these segments may be currently impacted, albeit limited, by existing traffic noise, buildout conditions would be expected to further such impacts. However, since the *2014-2034 General Plan Update* involves no modifications to the existing land use designations within the City, other than increasing the amount of developable multi-family land and decreasing the amount of industrial land, it would not directly result in significant increased traffic noise in the area.

In addition to traffic noise, future projects under the *2014-2034 General Plan Update* buildout would increase the ambient noise levels within the City as a result of short-term construction activities and long-term operations. In order to mitigate adverse noise impacts, development proposals would continue to be reviewed for compliance with criteria set forth in the *2014-2034 General Plan Update*. Noise studies shall be required and noise attenuation features incorporated into new development, where necessary, to comply with specific interior and exterior noise levels. Future projects under regional buildout conditions would be required to satisfy the similar noise criteria and requirements as the City. The incremental impact of *2014-2034 General Plan Update* buildout when considered in combination with regional buildout would therefore be less than significant.

LAND USE

The *2014-2034 General Plan Update* would not involve any significant changes to the existing land use designations in the City other than increasing by 42 acres multi-family classified lands necessary to accommodate higher density living environments and to meet state mandated *RHNA* requirements. In addition, industrial lands are being reduced significantly by 93 acres. On a project by project basis, under *2014-2034 General Plan Update* buildout conditions, development would result in the loss of vacant areas primarily located along the periphery of the City, primarily in the northern and eastern portions of the City.

Continued urbanization and intensification of land uses resulting from development in the region would result in a loss of agricultural land and open space. Opportunities for mitigation would generally be limited to dedication of additional lands in the region as open space or as permanent agricultural preserves. Opportunities for permanent dedication of open space and agricultural lands are likely to be limited. Buildout of the City would contribute to this loss of agricultural land in a limited way. Approximately 219 acres of vacant/agricultural land located in the City would eventually be developed under the *Large Lot Residential* classification which limits density to 2 acres per dwelling unit. This provides an opportunity for cluster residential development thereby conserving open space and agricultural activities on a smaller scale.

The *2014-2034 General Plan Update* would result in less than significant land use impacts, and all future projects under *2014-2034 General Plan Update* and regional buildout would be required to mitigate their respective land use impacts. Therefore, the incremental impact of the *2014-2034 General Plan Update*, when considered in combination with buildout of the adjoining regional areas would not result in cumulatively significant impacts related to land use.

CIRCULATION

The *Circulation Element* of the *2014-2034 General Plan Update* considers the impacts of traffic traveling through, as well as within the City. Future cumulative travel patterns within and through the City would be directly influenced by changes to the surrounding state and county transportation systems. The *2014-2034 General Plan Update* does not involve any major changes to existing land use designations or new land use designations that would increase vehicle trips on congestion on City roadways. No other direct impacts on intersections or roadway segment capacity within the City are anticipated to result from buildout of the *2014-2034 General Plan Update*.

FIRE SAFETY & LAW ENFORCEMENT

No significant fire safety and law enforcement impacts would result from implementation of the *2014-2034 General Plan Update*. The increase in population within the City that would result from implementation of the *2014-2034 General Plan Update* would not burden fire safety and law enforcement services. Regional projects and projects under buildout of the *2014-2034 General Plan Update* would be required to evaluate their respective fire safety and law enforcement impacts on a project-by-project basis. However, as described in *Section 4.9 – Fire Safety & Law Enforcement* of this EIR, the *2014-2034 General Plan Update* would not substantially burden existing fire safety and law enforcement services. As such, the incremental contribution of the *2014-2034 General Plan Update* to fire safety and law enforcement impacts would be less than significant.

PUBLIC SERVICES AND UTILITIES

Buildout of the *2014-2034 General Plan Update* would not result in any significant public services and utilities impacts. The increase in population within the City that would result from

implementation of the *2014-2034 General Plan Update* should not burden existing public services and utilities. In addition, projects proposed under buildout of the *2014-2034 General Plan Update* would be required to pay impact and/or connection fees for water and wastewater improvements necessary to serve future development. In addition, payment of school impact fees would offset cumulative schools impacts by providing funding for new and/or renovated schools equipment and facilities.

On a project by project basis, development as well as under buildout of the *2014-2034 General Plan Update*, may result in increased demands on existing public facilities and services. However, as described in **Section 4.14 – Public Services & Facilities**, the *2014-2034 General Plan Update* would not substantially lower the current level of service of the respective public services. As such, the incremental contribution of the *2014-2034 General Plan Update* to public services and utilities impacts would be less than significant.

AIR QUALITY

The *2014-2034 General Plan Update*, in conjunction with cumulative development in the region, would contribute to increased air pollutant emissions and accompanying climate change. The *2014-2034 General Plan Update* proposes the development of available areas within the City that is essentially infill construction since existing infrastructure is available and/or easily extended. The *2014-2034 General Plan Update* includes measures intended to minimize the necessity and length of vehicular trips. Additionally, the *2014-2034 General Plan Update* includes measures to minimize stationary source emissions. On a regional basis, the Tehama Air Pollution Control District has addressed mitigation of air quality impacts. However, with mitigation, air quality and associated climate change impacts would remain cumulatively significant for the region.

CLIMATE CHANGE

Implementation of the *2014-2034 General Plan Update* would result in greenhouse gas emissions that would not be anticipated to conflict with the goals of AB 32 nor result in a significant impact on the environment. The environmental effects of climate change are not currently expected to result in adverse impacts and is considered a less than cumulatively considerable impact.

Because considerable uncertainty remains with respect to the overall impact of global climate change in California, it is unknown whether these impacts would be significant. Based on consideration of state and regional climate change studies and guidance, in combination with the City's existing and proposed policies regarding climate change, it is expected that climate change impacts would be less than cumulatively considerable.

6.3 GROWTH INDUCING IMPACTS

Section 15126.2(d) of the *CEQA Guidelines* states that growth induced by a project can be direct or indirect. A project can be growth inducing when it:

- Directly or indirectly fosters economic or population growth or construction of additional housing;
- Removes obstacles for population growth, such as extending public facilities into areas where they do not currently exist;
- Taxes community service facilities; and,

- Encourages and facilitates other activities that could significantly affect the environment.

The *Guidelines* also clearly state that growth should not be assumed to be either beneficial, detrimental, or of little significance to the environment. Based on case law, an EIR must analyze the impacts in relation to the most probable development patterns.

The City is a land use authority and has the primary responsibility for implementing growth strategies. The City plans future facilities by undertaking long range facilities planning and accompanying financing justification studies. Essentially the City serves to meet the demands of existing development and accommodate future growth.

The *1994 General Plan* is growth accommodating and the *2014-2034 General Plan Update* is likewise. The *2014-2034 General Plan Update* contains policies that establishes processes and criteria enabling the City to consider development beyond the current land use allocations, a consequence that would be considered growth inducing. However, the *2014-2034 General Plan Update* allocates less land to industrial development reducing the amount from approximately 171 acres to 93 acres. *Residential* classified lands for primarily single family development will be increased by approximately 70 acres to 782 acres as will *Multi-Family Residential* classified lands which would be increased by approximately 42 acres to 112 acres.

In the short-term, the *2014-2034 General Plan Update* will ensure adequate land, with appropriate zoning to allow for the additional residential development, in particular multi-family housing. The *2014-2034 General Plan Update* will accommodate the future housing needs of projected population growth over the next 20 years and beyond to the Year 2132.

All of the development anticipated by the *2014-2034 General Plan Update* will be developed on land that is already served by the necessary infrastructure for residential development, or on land that can have the necessary infrastructure systems easily extended. For this reason, adoption and implementation of the *2014-2034 General Plan Update* will not be expected to induce substantial growth that would require significant new infrastructure extensions or upgrade. Therefore, approval and implementation of the *2014-2034 General Plan Update* will have ***less-than-significant*** growth inducement impacts.

As development is proposed and approved in the future, it would be in response to anticipated market demands that involve the attractiveness of the City for residential, commercial and industrial development. However, all growth would occur under the regulations and standards that currently exist and those proposed in the *2014-2034 General Plan Update*, which would serve to balance the community benefits and the potential impacts associated with growth. Any future amendments to the General Plan land use allocation would require a General Plan amendment and full CEQA environmental review.

CHAPTER SEVEN

REFERENCES

7.1 ORGANIZATIONS AND INDIVIDUALS CONSULTED

City of Corning

John Brewer, AICP, City Manager
Ed Anderson, City Engineer
Jody Burgess, City Attorney
Lisa Linnet, City Clerk
Martin Spannaus, Fire Chief
Don Atkins, Police Chief
Dawn Grine, Director of Public Works
Terry Hoofard, Building Official

Tehama County

Alan Abbs, Tehama County Air Pollution Control District Officer
Robert Halpin, AICP, Planner III, Planning Department
Rick Gurrola, Tehama County Agricultural Commissioner
Barbara O'Keefe, Deputy Director – Transportation, Tehama County Transportation & Transit Agency

Tehama County Cooperative Fire Projection

Matt Chamblin, Assistant Chief – Acting Fire Marshall

State of California Department of Fish and Wildlife

Curt Babcock, Habitat Conservation Program Manager
Kristin Hubbard, Environmental Scientist

7.2 REPORT PREPARATION PERSONNEL

Diaz Associates

Eihnard F. Diaz, AICP, Project Manager and Principal Author
Susan M. Diaz, Administrative Assistant & Editor

ENPLAN

Don Burk, Environmental Services Manager

John Stoufer Planning Consultant, Project Manager

Lawrence & Associates

Bonnie Lampley, Principal Hydrogeologist
Clayton Coles, Principal Engineering Geologist

McEntire Landscaping, Inc.

James McEntire, Certified Arborist
Jim Coats, GIS Manager

7.3 REFERENCE DOCUMENTS

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CHAPTER EIGHT

APPENDIX

8.1 2014-2034 GENERAL PLAN UPDATE PLANNING COMMISSION/TASK FORCE WORKSHOP AND PUBLIC HEARING DATES AND CITY COUNCIL PUBLIC HEARING DATES

A total of 20 public workshops and hearings were held or will be held, to review and discuss the preparation of the *2014-2034 General Plan Update* by the *Task Force*. This included public hearings held by the Planning Commission and City Council. The workshops and hearings, while providing public information, encouraged public participation. The following provides the dates of the meetings held and a brief overview of the subject matter reviewed and discussed.

- Public Hearing #1 – Tuesday, October 23, 2012 – 7:30 P.M.
  This introductory public hearing regarding the General Plan and EIR process was a combined City Council and Planning Commission meeting. The City Council authorized the formation of a *2014-2034 General Plan Update Task Force* comprised of the Planning Commissioners.

- Public Workshop #1 – Tuesday, February 19, 2013 – 6:30 P.M.
  General Plan Overview. Review and discussion regarding purpose, Update, Plan contents, and Plan organization. Preliminary review of the 1994 General Plan Goals, Objectives, Policies, and Implementation Measures.

- Public Workshop #2 – Tuesday, April 16, 2013 – 6:30 P.M.
  Review and discussion of optional General Plan Elements, organization of the General Plan, and review of the 1994 General Plan to review the 1994 General Plan to identify issues and findings.

- Public Workshop #3 – Tuesday, January 21, 2014 – 6:30 P.M.
  Discussion regarding that the State HCD Standard Conditions have been addressed and cleared so that the *2014-2034 General Plan Update* process can proceed.

- Public Workshop #4 – Tuesday, May 20, 2014 – 6:30 P.M.
  Review and discussion of 1994 General Plan Elements Issues and Findings Evaluations with revisions and deletions.

- Public Workshop #5 – Tuesday, June 17, 2014 – 6:30 P.M.
  Continued discussion of 1994 General Plan Elements Issues and Findings Evaluations with revisions and deletions. Review of the Natural Resources Group Goals, Objectives and Policies.

- Public Workshop #6 – Tuesday, September 16, 2014 – 6:30 P.M.
  Review of the existing 1994 and proposed *2014-2034 General Plan Upda*te Goals, Objectives and Policies and revisions and additions.

- Public Workshop #7 – Tuesday, October 21, 2014 – 6:30 P.M.
  Review and discussion of existing and proposed 2014-2034 General Plan Update Goals, Objectives and Policies with revisions and additions. Review of vacant lands information

- Public Workshop #8 – Tuesday, November 18, 2014 – 6:30 P.M.
  Review and discussion regarding emergency/homeless shelters, Mixed Use General Plan classification and locations for an "Alternative Housing" Zoning designation. Provision of draft Implementation Measures for future discussion.

- Public Workshop #9– Tuesday, December 16, 2014 – 6:30 P.M.
  Review and discussion of Implementation Measures.

- Public Workshop #10 – Tuesday, January 20, 2015 – 6:30 P.M.
  Review and discussion of the "Final" 2014-2034 General Plan Update Goals, Objectives, Policies and Implementation Measures.

- Public Workshop #11 – Tuesday, February 17, 2015 – 6:30 P.M.
  Review of potential Land Use changes both within the City and the Sphere of Influence abutting the northwestern portion of the City between I-5 and the railroad tracks.

- Public Hearing #2 and Public Workshop #12 – Tuesday, March 17, 2015 – 6:30 P.M.
  Review and discussion of several parcels proposed for Land Use Reclassification by property owners, the public and the Staff Team.

- Public Hearing #3 and Public Workshop #13 – Tuesday, March 31, 2015– 6:30 P.M.
  Review and discussion of nine parcels identified for Land Use Reclassification by the Staff Team.

- Public Workshop #14 – Tuesday, April 21, 2015 – 6:30 P.M.
  Review and discussion of the Administrative Draft 2014-2034 General Plan Update. Review and discussion of additional parcels proposed for Land Use Reclassification by property owners and the Staff Team. Changes were finalized.

