

**Planning Commissioners:**  
District 1 Richard Olney  
District 2 Barton Caster  
District 3 Howard Cawthra, Vice-Chair  
District 4 Mathew Amaro  
District 5 William Carriere, Chair

## **Glenn County Planning Commission**



**TO BE CONDUCTED VIA TELECONFERENCE**

### **AGENDA**

**DATE: Wednesday, August 19, 2020**

**TIME: 9:00 A.M.**

#### **PUBLIC MEETING PROTOCOL IN RESPONSE TO CORONAVIRUS COVID-19**

The Glenn County Planning Commission, in order to honor Executive Order N-29-20, issued by California Governor Gavin Newsom, is conducting this meeting via teleconference. In person participation at the Planning Commission meeting will not be allowed at this time.

#### **How To Stay Engaged**

You are strongly encouraged to listen to the live audio stream of the Planning Commission meetings at <https://www.countyofglenn.net/planning-commission-minutes-agendas>

If you wish to make a comment on a specific agenda item, please submit your comment via email to the Planning Commission at [planning@countyofglenn.net](mailto:planning@countyofglenn.net) by 9:00 a.m. on the morning of the noticed meeting. Your comment will be placed into the record at the Planning Commission meeting. If you are listening to the audio live stream of the Planning Commission meeting and wish to make either a comment during Unscheduled Matters and Public Comments or to comment on a specific agenda item as it is being heard, please submit your comment, limited to 250 words or less, to the Planning Commission at [planning@countyofglenn.net](mailto:planning@countyofglenn.net). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.

To submit written comments by U.S. Mail or email for inclusion in to the meeting record, they must be received by Planning Division no later than 9:00 a.m. on the morning of the noticed meeting. To submit written comments by email, please forward them to [planning@countyofglenn.net](mailto:planning@countyofglenn.net) or send to Glenn County Planning Division at 225 North Tehama Street, Willows, CA 95988.

Please contact the Glenn County Planning & Community Development Services Agency, 225 North Tehama Street, Willows, CA 95988, (530) 934-6540, for further information prior to the meeting. Action taken by the Planning Commission may be appealed in accordance with Glenn County Code §15.050.020. Planning Commission agendas, minutes, and audio recordings are available on Glenn County's website at <http://www.countyofglenn.net/government/minutes-agendas>.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF MINUTES**

4.a Minutes of the July 15, 2020, Planning Commission Meeting

Attachment:

[July 15, 2020 Minutes.pdf](#)

**5. PUBLIC HEARING(s)**

5.a CONDITIONAL USE PERMIT 2020-001, DOLLAR GENERAL, ABC

The applicant is requesting a Finding of Public Convenience or Necessity (PCN) and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from an existing grocery and consumer's good store.

LOCATION: The project site is located at 400 Sixth Street, Hamilton City, on the north side of State Highway 32 (Sixth Street), east of County Road 203, and west of Main Street, in the unincorporated area of Glenn County, California.

Assessor Parcel Number	032-230-019
Applicant	Dolgen California, LLC Store #15680
Applicant Representative	Steve Rawlings c/o Rawlings Consulting
Landowner	Louis Stalcar and Maria Stalcar
Zoning	"CC" (Community Commercial)
General Plan Designation	Community Commercial

**SUGGESTED ACTION(s):**

That the Planning Commission find that the proposed Conditional Use Permit 2020-001 exempt from CEQA, approve Conditional Use Permit 2020-001, and approve the Finding of Public Convenience or Necessity to sell beer and wine for off-site consumption, with the Findings as presented in the Staff Report and the corresponding Conditions of Approval.

Attachments:

[0 Addendum, Staff Report, CUP 2020-001, Dolgen ABC.pdf](#)

[1-4 Comment Letters and Petition Received.pdf](#)

[4.1 Letters Received August 13, 2020.pdf](#)

[5 CUP 2020-001, Dolgen ABC, PC 7-15-2020, 081320.pdf](#)



5.b Conditional Use Permit 2020-004, Cousins Estate Vineyard, LLC

Cousins Estate Vineyard, LLC is requesting a Conditional Use Permit in order to produce and store wine for sale to restaurants and club members for off-site consumption (Alcohol Beverage Control (ABC) Type 02 License). Additional information is included in the application and plot plan.

LOCATION: The project site is located at 7365 County Road 21, on the south side of County Road 21, east of County Road S, and north of County Road 24, in the unincorporated area of Glenn County, California.

Assessor Parcel Number (APN)	047-210-007
Applicant	Cousins Estate Vineyard, LLC
Landowner	Lonnie & Stacy St. Louis
Zoning	"AE-40" Exclusive Agriculture (36 Acre, minimum parcel size)
General Plan Designation	Intensive Agriculture

SUGGESTED ACTION(s):

1. That the Planning Commission find the proposed Conditional Use Permit 2020-004 exempt from CEQA.
2. That the Planning Commission approve Conditional Use Permit 2020-004, with the Findings as presented in the Staff Report and the corresponding Conditions of Approval.

Attachments:

[1 Staff Report, CUP 2020-004, St Louis Winery.pdf](#)

[2 Conditions of Approval, CUP 2020-004\\_8\\_14.pdf](#)

[3 Comments.pdf](#)

[4 CUP 2020-004, Cousins Estate Vineyard, LLC, Request for Review.pdf](#)

[5 Map.pdf](#)

[6 Vicinity Notice, CUP 2020-004.pdf](#)

#### 5.c Tentative Parcel Map 2020-002, Amaro-Webster

The applicant has proposed a Tentative Parcel Map to divide one parcel totaling 194.2± acres into the following:

Parcel One: 96.8± acres

Parcel Two: 97.4± acres

LOCATION: The project site is located on the east side of County Road 55, south of County Road 61, west of Willow Creek, and north of Norman Road, within the unincorporated area of Glenn County, California.

Assessor Parcel Number (APN)	013-220-020 & 013-230-001.
Applicant/Landowner	Curtis & Shellie Amaro
Surveyor	Gerald W. White
Zoning	"AP-80" Agriculture Preserve Zone (72-acre, minimum parcel size)
General Plan Designation	Intensive Agriculture

#### SUGGESTED ACTION(s):

1. That the Planning Commission grant a Negative Declaration for Tentative Parcel Map 2020-002 with the findings as presented in the Staff Report.
2. That the Planning Commission approve Tentative Parcel Map 2020-002 with the findings as presented in the Staff Report and the Conditions of Approval as attached.

#### Attachments:

- [1 Staff Report.pdf](#)
- [2 TPM2020-002, Conditions of Approval.pdf](#)
- [3 IS Draft & NegD.pdf](#)
- [4 Figures.pdf](#)
- [5 Comments.pdf](#)
- [6 TPM2020-002, Amaro-Webster, Request for Review.pdf](#)
- [7 Topo Map.pdf](#)
- [8 Vicinity Notice, TPM 2020-002.pdf](#)

### 6. REGULAR AGENDA ITEMS

#### 6.a Knife River Construction, Hambright Property

##### Attachment:

[CUP 94-01, Hambright Biological Summary, PC August 2020.pdf](#)

- 6.b Hamilton City Unified School District Expansion  
Attachment:

[Hamilton City School Expansion, PC Staff Report.pdf](#)  
[Comment Letter.pdf](#)

## 7. DISCUSSION ITEMS AND STATUS REPORTS

- 7.a Planning Projects in Process and Completed  
August 2020 Planning Commission Status Report  
Attachment:

[Planning Projects August 2020.pdf](#)

8. **UNSCHEDULED MATTERS AND PUBLIC COMMENTS** *Receive comments from the audience, staff, and Commissioners and if deemed necessary, refer the subject matter for follow-up and/or schedule the matter on a subsequent Planning Commission agenda. The Planning Commission will not be making a decision or determination on items brought up at this time. Therefore, any person wishing to address the Planning Commission, on any item not on today's' agenda, may do so at this time.*

## 9. ADJOURNMENT

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*In compliance with the Americans with Disabilities Act, Glenn County will make availability to persons with a disability, disabled-related modification, or accommodations. Notification two days prior to the meeting will enable the County to make arrangements to provide reasonable accommodations. If requested, this document and other agenda materials can be made available in an alternative format for persons with a disability who are covered by the Americans with Disabilities Act. Contact the Planning Division Office with your request for accommodations at (530) 934-6540.*

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**GLENN COUNTY  
PLANNING COMMISSION**

**WILLOWS, CALIFORNIA**

**MINUTES**

**DATE:**       **Wednesday, July 15, 2020**

**TIME:**       **9:00 A.M.**

**PLACE:**     **Board of Supervisors' Chambers, Willows Memorial Hall  
525 West Sycamore Street, 2<sup>nd</sup> Floor  
Willows, CA 95988**

\*   \*   \*

**1.   CALL TO ORDER:**

Chair Carriere called the meeting to order at approximately 9:00 a.m., on Wednesday, July 15, 2020, at the Board of Supervisors' Chambers.

**2.   PLEDGE OF ALLEGIANCE:**

Chair Carriere lead the group in the Pledge of Allegiance.

**3.   ROLL CALL:**

Roll Call of Commissioners appointed to the Planning Commission.

**COMMISSIONERS PRESENT:**

William Carriere (Chair)  
Barton Caster  
Richard Olney  
Howard Cawthra  
Mathew Amaro

**COMMISSIONERS ABSENT:**

None

**STAFF PRESENT:**

Donald Rust, PCDSA Director  
Mardy Thomas, Principal Planner  
Greg Conant, Assistant Planner  
Jamie Moyle, Administrative Service Analyst I  
William Vanasek, County Counsel

**4. APPROVAL OF MINUTES:**

On a motion by Commissioner Cawthra, seconded by Commissioner Amaro, it was voted to approve the Minutes of the previous Planning Commission meeting held on Wednesday, June 17, 2020, as presented.

Ayes: Commissioners Caster, Cawthra, Amaro, Olney, and Chair Carriere  
Noes: None  
Abstain: None  
Absent: None

**5. ELECTION OF OFFICERS**

According to Glenn County Code Section 2.360.22(F)(1): The chairperson and vice-chairperson of the Planning commission shall be elected by a majority vote of all members at the first meeting of the commission in July of each year, to serve in such positions for a term of one year.

Election of Planning Commission Officers July 2020 – June 2021

On a motion by Commissioner Amaro, seconded by Commissioner Olney, it was voted to appoint William Carrier as Chair and Howard Cawthra as Vice-Chair.

Ayes: Commissioners Caster, Cawthra, Amaro, Olney, and Chair Carriere  
Noes: None  
Abstain: None  
Absent: None

**6. REGULAR AGENDA ITEMS**

Resolution Commending Commissioner Robert Costa For Seven Years Of Service On The Glenn County Planning Commission, Resolution 2020-004.

On a motion by Commissioner Amaro and a second by Commissioner Cawthra, it was voted to approve Resolution 2020-004, Commending Commissioner Roberto Costa for Seven Years of Service On The Glenn County Planning Commission.

Ayes: Commissioners Caster, Cawthra, Amaro, Olney, and Chair Carriere  
Noes: None  
Abstain: None  
Absent: None

## 7. **PUBLIC HEARING(S)**

7.a Conditional Use Permit 2020-001 Dollar General, ABC

LOCATION: The project site is located at 400 Sixth Street, Hamilton City, on the north side of State Highway 32 (Sixth Street), east of County Road 203, and west of Main Street, in the unincorporated area of Glenn County, California.

Assessor Parcel Number: 032-230-019

Applicant: Dolgen California, LLC Store #15680

Applicant Representative: Steve Rawlings c/o Rawlings Consulting

Landowner: Louis Stalcar and Maria Stalcar

Zoning: "CC" (Community Commercial)

General Plan Designation: Community Commercial

Chair Carriere introduced the item.

Donald Rust addressed the Planning Commission about the item and asked that the public hearing be conducted and then the item be continued to next Planning Commission meeting.

Chair Carriere opened the public comment period.

After a five-minute break to allow for remote comments. Comments were received from Ken Hahn & Gursewak Singh, both comments were read into the record. Chair Carriere hearing no further comments closed the public comment period. On a motion by Commissioner Amaro and a second by Commissioner Cawthra, it was voted to continue Conditional Use Permit 2020-001 to the Planning Commission meeting on August 19, 2020 at 9:00 a.m.

Ayes: Commissioners Caster, Cawthra, Amaro, Olney, and Chair Carriere

Noes: None

Abstain: None

Absent: None

7.b Tentative Parcel Map 2020-004, Ellsworth

The project consists of a land division to divide on existing parcel (17,859± Square Feet) into the following:

Parcel One: 8,550± Square Feet

Parcel Two: 9,150± Square Feet

LOCATION: The project site is 514 Fifth Street, northeast of Willows; located on the east side of Fifth Street, north side of Cherry Street, west of Fourth Street and south of Garden Street in the unincorporated area of Glenn County, California

Assessor Parcel Number: 005-303-023

Applicant: Blaine Ellsworth

Landowner: Roland H. Ellsworth Revocable Trust

Surveyor: Gerald W. White

Zoning "R-1" Single Family Residential Zone

General Plan Designation: Single Family Residential

Chair Carriere introduced the item.

Conant presented the item.

Chair Carrire opened the public comment period.

After a five-minute break to allow for remote comments, Chair Carriere hearing no further comments closed the public comment period. On a motion by Commissioner Olney and a second by Commissioner Amaro, the planning commission made the following motions:

1. That the Planning Commission grant a Negative Declaration for Tentative Parcel Map 2020-004 with the findings as presented in the Staff Report.
2. That the Planning Commission approve Tentative Parcel Map 2020-004 with the findings as presented in the Staff Report and the Conditions of Approval as attached.

Ayes: Commissioners Caster, Cawthra, Amaro, Olney, and Chair Carriere

Noes: None

Abstain: None

Absent: None



**8. DISCUSSION ITEMS AND STATUS REPORT**

8.a Mardy Thomas presented the status report.

**9. UNSCHEDULED MATTERS AND PUBLIC COMMENTS:**

Chair Carriere, opened the Unscheduled Matters and Public Comments items. After a three-minute break to allow for remote comments, Chair Carriere hearing no further comments closed the public comment period.

**10. ADJOURNMENT:**

With there being no further business or discussion, Chair Carriere adjourned the meeting at approximately 9:34 a.m.

Respectfully submitted,

Jamie Moyle, Administrative Services Analyst I

**GLENN COUNTY**  
**Planning & Community Development Services Agency**

225 N. Tehama Street  
Willows, CA 95988  
530.934.6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

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**GLENN COUNTY PLANNING COMMISSION**

**STAFF REPORT ADDENDUM-REPLY TO COMMENTS**

*Continued from the July 15, 2020, Planning Commission Meeting*

MEETING DATE: August 19, 2020

TO: Glenn County Planning Commission

FROM: Andy Popper, Senior Planner

SUBJECT: **Conditional Use Permit 2020-001, Dolgen California, LLC**

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Attachments:

1. July 14, 2020 Comment Letter
2. Business Owner's Letter to Planning Commission
3. Letter from Ken Hahn, Hamilton City Resident
4. Petition with Signatures
5. July 15, 2020, Planning Commission Staff Report and Documents

## **1. Introduction:**

At the July 15, 2020, Planning Commission meeting it was unanimously elected to continue the Conditional Use Permit 2020-001, Dolgen public hearing to the August 19, 2020, Planning Commission meeting.

As previously reported the applicant is requesting a Finding of Public Convenience or Necessity (PCN) and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from an existing grocery and consumer's good store.

## **2. Public Input:**

The Planning & Community Development Services Agency encourages and considers community input regarding proposals. In order to address the commenting items received for Conditional Use Permit 2020-001, the following responses are presented.

### **2.1 July 14, 2020 Comment Letter (3 Items):**

The *July 14, 2020 letter (italicized below)* primarily addresses the Findings as listed in the Staff Report.

*1. Finding # 01 claims that the approval of the application will provide a single location for household necessities as well as beer and wine. Looks like that the existing stores owned by local business owners, providing similar household necessities along with beer and wine, are not considered. We hereby contest that this finding is incorrectly trying to generate Public Convenience, in order to support a big corporate, which is bent to kill locally owned businesses all over the country.*

In reply to the comment received, the existing stores do provide a public convenience, and the proposal will generate a Public Convenience. The proposal is reviewed and processed regarding compliance with state and local code(s), and does not include an analysis of corporate or local ownership.

*2. Finding # 02 states that proposed use shall not be detrimental to the health, safety and general welfare of the persons or property in the vicinity. This finding is highly objectionable as staff report did not considered the effects on the health, safety and general welfare of students of high school, which is located in the close proximity. We appeal to the commission that high school is very sensitive use, which should not have been ignored by the staff, while recommending approval.*

In reply to the statement, evidence has not been established that the proposal will be detrimental to the health, safety, and general welfare of the persons or property in the vicinity. The proposal includes no revisions to the property, other than to sell items sold by similar establishments in the vicinity.

3. Furthermore, report states that in Census tract #105.01, The ABC is authorized to issue up to 4 licenses. Four active licenses as detailed below are already active in the town since the year 2015 or before. This means that there is no Public Necessity for approval of this application.

In reply to the statement, the ABC requires that a Finding of Public Convenience or Public Necessity is required. To address the number of licenses; if Dollar General is to be denied, it could set a precedent for future businesses to locate in Hamilton City, or other areas of Glenn County which also may require a CUP or PCN Finding.

*The narrative above explains that rejection of subject application will neither affect already existing Public Convenience nor Public Necessity. Rather the approval is not complying with General Plan policies to safeguard health, safety and general welfare of the sensitive use in the project vicinity.*

The replies above, as well as, the Planning Commission Staff Report respond to the statement. The proposal is both consistent with the Community Commercial General Plan land use designation, as well as a permitted use in the Community Commercial zone.

*Approval of this application will also be detrimental to the locally owned businesses, which are responsibly caring for the local community and helping local organizations. So we count on the Honorable Planning Commission for a favorable and unbiased decision to reject the subject application.*

No evidence has been provided that the proposal will be detrimental to locally owned businesses. According to Assessor records the existing Dollar General contributes substantial funds via property taxes. In addition, similar to other establishments, Dollar General generates sales taxes for the County.

## 2.2 Business Owner's Letter to Planning Commission (14 Items):

The letter received from four business owners in Hamilton City, primarily include fourteen listed comments. The first comment is regarding Public Hearings during the COVID-19 pandemic, several Planning Commission meetings have been held in the same manner. The Public Meeting coronavirus protocols are in order to honor Executive Order N-29-20, issued by California Governor.

Comments 2 through 6 generally regard contributions to local organizations, locally spent funds, time in business, and residency. The comments are noted; however, compliance with legal codes are required analysis, not contributions or time in operation.

Comments 7 through 10 generally refer to 'corporate dollars' and 'big firms', also not criteria analyzed in review of this proposal. The applicant is applying for and meeting the requirements for a CUP and PCN as included in the Glenn County Code.

Comments 11 through 14 generally discusses a news article. The article is included in the record as a part of the public comment.

### 2.3 Letter from Ken Hahn, Hamilton City Resident

**Item 1:**

*This letter is in opposition of granting a conditional use permit and/or finding of public convenience or necessity determination. I live in Hamilton City and have talked with several people who feel the same as I do. Currently there is four establishments where beer and wine can be purchased. One of the establishments is directly across the street from the proposed conditional use permit location. With an establishment located this close to the proposed site I do not see how there could be a positive determination of convenience or necessity. Also, the only grocery store in town sells beer and wine. Again, this shows that there is already an establishment that meets both convenience and necessity.*

**Item 2:**

*There is also the issue of location of the proposed site for the establishment looking to be granted a conditional use permit. Dollar general is separated from the town by highway 32. Highway 32 is a terribly busy roadway. I do not find that it is convenient to cross the highway to purchase beer or wine. If I thought it was a benefit to Hamilton City to grant the conditional use permit, PI would not be writing this letter, however I do not see any benefit to the town.*

The letter primarily addresses similar items as previous comments. In reply to the comment regarding Highway (State Route) 32, roughly half of the daily vehicular traffic is in the west bound (northside) lane. The west bound lane is adjacent to the existing Dollar General Store; therefore, providing a public convenience for those vehicles not required to cross traffic.

### 2.4 Petition Received

*We, the undersigned residents of the Hamilton City area do not support approval of the Conditional Use Permit #2020-001, to sell beer & wine for offsite consumption by Dollar General located at 400 Sixth Street, Hamilton City. There are already enough ABC Type 20 licenses in our area and hence do not support the approval by the Honorable Planning Commission.*

Community input is encouraged, approximately 33 people signed a document with the above statement. The 2010 census population of Hamilton City is 1,759 persons.

### 3. Conclusion

Numerous comments were received regarding the proposal. The comments received do not state how the proposal does not meet Federal, State, or County Code.

Other than a request to deny the proposal, the comments did not provide for how the proposal could be revised in order to address possible concerns. Therefore, no revisions in the Conditions of Approval or Recommendations are being revised in the July 15 Planning Commission Staff Report.

To  
The Planning Commission  
Glenn County CA

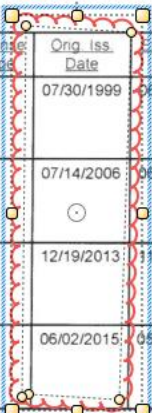
July 14, 2020

Re: Rejection of the staff recommendations to approve CUP 2020-001 for sale beer and wine at Dollar General Store located at 400 Sixth St, Hamilton City CA

Respected Commissioners,

In regards to the public hearing referred above, scheduled on July 15, please review the objectionable recommendations in staff report, as detailed below

- 1) Finding # 01 claims that the approval of the application will provide a single location for household necessities as well as beer and wine. Looks like that the existing stores owned by local business owners, providing similar household necessities along with beer and wine, are not considered. We hereby contest that this finding is incorrectly trying to generate Public Convenience, in order to support a big corporate, which is bent to kill locally owned businesses all over the country.
- 2) Finding # 02 states that proposed use shall not be detrimental to the health, safety and general welfare of the persons or property in the vicinity. This finding is highly objectionable as staff report did not considered the effects on the health, safety and general welfare of students of high school, which is located in the close proximity. We appeal to the commission that high school is very sensitive use, which should not have been ignored by the staff, while recommending approval
- 3) Furthermore, report states that in Census tract #105.01, The ABC is authorized to issue up to 4 licenses. Four active licenses as detailed below are already active in the town since the year 2015 or before. This means that there is no Public Necessity for approval of this application.



	License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Business Name	Premises Addr.	Geo Code
1	355312	ACTIVE	21	07/30/1999	06/30/2019	SINGH, GURSEWAK	DOUBLE EE MARKET	575 SACRAMENTO AVE HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100
2	441395	ACTIVE	20	07/14/2006	06/30/2019	HUSSEIN, ISKANDER MOHAMED	EL TORO LOCO 1	570 MAIN ST HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100
3	538805	ACTIVE	20	12/19/2013	11/30/2019	HS PETROLEUM LLC	HAMILTON GAS & FOOD	601 SIXTH ST HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100
4	555475	ACTIVE	20	06/02/2015	05/31/2019	GILL, HARPREET SINGH	7 LUCKY FOOD MART	585 SIERRA AVE HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100

The narrative above explains that rejection of subject application will neither affect already existing Public Convenience nor Public Necessity. Rather the approval is not complying with General Plan policies to safeguard health, safety and general welfare of the sensitive use in the project vicinity.

Approval of this application will also be detrimental to the locally owned businesses, which are responsibly caring for the local community and helping local organizations.

So we count on the Honorable Planning Commission for a favorable and unbiased decision to reject the subject application.

Sincerely,



TIME RECEIVED  
July 14, 2020 3:28:47 PM PDT

REMOTE CSID  
5308263986

DURATION  
473

PAGES  
19

STATUS  
Received

04.04.2021 14:24

5308263986

P 1/19

Glenn County Planning Commission,

Subject: CUP 2020-001\_Public Hearing

We the business owners of Hamilton City are writing this letter to oppose the agenda item 7A conditional use permit ABC by Dollar General. Here are the reasons this license should not be granted to Dollar General.

- 1) They are trying to sneak this through while Glenn County citizens are under Coved-19 restrictions and can't attend the meetings and express their views.
- 2) Dollar General is a big corporation and spends all of their profits outside of Glenn County and does not contribute and invest locally.
- 3) Recently Dollar General appealed to get their property tax assessment lower so they would pay less taxes. These taxes go to fire, police and roads, which we are in desperate need of in Glenn County.
- 4) All 3 gas station owners have been here 20 plus years and reside in Glenn County. We all invest and spend our money locally to help our local businesses.
- 5) All businesses owners help local organizations such as lions club, boys and girls club, Hamilton City Women's club, Hamilton City Boosters, little league, etc.
- 6) Has Dollar General ever contributed helped any local organization? We dug deep and were not able to find and contributions or help from them to anyone.
- 7) With their big corporate dollars they are trying to buy this license, which no one has ever been able to do in Glenn County.
- 8) They hire big firms out of town and spend thousands of dollars to alter the process of applying for the license to get an advantage that was not provided to anyone except them.
- 9) Why is Dollar General allowed to set a precedence when no local business or resident or non profit has been allowed ever in Glenn County.
- 10) Dollar General only hires employees part time and pays the least amount so they can save every penny for their corporate CEOs.
- 11) We are providing a recent article from ProPublica which was Published on June 29 2020. The article highlights what Dollar General bring to the community and what they stand for. "The Gun Violence Archive, a website that uses local news reports and law enforcement sources to tally crimes involving firearms, lists more than 200 violent incidents involving guns at Family Dollar or Dollar General Stores since the start of 2017, nearly 50 of which resulted in deaths. Including 31 robberies where their own employees were killed." The article includes testimonies from their own employees that Dollar General does nothing to protect them. According to the article their employee wages must be kept at 5% of the gross sale, no matter what the cost is to their employees, customers, and local small towns.
- 12) According to the article Dollar General comes to small rural towns and destroys competition and pays the least and becomes a magnet for crime. They provide minimum security and provide no help to law enforcement for solving any crime that took place at their business. All current small businesses in Hamilton City have excellent security cameras and local knowledge. These business always work with local law enforcement to help with any crime that occurs.
- 13) IN THE PAST 5 YEARS, THE SHARE PRICE OF DOLLAR GENERAL HAS NEARLY TRIPLED, IN 2018, DOLLAR GENERALS CEO MADE 10 MILLION IN COMPENSATION, NEARLY 800 TIMES THE MEDIAN PAY FOR THE WORKERS AT THE COMPANY.
- 14) When a Dollar General part time employee was killed while working Dollar General did not even make a phone call to the grieving family, while other companies the employee had previously worked for gave a helping hand. How sad.

In the end, we small businesses have a track record in our town of running our businesses responsibly, caring for our community, and respecting our employees, giving a helping hand to

the needy and being good responsible citizens of our town. Please do not put Dollar General in front of the line and giving them an advantage, which they already have due to being a big corporation. We ask that their application be denied.

Thank you,

Gee Singh (Double EE Market ) 21 years as the local family Business man

Prithvipal Gill/Sukhdev Sivia ( Sinclair Gas Station)12 Years as local Business man

Preet Gill (Chevron Gas Station) 10 years as local Business man

Toro Loco Market 12 years as local Market Business man



*A Dollar General in North St. Louis. An employee named Robert Woods was killed there in 2018. (Andres Gonzalez for The New Yorker)*

## **How Dollar Stores Became Magnets for Crime and Killing**

Discount chains are thriving — while fostering violence and neglect in poor communities.

by Alec MacGillivray, June 29, 6 a.m. EDT

*Above: A Dollar General in North St. Louis. An employee named Robert Woods was killed there in 2018. (Andres Gonzalez for The New Yorker)*

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When Jolanda Woods was growing up in North St. Louis, in the 1970s and early '80s, she and her friends would take the bus to the stores downtown, on 14th Street, or on Cherokee Street, on the South Side, or out to the River Roads Mall, in the inner suburb of Jennings. "This was a very merchant city," Woods, who is 54, told me. There were plenty of places to shop in her neighborhood, too, even as North St. Louis, a mostly Black and working-class part of town, fell into economic decline. There was Perlmutter's department store, where women bought pantyhose in bulk, Payless shoes, True Value hardware and Schnucks grocery store.

Almost all these stores have disappeared. As St. Louis' population has dropped from 850,000, in the 1950s, to a little more than 300,000, owing to suburban flight and deindustrialization, its downtown has withered. The River Roads Mall closed in 1995. North St. Louis is a devastated expanse of vacant lots and crumbling late-19th-century brick buildings, their disrepair all the more dramatic for the opulence of their design. "This neighborhood has gone down," Woods said. "Oh, my God, these houses."

A new form of retail has moved into the void. The discount chains Family Dollar and Dollar General now have nearly 40 stores in St. Louis and its immediate suburbs, about 15 of them in North St. Louis. This is where the people who remain in the neighborhood can buy detergent and toys and pet food and underwear and motor oil and flashlights and strollers and mops and drain cleaner and glassware and wind chimes and rakes and shoes and balloons and bath towels and condoms and winter coats.

The stores have some nonperishable and frozen foods, too, for people who can't travel to the few discount grocery stores left in the area. Rudimentary provisions like these allowed the stores to remain open as "essential" businesses during the coronavirus shutdowns. "These stores are our little Walmarts, our little Targets," Darryl Gray, a local minister and civil rights activist, told me. "It's the stuff you won't get at a grocery store, that you get at a Walmart — but we don't have one."

Three years ago, Woods' husband, Robert, who was 42, began working at a Dollar General on Grand Boulevard, across from an abandoned grocery store. He and Jolanda had separated, but they stayed in touch over the years as Robert overcame a crack-cocaine addiction, got a job at the Salvation Army, was ordained as a minister and became an informal counselor to other men battling addiction. Dollar General paid a bit more than the Salvation Army, but he expressed anxiety about security problems at the store. Shoplifting was common, and occasionally there were even armed robberies.

The store lacked a security guard, and it typically had only a couple of clerks on hand.

On Nov. 1, 2018, Woods went to work on his day off, to fill in for an absent co-worker. Footage from a security camera shows a man entering the store just after 1 p.m., wearing a blue sweatshirt with the hood pulled up over a red cap, and holding a silver gun.

He fired down the center aisle, hitting Woods in the back of the head. Then he pointed the gun at the cash register, before seeming to panic. He ran out of the store empty-handed. An ambulance arrived, but Woods was no longer breathing. After his body was removed, Dollar General remained open for several hours, before closing amid protests from local residents.

Woods' murder was one of three homicides in six months at the two discount chains in the St. Louis area. On June 13, a man and a woman started arguing in a car in the parking lot of a Family Dollar on West Florissant Avenue, just outside the city line; he shot her once in the head, killing her. Less than a month after Woods' death, a 65-year-old woman was shopping at the Family Dollar on St. Charles Rock Road when a seemingly mentally ill 34-year-old woman grabbed steak knives from a shelf in the store and stabbed her to death.

The Gun Violence Archive, a website that uses local news reports and law enforcement sources to tally crimes involving firearms, lists more than 200 violent incidents involving guns at Family Dollar or Dollar General stores since the start of 2017, nearly 50 of which resulted in deaths. The incidents include carjackings in the parking lot, drug deals gone bad and altercations inside stores. But a large number involve armed robberies in which workers or customers have been shot. Since the beginning of 2017, employees have been wounded in shootings or pistol-whippings in at least 31 robberies; in at least seven other incidents, employees have been killed. The violence has not let up in recent months, when requirements for customers to wear masks have made it harder for clerks to detect shoppers who are bent on robbery. In early May, a worker at a Family Dollar in Flint, Michigan, was fatally shot after refusing entry to a customer without a mask.

The number of incidents can be explained in part by the stores' ubiquity: There are now more than 16,000 Dollar Generals and nearly 8,000 Family Dollars in the United States, a 50% increase in the past decade. (By comparison, Walmart has about 4,700 stores in the U.S.) The stores are often in high-crime neighborhoods, where there simply aren't many other businesses for criminals to target. Routine gun violence has fallen sharply in prosperous cities around the country, but it has remained stubbornly high in many of the cities and towns where these stores predominate. The glowing

signs of the discount chains have become indicators of neglect, markers of a geography of the places that the country has written off.



*Vacant lots surround a Family Dollar in North St. Louis. (Andres Gonzalez for The New Yorker)*

But these factors are not sufficient to explain the trend. The chains' owners have done little to maintain order in the stores, which tend to be thinly staffed and exist in a state of physical disarray. In the 1970s, criminologists such as Lawrence Cohen and Marcus Felson argued that rising crime could be partly explained by changes in the social environment that lowered the risk of getting caught. That theory gained increasing acceptance in the decades that followed. "The likelihood of a crime occurring depends on three elements: a motivated offender, a vulnerable victim, and the absence of a capable guardian," the sociologist Patrick Sharkey wrote, in "Uneasy Peace," from 2018.

Another way of putting this is that crime is not inevitable. Robberies and killings that have taken place at dollar store chains would not have necessarily happened elsewhere. "The idea that crime is sort of a whack-a-mole game, that if you just press here it'll move over here," is wrong, Richard Rosenfeld, a criminologist at the University of Missouri-St. Louis, told me. Making it harder to commit a crime doesn't just push crime elsewhere; it reduces it. "Crime is opportunistic," he said. "If there's no opportunity, there's no crime."

James Luther Turner left school in 1902, when he was 11. His father had died in a wrestling accident, and Turner had to run his family's farm, in Macon County, Tennessee. He was successful and entrepreneurial, and when he was 24 other farmers asked him to manage the local co-op; he started a bridle shop behind the store. Eventually, he took a job working for a Nashville dry goods wholesaler, hawking samples across southern Kentucky and middle Tennessee. In 1929, at the onset of the Depression, he opened a store in Scottsville, a small town in Kentucky. He bought up failed retailers' stock, which he either liquidated, sold to other store owners or took back to his own shop, Turner's Bargain Store. "He also knew that where there was failure, there was opportunity," his grandson Cal Turner Jr. wrote in a memoir, called "My Father's Business," published in 2018.

In 1939, James Luther Turner's only child, Hurley Calister Turner, known as Cal Sr., bought a building in Scottsville to serve as the warehouse for a new wholesale business, J. L. Turner and Son. Soon, he was buying so much discount merchandise that he had trouble finding stores to take it, so he and his father started a chain of stores in partnership with local managers. At first, Cal Sr. later said, the plan was "selling the good stuff to the rich folks, but we were late getting into retailing." He concluded, "We had to sell the cheap stuff to the poor folks." Cal Sr. had high standards: He called all his store managers on Saturday nights and made frequent rounds in person. "He wanted a store to be clean and well displayed," Cal Jr. wrote. He started working for the company when he was about 13, sweeping the warehouse for 25 cents an hour.

By 1955, the Turners had three dozen stores across Kentucky and Tennessee. Cal Sr. noticed that crowds of shoppers came to department stores in larger cities when they held "dollar days," selling off excess merchandise cheaply. On June 1 of that year, the company converted a store in Springfield, Kentucky, into one called Dollar General. The store was a sensation, as was a second one, in Memphis, which in 10 months did more than a million dollars in sales. Soon, all J. L. Turner and Son stores were renamed Dollar General, with a new slogan above the window: "Every Day Is Dollar Day." Signs outside read "Nothing Over \$1."

At first, the Turners didn't have to radically change their business model. They bought inventory, including irregular items and closeouts, very cheap and sold it for a little more. When a friend's textile company had an excess of pink corduroy, Cal Sr. had the friend make men's pants, which he sold for a dollar a pair. He bought a truckload of wet socks in Nashville and had workers sort and hang them around the Scottsville warehouse. When bell-bottoms went out of fashion, he turned them into cutoff shorts. Once, at the end of the Christmas season, he bought 35,000 fruitcakes; he sold them all a



year later.

Cal Sr. sought out cheap real estate. "We don't have to have great locations," he said. "With our merchandise and our prices, we just need some kind of building around us." And he paid poorly: Wages were to be kept at a maximum of 5% of a store's gross sales, which, Cal Jr. acknowledged, "placed us at the bottom of a low-paying industry." A store typically had only two employees — and, if business was slow, it got by with just one at a time. When a bookkeeper invited two colleagues to lunch with a union organizer, Cal Sr. had her fired. After the Teamsters tried to organize the company's truck drivers, the company outsourced its transportation to a contractor and hired a slew of armed guards to escort the new drivers past picketers.

Sales nearly doubled between 1963 and 1968, and the Turners took the chain public. By 1972, they had 500 stores, and, a few years later, around the time that Cal Sr. passed the reins to Cal Jr., they started buying up other chains, also in small towns, extending the company far from its upland-South base. A competing chain, Family Dollar, started by Leon Levine in Charlotte in 1959, focused mostly on low-income urban areas. By 1974, Levine had 200 stores; he took his company public five years later.

As the two chains have grown, expanding to offer many goods for more than a dollar, the urban-rural distinction between them has diminished. Today, it is not uncommon to find both stores on the same small-town main street or a few blocks apart in a distressed urban neighborhood. (Dollar Tree, which bought Family Dollar in 2015 and has maintained both brands, keeps prices closer to a dollar with a more limited selection — wrapping paper, party supplies — sold to a more middle-class clientele. Unlike Dollar General and Family Dollar, Dollar Tree's stores tend to be in suburban locations.) As Amazon and its e-commerce rivals have devastated brick-and-mortar shopping, the two chains represent just about the only branch of physical retail that is still growing in America. Even Walmart, often viewed as the bane of small-town retailers, has been consolidating. Last year, it closed about 20 stores, leaving some communities even more dependent on the two chains. In 2019, discount chains accounted for about half of all new retail store openings. Dollar General alone opened nearly 1,000 stores.

The chains' executives are candid about what is driving their growth: widening income inequality and the decline of many city neighborhoods and entire swaths of the country. Todd Vasos, the CEO of Dollar General, told The Wall Street Journal in 2017, "The economy is continuing to create more of our core customer."



*A Dollar General on the west side of Dayton where the reporter encountered Jimmy Donald shopping with his mom. (Andres Gonzalez for The New Yorker)*

Because dollar stores are heavily concentrated in poor towns and neighborhoods, many middle- and upper-middle-class consumers are unaware of their ubiquity — or of the frequency of armed robberies and shootings. In 2017, the manager of a Dollar General in Baltimore, where I live, was shot and killed as he was closing up. But I discovered the pervasiveness of the problem while reporting elsewhere. In Dayton, Ohio, I got to know Jimmy Donald, who was working for a heating and air conditioning contractor while trying to start an organization to help ex-felons and others with troubled backgrounds, a category that included himself. Donald, who is 38, served in the Marines in Iraq. He then spent four years in prison, after being involved in the beating death of a man outside a Michigan bar, in 2004. He lived on the west side of Dayton, which is predominantly Black; as the area has lost several grocery stores, the dollar store chains have proliferated.

This correlation is not a coincidence, according to a 2018 research brief by the Institute for Local Self-Reliance, which advocates for small businesses. The stores undercut traditional grocery stores by having few employees, often only three per store, and paying them little. “While dollar stores sometimes fill a need in cash-strapped communities, growing evidence suggests these stores are not merely a byproduct of economic distress,” the brief reported. “They’re a cause of it.”

There are now more than a dozen Family Dollars and Dollar Generals on

Dayton's west side. "In a lot of these areas, they're the only stores around," B. J. Bethel, who has reported on the chains for WDTN, the local NBC affiliate, told me. For robbers, he added, "it's the only place to get cash." Donald did much of his shopping at the stores, and each week he drove his mother to them to do her shopping as well. One day in Dayton, needing a winter hat, I stopped by a Dollar General at West Third Street and James H. McGee Boulevard, where Donald and his mother were making their way down an aisle. Goods spilled off the shelves, and carts were piled high with boxes waiting to be opened and stacked, giving the store an air of neglect.

Shortly before Donald and I first met, he had been the victim of an armed robbery at another west side Dollar General. It was homecoming weekend at Central State University, the historically Black college near Dayton, and his mother needed some barbecue sauce. Donald was standing in line to pay when two young men, probably in their late teens, came in and pointed a gun at the cashier. Donald concluded that they were amateurs — they weren't wearing masks, and when the one with the gun pulled the slide back, not realizing that a round was already chambered, the bullet popped out. They ordered Donald and two women in line to get on the floor, then took the money that he had just cashed from his paycheck: \$700.

Donald described this event in an undramatic and routine manner. And for good reason: armed robberies are a regular occurrence at the Dayton stores. In 2017, the year he was held up, there were 32 armed robberies at 18 Dollar Generals and Family Dollars in Dayton. (This count didn't include the store where he was robbed, which sits just beyond the city line.) Last year, there were two dozen. The violence has included more than robberies, too. Last July, a man and a woman were killed outside a west side Family Dollar in a murder-suicide; in September, a man was shot during a drug deal outside the Dollar General where I had run into Donald and his mother.

All told, the Dayton police receive an average of nearly 1,000 calls for service to the stores each year. There have been more calls to just nine of the city's Family Dollars than there have been to one of Dayton's two major hospitals, Grandview Medical Center, where police are often summoned for interviews with victims of violent crimes, drug overdoses and other problems.

The Dayton Police Department prides itself on being a modern, data-driven force, embracing such initiatives as "harm reduction" measures to combat the opioid epidemic. Several years ago, noticing the rise in calls to the dollar stores, the department provided training sessions for Family Dollar managers in how to practice what police call "crime prevention through environmental design." Officers showed them how less trash outside and less clutter inside and fewer big ads in the windows, which block the view of responding police officers, would make their stores safer. The store

managers were told to instruct cashiers to make frequent transfers of cash from the register to the safe. (Until 2004, Dollar General did not accept credit cards, and the stores still deal heavily in cash.)

But Jason Hall, the commander of the city's Violent Crime Bureau, told me that the effect of the training had dissipated, partly because the stores, which pay a starting wage of about \$9 or \$10 an hour in states without higher minimum-wage thresholds, have such high turnover. "It was supposed to be passed down to the rest of the employees, but it didn't trickle down," he said. "The rank and file did not reap the benefit of that training." Store managers have resisted pleas to reduce trash or loitering outside their stores, saying that their responsibility is limited to the stores themselves. And they are often slow about getting police the feed from store cameras after robberies,



*Donald in Dayton, outside the store where he was robbed. (Andres Gonzalez for The New Yorker)*

Hall said. The cameras are typically of such low quality and so poorly placed that their records are of limited use anyway. Nan Whaley, the mayor of Dayton, told me that managers sometimes discourage employees from testifying in court against robbers, because they're needed to staff the stores. (A spokesperson for Dollar General said that she was unaware of this practice.) "What is that? They're not even respecting the justice system," Whaley said. "They don't even care if they're being held up at gunpoint."

Recently, Dayton has cited the crime and violence that the stores attract as a reason to challenge their requests to sell alcohol. Several years ago, Dollar General obtained alcohol licenses for many of its Dayton-area stores. In 2017, the city's law department began seeking to block requests by Family Dollar to obtain licenses for seven of its stores, including three on the west side. The city had an easier time enlisting community testimony against alcohol license applications for stores on the north and east sides of town, which are less heavily African American. City officials attributed this imbalance in part to a general sense of resignation and powerlessness on the west side.

When the state's Division of Liquor Control approved all but one Family Dollar request, Martin Gehres, the assistant city attorney, drove a 15-passenger van full of north and east side residents to appeals hearings in Columbus. The residents, who included the owner of a bakery across from a Family Dollar and the manager of an adjacent library branch, won reversals of the approval for that store and for another on the north side. But the alcohol sales went ahead on the west side, where crime is worse. "The stores they got them at were the ones I was most concerned about," Gehres said.

When I met with Gehres and Hall, they told me they were aware that the stores filled a retail void for many residents of Dayton, which has lost nearly half its residents since 1960. But they also cited research suggesting that, in some places, the dollar stores have exacerbated the problem. "They are filling a food desert," Gehres said. "And they are helping cause a food desert."

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Even the most image-conscious public corporations tend to acknowledge, in their required disclosures to investors and in their quarterly calls with market analysts, the challenges facing them. So it was startling to find no mention of the prevalence of crime and violence in recent filings for either Dollar General or Family Dollar and Dollar Tree. Company executives make occasional reference to "shrink," the industry euphemism for stock lost mainly to shoplifting or employee theft. But the steady stream of violence at

the stores, much of it directed against employees, was omitted.

Dollar General emphasized its efforts to keep costs down. In its disclosures for the third quarter of 2019, Dollar General lamented the rise in nationwide hourly wages, and it said that it was aiming to shift to self-checkout in many stores. The company hopes not to have to increase security at stores, since its "financial condition could be affected adversely" by doing so. "Our ability to pass along labor costs to our customers is constrained by our everyday low price model," Dollar General concluded, "and we may not be able to offset such increased costs elsewhere in our business." Similarly, Dollar Tree executives told analysts in a quarterly call in March that they were pushing "productivity initiatives" in stores, which would help get more from fewer workers. "We are well positioned in the most attractive sector of retail to deliver continued growth and increase value for our shareholders," Gary Philbin, the company's CEO, said.

In the past five years, the share price of Dollar General has nearly tripled, outpacing the broader stock market by some 80% and vastly outperforming traditional grocery stores and retailers such as Kroger and Macy's. In 2018, Vasos, Dollar General's CEO, received more than \$10 million in total compensation, nearly 800 times the median pay for workers at the company. Philbin, at Dollar Tree, was paid about the same amount.



*A marquee lists a Family Dollar in a mostly empty shopping plaza in St. Louis. (Andres Gonzalez for The New Yorker)*

Asked about the hundreds of incidents of violent crime at their stores, the

companies said that they took security concerns seriously, but they did not elaborate on preventive measures at the stores. Both companies declined to say how many had armed security. Randy Guiler, a Family Dollar spokesman, said, in written responses to questions, "To ensure the integrity of our security systems and procedures, we do not publicly share specific details." None of the 10 dollar stores that I visited in Dayton had a security guard present. In liquor board testimony, the Family Dollar manager for the region stretching across Interstate 70 from Dayton to St. Louis said that the company deployed security guards at only a couple of stores in his region, in St. Louis and Cincinnati.

Guiler said that the stores cooperated fully with local police departments and had in some places opened tip lines with rewards for information leading to arrests. He told me that the company recently hired the security firm ADT to upgrade the stores' camera systems. Asked about the stores' low staffing levels, Guiler said, "We are a small-box retailer. Staffing levels can, and do, vary by day, by hour and based on store sales volumes."

A spokesperson for Dollar General said, "In keeping with our mission of serving others, we are proud to provide a convenient, affordable retail option to customers and communities that other retailers choose not to serve."

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When Jolanda Woods heard about Robert's murder, she returned to St. Louis from Philadelphia, where she had been working at a nonprofit, to organize his funeral. In an interview with KMOV, the local CBS affiliate, she faulted Dollar General for leaving stores understaffed and for allowing stock to pile up near the door, making it harder for workers and customers to escape robberies. "That's not enough staff to secure your store with no security," she said. "You can't expect them to watch the aisles, work the cash registers, watch the thieves and stop the thieves."

In February, I went to St. Louis and visited the Dollar General where Robert was killed. Inside the entrance was just the sort of barrier that Jolanda had described: a double-wide column of several dozen "totes," or large plastic crates, holding a jumble of goods on clearance. There were cable protectors and scented oils and chicken jerky curls and baby pacifiers and "Frozen"-themed Ziploc bags and party napkins and elastic wrist supports and charcoal foot scrub and romance novels. In the shampoo aisle, a manager was telling an employee to mark down certain goods with a price gun. "I want to sell this because this is what creates totes in the back room, and I hate totes in the back room," he said. "So get your gun."

The next morning, I went to see Jolanda at her new house, in an inner



suburb just north of the city. She called up her friend Winter and put her on speakerphone. Winter knew a lot about crime that had occurred at that Dollar General in the years when Jolanda had been living in Philadelphia. There was the time some men loaded up a large trash can with stolen goods at the store's back door and then just hauled it out. There was the time a manager she knew became so frustrated by the crime that he asked a friend from East St. Louis to serve as de facto security. After the friend got in an altercation with a suspected thief, the company reprimanded them, which led both to quit. "When they quit, it was all on again," Winter said.

The police say that Robert Woods' killing remains unsolved. Jolanda had received a workers-compensation payment on Robert's behalf, but she was contemplating organizing a class-action lawsuit on behalf of family members of other victims of violence at Dollar Generals. "You have a service and a product that's needed in a community," she said. "Well, you have to be part of the community to make that work.

"And being part of it means 'I'm going to secure you while you're here. I'm going to have somebody on my lot to make sure you get to your cars. I'm going to secure it.' These stores are throughout our community, but they have no interest in the community. They're not giving nothing back. They give nothing back."

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Last October, Jimmy Donald was in line with a friend at a Dollar General on the west side of Dayton, at 2228 North Gettysburg, a short drive from the one where he took his mother to shop and the one where he had been robbed. He was startled to see that the cashier was carrying a pistol on his hip. The cashier, Dave Dukes, said that he had been held up recently and wanted to be ready in case it happened again.

Frustration was rising at City Hall, too. When Whaley, the mayor, entered city government, in 2005, she viewed the dollar chains as serving a useful purpose, but over time she saw how the chains' stores in urban neighborhoods contrasted with the ones in rural areas. Residents often sent her photos of dangerously cluttered aisles, and she asked fire marshals to issue warnings. "The more and more ubiquitous they've gotten, they've gotten less and less caring," she said. "I came to see them as glorified check-cashing and payday lenders for the way they prey off the poor but don't really care about the poor."



*Outside the Dollar General in Dayton, where cashier Dave Dukes, after being held up, began carrying a pistol on his hip. (Andres Gonzalez for The New Yorker)*

In January 2019, John Cranley, the mayor of Cincinnati, wrote a letter about his city's struggles with the stores to the CEO of Dollar Tree, which led to a meeting at Cincinnati's City Hall with Cranley, Whaley, the cities' police chiefs and some company executives. The executives started giving a PowerPoint presentation about Dollar Tree, but the mayors cut them off and threatened to file lawsuits against the company. The executives promised to work on "good neighbor" agreements with the cities instead, laying out terms for better cooperation. (Asked for an update this spring, Gehres, Dayton's assistant city attorney, wrote in an email: "Family Dollar and the City are ironing out the terms. Some language concerns a litter abatement program and environmental improvements to mitigate some of our concerns.")

Some cities have started to take more dramatic measures. In 2018 and 2019, Tulsa, Oklahoma; New Orleans; and Birmingham, Alabama, believing that the stores' concentration dissuaded traditional grocers from moving in, were among the cities that passed legislation requiring new chain dollar stores to be at least a mile apart, unless they held a minimum square footage of fresh food. Whaley and Gehres told me that Dayton had considered taking this step but decided that it would be of little more than symbolic value, since the city's immediate challenge was contending with problems at the stores it already had.

Eventually, I made it to the Dollar General on North Gettysburg, where Jimmy Donald had seen Dave Dukes, the cashier with the gun on his hip. But he was no longer there.