- Public Hearing #4 and Public Workshop #15 – Tuesday, May 19, 2015 – 6:30 P.M.
  Undertake Draft EIR Scoping Session.

- Public Workshop #16 – Tuesday, June 16, 2015 – 6:30 P.M.
  Review and discussion of the Administrative Draft EIR.

- Public Hearing #5 – Tuesday, July 21, 2015 – 6:30 P.M.
  Planning Commission to conduct a Public Hearing to receive comments on the Draft EIR.

- Public Hearing #6 – Tuesday, August 18, 2015 – 6:30 P.M.
  Planning Commission review and consideration of a recommendation to the City Council that the Draft EIR and Draft 2014-2034 General Plan Update be considered for adoption by the City Council.

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- Public Hearing #7 – Tuesday, September 8, 2015 – 7:30 P.M.
  City Council review and consideration of certification of the Draft EIR as a Final EIR and adoption of the Draft 2014-2034 General Plan Update as the Final 2014-2034 General Plan.

The *Task Force* and Staff Team were available to meet with citizen's group, public or private agencies and organizations and individuals.

8.2 NOTICE OF PREPARATION AND RESPONSES

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NOTICE OF PREPARATION

To: Responsible and Trustee Agencies (Distribution List is attached to this notice)
Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency:		**Consulting Firm:**	
Agency Name:	City of Corning	Firm Name:	Diaz Associates
Street Address:	794 Third Street	Mailing Address:	4277 Pasatiempo Ct.
City/State/Zip	Corning, CA 96021	City/State/Zip Code:	Redding, CA 96002
Contact:	John Stoufer	Contact:	Eihnard Diaz

The City of Corning is serving as the Lead Agency for preparation of an Environmental Impact Report (EIR) to be prepared for the 2014-2034 General Plan Update.

The City requests the views of your agency regarding the scope and content of the environmental information that should be included in this EIR. The document to be prepared by the City should include any information necessary for your agency to meet any statutory responsibilities related to the proposed project. Your agency may use this EIR when considering any permit or other approvals necessary to implement projects within the City of Corning. The proposed scope of study identified for this EIR is attached to this notice. If any topics of concern to your agency have already been identified for analysis, your agency need not provide a response to this notice.

The project description, and the environmental topics proposed for analysis in the EIR are contained in the attached materials. Due to the time limits mandated by State law, your response may be sent to the City of Corning at the earliest possible date but not later than 30 days after receipt of this notice. Please send your response to John Stoufer, Planning Consultant, City of Corning, 794 Third Street, Corning, California 96021. Agency responses to this Notice of Preparation (NOP) should include the name of a contact person within the commenting agency.

Project Title: 2014-2034 Corning General Plan
Project Location: Corning, California
Project Description (brief):

California State law (Government Code Section 65300) requires the City of Corning to adopt a general plan "for the physical development of the city, and any land outside its boundaries which . . . bears relation to its planning." The general plan serves as a "constitution" for development, the foundation upon which all land use decisions are to be based. It expresses community development goals and embodies public policy relative to the distribution of future land use, both public and private. In summary, it is a statement of the City's vision of its physical growth over the next 20 years.

PROJECT LOCATION:

The City of Corning, California is a rural agricultural community of 7,598 people situated 25 miles northwest of Chico and 17 miles south of Red Bluff in south central Tehama County (**Figure 1**). The physical layout of the City was established in 1878, when the town named Scatterville, later Riceville, was built. In 1882, the town of Corning was established and merged with Riceville. Since that time, the City and adjacent agricultural areas have seen a slow to moderate increase in population growth. In the past, the population has been distributed as a small nucleus in the incorporated urbanized areas, surrounded by a larger non-urbanized halo in the unincorporated areas.

ENVIRONMENTAL SETTING:

The physical layout of Corning is based on the original 19th century plat of the City with streets running in north-south and east-west directions. Solano Street is the main arterial and along with South Avenue is one of the two access points to the City from Interstate 5. Commercial development and the “Downtown Area” are developed on the north and south sides of Solano Street. Roadside commercial businesses are developing along Hwy. 99W within the Hwy 99W Corridor Specific Plan Area and three truck stops, restaurants, and accessory truck facility businesses are established at the South Avenue interchange. The Bell-Carter olive processing facility is located in the central

downtown area adjacent to the Union Pacific Railroad tracks. The largest land use within the City is single-family residential, with limited multi-family, commercial, and industrial uses established in selected areas throughout the City. Municipal facilities include schools, parks, library, airport, fire stations, and City Hall.

The topography of the City is gently rolling transected by two creeks, Burch & Jewett, and several small drainage ditches the primary being the Blackburn-Moon drain that provides drainage for the northern portion of the City. Natural vegetation is sparse with orchards and rural residential/agricultural uses established in the areas surrounding the City and within the Sphere of Influence.

TOPICS IDENTIFIED FOR STUDY IN THIS EIR

After review of the Initial Study prepared for this project, the City of Corning has determined that the proposed project may have a significant effect on the environment, and an Environmental Impact Report is required. The City proposes research, analysis, and study of the following environmental topics in this EIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Noise
- Population/Housing
- Public Services
- Transportation/Traffic
- Utilities/Services Systems

The City of Corning will consider the comments received in response to this NOP in determining the final scope and content of the EIR to be prepared. Any comments provided should identify specific topics of environmental concern and the reason your agency is suggesting the study of these topics in the EIR.

Please provide your comments in writing to:

John Stoufer, Planning Consultant
794 Third Street
Corning, CA 96021

If you have any questions or would like additional information regarding the preparation of the 2014-2034 General Plan Update or EIR you can contact Mr. Stoufer by phone at 530-824-7036 or email at jstoufer@corning.org. Thank you for your participation in the environmental review of this proposed project.

CITY OF CORNING
RESPONSIBLE AGENCIES MAILING LIST

Corning Water District
P.O. Box 738
Corning, CA 96021

Tehama County Planning Dept.
444 Oak Street, Room I
Red Bluff, CA 96080

Corning Union Elem. School Dist.
1590 South Street
Corning, CA 96021

Corning Union High School Dist.
643 Blackburn Avenue
Corning, CA 96021

Tehama County Public Works
9380 San Benito Avenue
Gerber, CA 96035

California Fish & Wildlife
601 Locust Street
Redding, CA 96001

Caltrans District 2
1657 Riverside Drive
Redding, CA 96002

CA. Dept. of Water Resources
2440 Main Street
Red Bluff, CA 96080

Tehama Co. Env. Health Dept.
633 Washington St., Room 36
Red Bluff, CA 96080

Pacific Gas & Electric
3600 Meadowview Dr.
Redding, CA 96002

SBC Engineering
Attn: Brian Stone
4434 Mountain Lakes Blvd.
Redding, CA 96003

Comcast Cable
Attn: Jim Keeler
427 Eaton Rd.
Chico, CA 95973

Regional Water Quality Control Board - Central Valley Region
415 Knollcrest Dr. Suite 100
Redding, CA 96002

Tehama Co. APCD
1750 Walnut St.
Red Bluff, CA 96080

Tehama County Farm Bureau
275 Sale Lane
Red Bluff, CA 96080

TC. Mosquito & Vector Control
P.O. Box 1005
Red Bluff, CA 96080

TC Landfill Management Agency
19995 Plymire Road
Red Bluff, CA. 96080

Tehama County Ag Commission
1834 Walnut Street
Red Bluff, CA 96080

State Clearinghouse
P.O. Box 3004
Sacramento, CA. 95812-3004

California Highway Patrol
2503 Cascade Blvd.
Redding, CA 96003

Tehama County Fire Department
604 Antelope Blvd.
Red Bluff, CA. 96080

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STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

Notice of Preparation

May 12, 2015

RECEIVED

MAY 18 2015

CITY OF CORNING

To: Reviewing Agencies

Re: 2014-2034 Corning General Plan
SCH# 2015052037

Attached for your review and comment is the Notice of Preparation (NOP) for the 2014-2034 Corning General Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

John Stoufer
City of Corning
794 Third Street
Corning, CA 96021

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2015052037
Project Title 2014-2034 Corning General Plan
Lead Agency Corning, City of

Type NOP Notice of Preparation

Description CA requires the City of Corning to adopt a general "for the physical development of the City, and any land outside its boundaries which...bears relation to its planning." The general plan serves as a "constitution" for development, the foundation upon which all land use decisions are to be based. It expresses community development goals and embodies public policy relative to the distribution of future land use, both public and private. In summary, it is a statement of the City's vision of its physical growth over the next 20 years.

Lead Agency Contact

Name John Stoufer
Agency City of Corning
Phone (530) 824-7036 **Fax** 530-824-2489
email jstoufer@corning.org
Address 794 Third Street
City Corning **State** CA **Zip** 96021

Project Location

County Tehama
City Corning
Region
Cross Streets
Lat / Long
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways I-5
Airports
Railways
Waterways
Schools
Land Use Single-family residential, with limited multi-family, commercial, and industrial uses established in selected areas throughout the City.

Project Issues Aesthetic/Visual; Agricultural Land; Forest Land/Fire Hazard; Air Quality; Biological Resources; Archaeologic-Historic; Cumulative Effects; Geologic/Seismic; Other Issues; Growth Inducing; Toxic/Hazardous; Water Quality; Landuse; Noise; Public Services; Traffic/Circulation; Water Supply

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 1; Native American Heritage Commission; Public Utilities Commission; California Highway Patrol; Caltrans, District 2; Air Resources Board; State Water Resources Control Board, Divison of Financial Assistance; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 5 (Redding)

Date Received 05/12/2015 **Start of Review** 05/12/2015 **End of Review** 06/10/2015

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List — County: Tehama — SCH# 2015052037

Resources Agency

- [x] **Resources Agency**
  Nadell Gayou
  - [ ] **Dept. of Boating & Waterways**
    Nicole Wong
  - [ ] **California Coastal Commission**
    Elizabeth A. Fuchs
  - [ ] **Colorado River Board**
    Lisa Johansen
  - [x] **Dept. of Conservation**
    Elizabeth Carpenter
  - [ ] **California Energy Commission**
    Eric Knight
  - [ ] **Cal Fire**
    Dan Foster
  - [ ] **Central Valley Flood Protection Board**
    James Herota
  - [x] **Office of Historic Preservation**
    Ron Parsons
- [x] **Dept of Parks & Recreation**
  Environmental Stewardship Section
  - [ ] **California Department of Resources, Recycling & Recovery**
    Sue O'Leary
  - [ ] **S.F. Bay Conservation & Dev't. Comm.**
    Steve McAdam
  - [x] **Dept. of Water Resources**
    Resources Agency
    Nadell Gayou

Fish and Game

- [ ] **Depart. of Fish & Wildlife**
  Scott Flint
  Environmental Services Division
- [x] **Fish & Wildlife Region 1**
  Donald Koch
- [ ] **Fish & Wildlife Region 1E**
  Laurie Harnsberger
- [ ] **Fish & Wildlife Region 2**
  Jeff Drongesen
- [ ] **Fish & Wildlife Region 3**
  Charles Armor
- [ ] **Fish & Wildlife Region 4**
  Julie Vance
- [ ] **Fish & Wildlife Region 5**
  Leslie Newton-Reed
  Habitat Conservation Program
- [ ] **Fish & Wildlife Region 6**
  Tiffany Ellis
  Habitat Conservation Program
- [ ] **Fish & Wildlife Region 6 I/M**
  Heidi Sickler
  Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Wildlife M**
  George Isaac
  Marine Region

Other Departments

- [ ] **Food & Agriculture**
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] **Depart. of General Services**
  Public School Construction
- [ ] **Dept. of General Services**
  Anna Garbeff
  Environmental Services Section
- [ ] **Delta Stewardship Council**
  Kevan Samsam
- [ ] **Housing & Comm. Dev.**
  CEQA Coordinator
  Housing Policy Division

Independent Commissions,Boards

- [ ] **Delta Protection Commission**
  Michael Machado
- [ ] **OES (Office of Emergency Services)**
  Dennis Castrillo
- [x] **Native American Heritage Comm.**
  Debbie Treadway
  - [x] **Public Utilities Commission**
    Leo Wong
  - [ ] **Santa Monica Bay Restoration**
    Guangyu Wang
  - [ ] **State Lands Commission**
    Jennifer Deleong
  - [ ] **Tahoe Regional Planning Agency (TRPA)**
    Cherry Jacques

Cal State Transportation Agency CalSTA

- [ ] **Caltrans - Division of Aeronautics**
  Philip Crimmins
- [ ] **Caltrans – Planning HQ LD-IGR**
  Terri Pencovic
- [x] **California Highway Patrol**
  Suzann Ikeuchi
  Office of Special Projects

Dept. of Transportation

- [ ] **Caltrans, District 1**
  Rex Jackman
- [x] **Caltrans, District 2**
  Marcelino Gonzalez
- [ ] **Caltrans, District 3**
  Eric Federicks – South
  Susan Zanchi - North
- [ ] **Caltrans, District 4**
  Erik Alm
- [ ] **Caltrans, District 5**
  Larry Newland
- [ ] **Caltrans, District 6**
  Michael Navarro
- [ ] **Caltrans, District 7**
  Dianna Watson
- [ ] **Caltrans, District 8**
  Mark Roberts
- [ ] **Caltrans, District 9**
  Gayle Rosander
- [ ] **Caltrans, District 10**
  Tom Dumas
- [ ] **Caltrans, District 11**
  Jacob Armstrong
- [ ] **Caltrans, District 12**
  Maureen El Harake