On Oct. 9, 2019, Roosevelt Rappley, a 23-year-old man who police said had been involved in several dollar store robberies, came into the store carrying a gun. Dukes, who is 28, had been employed at the store for a year and a half, after years of working in construction. He had been promoted to assistant manager and, he said, had repeatedly asked his supervisors for a security guard at the store, to no avail. He had a concealed-carry permit for the gun, and, in any case, Ohio allowed open carry without a permit. The store manager knew about the gun and had not prevented him from carrying it.

When Rappley drew his gun and threatened him, Dukes shot him dead. Dukes then called 911. "I just had somebody try to attempt and rob me over here at Dollar General on Gettysburg," he said. "Came in with a firearm, threatened to take money out the drawer, pointed a gun at me and my staff members. ... He pointed a gun at me. I had a firearm on me. I pulled my firearm, and I shot him in self-defense." (Dukes was not charged.)

The next day, Dollar General told Dukes not to return to work, according to Dukes' lawyer, Erik Blaine. "This is a company that decided to place their stores in certain areas and absolutely fought requests for security, and then, when someone does defend themselves and their co-workers, they're thrown out the next day," Blaine told me. "For a company that puts profits so far over people to put their store employees at risk of life and death, it's just unconscionable." Dollar General declined to answer questions about the case. "When employee actions are part of police investigations, we thoroughly review matters and take appropriate action, as necessary," the company said.

In November, just a few weeks after Rappley's death, someone robbed the Dollar General on nearby Salem Avenue, where Jimmy Donald had been robbed in 2017. The robber wore a surgical mask and fired a gun before leaving.

Soon afterward, Edwin Goldsmith, who is 32, took a job there. The only security training he received was a 12-minute video. Cashiers were instructed to give up the cash in the drawer if threatened, to include a dye pack to make it easier to trace the money and to use a red phone behind the register to call a security company that Dollar General uses. Goldsmith's supervisors ignored his request for security guards. On St. Patrick's Day, as Ohio started to shut down amid the coronavirus pandemic, a man walked into the store while pulling on a mask and took out a gun. There was only \$80 in the register; the cashiers had just transferred cash to the drop box.

There was no dye pack in the register to add to the money — it still hadn't been replaced after the November robbery. Goldsmith had only recently removed a part of the counter that the gunman had damaged with a bullet.

Goldsmith, the most senior of the three employees on shift, worried that the robber would come back for more money. So Goldsmith got his own gun from his car and slipped it under his waistband. The police arrived, as did the Dollar General district manager. When they played back the camera footage to see the robbery, they also saw Goldsmith getting his gun. The following day, the store manager told Goldsmith that the company had told her to fire him for having violated the company handbook's rule against bringing a gun to work. Dollar General declined to comment on the firing.

Goldsmith had never seen the handbook. "It's not right for me to lose my job all because I didn't want to die in the store," he told me the next day.

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About six months after Robert Woods' murder, Javon Pearson took a job at the Family Dollar on Dr. Martin Luther King Drive in St. Louis, a mile and a half from the Dollar General where Woods was killed. Pearson, who was 31, had worked at Wendy's for seven years, but his prospects for promotion conflicted with his child-care schedule; he had three children, ages 10, 6 and 3, whose custody he shared. So he switched to Family Dollar, while working a second job at Save A Lot, one of the few grocery stores left in North St. Louis. He worked midnight to 6 a.m. stocking shelves at Save A Lot, then 9 a.m. to 3 p.m. at Family Dollar, getting home in time to see his kids, often with some treats from Family Dollar in hand, and to rest for a few hours before returning to Save A Lot. "We don't sleep," his mother, Carolyn Noble, said. She cared for Pearson's children when she wasn't working as a medical assistant at a mental health facility. "We work."

On Oct. 3, Pearson was working at the Family Dollar when, according to an account that co-workers later gave to his family, he had a dispute with a man whose girlfriend he had caught shoplifting. He left the store at 3 p.m. with another employee, who was going to give him a ride home. As they were crossing the parking lot, two young men approached and shot him. Pearson's aunt, Shari Ealy, had lost a 17-year-old daughter to gun violence in 2006. When she heard about the shooting at Family Dollar, she rushed to the store. Even from a distance, Ealy recognized him by his sneakers. Carolyn Noble got to the store moments later. "That's not my baby, is it?" she asked, before collapsing to the pavement.

I went to see Noble and Ealy at Ealy's house, a small bungalow in University City, an inner suburb just west of St. Louis. The blinds were drawn, a large

TV was on, and children and teenagers were coming and going from the house. It had been four months since Pearson's murder — the police had not made any arrests — and Noble said that she had been too grief-stricken to go back to work. "I'm just starting to come out," she said.

She began by talking about the air conditioners and kept coming back to them in the hour that followed. Why did the stores go to such lengths to lock down the air conditioning units that cool their buildings but do so little to secure the workers and shoppers inside?

The disregard had continued after her son's death, she said. Save A Lot had sent food and sodas to the family, with condolences. Even Wendy's, where he no longer worked, had offered to help, and several area managers had come to the funeral. But Family Dollar management had not contacted her and had discouraged employees from attending the funeral, she said. (Family Dollar declined to comment.)

After the funeral, she said, several other family members had asked why her son had worked at the Family Dollar, given the level of crime there. This bothered Noble. The store was close to their home, which made it convenient, considering all the rushing between jobs and child care. "Why can't I work in my neighborhood?" she said. "Why can't you work in your neighborhood?"

She used to shop at Family Dollar sometimes, to buy toiletries or household items or little gifts for her mental health clients — jogging suits or the occasional \$5 perfume. She had stopped going since the murder, but one day she had been driving past a Family Dollar a little farther west and had gone in and asked the cashier how she felt working there. "For real? It's scary," the cashier said, and mentioned the fatal shooting at the store down the road. Carolyn Noble said nothing.

*Sean Campbell contributed reporting.*

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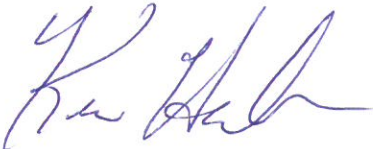
Glenn County Planning Division

225 North Tehama St.

Willows, CA 95988

Conditional Use Permit 2020-001

This letter is in opposition of granting a conditional use permit and/or finding of public convenience or necessity determination. I live in Hamilton City and have talked with several people who feel the same as I do. Currently there is four establishments where beer and wine can be purchased. One of the establishments is directly across the street from the proposed conditional use permit location. With an establishment located this close to the proposed site I do not see how there could be a positive determination of convenience or necessity. Also, the only grocery store in town sells beer and wine. Again, this shows that there is already an establishment that meets both convenience and necessity. There is also the issue of location of the proposed site for the establishment looking to be granted a conditional use permit. Dollar general is separated from the town by highway 32. Highway 32 is a terribly busy roadway. I do not find that it is convenient to cross the highway to purchase beer or wine. If I thought it was a benefit to Hamilton City to grant the conditional use permit, PI would not be writing this letter, however I do not see any benefit to the town.



Ken Hahn

560 Capay Ave, ( P.O. Box 15)

Hamilton City, CA 95951

(530) 809-1727

RECEIVED

JUL 06 20

GLENN COUNTY  
PLANNING DIVISION

To,

Date:

The Glenn County Planning Commission

525 West Sycamore Street,

Willows, CA

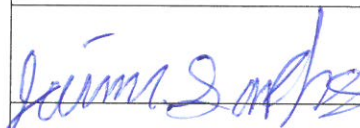
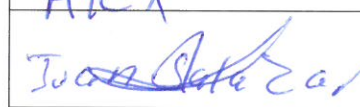
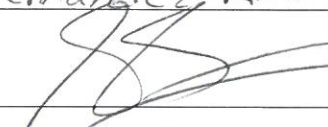
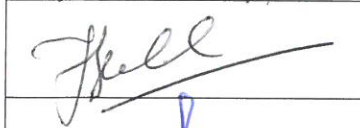

RECEIVED

JUL 06 20




SUBJECT: CUP 2020-001\_Public Hearing

GLENN COUNTY  
PLANNING DIVISION

We, the undersigned residents of the Hamilton City area do not support approval of the Conditional Use Permit #2020-001, to sell beer & wine for offsite consumption by Doller General located at 400 Sixth Street, Hamilton City. There are already enough ABC Type 20 licenses in our area and hence do not support the approval by the Honorable Planning Commission.

Signed	Name	Physical or Email Address
	Jaime	830 PARK AVE Hc
ALEX	Alejandro	525 Sierra Ave Hamilton
	JUAN SALAZAR	4 Robles St Hamilton city
Juan	Salazar	Ros Hamilton City
Rita	Hernandez Rita	125 Sacramento Ave Hamilton city
J-S Gill		Hamilton City
	Harpreet Gill	Hamilton
	Manjit Virdi	ORLAND



Signed	Name	Physical or Email Address
	Salome Ianda	365 Sacramento Ave Hamilton city
Froilan Fria	FROLAN FRIAS	1390 Esperanza Ave
Juanita Carmona	JUANITA CARMONA	38 water st Hamilton
Rogelio Tzando	Rogelio Tzando	420 Sierra HAMILTON CITY
Joseph Q	Julio	1430 Esperanza Hamilton city
Miguel Navarro	Miguel Navarro	Rancho Hamilton city
Jesus Martinez		6380 comm. road 25 Hamilton
Angel Montes	Angel Montes	837 5th St Hamilton city
Clemente Lopez	CLEMENTE ANTONIO	335 SIERRA AVE HAMILTON
Josa Ahumada	 JOSA AHU	1101 Cortina Rd ORLAND
Miguel Navarro	Miguel Navarro	Rancho Hamilton city
Alfredo Romero	Alfredo Romero	29 Sacramento St. Hamilton CITY
Faundo Rosas	FAUNDO ROSAS	210 BROADWAY ST HAMILTON CITY
Julio Cesar	JULIO Cesar	1430 Esperanza Ave Hamilton
Edith Ortega	EDITH ORTEGA	1260 ESPERANZA Ave Hamilton

RECEIVED

2

JUL 06 20





To,

Date:

The Glenn County Planning Commission  
525 West Sycamore Street,  
Willows, CA

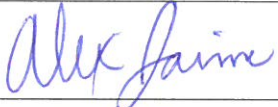

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JUL 06 20

GLENN COUNTY  
PLANNING DIVISION

SUBJECT: CUP 2020-001\_Public Hearing

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Signed	Name	Physical or Email Address
	Alexandria Jaime	alexjaime94@gmail
	Aylin Gallegos	aylingallegos@gmail.com

GLENN COUNTY  
PLANNING DIVISION

Glenn County Planning Division

225 North Tehama St.

Willows, CA 95988

Conditional Use Permit 2020-001

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Larry Krecht

P.O. Box 252- Hamilton City



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Roger Fritter

P.O. Box 36- Hamilton City

Glenn County Planning Division

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Willows, CA 95988

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Ray Odom

P.O. Box 812- Hamilton City

Glenn County Planning Division

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Judy Igelman

122 Main St- Hamilton City



Glenn County Planning Division

225 North Tehama St.

Willows, CA 95988

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Scott Miller

P.O. Box - Hamilton City



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Willows, CA 95988

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Adrian Zazagoza

P.O. Box 703- Hamilton City

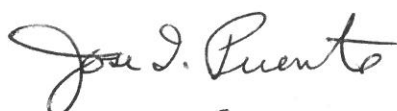
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P.O. Box 1343 Hamilton City

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P.O. Box 908 Hamilton City

GEE Sieng



Glenn County Planning Division

225 North Tehama St.

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Ken Hahn

P.O. Box 15 - Hamilton City

Glenn County Planning Division

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Willows, CA 95988

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Ron Knecht

P.O. Box <sup>55</sup>~~52~~ Hamilton City

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Daniel Knecht

P.O. Box 1121- Hamilton City



7.25.2020

**GLENN COUNTY**  
**Planning & Community Development Services Agency**

225 North Tehama Street  
Willows, CA 95988  
530.934.6540 Fax 530.934.6533  
[www.countyofglenn.net](http://www.countyofglenn.net)



**Donald Rust, Director**

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**STAFF REPORT**

MEETING DATE: July 15, 2020

TO: Glenn County Planning Commission

FROM: Andy Popper, Senior Planner

SUBJECT: Conditional Use Permit 2020-001, Dolgen California, LLC

---

Attachments:

1. Conditions of Approval
2. Request for Review, Application, PCN Request Letter, and Comments
3. Site Plan and Floor Plan
4. Notice of Exemption, PCN Letter, Vicinity Notice

## **1      PROJECT SUMMARY**

The applicant is requesting a Finding of Public Convenience or Necessity (PCN) and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from an existing grocery and consumer's good store. Additional information is included in the application and plot plans.

The General Plan land use designation is "Community Commercial" and the zoning designation is "CC" (Community Commercial). The proposed project is a permitted use with a conditional use permit in the "CC" zone.

The project site is located at 400 Sixth Street, Hamilton City, on the north side of State Highway 32 (Sixth Street), east of County Road 203, and west of Main Street, in the unincorporated area of Glenn County, California (APN: 032-230-019).

### **1.1    RECOMMENDATIONS**

That the Planning Commission find that the proposed Conditional Use Permit 2020-001 exempt from CEQA, approve Conditional Use Permit 2020-001, and approve the Finding of Public Convenience or Necessity to sell beer and wine for off-site consumption, with the Findings as presented in the Staff Report and the corresponding Conditions of Approval.

## **2      ANALYSIS**

On May 8, 2019, the Planning Division received a formal request letter for a PCN from Dollar General. At that time the County did not have a codified procedure for reviewing ABC licensing requests.

Therefore, on June 4, 2019, the Glenn County Board of Supervisors directed the Planning & Community Development Services Agency to develop an ordinance to amend the zoning code relating to the sale of alcoholic beverages. On July 17, 2019, the Planning Commission recommended adoption of the proposed changes to the Glenn County Board of Supervisors. On November 19, 2019, the Board of Supervisors adopted the Alcoholic Beverage Sales ordinance. On March 23, 2020, Dollar General applied for a Conditional Use Permit as required by the adopted ordinance.

Glenn County Code 15.745.040 Alcoholic Beverage Sales generally states that if a revenue source of the establishment consists of the sale of alcoholic beverages, including but not limited to a convenience store; or if the ABC has determined that the business will exceed census tract concentration thresholds and requires a letter of PCN, then the proposed business shall be required to obtain a Conditional Use Permit approving the PCN.

Undue Concentration is generally defined in Business and Professional Code §23958.4 as the ratio of the number of licenses in a census tract compared to the average number of licenses in a County. Dollar General is a convenience store requesting to sell beer and wine, which now requires a Conditional Use Permit, and ABC has determined that the business exceeds the census tract concentration threshold of four off sale licenses.



Therefore, a Planning Commission approval of the Conditional Use Permit, as well as the finding of Public Convenience or Public Necessity, is prerequisite to ABC issuing the license.

## **2.1 ENVIRONMENTAL DETERMINATION**

The approval of the Conditional Use Permit 2020-001 can be considered exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Public Resources Code section 15061(b) (3) (the "general rule" exemption). Therefore, pending the Glenn County Planning Commission approval, staff has prepared a Notice of Exemption pursuant to CEQA.

A project is exempt from CEQA, if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed project is to occur within an existing permitted structure, with no revisions to the exterior premises required and therefore, will not result in or otherwise compel any physical disturbance to the existing environment.

## **2.2 GENERAL PLAN AND ZONING CONSISTENCY**

The site is designated "Community Commercial" in the Glenn County General Plan and is zoned "CC" (Community Commercial District). This project is within an area of existing commercial structure and is permitted with an approved Conditional Use Permit in the "CC" zone (Glenn County Code Chapter 15.400).

The project is consistent with the surrounding land uses because the area consists of commercial uses. The proposal will not adversely affect the General Plan.

### **"CC" Community Commercial District (Glenn County Code Chapter 15.400):**

#### Purpose (Glenn County Code §15.400.010)

*The purpose of the community commercial district is to provide a full range of commercial retail and service establishments to communities.*

#### Uses Permitted (Glenn County Code §15.400.020)

*When conducted within a completely enclosed building, when open to the public between the hours of six a.m. and twelve midnight, when without drive-through facilities, and when not exceeding a maximum of five thousand square feet of gross floor area per use or a total of ten thousand square feet of gross floor area.*

The 9,100 square foot Dollar General store is a permitted use, meets the requirements of Glenn County Code Section 15.400.020, and was approved via Site Plan Review 2014-012. Glenn County Code 15.400.020 (D) generally states that off-site sale of beer, wine and liquor are subject to Title 15 Unified Development Code, Division 5, Special Use Standards, Chapter 745 Alcoholic Beverage Sales.

## **2.3 PERFORMANCE STANDARDS (GLENN COUNTY CODE CHAPTER 15.560)**

The Glenn County Code performance standards apply to all development proposals. The proposal is not anticipated to exceed applicable performance standards. All of the applicable performance standards were discussed in the staff report for Site Plan Review 2014-012, and subsequently met in the development process.

### **Off-Street Parking and Loading Facilities (Glenn County Code Chapter 15.610)**

Parking Space Requirements (Glenn County Code §15.610.020)

This project was previously approved with off-street parking in accordance to Glenn County Code §15.610.020 via Site Plan Review 2014-012.

### **Letter of Public Convenience or Necessity Procedures (Glenn County Code §15.745.030)**

In accordance with §15.745.030 staff has reviewed the application and is referring the item to the Planning Commission for action. Notification of the license request was noticed to properties within 1,000 feet of the exterior parcel boundary of the proposed establishment no less than 19 days prior to the requested Planning Commission decision. In addition, a sign with the required dimensions and notification was also posted on the property. This report includes the information finding that a public convenience or necessity will be served by the granting of the license.

## **3 GENERAL PROVISIONS**

The project site is located Flood Zone “X” (shaded) according to Flood Insurance Rate Map (FIRM) No. 06021C 0425D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (shaded) is a moderate flood hazard area and consists of areas between the limits of the base flood and the 0.2-percent annual chance (or 500-year) flood.

## **4 COMMENTS**

A Request for Review requesting comments on the proposal was sent on April 22, 2020, with preliminary commenting closing May 15, 2020. The Glenn County Environmental Health Department and Pacific Gas and Electric Company (PG&E) submitted comments regarding this proposal. Comment letters are attached to this report for review.

The Glenn County Environmental Health Department commented that they reviewed the project information and that they had no comments and recommend it be approved.

The Pacific Gas and Electric Company provided their standard form letter, stating that this project is not anticipated to require revisions in the PG&E systems.

## **5     OTHER REQUIREMENTS**

Based on the information submitted with the application and supplemental documentation the following Conditions of Approval shall apply:

- 1. Display of alcohol shall not exceed 5% (five percent) of the gross floor area of the store.*
- 2. There shall be no single sales of beer or malt beverage cans or bottles.*
- 3. Beer, wine coolers, and malt beverages shall be sold in manufacturer pre-packaged multi-unit quantities.*

There is a ten (10) calendar day appeal period following Planning Commission action on this conditional use permit (Glenn County Code §15.050.020).

The appeal made to the Glenn County Board of Supervisors must be made in accordance with §15.050.020 of the Glenn County Code. The Board of Supervisors will hear the appeal as outlined by this code. The decision of the Board of Supervisors may then be challenged in court.

An approved conditional use permit expires one (1) year from the date of granting unless substantial physical construction and/or use of the property in reliance on the permit has commenced prior to its expiration. An approved conditional use permit may be extended by the director for an additional sixty (60) calendar days provided that the applicant/owner submits a written request for extension to the director at least twenty-one (21) calendar days prior to the expiration date. Only one (1) extension shall be allowed for each permit (Glenn County Code §15.090.100.A).

The necessary permits shall be secured in all affected federal, state, and local agencies. It is the responsibility of the applicant/operator to make certain all requirements are met and permits are obtained from all other agencies.

In addition to the Conditions of Approval, the applicant's and his/her technical or project management representative's attention is directed to the project comments from other agencies reviewing the application. The items noted are a guide to assist the applicant in meeting the requirements of applicable government codes. Project comments may also note any unusual circumstances that need special attention. The items listed are a guide and not intended to be a comprehensive summary of all codified requirements or site-specific requirements.

## **6     FINDINGS**

### **6.1    FINDING FOR CEQA EXEMPTION**

#### Finding A

The project for a Finding of Public Convenience or Necessity and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control

(ABC) Type 20 License) from an existing grocery and consumer's good store can be considered exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Public Resources Code section 15061(b) (3) (the "general rule" exemption). Selling beer and wine within an existing store will not result in, or otherwise compel any physical disturbance to the existing physical environment.

## **6.2 FINDINGS FOR CONDITIONAL USE PERMIT**

According to Glenn County Code Sections 15.220.010 and 15.220.030, the following Findings listed in Glenn County Code 15.220.020 shall be made prior to recommending approval of a conditional use permit:

### Finding 1

*That the proposed use at the particular location is necessary or desirable in providing a service or facility, which will contribute to the general well-being of the public.* The proposal contributes to the general well-being of the public, by providing a single location for household necessities, as well as, beer and wine that otherwise may require visiting multiple locations.

### Finding 2

*That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working on the vicinity, or injurious to property or improvements in the vicinity.* This project will not be subjected to hazardous conditions due to adverse geologic conditions, proximity to airports, fire hazards, or topography. Because of existing laws and statutes, this project will not be detrimental to the health, safety, or general welfare of persons or property in the vicinity of the project.

### Finding 3

*That the site for the proposed use is adequate in size and shape to accommodate said use and to accommodate all of the yards, setbacks, walls or fences, and other features required herein or by the Planning Commission.* No revisions to the exterior of the building or the property will be required. The existing site is adequate in size and shape to accommodate this proposal. There is adequate space for on-site parking and unloading/loading, and proposed buildings.

### Finding 4

*That granting the permit will not adversely affect the General Plan or any area plan of the County because the proposed project conforms to the General Plan and County Code.* The proposed project is consistent with the Land Use Designation of "Community Commercial" and the zoning designation of "CC" (Community Commercial). The proposed project is a permitted use with a conditional use permit in the "CC" zone. The proposed project will meet the land use and zoning requirements of the General Plan and the Zoning Code.

### **6.3 FINDING FOR PUBLIC CONVENIENCE OR NECESSITY**

The proposal to sell alcohol within an existing retail store will be beneficial to the public and the community of Hamilton City. The issuance of the requested alcohol license is necessary for the development of the community because the project would provide additional facilities to meet the retail and service needs of the community and a public convenience would be provided. Furthermore, the proposal to sale alcohol is permitted per Glenn County Code 15.745.040 with a Planning Commission approved Conditional Use Permit.

According to the application narrative the store saves consumers time for purchasing necessities. Therefore, alcohol sales provide for a public convenience by minimizing the public from travelling to an additional store, specifically for beer or wine. In addition, Glenn County code permits the sale of alcohol with an approval from the Planning Commission.

## **7 SAMPLE MOTIONS**

### **Environmental Determination**

I move that the Planning Commission find the proposed Conditional Use Permit 2020-001 exempt from CEQA.

### **Conditional Use Permit**

I (further) move that the Planning Commission approve Conditional Use Permit 2020-001, with the Findings as presented in the Staff Report and the corresponding Conditions of Approval.

### **Public Convenience or Necessity**

I (further) move that the Planning Commission approve the Finding of Public Convenience or Necessity to sell beer and wine for off-site consumption, with the Findings as presented in the Staff Report.

**GLENN COUNTY PLANNING &  
COMMUNITY DEVELOPMENT SERVICES AGENCY**

**CONDITIONS OF APPROVAL**

**Conditional Use Permit 2020-001, Dolgen California, LLC**

**APN: 032-230-019**

Pursuant to the approval of the Glenn County Planning Commission, Dolgen California, LLC is hereby granted Conditional Use Permit 2020-001 to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from the existing grocery and consumer's good store.

Pending final approval by the Glenn County Planning Commission the applicant shall file a signed copy of the Conditions of Approval with the Glenn County Planning & Community Development Services Agency.

**CONDITIONS OF APPROVAL:**

1. Display of alcohol shall not exceed 5% (five percent) of the gross floor area of the store.
2. There shall be no single sales of beer or malt beverage cans or bottles.
3. Beer, wine coolers, and malt beverages shall be sold in manufacturer pre-packaged multi-unit quantities.

**COMMENTS:**

1. The applicant shall adhere to the Pacific Gas & Electric comment letter and requirements as it relates to Gas facilities and Electric facilities.

I hereby declare under penalty of perjury that I have read the foregoing conditions, which are in fact the conditions that were imposed upon the granting of the Conditional Use Permit, and that I agree to abide fully by said conditions. Additionally, I have read the Staff Report and I am aware of codified county, state, and/or federal standards and regulations that shall be met with the granting of this permit. I have the proper legal authority to, and am signing on the behalf of, those with interest in Dolgen California, LLC.

Signature: \_\_\_\_\_  
Steve Rawlings – Applicant/Agent

Date: \_\_\_\_\_

# GLENN COUNTY

## Planning & Community Development Services Agency

225 North Tehama Street  
Willows, CA 95988  
530-934-6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

### REQUEST FOR REVIEW

#### COUNTY DEPARTMENTS/DISTRICTS

- ☒ Glenn County Agricultural Commissioner
- ☒ Glenn County Air Pollution Control District/CUPA
- ☒ Glenn County Assessor
- ☒ Glenn County Building Inspector
- ☒ Glenn County Public Works Agency
- ☒ Glenn County Environmental Health Department
- ☒ Glenn County Sheriff's Department
- ☐ Glenn County Board of Supervisors
- ☐ Glenn County Counsel
- ☐ Glenn County Planning Commission
- ☐ Glenn LAFCO

#### FEDERAL AGENCIES

- ☐ U.S. Army Corps of Engineers
- ☐ U.S. Fish and Wildlife Service
- ☐ U.S. Department of Agriculture
- ☐ U.S. Bureau of Reclamation - Willows

#### OTHER

- ☐ California Water Service Co. (Chico)
- ☐ Sacramento River National Wildlife Refuge
- ☐ City of Willows
- ☐ Comcast Cable (Chico Office)
- ☒ Community Services District: Hamilton City
- ☒ Pacific Gas and Electric Company (PG&E)
- ☒ Fire Protection District: Hamilton City
- ☐ Glenn County Resource Conservation District
- ☒ School District: Hamilton City

#### STATE AGENCIES

- ☐ Central Valley Flood Protection Board
- ☐ Central Valley Regional Water Quality Control Board (RWQCB)
- ☐ State Water Resources Control Board – Division of Drinking Water
- ☒ Department of Alcoholic Beverage Control (ABC)
- ☐ Department of Conservation, Division of Land Resource Protection
- ☐ Department of Conservation, Office of Mine Reclamation (OMR)
- ☐ Department of Conservation, Division of Oil, Gas, and Geothermal Resources
- ☐ Department of Fish and Wildlife
- ☐ Department of Food and Agriculture
- ☐ Department of Forestry and Fire Protection (Cal Fire)
- ☐ Department of Housing and Community Development (HCD)
- ☐ Department of Public Health
- ☐ Department of Toxic Substances Control (DTSC)
- ☐ Department of Transportation (Caltrans)
- ☐ Department of Water Resources (DWR)
- ☐ Office of the State Fire Marshall
- ☐ CalRecycle

- ☐ Northeast Center of the California Historical Resources Information System
- ☐ Grindstone Rancheria of Wintun-Wailaki
- ☐ Paskenta Band of Nomlaki Indians
- ☐ Mechoopda Indian Tribe of Chico Rancheria
- ☐ Middletown Rancheria of Pomo Indians California
- ☐ Railroad: Southern Pacific
- ☐ Orland-Artois Water District
- ☐ Sacramento-San Joaquin Draining District:
- ☐ Special District:
- ☐ Irrigation District

DATE: April 21, 2020

PROJECT: Conditional Use Permit 2020-001, Dolgen California, LLC

PLANNER: Andy Popper, Senior Planner; [apopper@countyofglenn.net](mailto:apopper@countyofglenn.net)

APPLICANT: Dolgen California, LLC Store #15680  
Attn: Licensing Department  
100 Mission Ridge  
Goodlettsville, TN 37070

APPLICANT  
REPRESENTATIVE: Steve Rawlings c/o Rawlings Consulting  
26023 Jefferson Avenue, Suite D  
Murrieta, CA 92562  
[Ser@rawlingspm.com](mailto:Ser@rawlingspm.com)  
(951)-667-5152

LANDOWNER: Louis Stalcar and Maria Stalcar  
1265 Lasuen Court  
Milbrae, CA 94030

PROPOSAL: Conditional Use Permit 2020-001

The applicant is requesting a *Finding of Public Convenience or Necessity* and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from an existing grocery and consumer's good store. Additional project information/documentation has been included. Please refer to the attached application and plot plan.

LOCATION: The project site is located at 400 Sixth Street, Hamilton City, on the north side of State Highway 32 (Sixth Street), east of County Road 203, and west of Main Street, in the unincorporated area of Glenn County, California.

ZONING: Community Commercial

GENERAL PLAN: Community Commercial

APN: 032-230-019

FLOOD ZONES: Flood Zone "X" (shaded) according to Flood Insurance Rate Map (FIRM) No. 06021C 0425D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone "X" (shaded) is a moderate flood hazard area and consists of areas between the limits of the base flood and the 0.2-percent annual chance (or 500-year) flood.

The Glenn County Planning Division is requesting comments on this proposal for determination of completeness, potential constraints, and/or proposed conditions of approval. If comments are not received by **Friday, May 15, 2020**, it is assumed that there are no specific comments to be included in the analysis of the project. Comments submitted by e-mail are acceptable. Thank you for considering this matter.



**AGENCY COMMENTS:**

Please consider the following:

1. Is the information in the application complete enough to analyze impacts and conclude review?
2. Comments may include project-specific code requirements unique to the project. Cite code section and document (i.e. General Plan, Subdivision Map Act, etc.).
3. What are the recommended Conditions of Approval for this project and justification for each Condition? When should each Condition be accomplished (i.e. prior to any construction at the site, prior to recording the parcel map, filing the Final Map, or issuance of a Certificate of Occupancy, etc.)?
4. Are there significant environmental impacts? What mitigation(s) would bring the impacts to a less than significant level? When should mitigation(s) be accomplished (i.e. prior to recording parcel map, filing Final Map, or Certificate of Occupancy, etc.)?

CUP 2020-001

GLENN COUNTY  
PLANNING AND COMMUNITY DEVELOPMENT SERVICES AGENCY  
777 North Colusa Street  
WILLOWS, CA 95988  
(530) 934-6540  
FAX (530) 934-6533  
[www.countyofglenn.net](http://www.countyofglenn.net)

**APPLICATION FOR CONDITIONAL USE PERMIT**

NOTE: FAILURE TO ANSWER APPLICABLE QUESTIONS AND REQUIRED ATTACHMENTS COULD DELAY THE PROCESSING OF YOUR APPLICATION.

1. Applicant(s):

Name: Dolgen California LLC Store #15680 Attn: Licensing Dept.

Address: 100 Mission Ridge, Goodlettsville, TN 37070

Phone: (Business) (651) 855-4000 ext 5484 (Home) \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: tax-beerwinelicensing@dollargeneral.com

2. Property Owner(s):

Name: Louis Stalcar and Maria Stalcar

Address: 1265 Lasuen Court, Milbrae, CA 94030

Phone: (Business) 650-697-5413 (Home) \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: mimistal@yahoo.com

3. ~~XXXXXX Person who Prepared Site Plan (If Applicable)~~

Applicant Rep:

Name: Steve Rawlings c/o Rawlings Consulting

Mailing Address: 26023 Jefferson Ave., Ste. D, Murrieta, CA 92562

Phone: (Business) (951) 667-5152 (Home) \_\_\_\_\_

Fax: (951) 667-3455 E-mail: Ser@rawlingspm.com

4. Name and address of property owner's duly authorized agent (if applicable) who is to be furnished with notice of hearing (Section 65091 California Government Code).

Name: Louis and Maria Stalcar

Mailing Address: 1265 Lasuen Court, Milbrae, CA 94030

5. Request or Proposal:

Finding of Public Convenience or Necessity and permit to sell beer and wine for  
off-site consumption (ABC Type 20 License) from a grocery and consumers good store.

6. Address and Location of Project: 400 Sixth Street, Hamilton City

7. Current Assessor's Parcel Number(s): 032-230-019-000

8. Existing Zoning: Community Commercial  
Zoning Map <http://gis.gcppwa.net/zoning/>

9. Existing Use of Property: Grocery and consumer goods store.

10. Provide any additional information that may be helpful in evaluating this request:

See enclosed materials.

**DECLARATION UNDER PENALTY OF PERJURY**

(Must be signed by Applicant(s) and Property Owner(s))

(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

Applicant(s):

Signed: \_\_\_\_\_

Print: \_\_\_\_\_

Date: \_\_\_\_\_

Address: 100 Mission Ridge, Goodlettsville, TN 37070

I am (We are) the owner(s) of property involved in this application and I (We) have completed this application and all other documents required.

I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

I (We) declare under penalty of perjury that the foregoing is true and correct.

Property Owner(s):

Signed: Jacob Stalcar & Maria Stalcar

Print: LOUIS Stalcar & MARIA STALCAR

Date: 1, 24, 20

Address: 1265 Lasuen Court, Milbrae, CA 94030

**DECLARATION UNDER PENALTY OF PERJURY**

(Must be signed by Applicant(s) and Property Owner(s))  
(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

Applicant(s):

Signed: John Garratt

Print: John Garratt

Date: 1/28/20

Address: 100 Mission Ridge, Goodlettsville, TN 37070

I am (We are) the owner(s) of property involved in this application and I (We) have completed this application and all other documents required.

I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

I (We) declare under penalty of perjury that the foregoing is true and correct.

Property Owner(s):

Signed: \_\_\_\_\_

Print: \_\_\_\_\_

Date: \_\_\_\_\_

Address: 1265 Lasuen Court, Milbrae, CA 94030

**Project Narrative/Statement of Operations**  
**Dollar General Store #15680**  
**400 Sixth Street, Hamilton City, CA**  
3/5/20

**Proposed Use:** Finding of public convenience or necessity to sell beer and wine for off-site consumption (ABC Type 20) within a 9,111 square foot grocery store.

**Hours of Operation:** 7 days per week from 6:00 a.m. to 11:00 p.m.

**Customers Per Day:** 300-500

**Beer and Wine Display Area and Sales:** Display of alcohol will not exceed 3% of gross floor area of the store. Alcohol sales are anticipated to represent less than 5% of overall store sales. There will be no single sales of beer or malt beverage cans or bottles. Beer, wine coolers and malt beverages will be sold in manufacturer pre-packaged multi-unit quantities only.

**Security Measures:** Surveillance cameras are located throughout the sales area as well as storage area. Employees go through corporate training for alcohol sales and must input date of birth into cash register to complete any alcohol transaction.

**Average number of employees per shift:** 3 – 8: 2 shifts per day

**About Dollar General:**

Dollar General Corporation is the nation's largest small-box discount retailer with nearly **15,000 locations in 41 states**. Dollar General is publicly traded on the NYSE under the ticker symbol: DG. Dollar General ranks among the largest retailers of top-quality brands made by America's most-trusted manufacturers, such as Procter & Gamble, Kimberly Clark, Unilever, Kellogg's, General Mills and Nabisco. Dollar General's goal is to provide customers a better life and employee's opportunity and a great working environment.

Dollar General stands for convenience, quality brands and low prices. Dollar General's successful prototype makes shopping a truly hassle-free experience. Dollar General designs small neighborhood stores with carefully edited merchandise assortments to make shopping simpler. We don't carry every brand and size, just the most popular ones.

Shopping at Dollar General saves consumers time by staying focused on life's simple necessities: bread, milk, eggs, soup, cereal, coffee, sodas, laundry detergent, paper towels, soap, shampoo, socks and underwear as well as alcohol. The average Dollar General customer completes their shopping trip in less than 10 minutes.



Case CUP 2020-001

GLENN COUNTY  
PLANNING AND COMMUNITY DEVELOPMENT SERVICES AGENCY  
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[www.countyofglenn.net](http://www.countyofglenn.net)

**ENVIRONMENTAL INFORMATION FORM**

**To be completed by applicant or engineer  
Use extra sheets if necessary**

This list is intended to meet the requirements of State of California Government Code Section 65940.

I. GENERAL INFORMATION:

1. Name: Dolgen California LLC Store #15680  
Address, City, State, Zip: 100 Mission Ridge, Goodlettsville, TN 37070  
Telephone: (615) 855-4000 Fax: \_\_\_\_\_  
E-mail: tax-beerwinelicensing@dollargeneral.com
2. Name: Steve Rawlings c/o Alcoholic Beverage Specialists  
Address, City, State, Zip: 26023 Jefferson Ave., Ste. B, Murrieta, CA 92562  
Telephone: (951) 667-5152 Fax: (951) 667-3455  
E-mail: ser@rawlingspm.com
3. Address and Location of Project:  
400 Sixth Street, Hamilton City  
\_\_\_\_\_  
\_\_\_\_\_
4. Current Assessor's Parcel Number(s):  
032-230-019-000  
\_\_\_\_\_
5. Existing Zoning: Community Commercial
6. Existing Use: Grocery and Consumer Goods store

7. Proposed Use of Site (project for which this form is prepared):  
Finding of Public Convenience or Necessity and permit to sell beer and wine for  
off-site consumption (ABC Type 20 License) from a grocery and consumer goods  
store.
8. Indicate the type of permit(s) application(s) to which this form pertains:  
Public Convenience or Necessity Permit and Conditional Use Permit.
9. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required:
10. List and describe any other related permit(s) and other public approvals required for this project, including those required by city, regional, state, and federal agencies:  
ABC Type 20 License
11. Have any special studies been prepared for the project site that are related to the proposed project including, but not limited to traffic, biology, wetlands delineation, archaeology, etc? N/A

II. ENVIRONMENTAL SETTING:

1. Describe in detail the project site as it exists before the project, including information on topography, soil stability, plants and animals (wetlands, if any), different crops, irrigation systems, streams, creeks, rivers, canals, water table depth, and any cultural historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

The site is an existing grocery and consumer goods store. The proposed use is to  
add the sale of beer and wine for off-site consumption.



2. Describe the surrounding properties, including information on plants, animals, and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, agricultural, etc.), intensity of land use (one-family, apartment houses, shops, department stores, dairy, row crops, orchards, etc.) Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

North: Agricultural Land Use

East: Agricultural Land Use

South: Residential Land Use

West: Commercial Land Use

3. Describe noise characteristics of the surrounding area (include significant noise sources):

None

### III. SPECIFIC ITEMS OF IMPACT:

#### 1. Drainage:

Describe how increased runoff will be handled (on-site and off-site):

N/A

Will the project change any drainage patterns? (Please explain):

N/A

Will the project require the installation or replacement of storm drains or channels? If yes, indicate length, size, and capacity:

N/A

Are there any gullies or areas of soil erosion? (Please explain):

N/A

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year?

N/A

If yes, you may be required to obtain authorization from other agencies such as the Army Corps of Engineers or California Department of Fish and Game.

2. Water Supply:

Indicate and describe source of water supply (domestic well, irrigation district, private water company):

N/A

Will the project require the installation or replacement of new water service mains? N/A

3. Liquid Waste Disposal:

Will liquid waste disposal be provided by private on-site septic system or public sewer?: N/A

If private on-site septic system, describe the proposed system (leach field or seepage pit) and include a statement and tests explaining percolation rates, soil types, and suitability for any onsite sewage disposal systems:

N/A

Will any special or unique sewage wastes be generated by this project other than normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe)

N/A

Should waste be generated by the proposed project other than that normally associated with a single family residence, Waste Discharge Requirements may be required by the Regional Water Quality Control Board.

4. Solid Waste Collection:

How will solid waste be collected? Individual disposal, private carrier, city?

N/A

5. Source of Energy:

What is the source of energy (electricity, natural gas, propane)?:

N/A

If electricity, do any overhead electrical facilities require relocation? Is so, please describe:

N/A

If natural gas, do existing gas lines have to be increased in size? If yes, please describe:

N/A

Do existing gas lines require relocation? If yes, please describe:

N/A

6. Fire Protection:

Indicate number and size of existing and/or proposed fire hydrants and distance from proposed buildings:

N/A

Indicate number and capacity of existing and/or proposed water storage facilities and distance from proposed buildings:

N/A

IV. FOR ZONE CHANGE, ZONE VARIANCE, AND SPECIAL USE PERMIT APPLICATION:

1. Number and sizes of existing and proposed structures:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Square footage (structures) \_\_\_\_\_ S.F.; \_\_\_\_\_ S.F.  
(New) (Existing)
2. Percentage of lot coverage: N/A  
\_\_\_\_\_
3. Amount of off-street parking provided: N/A  
\_\_\_\_\_
4. Will the project be constructed in phases? If so, please describe each phase briefly:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. If commercial, indicate type, estimated employment per shift, days and hours of operation, estimated number of daily customers/visitors on site at peak time, and loading facilities:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. If industrial, indicate type, estimated employment per shift, and loading facilities:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. List types and quantities of any hazardous or toxic materials, chemicals, pesticides, flammable liquids, or other similar product used as a part of the operation and storage container sizes:

N/A

Submit Material Safety Data Sheets (MSDS) for any proposed hazardous materials. If hazardous materials are proposed, it is recommended that the applicant contact the Air Pollution Control District/CUPA for permitting requirements.

10. Describe any earthwork (grading) to be done and dust control methods to be used during construction:

N/A

11. Describe any potential noise or vibration sources associated with the project (i.e. compressor, machine noise, heavy equipment).

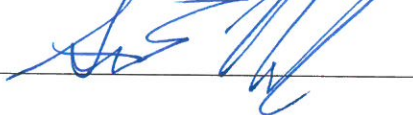
N/A

12. Describe source, type, and amount of air pollutant emissions (smoke, odors, steam, gases, water vapor, dust, chemicals) from the project. Describe what methods would be used to reduce emissions:

N/A

V. CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 3/3/2020 Signature: 

For: \_\_\_\_\_

According to Section 65943 for the California Government Code, your application will be reviewed within 30 days and you or your agent will receive written notice regarding the completeness of your application. Any reviewing agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

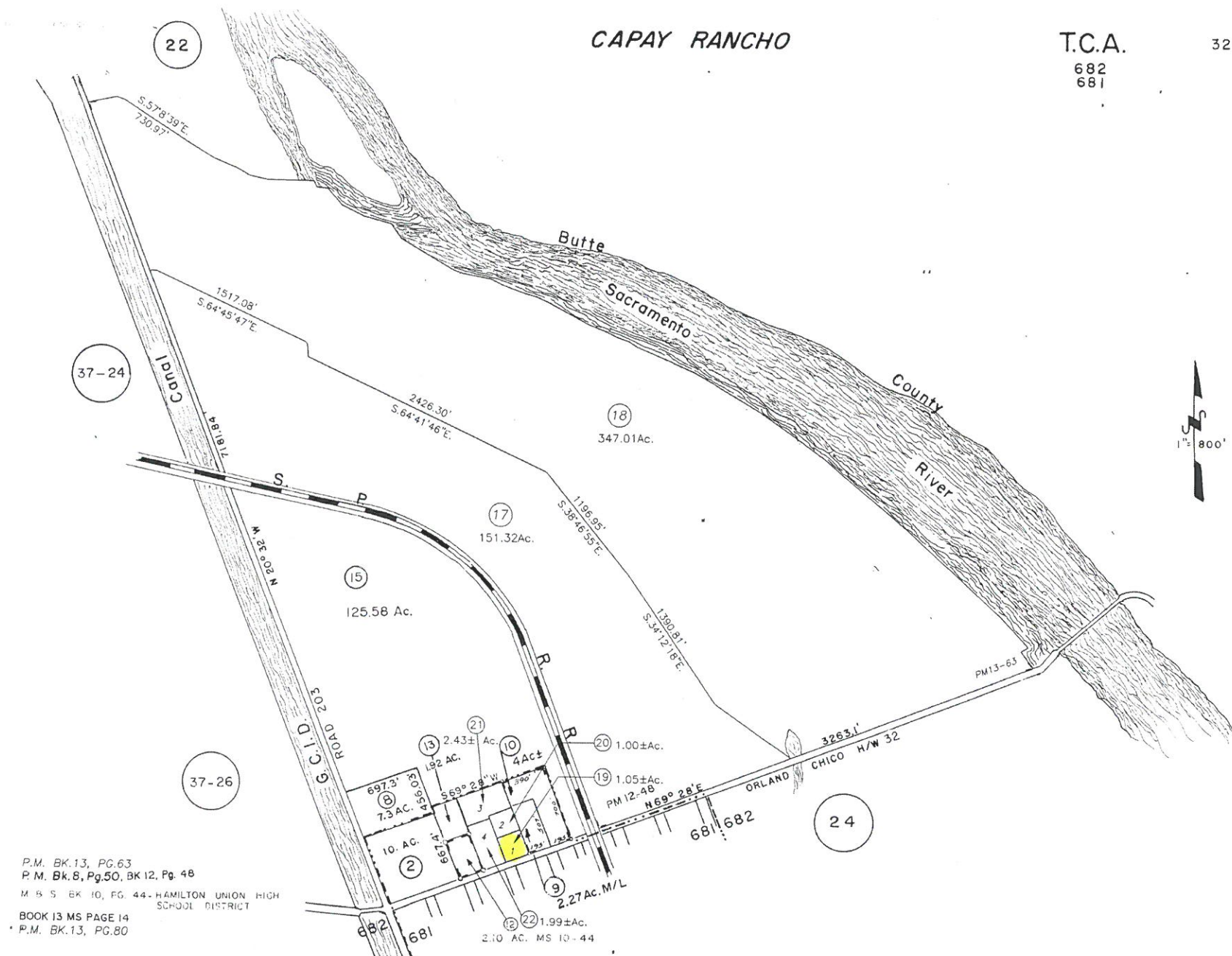
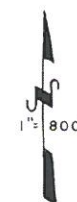
According to Section 65944 (C), additional information may be requested in order to comply with Division 13 of the State of California Public Resources Code.



## CAPAY RANCHO

T.C.A.  
682  
681

32-23



P.M. BK. 13, PG. 63

P.M. BK. 8, PG. 50, BK. 12, PG. 48

M.B.S. BK. 10, PG. 44 - HAMILTON UNION HIGH  
SCHOOL DISTRICT

BOOK 13 MS PAGE 14

P.M. BK. 13, PG. 80





# Dollar General at a Glance



## Company

- Leading small-box, convenient discounter
- #183 on the Fortune 500
- Sales of \$14.8 billion in 2011
- 90,000+ full-time & part-time employees
  - Created 21,000 new jobs since 2008
  - Plan to add 6,000 new jobs in 2012
- Freedom Award and Distinguished Service Award Recipient

## Stores

- More than 10,000 stores in 40 states
- Convenient size in convenient locations

## Merchandise

- National and private brands
- Everyday necessities and compelling buys
- Approximately 10,000 SKUs per store
- Multiple price points; about 26% at \$1 or less

## Customers

- Value-conscious and convenience-seeking
- Broad cross-section of America





# More than 10,000 Stores in 40 States

DG

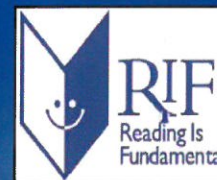
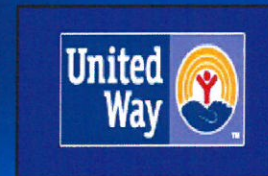
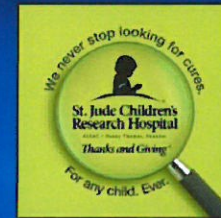




## Community Giving



- Since 1993, the Dollar General Literacy Foundation has:
  - awarded over \$71.2 million in grants
  - helped over 4.1 million individuals learn to read, get their GED or learn the English language.
- 2011 DG Corporate, DG Literacy Foundation & DG Employee Assistance Foundation:
  - Over \$32 million donated to and raised for charitable causes in 2011
  - More than 2,800 grants awarded in 38 states in 2011





## Inside the Store

DG





## Inside the Store

DG









# Responsible Sales



## Policies & Safeguards

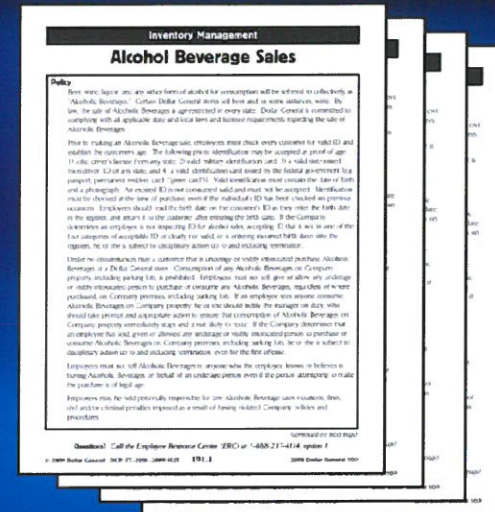
- We ID every customer, every time
- Employee must key birth date into register for every alcoholic beverage purchase.
  - Register will not allow sale if customer is under 21.
  - Exception reporting and auditing is done to ensure that accurate birthdates are keyed.
- Zero-tolerance policy for sale to minor
  - Termination for failure to ID customer
- Cameras monitor front door, back door, and checkout

## Training

- Computer-based training is required for all employees
- Regular store team meetings on responsible sales

## Standards

- Industry-leading performance for compliance checks
- Fewer than 25 violations companywide since 2009





# Dollar General Beer & Wine Sales Training



## When A Store Is Licensed:

- All employees must complete computer-based training on responsible sales before the product is set in the store.
- Course includes examples, policies, and knowledge tests.
- Employees must score 100% to pass the course.

The screenshots show the training software interface. The top screen displays the title "Beer and Wine Sales Training" and a "START" button. The middle screen shows "Lesson Objectives" with a list of topics: Identify signs of intoxication, Explain blood alcohol content (BAC) levels, Describe behavioral effects at certain BAC levels, Describe the law regarding controlled substances, and Describe ways to refuse sales to intoxicated customers. The bottom screen shows an "Assessment" section with a question about a customer's behavior and multiple-choice answers.

The document is titled "Beer and Wine Sales Update" and is dated "Week 11 - April 9, 2011". It includes a "Team Meeting: Beer and Wine Sales Update" section with bullet points about responsible sales, legal advice, and training requirements. It also includes a "Vendor Relationship" section with bullet points about vendor selection, pricing, and shipping. At the bottom, there is a table for "ALL STORE EMPLOYEES MUST SIGN AND DATE BELOW" with columns for "SIGNATURE" and "DATE".

## Follow-up:

- All new employees must complete Beer & Wine Sales Training within 3 days of hire.
- The store teams hold regular refresher meetings on responsible sales practices.