Cal EPA

Air Resources Board

- [x] All Other Projects
  Cathi Slaminski
  - [ ] Transportation Projects
    Nesamani Kalandiyur
  - [ ] Industrial/Energy Projects
    Mike Tollstrup
- [x] **State Water Resources Control Board**
  Regional Programs Unit
  Division of Financial Assistance
- [ ] **State Water Resources Control Board**
  Jeffery Werth
  Division of Drinking Water
- [ ] **State Water Resources Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] **State Water Resouces Control Board**
  Phil Crader
  Division of Water Rights
- [x] **Dept. of Toxic Substances Control**
  CEQA Tracking Center
- [ ] **Department of Pesticide Regulation**
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] **RWQCB 1**
  Cathleen Hudson
  North Coast Region (1)
- [ ] **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] **RWQCB 3**
  Central Coast Region (3)
- [ ] **RWQCB 4**
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] **RWQCB 5S**
  Central Valley Region (5)
  - [ ] **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - [x] **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- [ ] **RWQCB 6**
  Lahontan Region (6)
  - [ ] **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- [ ] **RWQCB 7**
  Colorado River Basin Region (7)
- [ ] **RWQCB 8**
  Santa Ana Region (8)
- [ ] **RWQCB 9**
  San Diego Region (9)

- [ ] **Other** _____
  _____
  _____
- [ ] _____
  Conservancy

Last Updated 10/13/2014

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

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

June 4, 2015

Mr. John Stoufer
City of Corning
794 Third Street
Corning, CA 96021

Subject: Notice of Preparation for the 2014-2034 Corning General Plan Draft Environmental Impact Report, City of Corning, State Clearinghouse #2015052037

Dear Mr. Stoufer:

The California Department of Fish and Wildlife (Department) has reviewed the Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for the 2014-2034 Corning General Plan Update (Project). The Department offers the following comments and recommendations on the Project in our role as the State's trustee for fish and wildlife resources, and as a responsible agency under the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq. The following comments are intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

Project Description

The Project description, as provided in the NOP, is the following:

> *"California State law (Government Code Section 65300) requires the City of Corning to adopt a general plan for the 'physical development of the city, and any land outside its boundaries which… bears relation to its planning.' The general plan serves as a 'constitution' for development, the foundation upon which all land use decisions are to be based. It expresses community development goals and embodies public policy relative to the distribution of future land use, both public and private. In summary, it is a statement of the City's vision of its physical growth over the next 20 years."*

Comments and Recommendations

The Department appreciates the opportunity to comment on the Project, relative to impacts to biological resources. To enable Department staff to adequately review and comment on the proposed Project, we recommend the following information be included in the DEIR, as applicable:

1. A complete assessment of the flora and fauna within and adjacent to the Project area should be conducted, with particular emphasis upon identifying special status species including rare, threatened, and endangered species. This assessment should also address locally unique species, rare natural communities, and wetlands. The assessment area for the Project should be large enough to encompass areas potentially subject to both direct and indirect Project affects. Both the Project footprint and the assessment area (if different) should be clearly defined and mapped in the DEIR.

    a. The Department's California Natural Diversity Database (CNDDB) should be searched to obtain current information on previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. In order to provide an adequate assessment of special-status species potentially occurring within the Project vicinity, the search area for CNDDB occurrences should include all U.S.G.S. 7.5-minute topographic quadrangles with Project activities, and all adjoining 7.5-minute topographic quadrangles. The DEIR should discuss how and when the CNDDB search was conducted, including the names of each quadrangle queried, or why any areas may have been intentionally excluded from the CNDDB query.

    b. A complete assessment of rare, threatened, and endangered invertebrate, fish, wildlife, reptile, and amphibian species should be presented in the DEIR. Rare, threatened, and endangered species to be addressed shall include all those which meet the CEQA definition (see CEQA Guidelines §15380).

    c. Species of Special Concern (SSC) status applies to animals generally not listed under the federal Endangered Species Act or the California Endangered Species Act, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. SSCs should be considered during the environmental review process.

    d. Fully Protected (FP) animals may not be taken or possessed at any time and the Department is not authorized to issue permits or licenses for their incidental take[1]. FP animals should be

[1] Scientific research, take authorized under an approved Natural Community Conservation Plan, and certain recovery actions may be allowed under some circumstances; contact the Department for more information.

considered during the environmental review process and all Project-related take must be avoided.

e. A detailed vegetation map should be prepared, preferably overlaid on an aerial photograph. The map should be of sufficient resolution to depict the locations of the Project site's major vegetation communities, and show Project impacts relative to each community type. The vegetation classification system used to name the polygons should be described. Special Status natural communities should be specifically noted on the map.

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, should be included.

a. The DEIR should present clear thresholds of significance to be used by the Lead Agency in its determination of environmental effects.

b. CEQA Guidelines section 15125 direct that knowledge of environmental conditions at both the local and regional levels is critical to an assessment of environmental impacts and that special emphasis shall be placed on resources that are rare or unique to the region.

c. Impacts associated with initial Project implementation as well as long-term operation and maintenance of the Project shall be addressed in the DEIR pursuant to CEQA Guidelines section 15126.2(a).

d. In evaluating the significance of the environmental effect of the Project, the Lead Agency should consider direct physical changes in the environment which may be caused by the Project and reasonably foreseeable indirect physical changes in the environment which may be caused by the Project. Expected impacts should be quantified (e.g., acres, linear feet, number of individuals taken, volume or rate of water extracted, etc., to the extent feasible).

e. Project impacts should be analyzed relative to their effects on off-site habitats and species. Specifically, this may include public lands, open space, downstream aquatic habitats, areas of groundwater depletion, or any other natural habitat or species that could be affected by the Project.

f. Impacts to and maintenance of wildlife corridor/movement areas and other key seasonal use areas should be fully evaluated and provided.

g. A discussion of impacts associated with increased lighting, noise, human activity, impacts of free-roaming domestic animals (including dogs and cats), changes in drainage patterns, changes in water volume, velocity, quantity, and quality, soil erosion, and/or sedimentation in streams and water courses on or near the Project site.

h. Special considerations applicable to linear projects include ground disturbance that may facilitate infestations by exotic and invasive species over a great distance.

i. A cumulative effects analysis shall be developed for species and habitats potentially affected by the Project. This analysis shall be conducted as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts to species and habitats.

3. A range of Project alternatives should be analyzed to ensure that the full spectrum of alternatives to the proposed Project are fully considered and evaluated. Alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be identified.

4. Avoidance, minimization, and mitigation measures should be developed to reduce significant impacts to less than significant. Mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats should be developed and thoroughly discussed. Mitigation measures should first emphasize avoidance and reduction of Project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not feasible, off-site mitigation through habitat creation, enhancement, acquisition, and preservation in perpetuity should be addressed.

5. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. The Department opposes any development or conversion which would result in a reduction of wetland or riparian acreage or wetland or riparian habitat values, unless, at a minimum, Project mitigation assures there will be "no net loss" of either wetland or riparian habitat values or acreage.

The DEIR should demonstrate that the Project will not result in a net loss of wetland or riparian habitat values or acreage.

6. A map with all entitled developments as well as new roadways and infrastructure should be included in the DEIR to assist with the cumulative impact analysis.

The Department appreciates the opportunity to provide comments early in the environmental review process. If you have any questions, please contact Kristin Hubbard, Environmental Scientist, at (530) 225-2138, or by e-mail at Kristin.Hubbard@wildlife.ca.gov.

Sincerely,

Curt Babcock
Habitat Conservation Program Manager

ec: Mr. John Stoufer
jstoufer@corning.org

Mss. Kristin Hubbard and Amy Henderson
Mr. Michael R. Harris
California Department of Fish and Wildlife
Kristin.Hubbard@wildlife.ca.gov; Amy.Henderson@wildlife.ca.gov; Michael.R.Harris@wildlife.ca.gov

State Clearinghouse
state.clearinghouse@opr.ca.gov

CHAPTER NINE

COMMENT LETTERS AND RESPONSES TO COMMENTS

This document identifies the list of persons, organizations, and public agencies commenting on the Draft EIR (DEIR) during the State Clearinghouse 45-day review period beginning on June 26 and ending August 7, 2015. The letters are provided in **Section 9.1 – COMMENT LETTERS**. The responses by the City of Corning as Lead Agency to significant environmental points and issues raised during the comment periods are provided in **Section 9.2 – RESPONSES TO COMMENT LETTERS**.

9.1 COMMENT LETTERS

Draft EIR

A	August 10, 2015	State of California Governor's Office of Planning and Research – State Clearinghouse and Planning Unit – Scott Morgan, Director, State Clearinghouse
B	July 30, 2015	State of California Department of Fish and Game – Curt Babcock, Habitat Conservation Program Manager
C	July 30, 2015	Tehama County Public Works & Transportation Commission (E-Mail) – Barbara O'Keeffe, Deputy Director – Transportation, Tehama County Transportation & Transit Agency
D	August 5, 2015	Tehama County Cooperative Fire Protection – Fire Protection Planning Bureau – Matt Chamberlin, Assistant Chief, Acting Fire Marshal

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A

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

August 10, 2015

John Stoufer
City of Corning
794 Third Street
Corning, CA 96021

Subject: 2014-2034 Corning General Plan
SCH#: 2015052037

Dear John Stoufer:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 7, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

A

Document Details Report
State Clearinghouse Data Base

SCH# 2015052037
Project Title 2014-2034 Corning General Plan
Lead Agency Corning, City of

Type EIR Draft EIR

Description A 20 year update for the City of Corning General Plan with a focus on implementing the goals, policies and objectives from the 2009-2014 Housing Element Update.

Lead Agency Contact

Name John Stoufer
Agency City of Corning
Phone (530) 824-7036 **Fax** 530-824-2489
email jstoufer@corning.org
Address 794 Third Street
City Corning **State** CA **Zip** 96021

Project Location

County Tehama
City Corning
Region
Lat / Long 39° 55' 41" N / 122° 10' 47" W
Cross Streets Entire City - all streets located within City Limits
Parcel No. Entire City
Township 24N **Range** 3W **Section** 14-28 **Base** MDB&M

Proximity to:

Highways I-5
Airports Corning Airport
Railways UPRR, CNFR
Waterways Jeweet & Burch Creeks
Schools Corning ES & HS
Land Use Varies throughout the City with Residential, Commercial, Industrial, and Public Lands being the predominant designations

Project Issues Agricultural Land; Forest Land/Fire Hazard; Air Quality; Biological Resources; Archaeologic-Historic; Cumulative Effects; Geologic/Seismic; Other Issues; Growth Inducing; Toxic/Hazardous; Water Quality; Landuse; Noise; Public Services; Traffic/Circulation; Water Supply

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 1; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 2; Department of Housing and Community Development; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Redding); Native American Heritage Commission; Public Utilities Commission

Date Received 06/24/2015 **Start of Review** 06/24/2015 **End of Review** 08/07/2015

Note: Blanks in data fields result from insufficient information provided by lead agency.

B

State of California

CLEAR
8-7-15
E

The Natural Resources Agency

Memorandum

To: Keith Larkin, Chief
Northern Region
Department of Forestry and Fire Protection

Date: June 30, 2015
R13

Attention: Environmental Coordinator
Tehama-Glenn Unit

Telephone: (916) 653-4995

RECEIVED
AUG 07 2015
STATE CLEARING HOUSE

From: Department of Forestry and Fire Protection
Chris Browder, Deputy Chief
Environmental Protection

Subject: Environmental Document Review

Project Name: 2014-2034 General Plan Update
SCH #: 2015052037
Document Type: Draft Environmental Impact Report (DEIR)

Potential Area(s) of Concern: Fire Protection?;
Other:
MANDATED DUE DATE: 8/7/2015

The above referenced environmental document was submitted to State Headquarters, Environmental Protection for review under the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA). The proposed project, located within your Unit/Program Area, may have an impact upon the Department's fire protection and/or natural resource protection and management responsibilities or require the Department's permits or approval. Your determination of the appropriate level of CAL FIRE involvement with this project is needed. Please review the attached document and address your comments, if any, **to the lead agency** prior to the due date. Your input at this time can be of great value in shaping the project. If your Unit's Environmental Coordinator is not available, please pass on to another staff member in order to meet the mandated deadline.

Please submit comments directly to the lead agency before the mandated due date with copy to the State Clearinghouse (P.O. Box 3044, Sacramento, CA 95812-3044).

☐ No Comment - explain briefly on the lines below.

_____

_____

_____

Name and Title of Reviewer: Matt Chamblin - Assistant Chief
Phone: (530) -528-5199 Email: matt.chamblin@fire.ca.gov
Note: Please complete this form and return it, with a copy of any comments, for CAL FIRE's records to: Ken Nehoda or Chris Browder, Deputy Chief, Environmental Protection, P.O. Box 944246, Sacramento CA 94244-2460.

C

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

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

July 30, 2015

Mr. John Stoufer
Planning Director
City of Corning
794 Third Street
Corning, CA 96021

Subject: Draft Environmental Impact Report, 2014-2034 Corning General Plan Update, City of Corning, State Clearinghouse Number 2015052037

Dear Mr. Stoufer:

The California Department of Fish and Wildlife (Department) has reviewed the Draft Environmental Impact Report (DEIR) for the 2014-2034 Corning General Plan Update and the draft City of Corning 2014-2034 General Plan Update documents. As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on the DEIR and General Plan Update in our role as the State's trustee for fish and wildlife resources, and as a responsible agency under the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

Project Description

The Project is an update to the City of Corning's (City) General Plan. As described in the DEIR the,

> *"proposed General Plan Update provides Goals, Objectives, Policies, and Implementation Measures consistent with the intent of Government Code Sections 65300 and 65300.0, which would guide the future growth of the City. The General Plan Update would also provide a comprehensive framework for the City's subsequent adoption of a wide range of policy documents, standards, specific plans, and regulations."*

The General Plan was provided as two separate documents: the DEIR and the draft General Plan Update.

Comments and Recommendations

The Department appreciates the opportunity to comment on the project, relative to impacts to biological resources. The Department recognizes that the 2014-2034 Corning General Plan Update DEIR is a programmatic document, that mitigation and implementation measures are not developed for specific projects, and that future development proposals must comply with CEQA. Based on this understanding, the Department has the following comments on the DEIR and draft General Plan Update.

C

The Department supports the General Plan goal that the "*Geographic distribution and the timing of growth shall be directly related to the conservation of natural resources...*" as well as the intention of the Natural Resources Group to minimize impacts of future development on natural resources and create and enhance important habitat and open space areas. Additionally, we appreciate the Policies and Implementation Measures developed to protect sensitive natural resources.

Draft General Plan Update

The Biological Resources Section of the Natural Resources Group should include the following revisions:

(1) Policy BR-a:

(a) In addition to rare, endangered, or threatened species as designated by federal and State resource agencies, CEQA also requires that special emphasis be placed on resources that are rare or unique to the region (CEQA Guidelines § 15125). Agency coordination should occur regarding California Species of Special Concern; Fully Protected species as defined in FGC sections 3511, 4700, 5050, and 5515; California Native Plant Society Rare Plant Rank plant species; and any species that can be shown to be rare pursuant to CEQA Guidelines section 15380.

(2) Implementation Measure BR-(1):

(a) Incorporate the following additional language, shown in bold:

*"Ensure that open space corridors along creeks and wetlands**, including vernal pools,** include protective buffers (non-development setbacks), preserve existing riparian vegetation through the environmental review process and require minimum setbacks from **the edge of the riparian dripline or** the top-of-bank along creeks **and surrounding wetlands, whichever is greater**."*

(3) Implementation Measure BR-(2):

(a) Include the U.S. Fish and Wildlife Service in the list of coordinating agencies. Because local streams are tributary to the Sacramento River, coordination with the National Oceanic and Atmospheric Administration may also be necessary.

The Department supports the Goals, Objectives, Policies, and Implementation Measures provided under Water Resources and appreciates the exploration of the use of alternate storm water collection methods, including the low-impact development (LID) methods of detention/retention basins and vegetated bioswales. The Department supports the use of LID strategies because they minimize impacts to aquatic habitats by filtering out pollution, preventing increased peak flows and related erosion, and because they increase ground water recharge and therefore help maintain biologically-important summer low flows in nearby streams.

C

The Land Use section discusses the reclassification of parcels listed in Appendix A and the rezoning of these parcels within one year after the adoption of the General Plan Update. The Department recommends analyzing the potential impacts to these parcels due to the rezone if impacts to biological resources will occur. This is especially important for changes to parcels that will allow development through ministerial decisions. Special attention should be given to parcels changing from the Open Space designation, parcels containing sensitive natural habitats such as riparian, wetland or vernal pool habitats, and parcels containing or adjacent to land containing special status species or special status species habitat.

Objective E-4 of the Energy Element is to evaluate and establish outdoor lighting standards. The Department recognizes the effects of artificial lighting on birds and other nocturnal species. The effects are numerous and include impacts to singing and foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, the Department recommends that the lighting standards require lighting fixtures to be downward facing, fully-shielded and designed and installed to minimize photo-pollution.

Draft Environmental Impact Report

Under Regulatory Framework, the DEIR discusses the U.S. Army Corps of Engineers' jurisdiction over wetlands, but does not discuss the Department's responsibility for wetland resources, including vernal pools and ephemeral, seasonal, and perennial watercourses. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands, and to ensure that proposed projects will result in no net loss of wetland habitat values or acreage. The Department recommends avoiding any development or conversion which would result in a reduction of wetland or riparian acreage or wetland or riparian habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland or riparian habitat values or acreage. Analysis of potential impacts to wetlands and sensitive wetland species should include an evaluation of the potential for direct, indirect, and cumulative impacts to these resources. Indirect impacts to wetlands may include hydrological changes, human intrusion into wetlands (off-road vehicle use, dumping, spilling toxic substances) and the drainage of lawn fertilizers, pesticides, and petroleum products into the wetland. Direct impacts to these features should be avoided to the greatest extent possible and secondary impacts reduced through implementation of adequate non-disturbance development buffers.

The Department recommends the inclusion of mitigation measures contained in the City of Corning Housing Element Update 2009–2014, which pertain to adverse effects on wetlands if there is any possibility that future development could impact wetlands or vernal pool habitats.

Under the Migratory Bird Treaty Act (MBTA) discussion, the Department appreciates the inclusion of measures to ensure compliance with the MBTA. Because of the potential presence of burrowing owl (*Athene cunicularia*) in the vicinity of the City, the Department recommends changing the onset of the nesting season to February 1. The Department's 2012 *Staff Report on Burrowing Owl Mitigation*[1] cites the typical breeding season for burrowing owls as occurring between February 1 and August 31.

[1] Department of Fish and Game Staff Report on Burrowing Owl Mitigation, March 7, 2012. https://nrm.dfg.ca.gov/FileHandler.ashx7DocumentI D=83843

C

The discussion regarding CESA should include clarification that pursuant to FGC section 2085, CESA confers full legal protection of an endangered or threatened species on a candidate species.

The discussion regarding FGC section 3503.5 should also include discussion of FGC section 3503 which prohibits the needless destruction of bird nests.

The Department appreciates the opportunity to provide comments on the DEIR. If you have any questions, please contact Kristin Hubbard, Environmental Scientist, at (530) 225-2138 or by e-mail at Kristin.Hubbard@wildlife.ca.gov.

Sincerely,

Curt Babcock
Habitat Conservation Program Manager

ec: John Stoufer
City of Corning
jstoufer@corning.org

Eihnard Diaz
Diaz Associates
ediaz@diazplanning.com

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

State Clearinghouse
state.clearinghouse@opr.ca.gov

D

-----Original Message-----
From: Barbara O'Keeffe [mailto:bokeeffe@tcpw.ca.gov]
Sent: Thursday, July 30, 2015 8:03 PM
To: John Stoufer <jstoufer@corning.org>
Cc: Gary Antone <gantone@tcpw.ca.gov>; Kevin Rosser <krosser@tcpw.ca.gov>; Adam Hansen <ahansen@tcpw.ca.gov>; Lisa Little <llittle@tcpw.ca.gov>; John Brewer <jbrewer@corning.org>; Dawn Grine (dgrine@corning.org) <dgrine@corning.org>
Subject: Corning General Plan -- comments from Tehama County Public Works & Transportation Commission

Hello John,
I'm a bit panicked as I discovered this email in my DRAFT box. I am sorry.
At Gary's direction, Kevin Rosser our Senior Civil Engineer and the Transportation Commission's Sr. Planner's Adam Hansen and Lisa Little reviewed the Corning General Plan Circulation element to insure the City's Plan is consistent with the County General Plan and the Regional Transportation Plan.

We read through the document and find the Circulation Element is minimally presented. We then reviewed the County General Plan for an example and comparison.
We would suggest Mr. Diaz review the County General Plan and expand the Corning General Plan Circulation Element.
The current draft does not describe: current conditions, all modes of transportation and how they are used (including bicycle use, pedestrian use, or transit), reference the County General Plan or the TCTC RTP, discuss I-5 or South Avenue.
The document needs to show how it ties into the county and state transportation system.

The circulation map needs to reference the existing Functional Classification of the roadway system per Caltrans/FHWA. The CRS maps are available online. The document references the circulation map as having future collector roads [C-(11)] but none are shown on the map as future collector roads. Two maps would be useful here: existing conditions and future needs.

Heads up, I believe Kevin, wrote comments in the DEIR pdf and I will have to follow up with him and get those to you.

I believe that Lisa spoke with you and mentioned that the City's coordination with the County Public Works and Commission staff are eligible for reimbursement. I'm out of the office tomorrow; however, I'll give you a call on Monday.

Stay cool and hydrated. Thank you.

Barbara O'Keeffe
Deputy Director - Transportation
Tehama County Transportation Commission & Transit Agency
530-385-1462 ext. 3017

E

TEHAMA COUNTY COOPERATIVE FIRE PROTECTION

Fire Protection Planning Bureau
604 Antelope Blvd., Red Bluff, California 96080, (530) 528-5199 Office, (530) 529-8538 Fax

City of Corning
794 Third Street
Corning, CA 96021
C/O John Stoufer

August 5th, 2015

RE: City of Corning General Plan Update 2014-2034 & Draft EIR

Mr. Stoufer,

The following is the response from The California Department of Forestry and Fire Protection (CAL FIRE) Tehama-Glenn Unit (TGU) and Tehama County Fire Department (TCFD), in regards to the City of Corning 2014-2034 General Plan Update:

The City of Corning does not contain any State Responsibility Area (SRA) land, nor is it surrounded by SRA land which is the financial responsibility of CAL FIRE for wild land fire suppression. Therefore, CAL FIRE has no further comment on the 2014-2034 General Plan Update.

Fire and other emergency services to the unincorporated land immediately surrounding the City of Corning are the responsibility of TCFD, which is administered through a cooperative agreement with CAL FIRE.

The unincorporated lands surrounding the City Limits of Corning are rated "Moderate" for Wild Land Fire Severity.

TCFD has no further comment regarding the prepared Draft Environmental Impact Report or 2014-2034 General Plan Update.

If you have any questions, feel free to contact me.

Sincerely,

Matt Chamblin
Assistant Chief – Acting Fire Marshal
CAL FIRE / TCFD

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9.2 RESPONSES TO COMMENT LETTERS

COMMENT LETTER A

August 10, 2015 – State of California Governor's Office of Planning and Research – State Clearinghouse and Planning Unit – Scott Morgan

This letter is just an acknowledgement by the State Clearinghouse that they have received the environmental document and are submitting the DEIR to select state agencies for review and comment.

COMMENT LETTER B

May 15, 2015 – County of Tehama Department of Agriculture/Weights and Measures – Rich Gurrola, Tehama County Agricultural Commissioner

Comment B-1
The Tehama County Department of Agriculture has no statutory responsibilities related to the proposed project. However, as development occurs adjacent to agricultural properties there needs to be an awareness of the impacts that may occur to pre-existing agricultural operations, including dust, noise, odor and pesticide applications.

Response B-1
There are no agricultural land use designated lands in the City. Whereas, there exists some agricultural production, primarily olive orchards, they are located along the periphery of the City l. As a component of the CEQA review process for a proposed project, consideration of potential adverse impacts to pre-existing agricultural operations and potential adverse agricultural impacts on the proposed project will be considered.

COMMENT LETTER C

July 30, 2015 – State of California Department of Fish and Game – Curt Babcock, Habitat Conservation Program Manager

Comment C-1
The Department recognizes that the 2014-2034 Corning General Plan Update DEIR is a programmatic document, that mitigation and implementation measures are not developed for specific projects, and that future development proposals must comply with CEQA.

Response C-1
Comment noted.

Comment C-2
The Department supports the General Plan goal that the "Geographic distribution and the timing of growth shall be directly related to the conservation of natural resources..." as well as the intention of the Natural Resources Group to minimize impacts of future development on natural resources and create and enhance important habitat and open space areas. Additionally, the Department appreciates the Policies and Implementation Measures developed to protect sensitive natural resources.

Response C-2
Comment noted.

Comment C-3
The Biological Resources Section of the Natural Resources Group should include the following revisions:

(1) Policy BR-a:

(a) In addition to rare, endangered, or threatened species as designated by federal and State resource agencies, CEQA also requires that special emphasis be placed on resources that are rare or unique to the region (CEQA Guidelines § 15125). Agency coordination should occur regarding California Species of Special Concern; Fully Protected species as defined in FGC sections 3511, 4700, 5050, and 5515; California Native Plant Society Rare Plant Rank plant species; and any species that can be shown to be rare pursuant to CEQA Guidelines section 15380.

Response C-3
Policy BR-a has been revised and will read as stated in the comment.

Comment C-4
The Biological Resources Section of the Natural Resources Group should include the following revisions:

(2) Implementation Measure BR-(1):

(a) Incorporate the following additional language, shown in bold:

"Ensure that open space corridors along creeks and wetlands, **including vernal pools,** include protective buffers (non-development setbacks), preserve existing riparian vegetation through the environmental review process and require minimum setbacks from **the edge of the riparian dripline or** the top-of-bank along creeks **and surrounding wetlands, whichever is greater."**

Response C-4
Implementation Measure BR-(1) has been revised to include the additional language, shown in bold.

Comment C-5
The Biological Resources Section of the Natural Resources Group should include the following revisions:

(3) Implementation Measure BR-(2):

(a) Include the U.S. Fish and Wildlife Service in the list of coordinating agencies. Because local streams are tributary to the Sacramento River, coordination with the National Oceanic and Atmospheric Administration may also be necessary.

Response C-5
Implementation Measure BR-(2) has been revised to include the U.S. Fish and Wildlife Service in the list of coordinating agencies.

Comment C-6
The Department supports the Goals, Objectives, Policies, and Implementation Measures provided under Water Resources and appreciates the exploration of the use of alternate storm water collection methods, including the low-impact development (LID) methods of detention/retention basins and vegetated

bioswales. The Department supports the use of LID strategies because they minimize impacts to aquatic habitats by filtering out pollution, preventing increased peak flows and related erosion, and because they increase ground water recharge and therefore help maintain biologically-important summer low flows in nearby streams.

Response C-6
Comment noted.