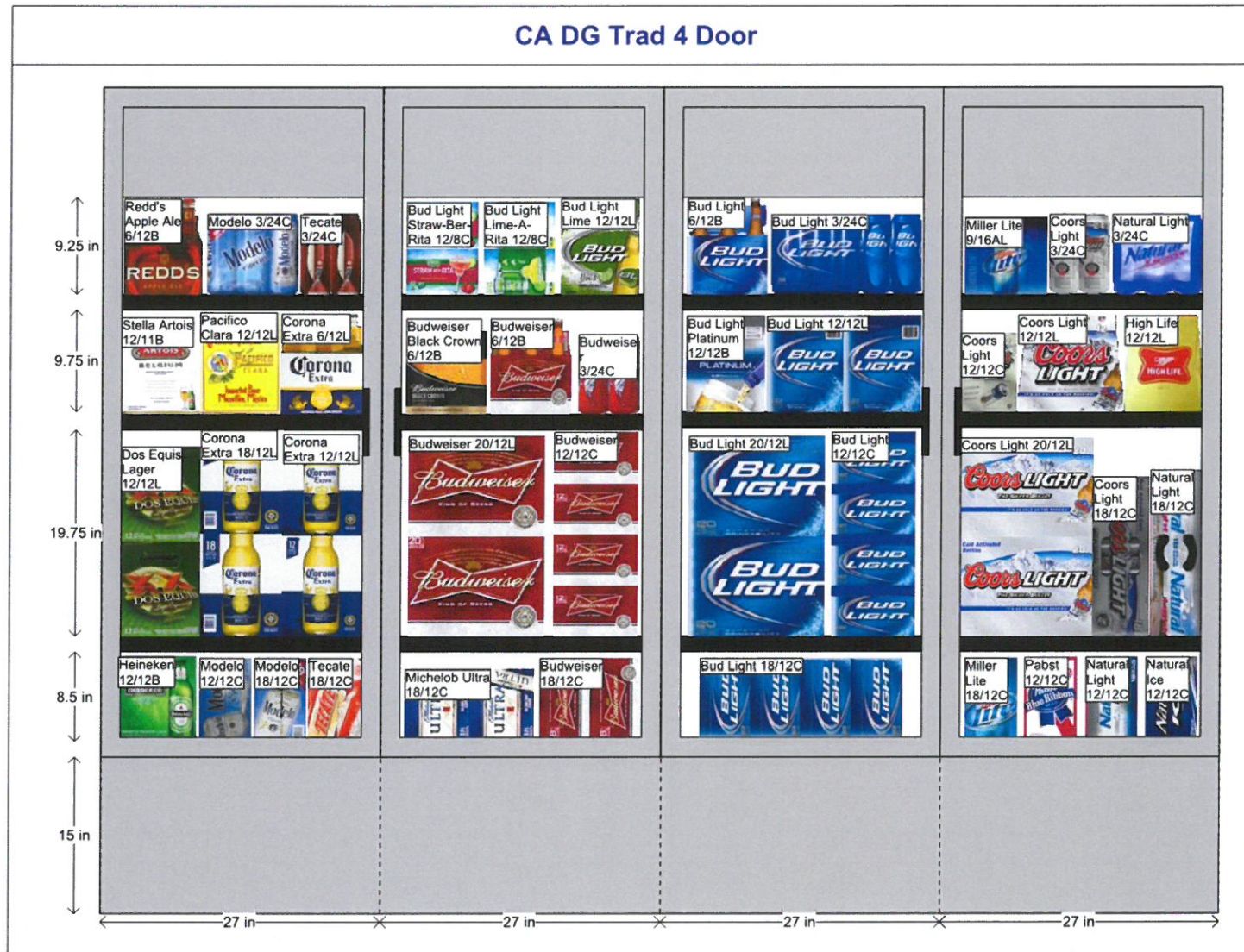


## **Measures to Prevent Adverse Impacts**

Dollar General implements multiple measures to mitigate potential adverse impacts from alcohol sales:

- Surveillance cameras are located throughout the sales area as well as storage area that are capable of storing at least 1 month activity. The system continuously records and has the date and time stamped onto images at all times. Interior camera record in color and images will be made available to the police department if it relates to a criminal investigation.
- Dollar General employees go through corporate training for alcohol sales.
- When beer or wine is scanned into the POS, employees are prompted to enter a birth date and restrict purchase if the date entered does not meet the age requirement.
- No single sales of beer products: Malt liquor or malt beverage products or beer products are not be sold in less than six (6) pack quantities.
- No signs advertising alcoholic beverages will be displayed outside the premises or inside the store in which visible to the outside of the store.
- All alcohol beverages will be stored on shelves or in cooler, no displays on the floor or in containers in aisles.

# Beer & Wine Cooler Displays



# Beer and Wine Warm Shelf Display





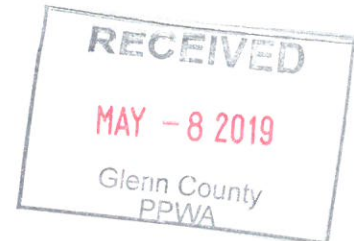
# Wine Shelf Display





May 2, 2019

Mr. Donald Rust  
County of Glenn Planning Department  
PO Box 1070  
Willows, CA 95988



**RE: Dollar General Store #15680 – 400 Sixth Street, Hamilton City, CA**

Dear Mr. Rust:

Please accept this letter as a formal request for a determination of public convenience or necessity. Enclosed please find the ABC Form 245, a Statement of Operations, Floor Plan as well as a brochure about Dollar General for your review. Below is additional information that should help make an affirmative determination.

### **Overview and Project Description**

Dollar General Stores will be operating an approximately 9,100 square foot grocery and consumer goods store at the above referenced location. It is our understanding that off-sale beer and wine in this zone is a permitted use for this type of store. The store hours are from 7:00 a.m. until 10:00 p.m. daily. Dollar General Stores operates nearly 15,000 stores across the US and approximately 250 stores in California. Nearly every store in California carries beer and wine. Dollar General has a reputation for providing the products that customer's desire most at competitive prices. Beer and wine sales will represent an incidental purchase for its current customers much like other major grocery stores. Dollar General will dedicate less than 5% of the gross floor area for the display of beer and wine and have implemented internal training and controls for its employees to ensure responsible sales. Also, none of the stores sell singles of beer or malt products.

### **Security and Control:**

Dollar General is committed to taking all feasible steps to address law enforcement concerns about the site. In addition, Dollar General has an extensive employee-training program and is a very responsible retailer of alcoholic beverages with no violations in California ever. It certainly has the resources to be a responsible retailer of all types of goods and especially of alcoholic beverages. Moreover, the sale of alcoholic beverages is not the primary purpose.

Dollar General stores are designed to provide a safe environment for patrons and employees. Some of the design elements of the store that facilitate a safe and pleasurable shopping experience include adequate lighting levels both on the interior and exterior of the store, employee supervision of the facility, closed circuit video monitoring system with cameras located strategically throughout the property, and careful window signage and landscaping placement to avoid obstruction of visibility into and out of the facility.

Dollar General understands the importance of maintaining the appearance of a store to both expand their customer base and prevent criminal activity and is committed to a store that allows for safe family oriented shopping. Dollar General recognizes the seriousness of loitering, delinquency, crime, and underage drinking. They have developed stringent operational standards and training programs for employees involved with selling of alcoholic beverages. Furthermore, Dollar General is open to operating conditions that the police department considers appropriate to ameliorate any concerns that do exist.

### **Public Convenience or Necessity**

This Dollar General store is in Census Tract 105.1 in which ABC is authorized to issue up to 4 licenses without consulting with the local municipality. Currently, there are 4 off-sale licenses existing in the census tract. Hence, in order for ABC to issue a license, the County of Glenn Board of Supervisors needs to make a finding of public convenience or necessity. Census tract in which there are more licenses existing than ABC is authorized to issue is a very common situation as most commercial property is concentrated into certain areas. Therefore, grocery stores, restaurants, convenience stores are typically located relatively near each other.

It is important to emphasize that Business & Professional Code § 23958.4 requires a positive finding of public convenience ***“or”*** necessity in order for an off-sale ABC application to be approved. Thus it is legally sufficient if Dollar General shows ***either*** public convenience ***or*** public necessity. It is ***not*** legally necessary to show both.

Furthermore, it is only necessary to show public convenience or necessity where there is an “undue concentration” of licensees in the census tract. The term “undue concentration” (also referred to as “over concentration”) is specifically defined in Business and Professional Code § 23958.4 as simply a ratio of ***the number of licenses in a census tract*** compared to ***the average number of licenses in a County***, as a whole. It does ***not*** mean that a particular census tract necessarily has too many licenses for the needs or convenience of residents in that tract.

“Over Concentration” also does not mean that the State, or anyone else, has previously looked at this census tract and determined that it has suffered any deleterious effects from the actual number of licenses existing; or that it will suffer if a new license is issued. It merely provides a guideline for making such a determination, in the form of determining whether in a particular situation, the ABC license would serve the “public convenience or necessity”.

It is also important to understand that Census Tract are “zoning blind”. Hence, many census tracts that contain a lot of commercially zoned property have an “over concentration” state while census tracts with mostly residentially zoned property do not have an “over concentration”.

Thus the fact that the census tract in which this store is located is statutorily “over concentrated” does not mean that selling a small amount of alcoholic beverages at a grocery/consumer goods store will have adverse impacts. Rather, it simply means that either public convenience or public necessity will be served by the sale of alcoholic beverages at this site.

**Statement of Justification for Finding of Public Convenience or Necessity**

**1. That the use is essential or desirable to the public convenience and public welfare.**

The proposed availability of alcohol with the sale of staple groceries such as: fruits and vegetables, milk, juice, eggs, bread, cereal, coffee, soup, pasta, sodas as well as consumer products such as tooth paste, soap, detergent and paper towels allows customers to have readily available products in one location where they would otherwise be obliged to travel to other locations to further purchase their items; thus the establishment of off-site alcoholic beverage sale serves a public convenience.

**2. That the granting the permit will not be materially detrimental to the public welfare and to other property in vicinity.**

The proposed sale of alcohol would not be detrimental to the public health, safety or welfare because the store has been designed as safe family oriented shopping with all windows facing the street and parking lot allowing for motorists and patrons outside the store a direct view inside the store; cashiers are located near the entrance of the store; and security cameras are placed throughout the interior and exterior. Furthermore, the store is primarily for the sales of staple groceries and consumer products and the sale of alcohol is incidental and in conjunction with the sale of such items. Additionally, the convenience of a wide variety of groceries and consumer products in one location promotes the general welfare. Furthermore, this operation will have general conditions to limit nuisance behavior associated with sales of alcohol.

**3. That the use conforms to good zoning practices and development standards.**

The store is located within a commercial zone. Locating grocery stores in retail commercial zones on major thoroughfares is consistent with good community development practices and standards.

**4. That the use is not contrary to any of the objectives of any part of the adopted General Plan**

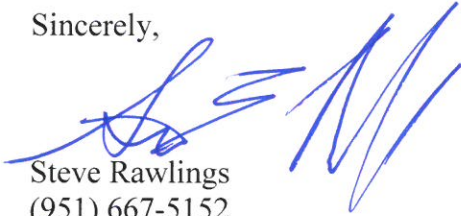
Alcohol sales for off-site consumption within a grocery store is consistent with the City’s General Plan by providing a product that serves to provide the full spectrum of commercial needs for a community commercial retail center.



We respectfully request an approved finding of Public Convenience or Necessity for this store. If there is any additional information you need to process this request, please contact me.

Thank you for your time and consideration of our request.

Sincerely,



Steve Rawlings  
(951) 667-5152

[SER@Rawlingspm.com](mailto:SER@Rawlingspm.com)

## INFORMATION AND INSTRUCTIONS -

## SECTION 23958.4 B&amp;P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

## PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME <i>Dolgen California LLC</i>			
2. PREMISES ADDRESS (Street number and name, city, zip code) <i>400 Sixth St. Hamilton City, 95951</i>		3. LICENSE TYPE <i>20</i>	
4. TYPE OF BUSINESS			
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room
<input type="checkbox"/> Wine only <input type="checkbox"/> All			
<input checked="" type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe:			
5. COUNTY POPULATION	6. TOTAL NUMBER OF LICENSES IN COUNTY	7. RATIO OF LICENSES TO POPULATION IN COUNTY	
	<input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	<input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	
8. CENSUS TRACT NUMBER <i>105.01</i>	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT <i>4</i>	10. NO. OF LICENSES EXISTING IN CENSUS TRACT <i>4</i>	
11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)			
<input checked="" type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed			
<input type="checkbox"/> No, the number of existing licenses is lower than the number allowed			
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?			
<input type="checkbox"/> Yes (Go to Item #13) <input checked="" type="checkbox"/> No (Go to Item #20)			
13. CRIME REPORTING DISTRICT NUMBER	14. TOTAL NUMBER OF REPORTING DISTRICTS	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS	
16. AVERAGE NO. OF OFFENSES PER DISTRICT	17. 120% OF AVERAGE NUMBER OF OFFENSES	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT	
19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)			
<input type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17			
<input type="checkbox"/> No, the total number of offenses in the reporting district is lower than the total number in item #17			
20. CHECK THE BOX THAT APPLIES (check only one box)			
<input type="checkbox"/> a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.			
<input type="checkbox"/> b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.			
<input checked="" type="checkbox"/> c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.			

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

**PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)**

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Please complete Items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☐ Yes☐ No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

25 CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY SPECIAL PICKUP NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

39. DATE SIGNED \_\_\_\_\_

**Project Narrative/Statement of Operations**  
**Dollar General Store #15680**  
**400 Sixth Street, Hamilton City, CA**  
5/2/19

**Proposed Use:** Finding of public convenience or necessity to sell beer and wine for off-site consumption (ABC Type 20) within 9,111 square foot grocery store.

**Hours of Operation:** 7 days per week from 7:00 a.m. to 10:00 p.m.

**Customers Per Day:** 200 - 400

**Beer and Wine Display Area and Sales:** Display of alcohol will not exceed 2% of gross floor area of the store. Alcohol sales are anticipated to represent less than 5% of overall store sales. There will be no single sales of beer or malt beverage cans or bottles. Beer, wine coolers and malt beverages will be sold in manufacturer pre-packaged multi-unit quantities only.

**Security Measures:** Surveillance cameras are located throughout the sales area as well as storage area. Employees go through corporate training for alcohol sales and must input date of birth into cash register to complete any alcohol transaction.

**Average number of employees per shift:** 3 – 8: 2 shifts per day

**About Dollar General:**

Dollar General Corporation is the nation's largest small-box discount retailer with nearly **15,000 locations in 41 states**. Dollar General is publicly traded on the NYSE under the ticker symbol: DG. Dollar General ranks among the largest retailers of top-quality brands made by America's most-trusted manufacturers, such as Procter & Gamble, Kimberly Clark, Unilever, Kellogg's, General Mills and Nabisco. Dollar General's goal is to provide customers a better life and employee's opportunity and a great working environment.

Dollar General stands for convenience, quality brands and low prices. Dollar General's successful prototype makes shopping a truly hassle-free experience. Dollar General designs small neighborhood stores with carefully edited merchandise assortments to make shopping simpler. We don't carry every brand and size, just the most popular ones.

Shopping at Dollar General saves consumers time by staying focused on life's simple necessities: bread, milk, eggs, soup, cereal, coffee, sodas, laundry detergent, paper towels, soap, shampoo, socks and underwear as well as alcohol. The average Dollar General customer completes their shopping trip in less than 10 minutes.



# California Department of Alcoholic Beverage Control

[Save As CSV](#)

## Active Off-Sale Retail Licenses

For the County of GLENN and the Census Tract of 105.01

Report as of: 05/05/2019

Rows Per Page:

Total Licenses: 4

Page 1 of 1

Click on column header to sort

	<u>License Number</u>	<u>Status</u>	<u>License Type</u>	<u>Orig. Iss. Date</u>	<u>Expir. Date</u>	<u>Primary Owner</u>	<u>Business Name</u>	<u>Premises Addr.</u>	<u>Geo Code</u>
1	<a href="#">355312</a>	ACTIVE	21	07/30/1999	06/30/2019	SINGH, GURSEWAK	DOUBLE EE MARKET	575 SACRAMENTO AVE HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100
2	<a href="#">441395</a>	ACTIVE	20	07/14/2006	06/30/2019	HUSSEIN, ISKANDER MOHAMED	EL TORO LOCO 1	570 MAIN ST HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100
3	<a href="#">538805</a>	ACTIVE	20	12/19/2013	11/30/2019	HS PETROLEUM LLC	HAMILTON GAS & FOOD	601 SIXTH ST HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100
4	<a href="#">555475</a>	ACTIVE	20	06/02/2015	05/31/2019	GILL, HARPREET SINGH	7 LUCKY FOOD MART	585 SIERRA AVE HAMILTON CITY, CA 95951 Census Tract: 0105.01	1100



DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
NUMBER OF LICENSES AUTHORIZED  
BY CENSUS TRACT

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
FRESNO	972,297	1089	1,058	79.01	5,652	5	5
FRESNO	972,297	1089	1,058	79.02	2,742	2	2
FRESNO	972,297	1089	1,058	80.00	5,277	4	4
FRESNO	972,297	1089	1,058	81.00	5,691	5	5
FRESNO	972,297	1089	1,058	82.00	6,978	6	6
FRESNO	972,297	1089	1,058	83.01	5,989	5	5
FRESNO	972,297	1089	1,058	83.02	6,562	6	6
FRESNO	972,297	1089	1,058	84.01	7,991	7	7
FRESNO	972,297	1089	1,058	84.02	1,152	1	1
FRESNO	972,297	1089	1,058	85.01	4,585	4	4
FRESNO	972,297	1089	1,058	85.02	7,929	7	7
GLENN	28,728	718	821	101.00	8,192	11	9
GLENN	28,728	718	821	102.00	4,901	6	5
GLENN	28,728	718	821	103.00	2,373	3	2
GLENN	28,728	718	821	104.00	7,636	10	9
GLENN	28,728	718	821	105.01	3,456	4	4
GLENN	28,728	718	821	105.02	1,564	2	1
HUMBOLDT	134,398	456	845	1.00	4,901	10	5
HUMBOLDT	134,398	456	845	2.00	6,211	13	7
HUMBOLDT	134,398	456	845	3.00	5,544	12	6
HUMBOLDT	134,398	456	845	4.00	3,873	8	4
HUMBOLDT	134,398	456	845	5.00	4,263	9	5
HUMBOLDT	134,398	456	845	6.00	4,866	10	5
HUMBOLDT	134,398	456	845	7.00	5,360	11	6
HUMBOLDT	134,398	456	845	8.00	4,668	10	5
HUMBOLDT	134,398	456	845	9.00	5,074	11	6
HUMBOLDT	134,398	456	845	10.00	5,906	12	6
HUMBOLDT	134,398	456	845	11.01	6,350	13	7
HUMBOLDT	134,398	456	845	12.00	4,686	10	5
HUMBOLDT	134,398	456	845	13.00	1,479	3	1
HUMBOLDT	134,398	456	845	101.02	2,884	6	3
HUMBOLDT	134,398	456	845	102.00	2,983	6	3
HUMBOLDT	134,398	456	845	103.00	3,607	7	4
HUMBOLDT	134,398	456	845	104.00	3,688	8	4
HUMBOLDT	134,398	456	845	105.01	6,635	14	7
HUMBOLDT	134,398	456	845	105.02	5,281	11	6
HUMBOLDT	134,398	456	845	106.00	1,798	3	2
HUMBOLDT	134,398	456	845	107.00	6,940	15	8
HUMBOLDT	134,398	456	845	108.00	4,785	10	5
HUMBOLDT	134,398	456	845	109.01	4,533	9	5
HUMBOLDT	134,398	456	845	109.02	4,143	9	4
HUMBOLDT	134,398	456	845	110.00	4,386	9	5
HUMBOLDT	134,398	456	845	111.00	4,976	10	5
HUMBOLDT	134,398	456	845	112.00	3,220	7	3
HUMBOLDT	134,398	456	845	115.00	4,409	9	5
HUMBOLDT	134,398	456	845	116.00	4,133	9	4
HUMBOLDT	134,398	456	845	9400.00	3,041	6	3
HUMBOLDT	134,398	456	845	9901.00	0	0	0
IMPERIAL	183,429	1191	1,154	101.01	4,601	3	3
IMPERIAL	183,429	1191	1,154	101.02	5,007	4	4
IMPERIAL	183,429	1191	1,154	102.00	2,640	2	2
IMPERIAL	183,429	1191	1,154	103.00	933	0	0



# GLENN COUNTY

## Planning & Community Development Services Agency Environmental Health Department

225 N Tehama St.  
Willows, CA 95988  
Tel: 530.934.6102 Fax: 530.934.6103  
[www.countyofglenn.net](http://www.countyofglenn.net)



DONALD RUST, Director

May 6<sup>th</sup>, 2020

To: Andy Popper, Senior Planner  
Glenn County Planning & Public Works Agency  
(Via email)

From: Andrew A. Petyo, REHS

Re: Conditional Use Permit #2020-001, Dolgen California, LLC.  
APN 032-230-019

We have reviewed the new project information noted above and this department has no further comments for this proposal and recommends it be approved.

If you have any further questions please contact Environmental Health.



April 23, 2020

Andy Popper  
County of Glenn  
225 N Tehama St  
Willows, CA 95988

Ref: Gas and Electric Transmission and Distribution

Dear Andy Popper,

Thank you for submitting the 400 Sixth St plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: [https://www.pge.com/en\\_US/business/services/building-and-renovation/overview/overview.page](https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page).
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team  
Land Management



## **Attachment 1 – Gas Facilities**

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1.     Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2.     Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3.     Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4.     Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5.     Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [ $24/2 + 24 + 36/2 = 54$ ] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ( $90^\circ \pm 15^\circ$ ). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



## **Attachment 2 – Electric Facilities**

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. **Reservoirs, Sumps, Drainage Basins, and Ponds:** Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. **Automobile Parking:** Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. **Storage of Flammable, Explosive or Corrosive Materials:** There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.





8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

## Andy Popper

---

**From:** Hank Irick <hankirick@gmail.com>  
**Sent:** Monday, July 6, 2020 11:24 AM  
**To:** Andy Popper  
**Subject:** Re: FW: CUP 2020-001, Dolgen, ABC, Request for Review

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

\* Good Morning Andy,  
First and foremost, thank your informative correspondence. Please note that the Dollar General in Hamilton City has improved the quality of life for the residence as well added a measure of balance (Lower Prices) to our local economic issues. I have no issue with Dolgen California, LLC Store #15680 I (Dollar General, Hamilton City) selling alcohol beverages for off-site consumption. Yours in service.  
Hank Irick,  
Badge #5110  
Deputy Fire Chief  
Hamilton City Fire Protection District

---

[Total Control Panel](#)

[Login](#)

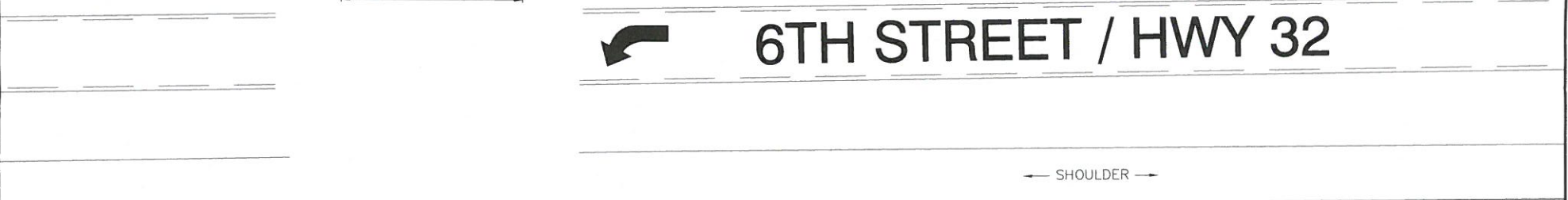
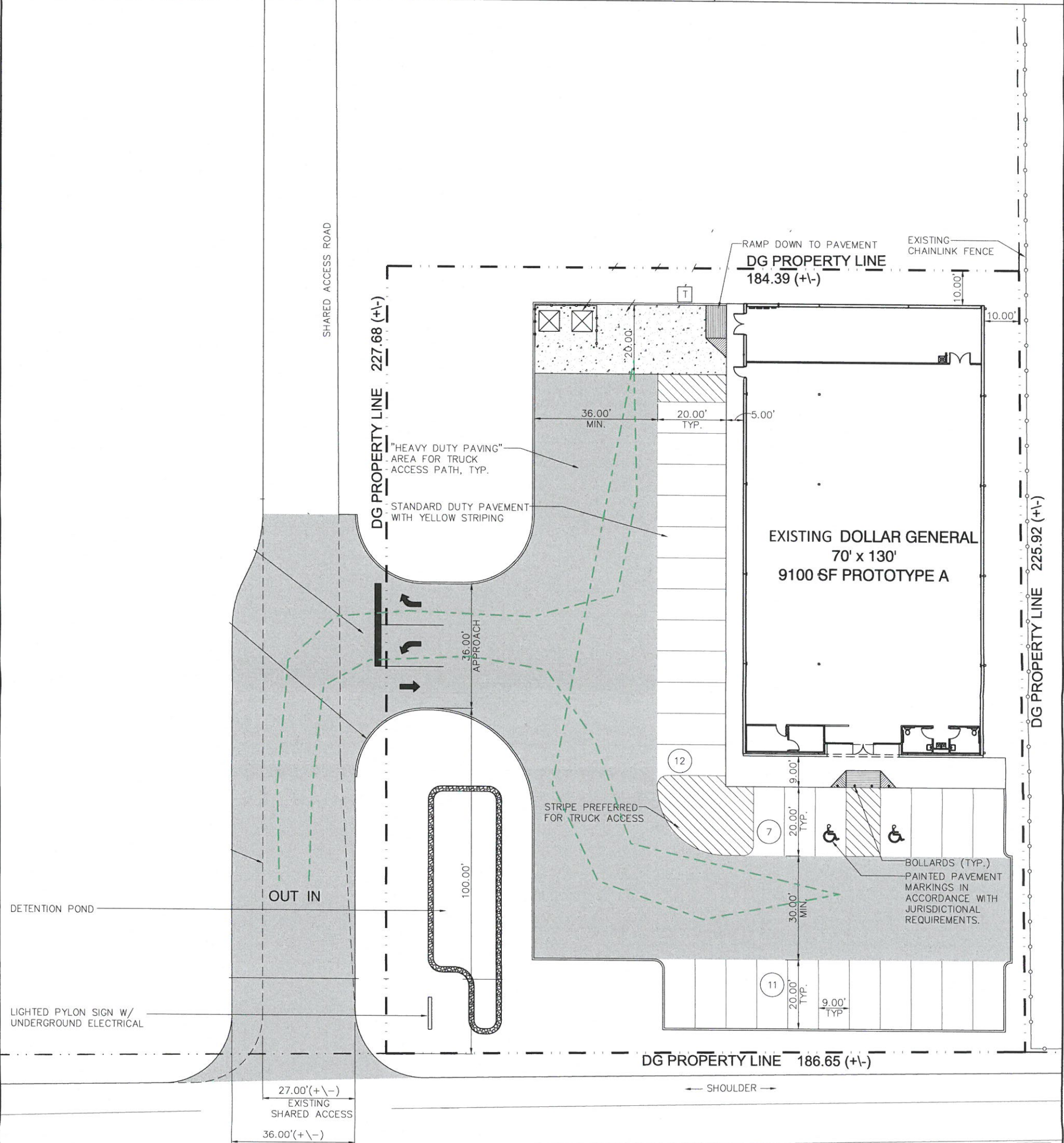
To: [apopper@countyofglenn.net](mailto:apopper@countyofglenn.net) [Remove](#) this sender from my allow list  
From: hankirick@gmail.com

*You received this message because the sender is on your allow list.*

*\*This comment was added to the report file, after the July 15, and prior to the August 19 Planning Commission meeting; because it was received via email while the receiving staff was out of office.*



SITE PLAN				DOLLAR GENERAL STORE #15680 400 SIXTH STREET HAMILTON CITY, CA	
PROTOTYPE:	A	DEVELOPER	APPLICANT REP:		DATE:
BLDG/SALES SF:	9,026/7,195	COMPANY: CROSS DEVELOPMENT	NAME: STEVE RAWLINGS		
ACREAGE:	.97	NAME: STEVE RUMSEY	PHONE #: 951-667-5152		
PARKING SPACES:	30	PHONE #: 214.893.4208			



**NOTES:**

- SITE PLAN PREPARED WITHOUT BENEFIT OF TITLE OPINION, DEED RESTRICTION, OR SURVEY.
- SITE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.
- BUILDING AND SITE SIGN LOCATION, SQUARE FOOTAGE, AND TYPE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.