Comment C-7
The Land Use section discusses the reclassification of parcels listed in Appendix A and the rezoning of these parcels within one year after the adoption of the General Plan Update. The Department recommends analyzing the potential impacts to these parcels due to the rezone if impacts to biological resources will occur. This is especially important for changes to parcels that will allow development through ministerial decisions. Special attention should be given to parcels changing from the Open Space designation, parcels containing sensitive natural habitats such as riparian, wetland or vernal pool habitats, and parcels containing or adjacent to land containing special status species or special status species habitat.

Response C-7
The City will analyze potential impacts to biological resources when the parcels listed in Appendix A are considered for rezoning.

Comment C-8
Objective E-4 of the Energy Element is to evaluate and establish outdoor lighting standards. The Department recognizes the effects of artificial lighting on birds and other nocturnal species. The effects are numerous and include impacts to singing and foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, the Department recommends that the lighting standards require lighting fixtures to be downward facing, fully-shielded and designed and installed to minimize photo-pollution.

Response C-8
The following language that is underlined, shall be incorporated into the second paragraph, as the fourth sentence on page 4-7 in the General Plan Update EIR, Section **4.1 BIOLOGICAL RESOURCES**, Sub-Section **4.1.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**, under **B. Thresholds of Significance** Number 2:

> *Future development of existing and future parcels are located in areas that are either disturbed and/or surrounded by existing development. It is highly unlikely that special species are present. However, when discretionary approvals are sought, the CEQA process, which also requires consultation with responsible and trustee resource agencies, such as the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, will identify the type of biological studies that will be required, when necessary. Evaluations shall also consider potential impacts from artificial light on wildlife habitat. The potential impact to special status species is* ***less-than-significant****. Therefore,* ***no mitigation measures*** *are required.*

Comment C-9
Under Regulatory Framework, the DEIR discusses the U.S. Army Corps of Engineers' jurisdiction over wetlands, but does not discuss the Department's responsibility for wetland resources, including vernal pools and ephemeral, seasonal, and perennial watercourses. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands, and to ensure that proposed projects will result in no net loss of wetland habitat values or acreage. The Department recommends avoiding any development or conversion which would result in a reduction of wetland or riparian acreage or wetland or riparian habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland or riparian habitat values or acreage. Analysis of potential impacts to wetlands and

sensitive wetland species should include an evaluation of the potential for direct, indirect, and cumulative impacts to these resources. Indirect impacts to wetlands may include hydrological changes, human intrusion into wetlands (off-road vehicle use, dumping, spilling toxic substances) and the drainage of lawn fertilizers, pesticides, and petroleum products into the wetland. Direct impacts to these features should be avoided to the greatest extent possible and secondary impacts reduced through implementation of adequate non-disturbance development buffers.

Response C-9

The following language that is underlined, shall be the third paragraph on page 4-6 in the General Plan Update EIR, Section **4.1 BIOLOGICAL RESOURCES**, Sub-Section **4.1.2 REGULATORY FRAMEWORK** under the **California Department of Fish and Wildlife** heading. The paragraph will be placed under a new sub-heading titled **Wetland Habitat** and will state:

> ***Wetland Habitat***
>
> *It is the policy of the CDFW to strongly discourage development in wetlands or conversion of wetlands to uplands, and to ensure that proposed projects will result in no net loss of wetland habitat values or acreage. The CDFW recommends avoiding any development or conversion which would result in a reduction of wetland or riparian acreage or wetland or riparian habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland or riparian habitat values or acreage. Analysis of potential impacts to wetlands and sensitive wetland species should include an evaluation of the potential for direct, indirect, and cumulative impacts to these resources. Indirect impacts to wetlands may include hydrological changes, human intrusion into wetlands (off-road vehicle use, dumping, spilling toxic substances) and the drainage of lawn fertilizers, pesticides, and petroleum products into the wetland. Direct impacts to these features should be avoided to the greatest extent possible and secondary impacts reduced through implementation of adequate non-disturbance development buffers.*

Comment C-10

The Department recommends the inclusion of mitigation measures contained in the City of Corning Housing Element Update 2009-2014, which pertain to adverse effects on wetlands if there is any possibility that future development could impact wetlands or vernal pool habitats.

Response C-10

The following language, that is underlined, shall follow and replace the discussion after the third bullet point on page 4-8 in the General Plan Update EIR, Section **4.1 BIOLOGICAL RESOURCES**, Sub-Section **4.1.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**, **B. Thresholds of Significance** Number 3:

> ***Impact BR-1***
>
> *Review of the National Wetland Inventory (NWI) map for the Corning quadrangle identified several wetland features. In addition, existing vacant parcels within the City could potentially impact Jewett Creek, Burch Creek and the Blackburn-Moon Ditch which are designated wetland features. This impact is considered **potentially significant**. Therefore, **Mitigation Measures BR-1** and **BR-2** are advanced to address potential wetlands and vernal pools, with associated special status features. These measures will reduce potential impacts to a **less-than-significant** level.*
>
> ***Mitigation Measure BR-1***
>
> *To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.", including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow*

of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:

- *Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.*
- *Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained.*
- *Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.*
- *Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).*
- *All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction.*
- *Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).*
- *Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process.*
- *Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, CDFW) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.*

Mitigation Measure B-2

Conduct a USFWS protocol-level survey for the vernal pool fairy shrimp and vernal pool tadpole shrimp within suitable habitats occurring within the proposed project site, or assume the species are present. If the species are not detected during the protocol-level survey, no further measures or mitigation is required. If either of the species is detected during protocol-level surveys or the presence of the species is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented:

- *Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS.*
- *For every acre of habitat directly or indirectly affected, at least two vernal pool preservation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure.*
- *For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a USFWS-approved habitat mitigation bank. With USFWS approval, appropriate payment into an in-lieu fee fund, on-site creation, or off-site creation may be used to satisfy this measure.*

*As part of the CEQA review process, project applicants are strongly encouraged to avoid protected wetlands. If avoidance of impacts on protected wetlands is not feasible, then Mitigation **Measures BR-1** and **BR-2** will need to be implemented. However, the Army Corps, Regional Water Quality Control Board, and/or Department of Fish and Wildlife may still require federal permits. Therefore, in addition to the General Plan Policies and Implementation Measures, the CEQA review process, and adherence to State and federal regulations and permitting requirements would reduce potential impacts to a **less-than-significant** level.*

Comment C-11

Under the Migratory Bird Treaty Act (MBTA) discussion, the Department appreciates the inclusion of measures to ensure compliance with the MBTA. Because of the potential presence of burrowing owl (Athene cunicularia) in the vicinity of the City, the Department recommends changing the onset of the nesting season to February 1. The Department's 2012 Staff Report on Burrowing Owl Mitigation' cites the typical breeding season for burrowing owls as occurring between February 1 and August 31.

Response C-11

The following language that is underlined, shall be the fourth bullet point on page 4-4 in the General Plan Update EIR, Section **4.1 BIOLOGICAL RESOURCES**, Sub-Section **4.1.2 REGULATORY FRAMEWORK** under the **U.S. Fish and Wildlife Service and NOAA Fisheries** heading and the sub-heading titled **Migratory Bird Treaty Act**:

- *Due to the potential presence of burrowing owl (Athene cunicularia) in the vicinity of the City, the CDFW recommends that potential nesting substrate that will be removed by a proposed project should be completed outside of the nesting season (i.e. between September 1 and January 31).*

Comment C-12

The discussion regarding CESA should include clarification that pursuant to FGC section 2085, CESA confers full legal protection of an endangered or threatened species on a candidate species.

Response C-12

The following language that is underlined, shall be incorporated into the first paragraph as the fourth sentence under the **California Endangered Species** Act sub-heading on page 4-5 in the General Plan Update EIR, Section **4.1 BIOLOGICAL RESOURCES**, Sub-Section **4.1.2 REGULATORY FRAMEWORK** under the **California Department of Fish and Wildlife** heading:

Pursuant to FGC section 2085, CESA confers full legal protection of an endangered or threatened species or a candidate species.

Comment C-13
The discussion regarding FGC section 3503.5 should also include discussion of FGC section 3503 which prohibits the needless destruction of bird nests.

Response C-13
FGC section 3503 states that "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." Whereas, section 3503.5 specifically references any "birds-of-prey."

The following sentence that is underlined, shall be added to the first paragraph under the **Birds of Prey** sub-heading on page 4-6 in the General Plan Update EIR, Section **4.1 BIOLOGICAL RESOURCES**, Sub-Section **4.1.2 REGULATORY FRAMEWORK** under the **California Department of Fish and Wildlife** heading:

> *It should be noted that FGC section 3503 identifies that "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." Protection is thereby extended to all birds.*

COMMENT LETTER D

July 30, 2015 – Tehama County Public Works Department & Transportation Commission (E-Mail) Barbara O'Keeffe, Deputy Director – Transportation, Tehama County Transportation & Transit Agency

Comment D-1
The Department read through the document and found that the Circulation Element is "minimally presented." They reviewed the County General Plan for an example and comparison. It was suggested that the County General Plan be reviewed and that the Corning General Plan Circulation Element be expanded.

Response D-1
The Governor's Office of Planning and Research (OPR) October 2003 General Plan Guidelines stated that "A general plan is required to address the specified provisions of each of the seven mandated elements listed in §65302—land use, circulation, housing, conservation, open space, noise, and safety—to the extent that the provisions are locally relevant."[1] Utilization of the County General Plan as an example and comparison is not applicable for several reasons.

In 2014, the County had an approximate population of 63,067 persons residing in an area of approximately 2,950 square miles.[2] The City has a 2015 estimated population of 7,638 persons residing in an area of approximately 3.55 square miles. The County has a total of 1,041 miles (2,080 lane miles) maintained public street and roads in their system whereas, the City has 44 miles (87.4 lane miles).[3]

On page 33 of the OPR Guidelines it was identified that in 2003, the average cost of a general plan update was $845,000 for counties and $255,000 for cities. Due to inflation, in 2014 the average cost for a county would be approximately $1,087,000 and the cost to a city cost would be approximately, $328,000. The City of Corning had limited funds to prepare the General Plan Update and accompanying Programmatic EIR. Recognizing that funds were limited and that there were no truly outstanding significant issues facing

[1] First sentence on page 48, *Chapter 4 – Required Elements of the General Plan*.
[2] U.S. Census Bureau State and County QuickFacts.
[3] September 2008 Tehama County 2008-2028 DEIR. Information based on the 2006 Tehama County Regional Transportation and Tehama County Public Works Department, 2007.

the City since the last general plan update in 1994, the City Council utilized a cost efficient and expedient methodology to have the 2014-2034 General Plan Update completed.

The City Council determined that for efficiency and cost containment purposes, that the Planning Commission serve as the Task Force to oversee the update of the General Plan. Whereas, many cities in California appoint a committee comprised of residents, business and organizational representatives, there is a steep and costly learning period to understand and develop a level of expertise to understand California Planning including but not limited to general plans, zoning, entitlements, CEQA, etc. In addition, the Planning Commission has a clear understanding of planning related issues that needed to be addressed. To ensure public participation, by the time the City Council considers adoption of the General Plan Update, a series of 19 public workshops and hearings will have been held by the General Plan Update Task Force/Planning Commission.

Specifically with respect to circulation and transportation, the General Plan Update Task Force identified issues that needed to be addressed and the goal, policies, objectives and implementation measures identified in the General Plan Update addressed the issues identified. Based on public input received at the public workshops and meetings and responses to the Notice of Preparation, no transportation related comments were received. Also, agencies such as CalTrans, the Tehama County Department of Public Works, Tehama County Planning Department, and the Tehama County Transportation Commission did not provide comments. Staff members representing the Tehama County Transportation Commission did attend the May 19, 2015 Draft EIR Scoping Session Public Hearing conducted by the Planning Commission.

Comment D-2

The current draft does not describe: current conditions, all modes of transportation and how they are used (including bicycle use, pedestrian use, or transit), reference the County General Plan or the TCTC RTP, discuss I-5 or South Avenue. The document needs to show how it ties into the county and state transportation system.

Response D-2

In order to have a general plan update prepared in an efficient manner, the General Plan Update Task Force adopted a different approach to organizing the general plan update. As noted on page 5 of the General Plan Update under **D. ORGANIZATION OF THE GENERAL PLAN**:

> "Many general plans, including the City of Corning's 1994 Plan, include in the body of the Plan all supporting information which provides the basis (or background) for the goals, objectives, policies and implementation measures advanced by the Plan. This approach not only increases the bulk of the document, but also serves as a distraction to the reader. Many readers are only interested in what directly affects their respective properties and possible projects, in particular policies and implementation measures. They do not wish to "wade" through what they perceive to be an "endless amount" of possibly interesting, but not "necessary information." In addition this increased bulk generates more paper and additional reproduction costs. Therefore, the Plan is provided in two separate documents both of which will comprise the General Plan Update.
>
> The first document, the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) will identify the existing natural and man-made conditions within the City and Planning Area. Research and review of existing documents, information, and other reports will be undertaken. As necessary, supplemental studies will be conducted to determine, which when combined with the other research and review will identify existing conditions. The document will help identify existing problems and deficiencies. These existing conditions will not only serve as the basis for the goals, objectives, policies and implementation measures in the Plan, but also provide the "baseline" conditions for the EIR that will be required to be prepared for the Plan. Those readers desiring to understand the rationale for the goals, objectives, policies and implementation measures or wish to become more familiar with the City will be able to obtain this

document separately from the second document which is the actual Plan with accompanying Land Use & Circulation Map."

Therefore, any reader wishing to understand existing conditions and associated impacts can refer to the EIR prepared for the General Plan Update.

Specifically, Sub-Section **4.13.1 EXISTING CONDITIONS** under Section **4.13 CIRCULATION** beginning on page 4-61 in the DEIR, identifies and discusses current conditions and modes of transportation, including but not limited to; airport use, transit use, bicycle use, and pedestrian use. The Sub-Section also discusses how the City's circulation system "ties into the county and state transportation system" after the discussion regarding the functional classification of streets and highways divided into several broad categories.