**SCALE = 1" = 30'**

0' 15' 30' 60'

**NORTH**

**BROADWAY**







## NOTICE OF EXEMPTION

To: County Clerk, County of Glenn  
516 W. Sycamore Street, 2<sup>nd</sup> Floor, Willows, CA 95988  
From: Glenn County Planning and Community Development Services Agency  
225 North Tehama Street, Willows, CA 95988

Project Title: Conditional Use Permit 2020-001, Dolgen California, LLC

Project Location: 400 Sixth Street, Dollar General, Hamilton City, APN: 032-230-019

Description of Project: The applicant is requesting a Finding of Public Convenience or Necessity and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from an existing grocery and consumer's good store.

Name of Public Agency Approving Project:  
Glenn County Planning Commission

Name of Person(s) or Agency Carrying Out Project:  
Glenn County Planning and Community Development Services Agency

Exempt Status: The project for a Finding of Public Convenience or Necessity and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from an existing grocery and consumer's good store can be considered exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Public Resources Code section 15061(b) (3) (the "general rule" exemption). Selling beer and wine within an existing store will not result in, or otherwise compel any physical disturbance to the existing physical environment.

Lead Agency Contact: Donald Rust, Director  
Glenn County Planning and Community Development Services Agency  
225 North Tehama Street, Willows, CA 95988 (530-934-6540)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Donald Rust, Director

# GLENN COUNTY

## Planning & Community Development Services Agency

225 N. Tehama Street  
Willows, CA 95988  
530.934.6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

State of California  
Department of Alcoholic Beverage Control  
1900 Churn Creek Rd, Suite 215  
Redding, CA 96002

RE: LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR AN  
(ALCOHOL BEVERAGE CONTROL (ABC) TYPE 20 LICENSE)  
OFF SALE BEER & WINE - BEVERAGE LICENSE FOR  
400 SIXTH STREET, HAMILTON CITY, CA 95951 (APN: 032-230-019)

To Whom It May Concern:

This letter shall serve to notify the California Department of Alcoholic Beverage Control that on July 15, 2020, the County of Glenn Planning Commission made a finding of public convenience or necessity; authorizing the Planning & Community Development Services Agency Director to sign this letter conveying the finding for issuing an alcoholic beverage Type 20 License for "Off Sale Beer & Wine." The License is for the property located at 400 Sixth Street, Hamilton City, CA 95951, APN: 032-230-019, the existing location of the Dollar General Store #15680.

The County of Glenn acknowledges the efforts of community businesses to expand the local economy and finds no cause to oppose the requested license. If there are any questions regarding the matters described in this letter, please contact Donald Rust, Director of Planning & Community Development Services Agency, by phone at (530) 934-6540 or by e-mail at [drust@countvofglenn.net](mailto:drust@countvofglenn.net).

Sincerely,

*-PENDING PLANNING COMMISSION APPROVAL-*

Donald Rust, Director  
Planning & Community Development Services Agency



**VICINITY NOTICE OF A PUBLIC HEARING BY THE  
GLENN COUNTY PLANNING COMMISSION**

Notice is hereby given that on **Wednesday, July 15, 2020, at 9:00 A.M.** in the Glenn County Board of Supervisors Chambers, 2<sup>nd</sup> Floor Memorial Hall, 525 West Sycamore Street, Willows, CA, the Glenn County Planning Commission will hold a public hearing on the following:

**PROJECT: Conditional Use Permit 2020-001**

APPLICANT/LANDOWNER: Dolgen California, LLC Store #15680

**PROJECT DESCRIPTION:** The applicant is requesting a *Finding of Public Convenience or Necessity* determination and a Conditional Use Permit in order to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) Type 20 License) from an existing grocery and consumer's good store. A Notice of Exemption is proposed.

**LOCATION:** The project site (Dollar General) is located at 400 Sixth Street, Hamilton City, on the north side of State Highway 32 (Sixth Street), east of County Road 203, and west of Main Street, in the unincorporated area of Glenn County, California.

**ASSESSOR PARCEL NUMBER:** 032-230-019

**ZONING:** Community Commercial **GENERAL PLAN:** Community Commercial

**DECISIONS:** The Planning Commission may approve, deny, or continue the:

(A) Notice of Exemption from the California Environmental Quality Act (CEQA)

(B) Conditional Use Permit 2020-001

(C) Finding of Public Convenience or Necessity Determination

All environmental information and project documentation is available for review at the Planning & Community Development Services Agency office. Contact the planning staff at [planning@countyofglenn.net](mailto:planning@countyofglenn.net) or (530) 934-6540. To submit written comments by U.S. Mail for inclusion in the meeting record, they must be received by the Planning Division at 225 North Tehama Street, Willows, CA, 95988, no later than 9:00 a.m. on the morning of the noticed meeting. In order to honor Executive Order N-29-20, issued by California Governor Gavin Newsom, this meeting is anticipated to be conducted via teleconference and in person, attendance at the meeting is not anticipated to be allowed.

However, you are encouraged to listen to the audio at <https://www.countyofglenn.net/government/minutes-agendas> and may submit written comments by email (during the meeting), at [planning@countyofglenn.net](mailto:planning@countyofglenn.net). Every effort will be made to read or acknowledge your comments into the record, but some comments requiring more than 3 minutes to recite may be summarized due to time limitations. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in correspondence delivered to the appropriate authority at, or prior to, the public hearing.

NOTIFICATION FOR REQUEST FOR AN  
ALCOHOLIC BEVERAGE CONTROL LICENSE

**NOTICE OF FILING**

REQUEST FOR LETTER OF "PUBLIC  
CONVENIENCE OR NECESSITY" LEADING TO  
THE ISSUANCE OF A

**LICENSE TO SELL  
ALCOHOLIC  
BEVERAGES**

APPLICANT: (Dolgen California, LLC Store #15680)

ADDRESS: (400 Sixth Street, Hamilton City, CA)

ALL INTERESTED PARTIES MAY CONTACT  
THE AGENCY BELOW TO  
COMMENT ON THIS PROPOSAL

For information or comments – Contact Glenn County  
Planning & Community Development Services Agency  
225 North Tehama Street  
Willows, CA 95988  
(530) 934-6540  
[planning@countyofglenn.net](mailto:planning@countyofglenn.net)



Photograph of notice sign received by the PCDSA on July 1, 2020.

**GLENN COUNTY**  
**Planning & Community Development Services Agency**

225 North Tehama Street  
Willows, CA 95988  
530.934.6540 Fax 530.934.6533  
[www.countyofglenn.net](http://www.countyofglenn.net)



**Donald Rust, Director**

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**STAFF REPORT**

MEETING DATE: August 19, 2020  
TO: Glenn County Planning Commission  
FROM: John Lanier, Assistant Planner  
SUBJECT: Conditional Use Permit 2020-004, Cousins Estate Vineyard, LLC

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Attachments:

1. Conditions of Approval
2. Request for Review, Application, and Comments
3. Site Plan
4. Notice of Exemption, Vicinity Notice

## **1      PROJECT SUMMARY**

Cousins Estate Vineyard, LLC is requesting a Conditional Use Permit in order to produce and store wine for sale to restaurants and club members for off-site consumption (Alcohol Beverage Control (ABC) Type 02 License). Additional information is included in the application and plot plan.

The General Plan land use designation is "Intensive Agriculture" and the zoning designation is "AE-40" (Exclusive Agriculture Zone). The proposed project is a permitted use with a conditional use permit in the "AE-40" zone.

The project site is located at 7365 County Road 21, on the south side of County Road 21, east of County Road S, and north of County Road 24, in the unincorporated area of Glenn County, California (APN: 047-210-007).

### **1.1    RECOMMENDATIONS**

That the Planning Commission find that the proposed Conditional Use Permit 2020-004 exempt from CEQA, and approve Conditional Use Permit 2020-004, with the Findings as presented in the Staff Report and the corresponding Conditions of Approval.

## **2      ANALYSIS**

On April 21, 2020, Cousins Estate Vineyard, LLC applied for a Conditional Use Permit to secure an ABC Type 02 License.

On November 19, 2019, the Board of Supervisors adopted the Alcoholic Beverage Sales ordinance. Glenn County Code 15.745.040 Alcoholic Beverage Sales generally states that if a revenue source of the establishment consists of the sale of alcoholic beverages, including but not limited to a winery; then the proposed business shall be required to obtain a Conditional Use Permit. This passage of this ordinance required a Conditional Use Permit

### **2.1    ENVIRONMENTAL DETERMINATION**

The approval of the Conditional Use Permit 2020-004 can be considered exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Public Resources Code section 15061(b) (3) (the "general rule" exemption). Therefore, pending the Glenn County Planning Commission approval, staff has prepared a Notice of Exemption pursuant to CEQA.

A project is exempt from CEQA, if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed project is to occur within an existing structure, with no revisions to the exterior premises required and therefore, will not result in or otherwise compel any physical disturbance to the existing environment.

## **2.2 GENERAL PLAN AND ZONING CONSISTENCY**

The site is designated “Intensive Agriculture” in the Glenn County General Plan and is zoned “AE-40” (Exclusive Agriculture Zone). This project is within an existing structure and is permitted with an approved Conditional Use Permit in the “AE-40” zone (Glenn County Code Chapter 15.330).

The project is consistent with the surrounding land uses because the area consists of agricultural uses. The proposal will not adversely affect the General Plan.

### **“AE-40” Exclusive Agriculture Zone (Glenn County Code Chapter 15.330):**

#### **Purpose (Glenn County Code §15.330.010)**

This zoning classification is established for the following purposes:

- A. To preserve the maximum amount of the limited supply of agricultural land which is necessary in the conservation of the County’s economic resources and vital for a healthy agricultural economy of the County;
- B. To eliminate the encroachment of land uses which are incompatible with the agricultural use of land;
- C. To prevent the unnecessary conversion of agricultural land to urban uses;
- D. To provide areas for both intensive and extensive agricultural activities.

#### **Uses Permitted With A Conditional Use Permit (Glenn County Code §15.330.040.H)**

Agricultural processing plants and facilities, such as hulling operations, greenhouses, wineries, silos, dehydrators, canneries and similar agricultural uses exceeding the standards in Division 5, Chapter 740 (§15.740 Agricultural Processing Facility);

The 782 square foot building is existing, and meets the requirements of Glenn County Code Section 15.330.030. See 2.4 Special Use Standards for further discussion of §15.740.

## **2.3 PERFORMANCE STANDARDS (GLENN COUNTY CODE CHAPTER 15.560)**

The Glenn County Code performance standards apply to all development proposals. The proposal is not anticipated to exceed applicable performance standards.

### **Off-Street Parking and Loading Facilities (Glenn County Code Chapter 15.610)**

#### **Parking Space Requirements (Glenn County Code §15.610.020)**

This project requires off-street parking in accordance to Glenn County Code §15.610.020 per Public Works.



## **2.4 SPECIAL USE STANDARDS (GLENN COUNTY CODE CHAPTER 15.740)**

### Agricultural Processing Facility (Glenn County Code §15.740.010.A)

According to Glenn County Code, agricultural processing facilities shall be located at least five hundred feet from any residence located on an adjacent parcel. The project's processing facility is located more than five hundred feet from any residences on adjacent properties.

### Agricultural Processing Facility (Glenn County Code §15.740.010.B)

Glenn County code only allows for incidental use of hazardous materials in the operation of agricultural processing facilities. No use of hazardous materials has been proposed.

### Agricultural Processing Facility (Glenn County Code §15.740.010.C)

Agricultural processing operations not set back one hundred feet from the county road right-of-way require a Conditional Use Permit. At seventy feet from the edge of the right-of-way, this project is within allowable building setbacks, but does not meet the one hundred foot requirement. The project was noticed to applicable county agencies and all property owners within one thousand feet, and no comments or objections were heard on placement of the winery.

### Agricultural Processing Facility (Glenn County Code §15.740.010.D)

All agricultural processing facility development shall require an encroachment permit from the county public works department. Driveways shall be paved according to county standards. Public Works was provided with the proposal, and comments are attached.

### Agricultural Processing Facility (Glenn County Code §15.740.010.E)

All parking for the project will be on-site, with no parking in the county right-of-way. See attached Public Works comments for further information.

### Agricultural Processing Facility (Glenn County Code §15.740.010.F)

Glenn County code requires a use permit if the county air pollution control officer determines that the potential exists for smoke, light, dust, glare, or odor beyond the property line; or if the county sanitarian determines that the potential exists for flies, vermin, or other health hazards to cross the property line. Both agencies have been contacted and Environmental Health comments are attached. No such hazards are anticipated.

### Agricultural Processing Facility (Glenn County Code §15.740.010.G)

A use permit shall be required for an agricultural processing facility if the noise levels exceed sixty-five dBA at the property line between seven a.m. and ten p.m. and/or noise

levels exceed sixty dBA between ten p.m. and seven a.m. Nothing proposed will exceed the noise standards set forth by this code.

### **3      GENERAL PROVISIONS**

The project site is located within Flood Zone “X” (shaded) according to Flood Insurance Rate Map (FIRM) No. 06021C0425D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (shaded) is a moderate flood hazard area and consists of areas between the limits of the base flood and the 0.2 percent annual chance (or 500-year) flood.

### **4      COMMENTS**

A Request for Review requesting comments on the proposal was sent on May 6, 2020, with preliminary commenting closing May 29, 2020. The Glenn County Environmental Health Department, Glenn County Public Works, Pacific Gas and Electric Company (PG&E), State Water Resources Control Board, and Darin Titus of Timiran, DBA Hart Farms submitted comments regarding this proposal. Comment letters are attached to this report for review.

The Glenn County Environmental Health Department commented that they reviewed the project information and that they would require an approved process for the liquid waste.

The Glenn County Public Works Department commented regarding obtaining an Encroachment Permit before commencing any work in the County Right-of-Way and construction of off-street parking.

The Pacific Gas and Electric Company provided their standard form letter, stating that this project is not anticipated to require revisions in the PG&E systems.

Mr. Titus provided an email supporting the Cousins Estate Vineyard, LLC and their project.

### **5      OTHER REQUIREMENTS**

Based on the information submitted with the application and supplemental documentation the following Condition of Approval shall apply:

1. That no off-site parking associated with this development shall be allowed on County Road 21.

There is a ten (10) calendar day appeal period following Planning Commission action on this conditional use permit (Glenn County Code §15.050.020).

The appeal made to the Glenn County Board of Supervisors must be made in accordance with §15.050.020 of the Glenn County Code. The Board of Supervisors will hear the appeal as outlined by this code. The decision of the Board of Supervisors may then be challenged in court.

An approved conditional use permit expires one (1) year from the date of granting unless substantial physical construction and/or use of the property in reliance on the permit has commenced prior to its expiration. An approved conditional use permit may be extended by the director for an additional sixty (60) calendar days provided that the applicant/owner submits a written request for extension to the director at least twenty-one (21) calendar days prior to the expiration date. Only one (1) extension shall be allowed for each permit (Glenn County Code §15.090.100.A).

The necessary permits shall be secured in all affected federal, state, and local agencies. It is the responsibility of the applicant/operator to make certain all requirements are met and permits are obtained from all other agencies.

In addition to the Conditions of Approval, the applicant's and his/her technical or project management representative's attention is directed to the project comments from other agencies reviewing the application. The items noted are a guide to assist the applicant in meeting the requirements of applicable government codes. Project comments may also note any unusual circumstances that need special attention. The items listed are a guide and not intended to be a comprehensive summary of all codified requirements or site-specific requirements.

## **6 FINDINGS**

### **6.1 FINDING FOR CEQA EXEMPTION**

#### Finding A

The project for a Conditional Use Permit in order to produce and store wine for sale to restaurants and club members for off-site consumption (Alcohol Beverage Control (ABC) Type 02 License) from an existing permitted building can be considered exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Public Resources Code section 15061(b) (3) (the "general rule" exemption). Producing and storing wine within an existing permitted building will not result in, or otherwise compel any physical disturbance to the existing physical environment.

### **6.2 FINDINGS FOR CONDITIONAL USE PERMIT**

According to Glenn County Code Sections 15.220.010 and 15.220.030, the following Findings listed in Glenn County Code 15.220.020 shall be made prior to recommending approval of a conditional use permit:

#### Finding 1

*That the proposed use at the particular location is necessary or desirable in providing a service or facility, which will contribute to the general well-being of the public. The proposal contributes to the general well-being of the public, by providing local wine made from local grapes that is available at restaurants and to members of a wine club.*

## Finding 2

*That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working on the vicinity, or injurious to property or improvements in the vicinity.* This project will not be subjected to hazardous conditions due to adverse geologic conditions, proximity to airports, fire hazards, or topography. Because of existing laws and statutes, this project will not be detrimental to the health, safety, or general welfare of persons or property in the vicinity of the project.

## Finding 3

*That the site for the proposed use is adequate in size and shape to accommodate said use and to accommodate all of the yards, setbacks, walls or fences, and other features required herein or by the Planning Commission.* No revisions to the exterior of the building or the property will be required. The existing site is adequate in size and shape to accommodate this proposal. There is adequate space for on-site parking and unloading/loading.

## Finding 4

*That granting the permit will not adversely affect the General Plan or any area plan of the County because the proposed project conforms to the General Plan and County Code.* The proposed project is consistent with the Land Use Designation of "Intensive Agriculture" and the zoning designation of "AE-40" (Exclusive Agricultural Zone). The proposed project is a permitted use with a conditional use permit in the "AE-40" zone. The proposed project will meet the land use and zoning requirements of the General Plan and the Zoning Code.

## **7 SAMPLE MOTIONS**

### Environmental Determination

I move that the Planning Commission find the proposed Conditional Use Permit 2020-004 exempt from CEQA.

### Conditional Use Permit

I (further) move that the Planning Commission approve Conditional Use Permit 2020-004, with the Findings as presented in the Staff Report and the corresponding Conditions of Approval.



**GLENN COUNTY PLANNING &  
COMMUNITY DEVELOPMENT SERVICES AGENCY**

**CONDITIONS OF APPROVAL**

**Conditional Use Permit 2020-004, Cousins Estate Vineyard, LLC  
APN: 047-210-007**

Pursuant to the approval of the Glenn County Planning Commission, Cousins Estate Vineyard, LLC is hereby granted Conditional Use Permit 2020-004 to produce and store wine for sales to restaurants and club members for off-site consumption (Alcohol Beverage Control (ABC) Type 02 License).

Pending final approval by the Glenn County Planning Commission the applicant shall file a signed copy of the Conditions of Approval with the Glenn County Planning & Community Development Services Agency.

**CONDITIONS OF APPROVAL:**

1. That no off-site parking associated with this development shall be allowed on County Road 21.

I hereby declare under penalty of perjury that I have read the foregoing conditions, which are in fact the conditions that were imposed upon the granting of the Conditional Use Permit, and that I agree to abide fully by said conditions. Additionally, I have read the Staff Report and I am aware of codified county, state, and/or federal standards and regulations that shall be met with the granting of this permit. I have the proper legal authority to, and am signing on the behalf of, those with interest in Cousins Estate Vineyard, LLC.

Signature: \_\_\_\_\_  
Lonnie St Louis – Applicant

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Stacy St Louis – Applicant

Date: \_\_\_\_\_

## John Lanier

---

**From:** Darin Titus <darin@hfalmonds.com>  
**Sent:** Tuesday, May 12, 2020 3:35 PM  
**To:** John Lanier  
**Subject:** Conditional Use Permit 2020-004 Cousins Estate Vineyard

Mr Lanier,

In response to the vicinity notice regarding application 2020-04 for the proposed Conditional Use Permit. Timiran Inc.dba Hart Farms has no objections to the permit. As a property owner directly south of the St Louis Property we consider ourselves lucky to have them as neighbors and are confident they will honor any requirements set forth in maintaining compliance with such a permit.

Thank You

Darin Titus  
General Manager  
Hart Farms  
7418 County Road 24  
Orland, CA 95963  
Office (530)865-2975  
Cell (530)520-7171

---

### Total Control Panel

[Login](#)

To: [jlanier@countyofglenn.net](mailto:jlanier@countyofglenn.net)  
From: [darin@hfalmonds.com](mailto:darin@hfalmonds.com)

Message Score: 15  
My Spam Blocking Level: Custom

[Block](#) this sender  
[Block](#) hfalmonds.com

High (60): **Pass**  
Medium (75): **Pass**  
Low (90): **Pass**  
Custom (50): **Pass**

*This message was delivered because the content filter score did not exceed your filter level.*

Northeast Center of the  
California Historical Resources  
Information System

BUTTE  
GLENN  
LASSEN  
MODOC  
PLUMAS  
SHASTA

SIERRA  
SISKIYOU  
SUTTER  
TEHAMA  
TRINITY

123 West 6th Street, Suite 100  
Chico CA 95928  
Phone (530) 898-6256  
*neinfocntr@csuchico.edu*

May 27, 2020

Glenn County  
Planning & Development Services Agency  
777 North Colusa Street  
Willows, CA 95988  
ATTN: Mr. John Lanier

**I.C. File # Y20-6  
Project Review**

RE: Conditional Use Permit 2020-004; Cousins Estate Vineyard, LLC / APN 047-210-007  
T22N, R2W, Section 33 MDBM  
USGS Hamilton City (1969) 7.5' and Willows (1951) 15' quadrangles  
10 acres (Glenn County)

Dear Mr. Lanier,

In response to your request, a project review for the project cited above was conducted by examining the official maps and records for archaeological sites and surveys in Glenn County.

**RESULTS:**

**Prehistoric Resources:** According to our records, no sites of this type have been recorded in the project area or the 1-mile project vicinity. The project area is located in a region utilized by Konkow Maidu populations. Unrecorded prehistoric cultural resources may be located in the project area.

**Historic Resources:** According to our records, no sites of this type have been recorded in the project area or the 1-mile project vicinity. Unrecorded historic cultural resources may be located in the project area.

The USGS Orland (1969) 7.5' and Willows (1951) 15' quad maps indicate that the project area lies 4.5 miles southwest of Orland and that roads and structures are located in the project area, while the Plaza School, Plaza Road, Haigh Landing Field, orchards, canals, roads, and structures are located within the project vicinity.

**Previous Archaeological Investigations:** According to our records, the project area has not been previously surveyed for cultural resources by a professional archaeologist.

**Literature Search:** The official records and maps for archaeological sites and surveys in Glenn County were reviewed. Also reviewed: **National Register of Historic Places - Listed properties and Determined Eligible Properties** (2012), **California Register of Historical Resources** (2012), **California Points of Historical Interest** (2009), **California Investigation of Historic Resources** (1976), **California Historical Landmarks** (2012), **Gold Districts of California – Bulletin 193** (2012), **Historic Spots in California – Fifth Edition** (2002), **Handbook of North American Indians, Vol. 8, California** (1978), and **Built Environment Resource Directory** (2019).