Sub-Section **4.13.2 REGULATORY FRAMEWORK** under Section **4.13 CIRCULATION** in the DEIR references the Tehama County Transportation Commission and Regional Transportation Plan beginning on page 4-65.

Comment D-3
The circulation map needs to reference the existing Functional Classification of the roadway system per Caltrans/FHWA. The CRS maps are available online. The document references the circulation map as having future collector roads [C-(11)] but none are shown on the map as future collector roads. Two maps would be useful here: existing conditions and future needs.

Response D-4
Sub-Section **4.13.1 EXISTING CONDITIONS** under Section **4.13 CIRCULATION** beginning on page 4-62 in the DEIR identifies and discusses the functional classification of streets and highways within the City which the Circulation Map identifies. In response to the comment, the 1994 General Plan Circulation Map is provided in **CHAPTER 8**, **Appendix 8.3** in the FEIR.

Comment D-5
It was believed that another Staff Member wrote comments in the DEIR and will follow up to provide those to the City.

Response D-5
Comment noted.

COMMENT LETTER E

August 5, 2015 – Tehama County Cooperative Fire Protection – Fire Protection Planning Bureau – Matt Chamberlin, Assistant Chief, Acting Fire Marshal

Comment E-1
The City of Corning does not contain any State Responsibility Area (SRA) land, nor is it surrounded by SRA land which is the financial responsibility of CAL FIRE for wild land fire suppression. Therefore, CAL FIRE has no further comment on the 2014-2034 General Plan Update.

Response E-1
Comment noted.

Comment E-2
Fire and other emergency services to the unincorporated land immediately surrounding the City of Corning are the responsibility of TCFD, which is administered through a cooperative agreement with CAL FIRE.

Response E-2
Comment noted.

Comment E-3
The unincorporated lands surrounding the City Limits of Corning are rated "Moderate" for Wild Land Fire Severity.

Response E-3
The EIR will incorporate this informative comment into Sub-Section **4.9.1 EXISTING CONDITIONS** under Section **4.9 FIRE SAFETY & LAW ENFORCEMENT**. The comment, as underlined below, will be the last sentence in the fourth paragraph under Fire Safety that will state:

The unincorporated lands surrounding the City are rated "Moderate" for Wild Land Fire Severity.

CHAPTER TEN

MITIGATION MONITORING PROGRAM (MMP)

10.1 LEGAL BASIS AND PURPOSE

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or a mitigated negative declaration (MND). This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Final EIR for the City of Corning 2014 -2034 General Plan Update. It is intended to be used by City, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project.

Mitigation is defined by CEQA Guidelines Section 15370 as a measure that does any of the following:

- Avoids impacts altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP provides for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to City Staff.

10.2 MITIGATION MONITORING PROGRAM TABLE

Mitigation Monitoring Table MMP-1 identifies the mitigation measures proposed for the City of Corning 2014 -2034 General Plan Update.

The table has the following columns:

- **Mitigation Measure:** Lists the mitigation measure along with its number as identified in the EIR for each specific impact.
- **Timing:** Identifies at what point in time, review process, or phase the mitigation measure will be completed.

- **Agency Monitoring/Consultation:** References the City of Corning or any other public agency with which coordination is required to satisfy the identified mitigation measure.

- **Verification:** Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

10.3 NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Agency in written form, providing specific information on the asserted violation. The Agency shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the City of Corning shall take appropriate action to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

TABLE MMP-1			
MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
4.1 BIOLOGICAL RESOURCES			
Mitigation Measure B-1 To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.", including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented: • Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material. • Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained. • Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion. • Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales). • All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction. • Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).	As part of the CEQA evaluation process for discretionary projects. Before and during construction.	City of Corning Planning Department, California Department of Fish and Wildlife, U.S. Army Corps of Engineers, Regional Water Quality Control Board, Project Proponent and Contractor.	

TABLE MMP-1 MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
• Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process. • Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, CDFW) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.			
Mitigation Measure B-2 Conduct a USFWS protocol-level survey for the vernal pool fairy shrimp and vernal pool tadpole shrimp within suitable habitats occurring within the proposed project site, or assume the species are present. If the species are not detected during the protocol-level survey, no further measures or mitigation is required. If either of the species is detected during protocol-level surveys or the presence of the species is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented: • Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS. • For every acre of habitat directly or indirectly affected, at least two vernal pool preservation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure. For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a USFWS-approved habitat mitigation bank. With USFWS approval, appropriate payment into an in-lieu fee fund, on-site creation, or off-site creation may be used to satisfy this measure.	As part of the CEQA evaluation process for discretionary projects. Also as part of the U.S. Army Corps of Engineers permitting process.	City of Corning Planning Department. California Department of Fish and Wildlife, Developer, U.S. Army Corps of Engineers and Project Proponent.	
4.15 AIR QUALITY			
Mitigation Measure AQ-1 • The TCAPCD Guidelines provide estimated ranges of efficiencies for SMMs and BAMMS that are incorporated into the Project. Assuming an average efficiency for each measure, the following measures can be expected to reduce ROG, NOx, and PM_{10} emissions by about 30% for construction, area source, and operation (vehicle) emissions.	Before and during construction. During operations.	City of Corning Planning Department, Contractor, Project Proponent and Tehama County Air Pollution Control District	

TABLE MMP-1			
MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
• All construction contracts shall include construction dust mitigation measures that contain minimum criteria and related to the use of diesel equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction. • Alternatives to open burning of vegetative material shall be used. Cleared vegetation shall be treated by legal means other than open burning. • Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of construction. • All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day. • All construction areas (including unpaved driveways and roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions. • All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads. • All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour. • All inactive portions of the site disturbed by construction activities shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established. • The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive construction areas. • All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114. • All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance. • During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the construction area from the adjacent paved road(s). It appears that the existing gravel based road serving the existing well may meet this requirement.			

TABLE MMP-1			
MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
• Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of construction activities. • Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the construction area. • Wheel washers shall be installed where project vehicles and/or equipment access paved streets from unpaved roads. • Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter. • Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained. • Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.			

CHAPTER ELEVEN

RESOLUTION AND CEQA FINDINGS OF FACT

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RESOLUTION NO.: 09-08-2015-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORNING CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH#2015052037) PREPARED FOR THE 2014 – 2034 GENERAL PLAN UPDATE IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE STATE CEQA GUIDELINES

WHEREAS, pursuant to the requirements of California Government Code Sections 65300 *et seq.,* the City of Corning has prepared and proposes to adopt a comprehensive update of its 1994 General Plan; and

WHEREAS, on May 12, 2015, a Notice of Preparation (NOP) pursuant to the California Environmental Quality Act (CEQA) was sent to the State Clearinghouse and distributed to appropriate agencies for the purpose of obtaining written comments from these agencies regarding the scope and content of environmental information and analysis which the agencies wanted addressed in the Draft Environmental Impact Report (DEIR); and

WHEREAS, on May 19, 2015 the Planning Commission held a public scoping session to receive and provide comments regarding the scope and content of the environmental information to be addressed in the DEIR; and

WHEREAS, on June 10, 2015 the NOP comment period ended. Two comment letters were received, in addition to a response letter from the State Clearinghouse referring the NOP to responsible agencies. The comments received are contained in the Final EIR (collectively, the DEIR and Final EIR are referred to as "the EIR"), made available on August 27, 2015; and

WHEREAS, The June 23, 2015 DEIR prepared for the 2014 – 2034 General Plan Update, in accordance with CEQA, was circulated for public review and comment from June 24, 2015 to August 7, 2015; and

WHEREAS, on June 23, 2015, notice of availability of the DEIR was provided to appropriate agencies and the general public via a Notice of Completion sent to the State Clearinghouse, and copies of the DEIR were available for review at the City of Corning Planning Department and Public Library; and

WHEREAS, three letters with written comments were received on the DEIR prior to the close of the 45-day review period, in addition to a response letter from the State Clearinghouse acknowledging that the City complied with the State Clearinghouse review requirements. The comments received and the City's responses to such comments, as well as revisions to the DEIR, are contained in the Final EIR, made available on August 27, 2015; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 18, 2015, to receive testimony and to consider recommendations to the City Council regarding the DEIR for the 2014 – 2034 General Plan Update and the 2014 – 2034 General Plan Update; and

WHEREAS, on August 18, 2015, the Planning Commission voted to recommend that the City Council certify and adopt the EIR for the 2014 – 2034 General Plan Update as being complete and adequate and to adopt the 2014 – 2034 General Plan Update; and

WHEREAS, on September 8, 2015, the City Council held a duly noticed public hearing and considered the reports and documents presented by City staff, the Planning Commission's recommendations, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORNING HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The above recitals are true and correct and reflect the independent judgment of the City Council.

SECTION 2. Notice of the public hearings on the 2014 – 2034 General Plan Update, the Draft EIR and Final EIR was given as required by law and the actions were conducted pursuant to the Planning and Zoning Law, CEQA, the State CEQA Guidelines and the City's local guidelines.

SECTION 3. All individuals, groups and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the 2014 – 2034 General Plan Update, the Draft EIR and the Final EIR. These opportunities for comment meet or exceed the requirements of the Planning and Zoning Law, CEQA and the City's local guidelines.

SECTION 4. All comments submitted during the public review and comment period on the Draft EIR, including comments received at the public hearings on the adequacy of the Draft EIR were responded to adequately.

SECTION 5. The City Council has been presented with all of the information described in the recitals and has considered this information prior to adopting this Resolution.

SECTION 6. The EIR has been prepared in compliance with CEQA, the State CEQA Guidelines and the City's local guidelines, and reflects the City's independent judgment and analysis.

SECTION 7. The EIR adequately identifies and addresses all of the identified environmental impacts and all feasible mitigation measures have been incorporated into the 2014 – 2034 General Plan Update in the form of Goals, Objectives, Policies and Implementation Measures to reduce the anticipated environmental impacts.

SECTION 8. No changes to the 2014 – 2034 General Plan Update or to the Draft EIR that were circulated for public review have been made that necessitate or involve significant new information as outlined in CEQA Guidelines Section 15088.5.

SECTION 9. Pursuant to CEQA Guidelines Section 15025 (c), the City of Corning Planning Commission has reviewed and considered the information in the EIR prior to making its recommendations to the City Council.

SECTION 10. The EIR was presented to the City Council, and the Council has reviewed and considered the information contained in the EIR prior to approving the 2014 – 2034 General Plan Update.

SECTION 11. The City Council adopts the CEQA Findings of Fact attached as Exhibit "A" to this resolution, as required by Public Resources Code Section 21081; and

SECTION 12. The City Council adopts the Mitigation Monitoring and Reporting Program attached as Exhibit "B" to this resolution, as required by Public Resources Code Section 21081.6.

SECTION 13. The City Council finds that the EIR prepared for the 2014 – 2034 General Plan Update reflects the independent judgment of the City Council and its staff, and certifies the EIR as adequate, complete and in compliance with CEQA, the State CEQA Guidelines and the City's local guidelines. The City Council finds that the EIR is adequate and complete for consideration in making a decision on the merits of the 2014 -2034 General Plan Update.

The foregoing Resolution was adopted by the City Council of the City of Corning on this 8th day of September, 2015, by the following vote:

AYES: Strack, Cardenas and Smith

NAYS: None

ABSTAINING: None

ABSENT: Dickison and Linnet

Gary R. Strack

Gary R. Strack, Mayor

ATTEST:

Lisa M. Linnet

Lisa M. Linnet, City Clerk

I, Lisa M. Linnet, City Clerk of the City of Corning, California, DO HEREBY CERTIFY that the foregoing Resolution (Resolution 09-08-2015-01) was duly introduced, approved and adopted by the City Council of the City of Corning at a regular meeting of said Council held on the 8th day of September, 2015 by the votes listed above.

Lisa M. Linnet

Lisa M. Linnet, City Clerk

EXHIBIT "A"

CEQA FINDINGS OF FACT
OF THE CITY OF CORNING CITY COUNCIL
FOR THE 2014 – 2034 GENERAL PLAN UPDATE

INTRODUCTION

Pursuant to Sections 15091 and 15093 of the California Environmental Quality Act (CEQA) Guidelines and Section 21081 of the Public Resources Code, the City of Corning prior to approval of the 2014 – 2034 General Plan Update is required to make written findings concerning each alternative and each significant environmental impact identified in the DEIR and FEIR. Specifically, regarding findings, Guidelines Section 15091 provides:

(a) No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects on the environment.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can or should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(b) The findings required by subsection (a) shall be supported by substantial evidence in the record.

(c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

(d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

(e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.

Each of these findings, where applicable, must be supported by substantial evidence in the administrative record. Evidence from the DEIR, FEIR, Mitigation Monitoring Program (MMP), and City's 2014 – 2034 General Plan Update is used to meet this criteria.

The "changes or alterations" referred to in Section 15091(a)(1) that are required in, or incorporated into, the 2014 – 2034 General Plan Update, which mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action.

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

(c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

Having received, reviewed and considered the FEIR for the 2014 – 2034 General Plan Update (SCH#2015052037), as well as all other information in the record of proceedings on this matter, the following Findings are adopted by the City of Corning in its capacity as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the 2014 – 2034 General Plan Update. It should be noted that there are no specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, that would make infeasible the mitigation measures or alternatives identified in the EIR.

ENVIRONMENTAL REVIEW PROCESS

In conformance with CEQA and the State CEQA Guidelines, the City of Corning conducted an extensive environmental review of the 2014 – 2034 General Plan Update. The environmental review process included the following:

- An Initial Study by the City of Corning was not prepared since the decision to prepare an EIR was determined when the City Council authorized the preparation of the 2014 – 2034 General Plan Update in 2012.

- On October 23, 2012, for efficiency and cost containment purposes, the City Council appointed the Planning Commission to serve as the 2014 -2034 General Plan Update Task Force (Task Force), to oversee the update of the 2014 -2034 General Plan Update.

- The Notice of Preparation (NOP) was released for a 30-day public review period on May 12, 2015 which ended on June 10, 2015. Section 1.3 of the EIR describes the Methodology and Scope of the EIR. The Notice of Preparation and public scoping process is also discussed.

- Completion of a scoping process in which the public and public agencies were invited by the City of Corning to participate. The scoping meeting for the EIR was held on May 19, 2015.

- Preparation of a DEIR by the City of Corning, which was made available for a 45-day public review period from June 24, 2015 through August 7, 2015. Provided with the DEIR was the June 23, 2015 Draft 2014 – 2034 General Plan Update. Notice of the availability of the DEIR was sent to interested persons, agencies and organizations: it was also published in Corning Observer, the local newspaper with general circulation, and was posted at City Hall.

- On August 18, 2015, the Planning Commission held a duly noticed public hearing to consider the Draft 2014 – 2034 General Plan Update and Draft EIR and, made recommendations to the City Council to certify the EIR as complete and adequate and to adopt the 2014 – 2034 General Plan Update with revisions.

- Preparation of a Final EIR (FEIR) dated August 27, 2015. The Final EIR contains the following: comments on the DEIR, responses to those comments and the Mitigation Monitoring Program. The DEIR

was revised to incorporate the responses to comments. The Final EIR Response to Comments was formerly released for a 10 day public review period on August 27, 2015. The three agencies that provided written comments were provided the Response to Comments via e-mail on August 14, 2015.

- Beginning in 2013 through 2015, a total of 18 Public Workshops and/or Public Hearings were held by the General Plan Update Task Force/Planning Commission.

- The City Council held one public hearing on October 23, 2012 initiating the 2014 – 2034 General Plan Update process and another on September 8, 2015 to certify and adopt the EIR as complete and adequate and to adopt the 2014 – 2034 General Plan Update.

PROJECT SUMMARY

California State law (Government Code Section 65300) requires the City of Corning to adopt a general plan "for the physical development of the City, and any land outside its boundaries which . . . bears relation to its planning." The general plan serves as a "constitution" for development, the foundation upon which all land use decisions are to be based. It expresses community development goals and embodies public policy relative to the distribution of future public and private land use. In summary, it is a statement of the City's vision of its physical growth over the next 20 years.

The City of Corning 2014 – 2034 General Plan Update serves to:

- Identify the City's long-range goals, objectives, policies & implementation measures for existing and future development and conservation of natural resources;
- Provide for "quality of life" improvements for City residents, employers and employees;
- Provide the Planning Commission and City Council a foundation for judging whether specific private development proposals and public projects are consistent with the general plan;
- Provide citizens, developers, employers, public and private agencies, and decision-makers the "ground rules" that guide existing and future development
- Provide a basis for decision making, including a nexus to support development exactions as required by Nollan v. California Coastal Commission (1987) 107 S. Ct. 3141; and
- Provide citizens with opportunities to participate in the planning and decision-making processes of the City.

The General Plan is designed to be:

- Long range in nature since almost any development decision has effects lasting for more than several years;
- Comprehensive, since the Plan must provide direction to coordinate all major components of the City's physical development; and,
- General, because although it serves as a framework for detailed public and development proposals, it establishes requirements for additional planning studies which must be completed prior to any future actions to modify land use allocations.

Since the 1994 General Plan was adopted, new issues were identified that needed to be addressed. These issues were presented, evaluated and considered for inclusion into the 2014 – 2034 General Plan Update. Issues identified included:

- Provide adequate suitable sites for new housing compatible with existing neighborhoods reflecting a variety of housing types and densities

- Provide adequate suitable sites for emergency and/or transitional housing
- Identify pedestrian and bicycle access routes
- Address floodplain and flood hazard issues
- Address Climate Change
- Incorporate Energy Conservation Policies
- Incorporate Neighborhood Improvement Policies
- Identify and incorporate "sustainability" concepts

FINDINGS ON THE PROJECT ALTERNATIVES CONSIDERED IN THE DEIR/EIR

Alternatives to the 2014 – 2034 General Plan Update are presented and evaluated in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of the specific economic, social, or other considerations.

The following discussion provides a summary of the alternatives considered and rejected in the 2014 – 2034 General Plan Update EIR, including the "No Project" Alternative which is the 1994 General Plan, the "Lower Density Residential" Alternative, and the "Higher Density Residential" Alternative.

NO PROJECT – 1994 GENERAL PLAN ALTERNATIVE

Under the No Project Alternative, the General Plan Update would not be adopted and the 1994 General Plan would continue to guide development in the City. The key difference between the 1994 General Plan and the 2014 – 2034 General Plan Update are:

- The Unclassified and Agriculture land use classifications would remain.

- The Large Lot Residential that basically replaces the Agricultural classification and is more reflective of the size and uses of the underlying parcels would not be advanced.

- The 2014 – 2034 General Plan Update provides consistency with the 2009 – 2014 Housing Element Update, whereas, the 1994 General Plan does not.

- The 1994 General Plan does not provide vacant Multi-Family Residential classified lands to provide a higher density type of living environment and is also necessary to meet State of California mandated Regional Housing Needs Allocation (RHNA) requirements.

- The amount of existing Industrial designated lands far exceeds the need or demand for such lands.

- The 1994 General Plan does not provide Public Services, Air Quality, Climate Change, and Energy Elements.

- The 1994 General Plan does not identify Objectives for each Element.

- The 2014 – 2034 General Plan Update clearly updates and identifies those streets within the City and Sphere of Influence that truly function as Arterials, Minor Arterials and Collectors.

Overall environmental impacts associated with the 2014 – 2034 General Plan Update would not be significantly reduced since the increases in Residential and Multi-Family classified lands are being offset by a reduction of 93 acres of Industrial classified lands. In addition, the existing approximate 118.6 acres of unclassified lands are being classified for Large Lot Residential, Residential and Multi-Family Residential land uses.

The City Council finds that the "No-Project – 1994 General Plan" Alternative is less desirable than the 2014 – 2034 General Plan Update and rejects this Alternative for the following reasons:

- This Alternative would not achieve many of the objectives established for the 2014 – 2034 General Plan Update. The 1994 General Plan does not identify Objectives for each General Plan Element.
- The Unclassified and Agriculture land use classifications would remain.
- The Large Lot Residential replacing the Agricultural land use classification would not be advanced.
- The 1994 General Plan is inconsistent with the adopted 2009 – 2014 Housing Element Update.
- The 1994 General Plan does not provide vacant Multi-, Family Residential classified lands to provide a higher density housing necessary to meet State of California mandated RHNA requirements.
- The amount of existing Industrial designated lands far exceeds the need or demand for such lands.
- The 1994 General Plan does not provide Public Services, Air Quality, Climate Change, and Energy Elements.
- The 2014 – 2034 General Plan Update updates and identifies streets in the City and Sphere of Influence that function as Arterials, Minor Arterials and Collectors.
- Overall environmental impacts would not be significantly reduced.

LOWER DENSITY RESIDENTIAL ALTERNATIVE

This Alternative places greater emphasis on the development of the reclassified vacant single family lands at a lower density than proposed in the 2014 – 2034 General Plan Update. The 2014 – 2034 General Plan Update utilizes a density factor of 4.5 DU's/Acre for the existing vacant Residential classified parcels and approved tract maps, which total 1,075 DU's on 237 acres. A density of 6 DU's is used for the 69.5 acres reclassified to Residential and 19 DU's/Acre is used for the 42 acres of Multi-Family Residential reclassified land. The density of Large Lot Residential lands remained at 2 acres per DU.

The Lower Density Residential Alternative reflects the use of a lower density factor for reclassified lands of 4 DU's/Acre for Residential land uses and 10 DU's/Acre for Multi-Family Residential land uses.

This Alternative would result in a total of 1,855 dwelling units of which 1,353 would be Residential DU's, 420 would be Residential Multi-Family DU's and 82 Large Lot Residential DU's. The General Plan Update generates 2,375 DU's and this alternative is 520 less DU's.

This Alternative would generate a population of 5,398 persons, which is 1,513 less persons than the 2014 – 2034 General Plan Update projected population of 6,911 persons.

The City Council finds that the Lower Density Residential Alternative is less desirable than the 2014 – 2034 General Plan Update and rejects this Alternative for the following reasons:

- This Alternative would not achieve many of the objectives established for the 2014 – 2034 General Plan Update.

- This Alternative would reduce the number of allowable housing units in the City, thereby impeding the City's ability to achieve its housing goals contained in the adopted Housing Element.
- Overall environmental impacts associated with this alternative compared to the Preferred Alternative would not be significantly reduced since the land area proposed for development is generally the same.

- The land form would still be altered since the same areas would still be developed, just with less density.

- Potential aesthetic, drainage, erosion, biological, water quality and biological impacts could still occur.

- Public service and facilities, traffic, noise, air quality, climate change and energy impacts would be reduced, albeit not significantly over a 20 year time period.

HIGHER DENSITY RESIDENTIAL ALTERNATIVE

This Alternative places greater emphasis on the development of reclassified vacant single family lands at higher densities than proposed in the *General Plan Update*. As previously noted, the *General Plan Update* utilizes a density factor of 4.5 DU's/Acre for the existing vacant *Residential* classified parcels and approved tract maps, a total of 1,075 DU's on 237 acres. A density of 8 DU's is used for the 69.5 acres reclassified to *Residential* and 24 DU's/Acre is used for the 42 acres of *Multi-Family Residential* reclassified land. The density of Large Lot Residential lands remains at 2 acres per DU.

This Alternative results in a total of 2,721 dwelling units of which 1,631 would be *Residential* DU's, 1,008 would be *Residential Multi-Family* DU's and 82 *Large Lot Residential* DU's. The *General Plan Update* identifies 2,375 DU's and this alternative would result in 346 more DU's.

This Alternative would generate a population of 7,918 persons, which is 1,007 more persons than the *General Plan Update* projected population of 6,911 persons.

The City Council finds that the Higher Density Residential Alternative is less desirable than the proposed project and rejects this Alternative for the following reasons:

- This Alternative would not achieve many of the objectives established for the 2014 – 2034 General Plan Update.

- Overall environmental impacts associated with this Alternative compared to the Preferred Alternative would increase. Environmental impacts on the natural environment, due to the land form alteration would be similar to the other alternatives, in particular with respect to aesthetics, drainage, erosion, biological, water quality and biological impacts. These impacts could be readily mitigated, however, air quality, climate change and energy impacts could be significant, not because of the increase in housing, but due to the population increase.

- The population increase would result in an increased demand on public services and facilities, in particular water resources and wastewater treatment, impacts due to increased traffic and noise levels and their attendant impacts.

FINDINGS ON POTENTIALLY SIGNIFICANT IMPACTS OF THE 2014 – 2034 GENERAL PLAN UPDATE IDENTIFIED IN THE DEIR/FEIR,

This section identifies the findings on impact categories analyzed in the DEIR/FEIR including potentially significant impacts of the 2014 - 2034. The numbering of potential impact categories are consistent with the numbering in the EIR.

NATURAL RESOURCES GROUP – CONSERVATION & OPEN SPACE

4.1 BIOLOGICAL RESOURCES

Impacts: An impact would be considered significant if it would result in any of the following:

1. A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

2. A substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect biological resources.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect biological resources. CEQA review is also required to be undertaken as part of the process for approval of future discretionary projects. In addition, state and federal regulatory oversight serves to reduce potentially significant impacts to **less-than-significant** levels.

Impact: An impact would be considered significant if it would result in any of the following:

3. A substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

   Review of the National Wetland Inventory (NWI) map for the Corning quadrangle identified several wetland features. In addition, existing vacant parcels within the City could potentially impact Jewett Creek, Burch Creek and the Blackburn-Moon Ditch which are designated wetland features.

Mitigation Measures: The following mitigation measures BR-1 and BR-2 address potential wetlands and vernal pools with associated special status features.

BR-1 *To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.", including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:*

- *Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.*
- *Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the DFG; and, if required, a streambed alteration agreement shall be obtained.*
- *Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.*
- *Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).*
- *All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction.*
- *Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).*
- *Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process.*
- *Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, CDFW) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.*

BR-2 *Conduct a USFWS protocol-level survey for the vernal pool fairy shrimp and vernal pool tadpole shrimp within suitable habitats occurring within the proposed project site, or assume the species are present. If the species are not detected during the protocol-level survey, no further measures or mitigation is required. If either of the species is detected during protocol-level surveys or the*

presence of the species is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented:

- *Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS.*
- *For every acre of habitat directly or indirectly affected, at least two vernal pool preservation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure.*
- *For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a USFWS-approved habitat mitigation bank. With USFWS approval, appropriate payment into an in-lieu fee fund, on-site creation, or off-site creation may be used to satisfy this measure.*

Finding: The mitigation measures are feasible and avoid or substantially lessen potentially significant wetland impacts to a **less-than-significant** level for the reasons identified in the EIR.

4.2 WATER RESOURCES

Impacts: An impact would be considered significant if it would result in any of the following:

1. Violate any water quality standards or waste discharge standards.

2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).

3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site.

4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site.

5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

6. Otherwise substantially degrade water quality.

7. Result in inundation by seiche, tsunami, or mudflow.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect water resources.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect water resources. CEQA review will be undertaken as part of the review process for future discretionary projects. In addition, state and federal oversight all serve to reduce potentially significant impacts on water resources to **less-than-significant** levels.