## **RECOMMENDATIONS:**

Based upon the above information and the local topography, and regional history, the project is located in an area considered to be sensitive for prehistoric, protohistoric, and historic cultural resources. Konkow Maidu populations used the local region for seasonal and/or permanent settlement, as well as for the gathering of plants, roots, seeds, domestic materials, and hunting seasonal game. Historically, Euro-Americans utilized the region for farming and transportation opportunities.

Therefore, because the project area has not been previously surveyed, we recommend that a professional archaeologist be contacted to conduct a cultural resources survey of the entire project area. The project archaeologist will be able to offer recommendations for the preservation of or mitigation of effects on any cultural resources encountered as a result of field survey. A list of qualified consultants is available online at [www.chrisinfo.org](http://www.chrisinfo.org).

The project archaeologist should also contact the appropriate local Native American representatives for information regarding traditional cultural properties that may be located within project boundaries for which we have no records. The Native American Heritage Commission should be contacted at (916) 373-3710 for information regarding Native American representatives in the vicinity of the project.

During any phase of parcel development, if any potential prehistoric, protohistoric, and/or historic cultural resources are encountered, all work should cease in the area of the find pending an examination of the site and materials by the project archaeologist. This request to cease work in the area of a potential cultural resource find is intended for accidental discoveries made during construction activities, and is not intended as a substitute for the recommended cultural resources survey.

The fee for this project review is \$75.00 (1 hour Project Review Time @ \$75.00 per hour). Payment for this project review was received on May 27, 2020 (Check # 2013). Thank you for your dedication preserving Glenn County's and California's irreplaceable cultural heritages, and please feel free to contact us if you have any questions or need any further information or assistance.

Sincerely,

A handwritten signature in cursive script that reads "Kyle Deutsch".

Kyle Deutsch, BA  
GIS Specialist





## PUBLIC WORKS AGENCY

P.O. Box 1070 / 777 N. Colusa Street  
Willows, CA 95988

Airports  
Engineering  
Flood Control  
Roads & Bridges  
Solid Waste  
Surveyor  
Transit

**Cole Grube, P.E., Director**

May 28, 2020

Glenn County Planning and  
Community Development Services  
777 N. Colusa Street  
Willows, CA 95988

Attn: Greg Conant, Assistant Planner

Subject: Conditional Use Permit 2020-004 – Cousins Estate Vineyard, LLC

### Comments

That prior to any work being done in the County Right-of-Way an Encroachment Permit shall be applied for and received from the Glenn County Public Works Agency.

That the applicant shall construct off-street parking in accordance with the requirements of Title 15.610 of the Glenn County Code. Said parking areas shall be designed to accommodate all employees and customers.

### Conditions

That no off-site parking associated with this development shall be allowed on County Road 21.

Michael Biggs  
Engineering Technician III  
Glenn County Public Works

# GLENN COUNTY

## Planning & Community Development Services Agency Environmental Health Department

225 N Tehama St.  
Willows, CA 95988  
Tel: 530.934.6102 Fax: 530.934.6103  
[www.countyofglenn.net](http://www.countyofglenn.net)



DONALD RUST, Director

TO: John Lanier, Assistant Planner  
Planning & Community Development Services Agency

FROM: John Wells, Environmental Health Specialist  
Environmental Health

RE: CUP 2020-004 – Cousin Estate Vineyard, Inc. (APN 047-210-007)

DATE: July 8, 2020

Environmental Health has reviewed the Conditional Use Permit application for the proposed wine production and storage facility proposed for 7365 County Road 21, Orland, CA 95963. We have the following comments on the project:

### **Food Facility Permits**

The proposed project may require a *Processed Food Registration (PFR)* from the California Department of Public Health – Food and Drug Branch. The project may also require a *Retail Food Facility Permit* from Glenn County. There are several possibilities to consider:

- **The Project Produces Wine Only** – if the winery only makes wine and maintains a current wine growers/blenders license with the ABC, they do not need a PFR.
- **The Project Produces Wine and Other Food Items** – If the winery produces other food products such as grape juice, vinegar, or other processed foods, they will need a PFR in addition to an ABC license.
- **The Project Offers Retail Sale of Food Items** – Wine tasting rooms are exempt from the California Retail Food Code. However, any retail sale other than wine tasting or bottles of wine will require the facility to apply for a Retail Food Facility Permit from Glenn County.

### **Liquid Waste**

Wine, as a liquid waste, has a high *biological oxygen demand (BOD)*, which makes it difficult for bacteria break down during sewage treatment. Wine grapes, grape skins, and other winemaking wastes are similarly high BOD waste. High BOD wastes can overwhelm an onsite sewage disposal system (i.e. septic system) that has not been specifically designed for that purpose.

Implementation of a winery at the property will require the installation of an onsite sewage disposal system specifically to serve the winery. Due to the complex nature of treating liquid waste from a winery, the applicant will likely need to hire an engineer to design the system.

The Central Valley Regional Water Quality Control Board (RWQCB) may have additional requirements pertaining to waste water, storm water runoff, and related issues. The applicant should contact the RWQCB early in the planning process.

Please contact our office if you have any further questions pertaining to this project.

# GLENN COUNTY

## Planning & Community Development Services Agency

225 North Tehama Street  
Willows, CA 95988  
530-934-6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

### REQUEST FOR REVIEW

#### COUNTY DEPARTMENTS/DISTRICTS

- ☒ Glenn County Agricultural Commissioner
- ☒ Glenn County Air Pollution Control District/CUPA
- ☒ Glenn County Assessor
- ☒ Glenn County Building Inspector
- ☒ Glenn County Public Works Agency
- ☒ Glenn County Environmental Health Department
- ☒ Glenn County Sheriff's Department
- ☐ Glenn County Board of Supervisors
- ☐ Glenn County Counsel
- ☐ Glenn County Planning Commission
- ☐ Glenn LAFCO

#### FEDERAL AGENCIES

- ☐ U.S. Army Corps of Engineers
- ☐ U.S. Fish and Wildlife Service
- ☐ U.S. Department of Agriculture
- ☐ U.S. Bureau of Reclamation - Willows

#### OTHER

- ☐ California Water Service Co. (Chico)
- ☐ Sacramento River National Wildlife Refuge
- ☐ City of Willows
- ☐ Comcast Cable (Chico Office)
- ☐ Community Services District:
- ☒ Pacific Gas and Electric Company (PG&E)
- ☒ Fire Protection District: Orland Rural
- ☐ Glenn County Resource Conservation District
- ☒ School District: Orland Unified

#### STATE AGENCIES

- ☐ Central Valley Flood Protection Board
- ☒ Central Valley Regional Water Quality Control Board (RWQCB)
- ☒ State Water Resources Control Board – Division of Drinking Water
- ☒ Department of Alcoholic Beverage Control (ABC)
- ☐ Department of Conservation, Division of Land Resource Protection
- ☐ Department of Conservation, Office of Mine Reclamation (OMR)
- ☐ Department of Conservation, Division of Oil, Gas, and Geothermal Resources
- ☐ Department of Fish and Wildlife
- ☐ Department of Food and Agriculture
- ☐ Department of Forestry and Fire Protection (Cal Fire)
- ☐ Department of Housing and Community Development (HCD)
- ☐ Department of Public Health
- ☐ Department of Toxic Substances Control (DTSC)
- ☐ Department of Transportation (Caltrans)
- ☐ Department of Water Resources (DWR)
- ☐ Office of the State Fire Marshall
- ☐ CalRecycle

- ☒ Northeast Center of the California Historical Resources Information System
- ☒ Grindstone Rancheria of Wintun-Wailaki
- ☒ Paskenta Band of Nomlaki Indians
- ☒ Mechoopda Indian Tribe of Chico Rancheria
- ☒ Colusa Indian Community Council Cachil Dehe Band of Wintun Indians
- ☐ Railroad: Southern Pacific
- ☐ Orland-Artois Water District
- ☐ Sacramento-San Joaquin Draining District:
- ☐ Special District:
- ☐ Irrigation District

DATE: May 6, 2020

PROJECT: Conditional Use Permit 2020-004, Cousin Estate Vineyard, LLC

PLANNER: John Lanier, Assistant Planner; [ilanier@countyofglenn.net](mailto:ilanier@countyofglenn.net)

APPLICANT: Cousins Estate Vineyard, LLC  
7365 County Road 21  
Orland, CA 95963

LANDOWNER: Lonnie & Stacy St. Louis  
7365 County Road 21  
Orland, CA 95963

PROPOSAL: Conditional Use Permit 2020-004

The applicant is requesting a Conditional Use Permit in order to produce and store wine for sale to restaurants and club members for off-site consumption (Alcohol Beverage Control (ABC) Type 02 License). Additional project information/documentation has been included. Please refer to the attached application and plot plan.

LOCATION: The project site is located at 7365 County Road 21, on the north side of County Road 21, east of County Road S, and north of County Road 24, in the unincorporated area of Glenn County, California.

ZONING: Exclusive Agriculture

GENERAL PLAN: Intensive Agriculture

APN: 047-210-007

FLOOD ZONES: Flood Zone "X" (shaded) according to Flood Insurance Rate Map (FIRM) No. 06021C0425D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone "X" (shaded) is a moderate flood hazard area and consists of areas between the limits of the base flood and the 0.2-percent annual chance (or 500-year) flood.

The Glenn County Planning Division is requesting comments on this proposal for determination of completeness, potential constraints, and/or proposed conditions of approval. If comments are not received by **Friday, May 29, 2020**, it is assumed that there are no specific comments to be included in the analysis of the project. Comments submitted by e-mail are acceptable. Thank you for considering this matter.



**AGENCY COMMENTS:**

Please consider the following:

1. Is the information in the application complete enough to analyze impacts and conclude review?
2. Comments may include project-specific code requirements unique to the project. Cite code section and document (i.e. General Plan, Subdivision Map Act, etc.).
3. What are the recommended Conditions of Approval for this project and justification for each Condition? When should each Condition be accomplished (i.e. prior to any construction at the site, prior to recording the parcel map, filing the Final Map, or issuance of a Certificate of Occupancy, etc.)?
4. Are there significant environmental impacts? What mitigation(s) would bring the impacts to a less than significant level? When should mitigation(s) be accomplished (i.e. prior to recording parcel map, filing Final Map, or Certificate of Occupancy, etc.)?

GLENN COUNTY  
PLANNING AND COMMUNITY DEVELOPMENT SERVICES AGENCY  
777 North Colusa Street  
WILLOWS, CA 95988  
(530) 934-6540  
FAX (530) 934-6533  
[www.countyofglenn.net](http://www.countyofglenn.net)

**APPLICATION FOR CONDITIONAL USE PERMIT**

NOTE: FAILURE TO ANSWER APPLICABLE QUESTIONS AND REQUIRED ATTACHMENTS COULD DELAY THE PROCESSING OF YOUR APPLICATION.

1. Applicant(s):

Name: Cousin Estate Vineyard

Address: 7365 County Road 21 Orland, CA 95963

Phone: (Business) 530-520-0272 (Home) N/A

Fax: 530-865-7679 E-mail: lonnie@unhingedcellars.com

2. Property Owner(s):

Name: Lonnie + Stacy St. Louis

Address: 7365 County Road 21 Orland CA 95963

Phone: (Business) 530-520-0272 (Home) N/A

Fax: 530-865-7679 E-mail: ssstlouis2929@gmail.com

3. Engineer/Person who Prepared Site Plan (if applicable):

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: (Business) \_\_\_\_\_ (Home) \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**DECLARATION UNDER PENALTY OF PERJURY**

(Must be signed by Applicant(s) and Property Owner(s))

(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

Applicant(s):

Signed: Lonnie St. Louis Stacy St. Louis

Print: Lonnie & Stacy St. Louis

Date: 4-20-20

Address: 7365 County Road 21, Orland, CA 95963

I am (We are) the owner(s) of property involved in this application and I (We) have completed this application and all other documents required.

I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

I (We) declare under penalty of perjury that the foregoing is true and correct.

Property Owner(s):

Signed: Lonnie St. Louis Stacy St. Louis

Print: Lonnie & Stacy St. Louis

Date: 4-20-20

Address: 7365 County Road 21, Orland, CA 95963

4. Name and address of property owner's duly authorized agent (if applicable) who is to be furnished with notice of hearing (Section 65091 California Government Code).

Name: Lonnie St. Louis

Mailing Address: 7365 Co Rd 21 Orland CA. 95963

5. Request or Proposal:

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6. Address and Location of Project: 7365 Co Rd 21 Orland CA. 95963

7. Current Assessor's Parcel Number(s): 047-210-007-000

8. Existing Zoning: AE-40  
Zoning Map <http://gis.gcppwa.net/zoning/>

9. Existing Use of Property: Vineyard

10. Provide any additional information that may be helpful in evaluating this request:

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Case 2020-004

GLENN COUNTY  
PLANNING AND COMMUNITY DEVELOPMENT SERVICES AGENCY  
777 North Colusa Street  
WILLOWS, CA 95988  
(530) 934-6540  
FAX (530) 934-6533  
[www.countyofglenn.net](http://www.countyofglenn.net)

**ENVIRONMENTAL INFORMATION FORM**

To be completed by applicant or engineer  
Use extra sheets if necessary

This list is intended to meet the requirements of State of California Government Code Section 65940.

I. GENERAL INFORMATION:

1. Name: Lonnie St. Louis  
Address, City, State, Zip: 7365 Co Rd 21 Orland CA 95963  
Telephone: (530) 520-0272 Fax: (530) 865-7679  
E-mail: stlouis cab e hotmail.com
2. Name: \_\_\_\_\_  
Address, City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_
3. Address and Location of Project:  
7365 County Rd 21 Orland CA. 95963  
East of County rd. S
4. Current Assessor's Parcel Number(s):  
047-210-007-0
5. Existing Zoning: AE-40
6. Existing Use: Vineyard



7. Proposed Use of Site (project for which this form is prepared):

Winery / Vineyard - ABC App.

8. Indicate the type of permit(s) application(s) to which this form pertains:

ABC App.

9. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required:

CUP for ABC App.

10. List and describe any other related permit(s) and other public approvals required for this project, including those required by city, regional, state, and federal agencies:

11. Have any special studies been prepared for the project site that are related to the proposed project including, but not limited to traffic, biology, wetlands delineation, archaeology, etc? None

II. ENVIRONMENTAL SETTING:

1. Describe in detail the project site as it exists before the project, including information on topography, soil stability, plants and animals (wetlands, if any), different crops, irrigation systems, streams, creeks, rivers, canals, water table depth, and any cultural historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

The property is 10 acres in size with level topography, in flood zone, & is historically flood irrigated. Uses include rural residence, & cabinetry manufacturing. Recently 1 acre of the fallow land was developed with wine grapes. Water table & depth is unknown. There are no soil stability issues or wetlands on the property. Structures include a barn, mother in law unit, two shops, & primary rural residence.

2. Describe the surrounding properties, including information on plants, animals, and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, agricultural, etc.), intensity of land use (one-family, apartment houses, shops, department stores, dairy, row crops, orchards, etc.) Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

North: Almond Orchard & Rural HomeSite

East: Almond Orchard with Rural HomeSite

South: Olive Orchard

West: Olive Orchard with Rural HomeSite

3. Describe noise characteristics of the surrounding area (include significant noise sources):

Agricultural Farm Equipment during commodity season

### III. SPECIFIC ITEMS OF IMPACT:

1. Drainage:

Describe how increased runoff will be handled (on-site and off-site):

There are very little increases in irrigation with all irrigation being absorbed on site

Will the project change any drainage patterns? (Please explain):

No

Will the project require the installation or replacement of storm drains or channels? If yes, indicate length, size, and capacity:

No

Are there any gullies or areas of soil erosion? (Please explain):

No

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year?

No

If yes, you may be required to obtain authorization from other agencies such as the Army Corps of Engineers or California Department of Fish and Game.

2. Water Supply:

Indicate and describe source of water supply (domestic well, irrigation district, private water company):

Domestic Well

Will the project require the installation or replacement of new water service mains? No

3. Liquid Waste Disposal:

Will liquid waste disposal be provided by private on-site septic system or public sewer?: ~~Yes~~ No

If private on-site septic system, describe the proposed system (leach field or seepage pit) and include a statement and tests explaining percolation rates, soil types, and suitability for any onsite sewage disposal systems:

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Will any special or unique sewage wastes be generated by this project other than normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe)

No

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Should waste be generated by the proposed project other than that normally associated with a single family residence, Waste Discharge Requirements may be required by the Regional Water Quality Control Board.

4. Solid Waste Collection:

How will solid waste be collected? Individual disposal, private carrier, city?

No Solid waste

5. Source of Energy:

What is the source of energy (electricity, natural gas, propane)?:

electricity PG&E

If electricity, do any overhead electrical facilities require relocation? Is so, please describe:

No

If natural gas, do existing gas lines have to be increased in size? If yes, please describe:

No

Do existing gas lines require relocation? If yes, please describe:

No

6. Fire Protection:

Indicate number and size of existing and/or proposed fire hydrants and distance from proposed buildings:

No

Indicate number and capacity of existing and/or proposed water storage facilities and distance from proposed buildings:

No

IV. FOR ZONE CHANGE, ZONE VARIANCE, AND SPECIAL USE PERMIT APPLICATION:

1. Number and sizes of existing and proposed structures:

N/A

Square footage (structures) \_\_\_\_\_ S.F.; \_\_\_\_\_ S.F.  
(New) (Existing)

2. Percentage of lot coverage: N/A

3. Amount of off-street parking provided: N/A

4. Will the project be constructed in phases? If so, please describe each phase briefly:

N/A

5. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected:

N/A

6. If commercial, indicate type, estimated employment per shift, days and hours of operation, estimated number of daily customers/visitors on site at peak time, and loading facilities:

N/A

7. If industrial, indicate type, estimated employment per shift, and loading facilities:

N/A

8. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project:

N/A



9. List types and quantities of any hazardous or toxic materials, chemicals, pesticides, flammable liquids, or other similar product used as a part of the operation and storage container sizes:

N/A

Submit Material Safety Data Sheets (MSDS) for any proposed hazardous materials. If hazardous materials are proposed, it is recommended that the applicant contact the Air Pollution Control District/CUPA for permitting requirements.

10. Describe any earthwork (grading) to be done and dust control methods to be used during construction:

N/A

11. Describe any potential noise or vibration sources associated with the project (i.e. compressor, machine noise, heavy equipment).


N/A

12. Describe source, type, and amount of air pollutant emissions (smoke, odors, steam, gases, water vapor, dust, chemicals) from the project. Describe what methods would be used to reduce emissions:

N/A

V. CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 4-20-20 Signature: 

For: Cousin Estate Vineyard

According to Section 65943 for the California Government Code, your application will be reviewed within 30 days and you or your agent will receive written notice regarding the completeness of your application. Any reviewing agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

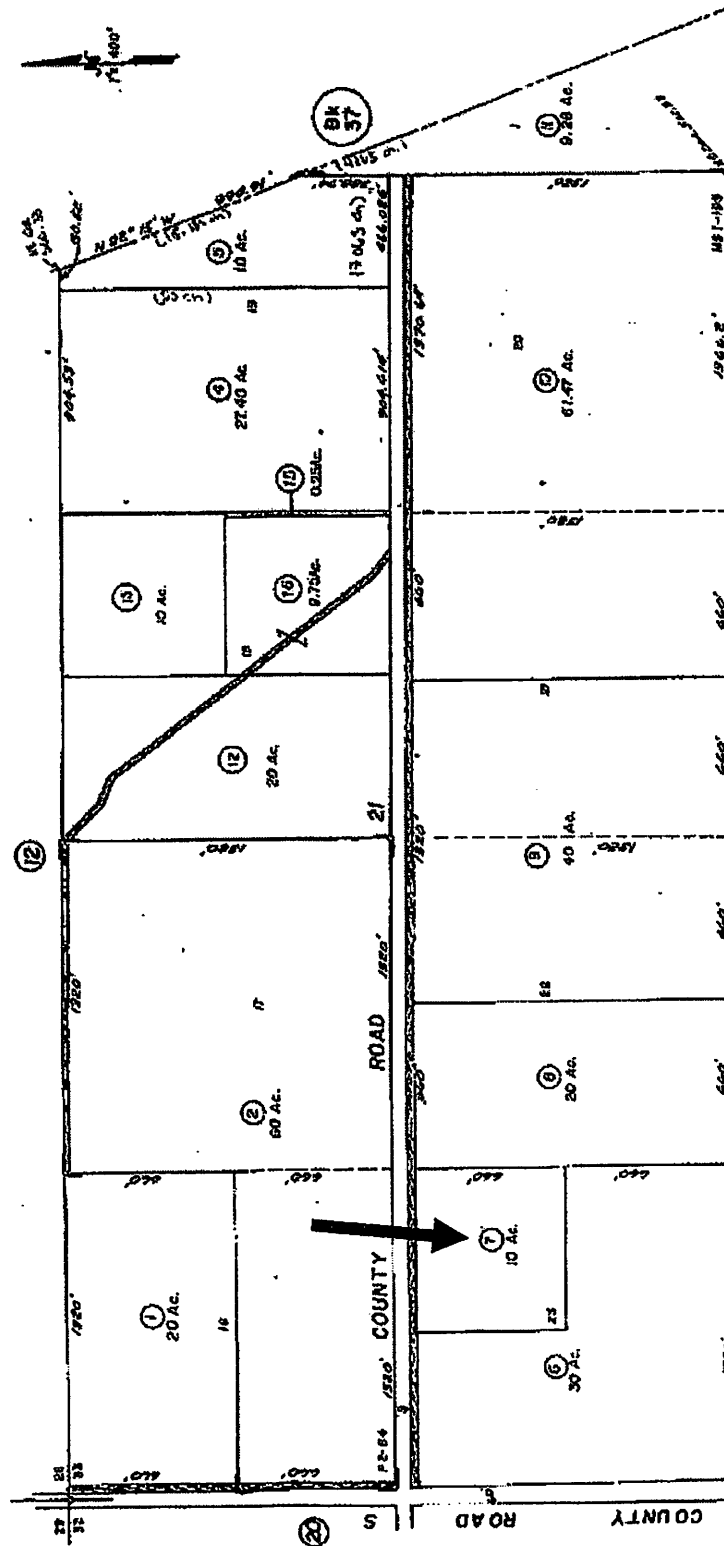
According to Section 65944 (C), additional information may be requested in order to comply with Division 13 of the State of California Public Resources Code.

The map attached, if any, may or may not be a survey of the land depicted hereon. Timios Title and it's Underwriters expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

# MAP

47-21

POR. U.S.I.D. SUBDIVISION NO. 15 &  
POR. SEC. 33, T. 22 N., R. 2 W., M.D.B. & M.



Assessor's Map Bk. 47 - Pg. 21  
County of Glenn, Calif.

(2009)

NOTE - Assessor's Block Numbers Shown in Ellipse  
Assessor's Parcel Numbers Shown in Circles

M. & S., Bk. 1, Pg. 199 - U.S.I.D. Subdivision No. 15  
P.M. Bk. 2, Pg. 84

## PRIVACY INFORMATION

### We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information. We agree that you have right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

### Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other sources, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

### Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

### Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

### Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

### Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of our information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

### Information Obtained Through Our Web Site

#### Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

#### Cookies

Some of First American's Web site may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

### Fair Information Values

**Fairness** We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

**Public Record** We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

**Use** We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

**Accuracy** We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

**Education** We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

**Security** We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

**CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY – 1990  
SCHEDULE B**

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1.
  - (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
  - (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable "doing business" laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim which arises out of the transaction vesting in the insured the estate or interest insured by their policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state of insolvency or similar creditors' rights laws.



- (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 or 10); or
  - (e) in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
- (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

#### EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

#### ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
  - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.

**2006 ALTA LOAN POLICY (06-17-06)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**2006 ALTA OWNER'S POLICY (06-17-06)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters

**EXHIBIT A**  
**LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)**  
**CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)**  
**EXCLUSIONS**

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
  - (a) building; (d) improvements on the Land;
  - (b) zoning; (e) land division; and
  - (c) land use; (f) environmental protection.
 This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
  - (a) that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
  - (b) that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
  - (c) that result in no loss to You; or
  - (d) that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
  - (a) to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
  - (b) in streets, alleys, or waterways that touch the Land.
 This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

**LIMITATIONS ON COVERED RISKS**

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows: For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16: 1% of Policy Amount or \$2,500.00 (whichever is less)	\$10,000.00
Covered Risk 18: 1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 19: 1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 21: 1% of Policy Amount or \$2,500.00 (whichever is less)	\$5,000.00

**ALTA RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)**  
**EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
  - (a) and use
  - (b) improvements on the land
  - (c) and division
  - (d) environmental protection
 This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
  - (a) a notice of exercising the right appears in the public records on the Policy Date
  - (b) the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking
3. Title Risks:
  - (a) that are created, allowed, or agreed to by you
  - (b) that are known to you, but not to us, on the Policy Date -- unless they appeared in the public records
  - (c) that result in no loss to you
  - (d) that first affect your title after the Policy Date -- this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
  - (a) to any land outside the area specifically described and referred to in Item 3 of Schedule A OR
  - (b) in streets, alleys, or waterways that touch your land
 This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

### **LEGAL DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA, COUNTY OF GLENN, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEAST QUARTER OF LOT 23 OF SUBDIVISION NO. 15 OF THE UNITED STATES IRRIGATION DISTRICT OF ORLAND, ACCORDING TO THE MAP OR PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF GLENN, STATE OF CALIFORNIA, ON APRIL 21, 1909, IN BOOK 1 OF MAPS AND SURVEYS, AT PAGE 199.