4.3 CULTURAL RESOURCES

Impacts: An impact would be considered significant if it would result in any of the following:

1. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

4. Disturb any human remains, including those interred outside of formal cemeteries.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect cultural resources.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect cultural resources. CEQA review will be undertaken as part of the review process for future discretionary projects. In addition, state and federal oversight all serve to reduce potentially significant impacts on cultural resources to **less-than-significant** levels.

4.4 MINERAL RESOURCES

Impacts: An impact would be considered significant if it would result in any of the following:

1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect mineral resources.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect mineral resources. CEQA review will be undertaken as part of the review process for future discretionary projects. Potential significant impacts on mineral resources are reduced to **less-than-significant** levels.

4.5 OPEN SPACE & SCENIC RESOURCES

Impacts: An impact would be considered significant if it would result in any of the following:

1. Have a substantial adverse effect on a scenic vista.

2. Substantially degrade the existing visual character or quality of the site and its surroundings.

3. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

4. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect open space and scenic resources.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect open space and scenic resources. CEQA review will be undertaken as part of the review process for future discretionary projects. Potential significant impacts on open space and scenic resources are reduced to **less-than-significant** levels.

4.6 PARKS & RECREATION FACILITIES & RESOURCES

Impacts: An impact would be considered significant if it would result in any of the following:

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect parks and recreation facilities and resources.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect parks and recreation facilities and resources. CEQA review will be undertaken as part of the review process for future discretionary projects. Potential significant impacts on parks and recreation facilities and resources are reduced to **less-than-significant** levels.

HEALTH & SAFETY GROUP

4.7 SEISMIC & GEOLOGIC HAZARDS

Impacts: An impact would be considered significant if it would result in any of the following:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based

on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and, landslides.

2. Be located on a geologic unit or soil that is unstable, or that would become unstable as result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
3. Result in substantial soil erosion or the loss of topsoil.

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

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

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would provide protection against seismic and geologic hazards.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would provide protection against seismic and geologic hazards. CEQA review will be undertaken as part of the review process for future discretionary projects in addition to adherence to building codes. Potential significant impacts from seismic and geologic hazards are reduced to **less-than-significant** levels.

4.8 FLOOD PROTECTION

Impacts: An impact would be considered significant if it would result in any of the following:

1. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site.

2. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

3. Place within a 100-year flood hazard area structures which would impede or redirect flood flows.

4. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

5. Result in inundation by seiche, tsunami, or mudflow.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would provide flood hazard protection.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would provide flood hazard protection. CEQA review will be undertaken as part of the review process for future discretionary projects in addition to federal and state regulatory oversight. Potential significant impacts from flood hazards are reduced to **less-than-significant** levels.

4.9 FIRE SAFETY & LAW ENFORCEMENT

Impacts: An impact would be considered significant if it would result in any of the following:

1. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

2. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire and police protection services.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address fire safety and law enforcement.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address fire safety and law enforcement. CEQA review will be undertaken as part of the review process for future discretionary projects. Potential significant impacts on fire safety and law enforcement are reduced to **less-than-significant** levels.

4.10 HAZARDOUS MATERIALS & SAFETY

Impacts: An impact would be considered significant if it would result in any of the following:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

4. Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

7. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address hazardous materials and safety.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address hazardous materials and safety. CEQA review will be undertaken as part of the review process for future discretionary projects in addition to federal and state oversight. Potential significant impacts from hazardous materials are reduced to **less-than-significant** levels.

4.11 NOISE

Impacts: An impact would be considered significant if it would result in any of the following:

1. Exposure of people to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address noise.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address noise. CEQA review will be undertaken as part of the review process for future discretionary projects in addition to federal and state regulatory oversight. Potential significant impacts from noise are reduced to **less-than-significant** levels.

COMMUNITY DEVELOPMENT GROUP

4.12 LAND USE

Impacts: An impact would be considered significant if it would result in any of the following:

1. Physically divide an established community.

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

3. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension or roads or other infrastructure.

4. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

5. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

6. Conflict with any applicable habitat conservation plan or natural community conservation plan.
5. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

6. Conflict with existing zoning for agricultural use, or a Williamson Act contract.

7. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526).

8. Result in the loss of forest land or conversion of forest land to non-forest use.

9. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address potential land use impacts.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address land use. CEQA review will be undertaken as part of the review process for future discretionary projects. Potential significant impacts on land use are reduced to **less-than-significant** levels.

4.13 CIRCULATION

Impacts: An impact would be considered significant if it would result in any of the following:

1. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

2. Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous

intersections) or incompatible uses (e.g., farm equipment).

3. Result in inadequate emergency access.

4. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
5. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).

6. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address circulation impacts.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address circulation. CEQA review will be undertaken as part of the review process for future discretionary projects. In addition, coordination with federal, state and county transportation agencies provides additional project review and in some instances, regulatory oversight. Potential significant impacts on circulation are reduced to **less-than-significant** levels.

4.14 PUBLIC SERVICES & FACILITIES

Impacts: An impact would be considered significant if it would result in any of the following:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.

2. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

3. Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

4. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

5. Require or result in the construction of new water supply and/or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

6. Have sufficient water supplies available to serve the project from existing entitlements and resources, or new or expended entitlements needed.

7. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

8. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

9. Comply with federal, state, and local statutes and regulations related to solid waste.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address public services and facilities.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address public services and facilities. CEQA review will be undertaken as part of the review process for future discretionary projects. Potential significant impacts on public services and facilities are reduced to **less-than-significant** levels.

4.15 AIR QUALITY

Impacts: An impact would be considered significant if it would result in any of the following:

1. Conflict with or obstruct implementation of the applicable air quality plan.

5. Create objectionable odors affecting a substantial number of people.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect air quality.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which would protect air quality. CEQA review is also required to be undertaken as part of the review process for future discretionary projects. In addition, state and federal regulatory oversight serve to reduce potentially significant air quality impacts to **less-than-significant** levels.

Impact: An impact would be considered significant if it would result in any of the following:

2. Violate any air quality standard or contribute to an existing or projected air quality violation.

3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors.

4. Expose sensitive receptors to substantial pollutant concentrations.

The modeling results identified in Table AQ-3 in the EIR indicate that cumulative emissions from the 313 residential units projected to be constructed over the next 20 years could generate ROG emissions that are above Level "A" thresholds, but below Level "B" thresholds. The impact is **potentially significant**. Through the application of Level "A' and some Level "B" BMMs, as reflected in Mitigation Measure AQ-1, further emission reductions could be accomplished to reduce potential air quality impacts to a **less-than-significant** level.

Mitigation Measure: The following mitigation measure AQ-1 addresses potential air quality impacts.

AQ-1 *The TCAPCD Guidelines provide estimated ranges of efficiencies for SMMs and BAMMS that are incorporated into the Project. Assuming an average efficiency for each measure, the following measures can be expected to reduce ROG, NOx, and PM_{10} emissions by about 30% for construction, area source, and operation (vehicle) emissions:*

- *All construction contracts shall include construction dust mitigation measures that contain minimum criteria and related to the use of diesel equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction.*
- *Alternatives to open burning of vegetative material shall be used. Cleared vegetation shall be treated by legal means other than open burning.*
- *Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of construction.*
- *All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day.*
- *All construction areas (including unpaved driveways and roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions.*
- *All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads.*
- *All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour.*
- *All inactive portions of the site disturbed by construction activities shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established.*
- *The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive construction areas.*
- *All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114.*
- *All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance.*
- *During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the construction area from the adjacent paved road(s). It appears that the existing gravel based road serving the existing well may meet this requirement.*
- *Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of construction activities.*
- *Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the construction area.*
- *Wheel washers shall be installed where project vehicles and/or equipment access paved streets from unpaved roads.*

- *Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter.*
- *Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained.*
- *Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes.*
- *Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.*

Finding: The mitigation measures are feasible and avoid or substantially lessen potentially significant air quality impacts to a **less-than-significant** level for the reasons identified in the EIR.

4.16 CLIMATE CHANGE

Impacts: An impact would be considered significant if it would result in any of the following:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

2. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address climate change.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address climate change. CEQA review is also required to be undertaken as part of the review process for future discretionary projects. In addition, state and federal regulatory oversight serve to reduce potentially significant climate change impacts to **less-than-significant** levels.

4.17 ENERGY

Impacts: An impact would be considered significant if it would result in any of the following:

1. The construction or operation of the proposed facilities would result in the wasteful, unnecessary, or inefficient use of energy resources. Environmental effects may include the project's energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the project on local and regional energy supplies; the effects of the project on peak and base period demands for electricity and other forms of energy; the degree to which the project complies with existing energy standards; the effects of the project on energy resources; and the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address energy impacts.

Mitigation Measures: No additional mitigation measures are required.

Finding: The 2014 – 2034 General Plan Update incorporates various Policies and Implementation Measures which address energy. CEQA review is also required to be undertaken as part of the review process for future discretionary projects. In addition, state and federal regulatory oversight serve to reduce potentially significant energy impacts to **less-than-significant** levels.

REFERENCES

The following reference materials were reviewed to obtain information included in or considered during the preparation of the EIR. To arrange for the review one or more of these references, please contact John Stoufer, City of Corning Planning Department, at (530) 824-7036 or e-mail at "jstoufer@corning.org".

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EXHIBIT "B"

CEQA MITIGATION MONITORING PROGRAM FOR THE 2014 – 2034 GENERAL PLAN UPDATE

This Exhibit is the Mitigation Monitoring Program (MMP) for the City of Corning 2014 -2034 General Plan Update. The MMP includes a brief discussion of the legal basis for and the purpose of the program, discussion, a key to understanding the monitoring table, direction regarding complaints about noncompliance and the monitoring table itself.

LEGAL BASIS AND PURPOSE

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or a mitigated negative declaration (MND). This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Final EIR for the City of Corning 2014 -2034 General Plan Update. It is intended to be used by City, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project.

Mitigation is defined by CEQA Guidelines Section 15370 as a measure that does any of the following:

- Avoids impacts altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP provides for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to City Staff.

MITIGATION MONITORING PROGRAM TABLE

Mitigation Monitoring Table MMP-1 identifies the mitigation measures proposed for the City of Corning 2014 -2034 General Plan Update.

The table has the following columns:

- **Mitigation Measure:** Lists the mitigation measure along with its number as identified in the EIR for each specific impact.
- **Timing:** Identifies at what point in time, review process, or phase the mitigation measure will be completed.
- **Agency Monitoring/Consultation:** References the City of Corning or any other public agency with which coordination is required to satisfy the identified mitigation measure.
- **Verification:** Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Agency in written form, providing specific information on the asserted violation. The Agency shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the City of Corning shall take appropriate action to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

TABLE MMP-1 MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
4.1 BIOLOGICAL RESOURCES			
Mitigation Measure B-1 To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.", including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented: • Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material. • Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFW; and, if required, a streambed alteration agreement shall be obtained. • Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion. • Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales). • All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction. • Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).	As part of the CEQA evaluation process for discretionary projects. Before and during construction.	City of Corning Planning Department, California Department of Fish and Wildlife, U.S. Army Corps of Engineers, Regional Water Quality Control Board, Project Proponent and Contractor.	

TABLE MMP-1 MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
• Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process. • Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, CDFW) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.			
Mitigation Measure B-2 Conduct a USFWS protocol-level survey for the vernal pool fairy shrimp and vernal pool tadpole shrimp within suitable habitats occurring within the proposed project site, or assume the species are present. If the species are not detected during the protocol-level survey, no further measures or mitigation is required. If either of the species is detected during protocol-level surveys or the presence of the species is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented: • Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS. • For every acre of habitat directly or indirectly affected, at least two vernal pool preservation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure. For every acre of habitat directly affected, at least one vernal pool creation credit will be dedicated within a USFWS-approved habitat mitigation bank. With USFWS approval, appropriate payment into an in-lieu fee fund, on-site creation, or off-site creation may be used to satisfy this measure.	As part of the CEQA evaluation process for discretionary projects. Also as part of the U.S. Army Corps of Engineers permitting process.	City of Corning Planning Department. California Department of Fish and Wildlife, Developer, U.S. Army Corps of Engineers and Project Proponent.	
4.15 AIR QUALITY			
Mitigation Measure AQ-1 • The TCAPCD Guidelines provide estimated ranges of efficiencies for SMMs and BAMMS that are incorporated into the Project. Assuming an average efficiency for each measure, the following measures can be expected to reduce ROG, NOx, and PM_{10} emissions by about 30% for construction, area source, and operation (vehicle) emissions.	Before and during construction. During operations.	City of Corning Planning Department, Contractor, Project Proponent and Tehama County Air Pollution Control District	

TABLE MMP-1 MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
• All construction contracts shall include construction dust mitigation measures that contain minimum criteria and related to the use of diesel equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction. • Alternatives to open burning of vegetative material shall be used. Cleared vegetation shall be treated by legal means other than open burning. • Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of construction. • All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day. • All construction areas (including unpaved driveways and roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions. • All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads. • All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour. • All inactive portions of the site disturbed by construction activities shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established. • The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive construction areas. • All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114. • All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance. • During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the construction area from the adjacent paved road(s). It appears that the existing gravel based road serving the existing well may meet this requirement.			

TABLE MMP-1			
MITIGATION MONITORING PROGRAM			
MITIGATION	**TIMING/ IMPLEMENTATION**	**AGENCY MONITORING/ CONSULTATION**	**VERIFICATION (DATE & INITIALS)**
• Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of construction activities. • Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the construction area. • Wheel washers shall be installed where project vehicles and/or equipment access paved streets from unpaved roads. • Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter. • Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained. • Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.			