APN: 047-210-007-000

## NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

### NOTES:

- A. ACCORDING TO THE PUBLIC RECORDS, THERE HAS BEEN NO CONVEYANCE OF THE LAND WITHIN A PERIOD OF TWENTY-FOUR MONTHS PRIOR TO THE DATE OF THIS REPORT, EXCEPT AS FOLLOWS:**

**NONE**

- B. NONE OF THE ITEMS SHOWN IN THIS REPORT WILL CAUSE THE COMPANY TO DECLINE TO ATTACH CLTA ENDORSEMENT FORM 100 TO AN ALTA POLICY, WHEN ISSUED.**
- C. THERE IS LOCATED ON SAID LAND A SINGLE FAMILY RESIDENCE KNOWN AS 7359 COUNTY ROAD 21, IN THE CITY OF ORLAND, COUNTY OF GLENN, STATE OF CALIFORNIA.**
- D. THE POLICY TO BE ISSUED MAY CONTAIN AN ARBITRATION CLAUSE. WHEN THE AMOUNT OF INSURANCE IS LESS THAN THE CERTAIN DOLLAR AMOUNT SET FORTH IN ANY APPLICABLE ARBITRATION CLAUSE, ALL ARBITRABLE MATTERS SHALL BE ARBITRATED AT THE OPTION OF EITHER THE COMPANY OR THE INSURED AS THE EXCLUSIVE REMEDY OF THE PARTIES. IF YOU DESIRE TO REVIEW THE TERMS OF THE POLICY, INCLUDING ANY ARBITRATION CLAUSE THAT MAY BE INCLUDED, CONTACT THE OFFICE THAT ISSUED THIS COMMITMENT OR REPORT TO OBTAIN A SAMPLE OF THE POLICY JACKET FOR THE POLICY THAT IS TO BE ISSUED IN CONNECTION WITH YOUR TRANSACTION.**
- E. CANCELLATION FEES**  
**NOTE: PURSUANT TO RULE NO. 2 OF BULLETIN NO. NS-35 OF CALIFORNIA STATE INSURANCE COMMISSIONER THIS REPORT IS ISSUED SUBJECT TO A MINIMUM FEE OF \$400.00**



THE ABOVE DEED OF TRUST STATES THAT IT SECURES A LINE OF CREDIT. BEFORE THE CLOSE OF ESCROW, WE REQUIRE EVIDENCE SATISFACTORY TO US THAT (A) ALL CHECKS, CREDIT CARDS OR OTHER MEANS OF DRAWING UPON THE LINE OF CREDIT HAVE BEEN SURRENDERED TO ESCROW, (B) THE BORROWER HAS NOT DRAWN UPON THE LINE OF CREDIT SINCE THE LAST TRANSACTION REFLECTED IN THE LENDER'S PAYOFF DEMAND, AND (C) THE BORROWER HAS IN WRITING INSTRUCTED THE BENEFICIARY TO TERMINATE THE LINE OF CREDIT USING SUCH FORMS AND FOLLOWING SUCH PROCEDURES AS MAY BE REQUIRED BY THE BENEFICIARY

9. A FEDERAL TAX LIEN IN FAVOR OF THE UNITED STATES OF AMERICA, RECORDED NOVEMBER 26, 2019 AS INSTRUMENT NO. 2019-4775 OF OFFICIAL RECORDS.  
SERIAL NO.: 391573719  
DEBTOR: LONNIE M. ST LOUIS, ST LOUIS CABINETRY  
AMOUNT: \$18,287.00, AND ANY OTHER AMOUNTS DUE THEREUNDER.

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows:

1. PROPERTY TAXES, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES, TO BE LEVIED FOR THE FISCAL YEAR 2020-2021 THAT ARE A LIEN NOT YET DUE.
2. PROPERTY TAXES INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES, FOR THE FISCAL YEAR 2019-2020.

1 <sup>ST</sup> INSTALLMENT:	\$2,215.26	PAID 11/27/2019
2 <sup>ND</sup> INSTALLMENT:	\$2,215.26	DUE 02/01/2020
PENALTY AND COST:	\$231.10	IF NOT PAID BY 04/10/2020
TAX RATE AREA:	077004	
ASSESSMENT NO.:	047-210-007-000	

3. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF PART 0.5, CHAPTER 3.5 OR PART 2, CHAPTER 3, ARTICLES 3 AND 4 RESPECTIVELY (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A; OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO THE DATE OF THE POLICY.
4. RIGHTS OF THE UNITED STATES OF AMERICA AND THE ORLAND UNIT WATER USERS' ASSOCIATION IN AND TO THE LAND HEREINAFTER DESCRIBED AND WATER RIGHTS APPURTENANT THERETO AND ALL TRUSTS, AGREEMENTS, EASEMENTS, RIGHTS OF WAY, CHARGES AND LIENS OF EVERY NATURE ARISING OUT OF THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE UNITED STATES AND ORLAND IRRIGATION PROJECT, WITHIN WHICH PROJECT SAID LAND IS SITUATE. SUBJECT TO FUNDED AND DEFERRED CHARGES.

FOR ANY AMOUNTS DUE CONTACT:  
ORLAND UNIT WATER USERS' ASSOCIATION  
828 EIGHTH STREET  
ORLAND, CA 95963  
PHONE: 530-865-4126

5. AGREEMENT, U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION AND CONRAD GRANDT, DATED JANUARY 30, 1933 AND RECORDED FEBRUARY 14, 1933 IN BOOK 47 OF OFFICIAL RECORDS, AT PAGE 468. AGREEMENT IN REGARD TO LOCATION AND MAINTENANCE OF TURNOUT DITCH, ETC.
6. AGRICULTURAL STATEMENT OF ACKNOWLEDGMENT EXECUTED BY LONNIE M. ST. LOUIS AND STACY ST. LOUIS RECORDED SEPTEMBER 28, 1993 AS INSTRUMENT NO. 93-5159
7. A DEED OF TRUST TO SECURE AN INDEBTEDNESS IN THE ORIGINAL AMOUNT SHOWN BELOW.  
AMOUNT: \$152,900.00  
DATED: MARCH 7, 2013  
TRUSTOR: LONNIE MICHAEL ST. LOUIS AND STACY ANN ST. LOUIS, HUSBAND AND WIFE  
TRUSTEE: NORTH STATE TITLE  
BENEFICIARY: TRI COUNTIES BANK  
RECORDED: MARCH 18, 2013 AS INSTRUMENT NO. 2013-1193 OF OFFICIAL RECORDS
8. A DEED OF TRUST TO SECURE AN INDEBTEDNESS IN THE ORIGINAL AMOUNT SHOWN BELOW.  
AMOUNT: \$150,000.00  
DATED: MAY 13, 2015  
TRUSTOR: LONNIE MICHAEL ST. LOUIS AND STACY ANN ST. LOUIS, WHO ARE MARRIED TO EACH OTHER  
TRUSTEE: TIMIOS TITLE  
BENEFICIARY: TRI COUNTIES BANK  
RECORDED: MAY 15, 2015 AS INSTRUMENT NO. 2015-2221 OF OFFICIAL RECORDS.

# PRELIMINARY REPORT

**To:**  
LONNIE ST LOUIS  
STACY ST LOUIS

**Title Officer:**  
TITLE OFFICER: DEBBIE FALTESEK  
TIMIOS TITLE  
750 MAIN STREET  
RED BLUFF, CA 96080  
PHONE NO.: 530-988-5532

ESCROW NO: 71-00167914

**Property Address:**  
7359 COUNTY ROAD 21  
ORLAND, CA, 95963-9775

**Title No:**  
71-00167913

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy Forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a binder or commitment should be requested.

The form of Policy of title insurance contemplated by the report is:  
**ALTA STANDARD OWNER'S POLICY 2006**  
**ALTA LOAN POLICY 2006**  
Issued by: FIRST AMERICAN TITLE INSURANCE COMPANY

Dated as of: Mar 06, 2020 at 8:00 a.m.

The Estate or Interest in the land hereinafter described or referred to covered by this report is:

Fee Simple

Title to said estate of interest at the date hereof is vested in:

LONNIE MICHAEL ST. LOUIS AND STACY ANN ST. LOUIS, HUSBAND AND WIFE AS JOINT TENANTS

**RECORDATION REQUESTED BY:**

Tri Counties Bank  
Orland Branch  
100 East Walker Street  
P.O. Box 188  
Orland, CA 95963

**WHEN RECORDED MAIL TO:**

Tri Counties Bank  
Corporate Headquarters  
63 Constitution Drive  
Chico, CA 95973

FOR RECORDER'S USE ONLY



# **TRI COUNTIES BANK**

## **DEED OF TRUST**

Variable Interest Rate  
Revolving Line of Credit

THIS DEED OF TRUST is dated May 13, 2015, among Lonnie Michael St. Louis and Stacy Ann St. Louis, who are married to each other, whose address is 7365 County Road 21, Orland, CA 95963 ("Trustor"); Tri Counties Bank, whose address is Orland Branch, 100 East Walker Street, P.O. Box 188, Orland, CA 95963 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and Timios Title, whose address is 250 West Sycamore Street, Willows, CA 95988 (referred to below as "Trustee").

**CONVEYANCE AND GRANT.** For valuable consideration, Trustor irrevocably grants, transfers and assigns to Trustee in trust, with power of sale, for the benefit of Lender as Beneficiary, all of Trustor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in Glenn County, State of California:

See Exhibit "A", which is attached to this Deed of Trust and made a part of this Deed of Trust as if fully set forth herein.

The Real Property or its address is commonly known as 7365 County Road 21, Orland, CA 95963. The Assessor's Parcel Number for the Real Property is 047-210-007-0.

**REVOLVING LINE OF CREDIT.** This Deed of Trust secures the Indebtedness including, without limitation, a revolving line of credit, which obligates Lender to make advances to Trustor so long as Trustor complies with all the terms of the Credit Agreement. Notwithstanding the amount outstanding at any particular time, this Deed of Trust secures the total amount of the Credit Agreement. The unpaid balance of the revolving line of credit under the Credit Agreement may at certain times be Zero Dollars (\$0.00). A zero balance does not affect Lender's agreement to make advances to Trustor under the Credit Agreement. Therefore, Lender's interest under this Deed of Trust will remain in full force and effect notwithstanding a zero balance on the Credit Agreement. Such advances may be made, repaid, and remade from time to time, subject to the limitation that the total outstanding balance owing at any one time, not including finance charges on such balance at a fixed or variable rate or sum as provided in the Credit Agreement, any temporary overages, other charges, and any amounts expended or advanced as provided in either the Indebtedness paragraph or this paragraph, shall not exceed the Credit Limit as provided in the Credit Agreement. It is the intention of Trustor and Lender that this Deed of Trust secures the balance outstanding under the Credit Agreement from time to time from zero up to the Credit Limit as provided in the Credit Agreement and any intermediate balance.

Trustor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Trustor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. This is an absolute assignment of Rents made in connection with an obligation secured by real property pursuant to California Civil Code Section 2938. In addition, Trustor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

**THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF EACH OF TRUSTOR'S AGREEMENTS AND OBLIGATIONS UNDER THE CREDIT AGREEMENT, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:**

**PAYMENT AND PERFORMANCE.** Except as otherwise provided in this Deed of Trust, Trustor shall pay to Lender all amounts secured by

**DEED OF TRUST  
(Continued)**

this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Trustor's obligations under the Credit Agreement, this Deed of Trust, and the Related Documents.

**POSSESSION AND MAINTENANCE OF THE PROPERTY.** Trustor agrees that Trustor's possession and use of the Property shall be governed by the following provisions:

**Possession and Use.** Until the occurrence of an Event of Default, Trustor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property.

**Duty to Maintain.** Trustor shall maintain the Property in good condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

**Compliance With Environmental Laws.** Trustor represents and warrants to Lender that: (1) During the period of Trustor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Trustor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Trustor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from the Property; and (b) any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. Trustor authorizes Lender and its agents to enter upon the Property to make such inspections and tests, at Trustor's expense, as Lender may deem appropriate to determine compliance of the Property with this section of the Deed of Trust. Any inspections or tests made by Lender shall be for Lender's purposes only and shall not be construed to create any responsibility or liability on the part of Lender to Trustor or to any other person. The representations and warranties contained herein are based on Trustor's due diligence in investigating the Property for Hazardous Substances. Trustor hereby (1) releases and waives any future claims against Lender for indemnity or contribution in the event Trustor becomes liable for cleanup or other costs under any such laws; and (2) agrees to indemnify, defend, and hold harmless Lender against any and all claims, losses, liabilities, damages, penalties, and expenses which Lender may directly or indirectly sustain or suffer resulting from a breach of this section of the Deed of Trust or as a consequence of any use, generation, manufacture, storage, disposal, release or threatened release occurring prior to Trustor's ownership or interest in the Property, whether or not the same was or should have been known to Trustor. The provisions of this section of the Deed of Trust, including the obligation to indemnify and defend, shall survive the payment of the Indebtedness and the satisfaction and reconveyance of the lien of this Deed of Trust and shall not be affected by Lender's acquisition of any interest in the Property, whether by foreclosure or otherwise.

**Nuisance, Waste.** Trustor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Trustor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

**Removal of Improvements.** Trustor shall not demolish or remove any Improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any Improvements, Lender may require Trustor to make arrangements satisfactory to Lender to replace such Improvements with Improvements of at least equal value.

**Lender's Right to Enter.** Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Trustor's compliance with the terms and conditions of this Deed of Trust.

**Compliance with Governmental Requirements.** Trustor shall promptly comply with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property. Trustor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Trustor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Trustor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

**Duty to Protect.** Trustor agrees neither to abandon or leave unattended the Property. Trustor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

**DUE ON SALE - CONSENT BY LENDER.** Lender may, at Lender's option, declare immediately due and payable all sums secured by this Deed of Trust upon the sale or transfer, without Lender's prior written consent, of all or any part of the Real Property, or any interest in the Real Property. A "sale or transfer" means the conveyance of Real Property or any right, title or interest in the Real Property; whether legal, beneficial or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, leasehold interest with a term greater than three (3) years, lease-option contract, or by sale, assignment, or transfer of any beneficial interest in or to any land trust holding title to the Real Property, or by any other method of conveyance of an interest in the Real Property. However, this option shall not be exercised by Lender if such exercise is prohibited by applicable law.

**TAXES AND LIENS.** The following provisions relating to the taxes and liens on the Property are part of this Deed of Trust:

**Payment.** Trustor shall pay when due (and in all events at least ten (10) days prior to delinquency) all taxes, special taxes, assessments, charges (including water and sewer), fines and impositions levied against or on account of the Property, and shall pay when due all claims for work done on or for services rendered or material furnished to the Property. Trustor shall maintain the Property free of all liens having priority over or equal to the interest of Lender under this Deed of Trust, except for the lien of taxes and assessments not due, except for the Existing Indebtedness referred to below, and except as otherwise provided in this Deed of Trust.



**DEED OF TRUST  
(Continued)**

**Right to Contest.** Trustor may withhold payment of any tax, assessment, or claim in connection with a good faith dispute over the obligation to pay, so long as Lender's interest in the Property is not jeopardized. If a lien arises or is filed as a result of nonpayment, Trustor shall within fifteen (15) days after the lien arises or, if a lien is filed, within fifteen (15) days after Trustor has notice of the filing, secure the discharge of the lien, or if requested by Lender, deposit with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender in an amount sufficient to discharge the lien plus any costs and attorneys' fees, or other charges that could accrue as a result of a foreclosure or sale under the lien. In any contest, Trustor shall defend itself and Lender and shall satisfy any adverse judgment before enforcement against the Property. Trustor shall name Lender as an additional obligee under any surety bond furnished in the contest proceedings.

**Evidence of Payment.** Trustor shall upon demand furnish to Lender satisfactory evidence of payment of the taxes or assessments and shall authorize the appropriate governmental official to deliver to Lender at any time a written statement of the taxes and assessments against the Property.

**Notice of Construction.** Trustor shall notify Lender at least fifteen (15) days before any work is commenced, any services are furnished, or any materials are supplied to the Property, if any mechanic's lien, materialmen's lien, or other lien could be asserted on account of the work, services, or materials. Trustor will upon request of Lender furnish to Lender advance assurances satisfactory to Lender that Trustor can and will pay the cost of such improvements.

**PROPERTY DAMAGE INSURANCE.** The following provisions relating to insuring the Property are a part of this Deed of Trust.

**Maintenance of Insurance.** Trustor shall procure and maintain policies of fire insurance with standard extended coverage endorsements on a replacement basis for the full insurable value covering all improvements on the Real Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of Lender, together with such other hazard and liability insurance as Lender may reasonably require. Notwithstanding the foregoing, in no event shall Trustor be required to provide hazard insurance in excess of the replacement value of the improvements on the Real Property. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to Lender and issued by a company or companies reasonably acceptable to Lender. Trustor, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least ten (10) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Trustor or any other person. Should the Real Property be located in an area designated by the Administrator of the Federal Emergency Management Agency as a special flood hazard area, Trustor agrees to obtain and maintain Federal Flood Insurance, if available, within 45 days after notice is given by Lender that the Property is located in a special flood hazard area, for the maximum amount of Trustor's credit line and the full unpaid principal balance of any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Program, or as otherwise required by Lender, and to maintain such insurance for the term of the loan.

**Application of Proceeds.** Trustor shall promptly notify Lender of any loss or damage to the Property. Lender may make proof of loss if Trustor fails to do so within fifteen (15) days of the casualty. If in Lender's sole judgment Lender's security interest in the Property has been impaired, Lender may, at Lender's election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the Indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If the proceeds are to be applied to restoration and repair, Trustor shall repair or replace the damaged or destroyed Improvements in a manner satisfactory to Lender. Lender shall, upon satisfactory proof of such expenditure, pay or reimburse Trustor from the proceeds for the reasonable cost of repair or restoration if Trustor is not in default under this Deed of Trust. Any proceeds which have not been disbursed within 180 days after their receipt and which Lender has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to Lender under this Deed of Trust, then to pay accrued interest, and the remainder, if any, shall be applied to the principal balance of the Indebtedness. If Lender holds any proceeds after payment in full of the Indebtedness, such proceeds shall be paid to Trustor as Trustor's interests may appear.

**LENDER'S EXPENDITURES.** If Trustor fails (A) to keep the Property free of all taxes, liens, security interests, encumbrances, and other claims, (B) to provide any required insurance on the Property, or (C) to make repairs to the Property then Lender may do so. If any action or proceeding is commenced that would materially affect Lender's interests in the Property, then Lender on Trustor's behalf may, but is not required to, take any action that Lender believes to be appropriate to protect Lender's interests. All expenses incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Credit Agreement from the date incurred or paid by Lender to the date of repayment by Trustor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Credit Agreement and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Credit Agreement; or (C) be treated as a balloon payment which will be due and payable at the Credit Agreement's maturity. The Deed of Trust also will secure payment of these amounts. The rights provided for in this paragraph shall be in addition to any other rights or any remedies to which Lender may be entitled on account of any default. Any such action by Lender shall not be construed as curing the default so as to bar Lender from any remedy that it otherwise would have had.

**WARRANTY; DEFENSE OF TITLE.** The following provisions relating to ownership of the Property are a part of this Deed of Trust:

**Title.** Trustor warrants that: (a) Trustor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Deed of Trust, and (b) Trustor has the full right, power, and authority to execute and deliver this Deed of Trust to Lender.

**Defense of Title.** Subject to the exception in the paragraph above, Trustor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Trustor's title or the interest of Trustee or Lender under this Deed of Trust, Trustor shall defend the action at Trustor's expense. Trustor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Trustor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

**Compliance With Laws.** Trustor warrants that the Property and Trustor's use of the Property complies with all existing applicable

**DEED OF TRUST  
(Continued)**

laws, ordinances, and regulations of governmental authorities.

**Survival of Promises.** All promises, agreements, and statements Trustor has made in this Deed of Trust shall survive the execution and delivery of this Deed of Trust, shall be continuing in nature and shall remain in full force and effect until such time as Trustor's Indebtedness is paid in full.

**CONDEMNATION.** The following provisions relating to eminent domain and inverse condemnation proceedings are a part of this Deed of Trust:

**Proceedings.** If any eminent domain or inverse condemnation proceeding is commenced affecting the Property, Trustor shall promptly notify Lender in writing, and Trustor shall promptly take such steps as may be necessary to pursue or defend the action and obtain the award. Trustor may be the nominal party in any such proceeding, but Lender shall be entitled, at its election, to participate in the proceeding and to be represented in the proceeding by counsel of its own choice, and Trustor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

**Application of Net Proceeds.** If any award is made or settlement entered into in any condemnation proceedings affecting all or any part of the Property or by any proceeding or purchase in lieu of condemnation, Lender may at its election, and to the extent permitted by law, require that all or any portion of the award or settlement be applied to the Indebtedness and to the repayment of all reasonable costs, expenses, and attorneys' fees incurred by Trustee or Lender in connection with the condemnation proceedings.

**IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES.** The following provisions relating to governmental taxes, fees and charges are a part of this Deed of Trust:

**Current Taxes, Fees and Charges.** Upon request by Lender, Trustor shall execute such documents in addition to this Deed of Trust and take whatever other action is requested by Lender to perfect and continue Lender's lien on the Real Property. Trustor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Deed of Trust, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Deed of Trust.

**Taxes.** The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Deed of Trust or upon all or any part of the Indebtedness secured by this Deed of Trust; (2) a specific tax on Trustor which Trustor is authorized or required to deduct from payments on the Indebtedness secured by this type of Deed of Trust; (3) a tax on this type of Deed of Trust chargeable against the Lender or the holder of the Credit Agreement; and (4) a specific tax on all or any portion of the Indebtedness or on payments of principal and interest made by Trustor.

**Subsequent Taxes.** If any tax to which this section applies is enacted subsequent to the date of this Deed of Trust, this event shall have the same effect as an Event of Default, and Lender may exercise any or all of its available remedies for an Event of Default as provided below unless Trustor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

**SECURITY AGREEMENT; FINANCING STATEMENTS.** The following provisions relating to this Deed of Trust as a security agreement are a part of this Deed of Trust:

**Security Agreement.** This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

**Security Interest.** Upon request by Lender, Trustor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Personal Property. Trustor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Trustor shall not remove, sever or detach the Personal Property from the Property. Upon default, Trustor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Trustor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

**Addresses.** The mailing addresses of Trustor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Deed of Trust may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Deed of Trust.

**FURTHER ASSURANCES; ATTORNEY-IN-FACT.** The following provisions relating to further assurances and attorney-in-fact are a part of this Deed of Trust:

**Further Assurances.** At any time, and from time to time, upon request of Lender, Trustor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refiled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Trustor's obligations under the Credit Agreement, this Deed of Trust, and the Related Documents, and (2) the liens and security interests created by this Deed of Trust on the Property, whether now owned or hereafter acquired by Trustor. Unless prohibited by law or Lender agrees to the contrary in writing, Trustor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this paragraph.

**Attorney-in-Fact.** If Trustor fails to do any of the things referred to in the preceding paragraph, Lender may do so for and in the name of Trustor and at Trustor's expense. For such purposes, Trustor hereby irrevocably appoints Lender as Trustor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

**FULL PERFORMANCE.** If Trustor pays all the Indebtedness when due, terminates the credit line account, and otherwise performs all the obligations imposed upon Trustor under this Deed of Trust, Lender shall execute and deliver to Trustee a request for full reconveyance and shall execute and deliver to Trustor suitable statements of termination of any financing statement on file evidencing Lender's security interest in the Rents and the Personal Property. Lender may charge Trustor a reasonable reconveyance fee at the time of reconveyance.

**DEED OF TRUST  
(Continued)**

**EVENTS OF DEFAULT.** Trustor will be in default under this Deed of Trust if any of the following happen: (A) Trustor commits fraud or makes a material misrepresentation at any time in connection with the Credit Agreement. This can include, for example, a false statement about Trustor's income, assets, liabilities, or any other aspects of Trustor's financial condition. (B) Trustor does not meet the repayment terms of the Credit Agreement. (C) Trustor's action or inaction adversely affects the collateral or Lender's rights in the collateral. This can include, for example, failure to maintain required insurance, waste or destructive use of the dwelling, failure to pay taxes, death of all persons liable on the account, transfer of title or sale of the dwelling, creation of a senior lien on the dwelling without Lender's permission, foreclosure by the holder of another lien, or the use of funds or the dwelling for prohibited purposes.

**RIGHTS AND REMEDIES ON DEFAULT.** If an Event of Default occurs under this Deed of Trust, at any time thereafter, Trustee or Lender may exercise any one or more of the following rights and remedies:

**Election of Remedies.** All of Lender's rights and remedies will be cumulative and may be exercised alone or together. An election by Lender to choose any one remedy will not bar Lender from using any other remedy. If Lender decides to spend money or to perform any of Trustor's obligations under this Deed of Trust, after Trustor's failure to do so, that decision by Lender will not affect Lender's right to declare Trustor in default and to exercise Lender's remedies.

**Foreclosure by Sale.** Upon an Event of Default under this Deed of Trust, Beneficiary may declare the entire Indebtedness secured by this Deed of Trust immediately due and payable by delivery to Trustee of written declaration of default and demand for sale and of written notice of default and of election to cause to be sold the Property, which notice Trustee shall cause to be filed for record. Beneficiary also shall deposit with Trustee this Deed of Trust, the Credit Agreement, other documents requested by Trustee, and all documents evidencing expenditures secured hereby. After the lapse of such time as may then be required by law following the recordation of the notice of default, and notice of sale having been given as then required by law, Trustee, without demand on Trustor, shall sell the Property at the time and place fixed by it in the notice of sale, either as a whole or in separate parcels, and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee may postpone sale of all or any portion of the Property by public announcement at such time and place of sale, and from time to time thereafter may postpone such sale by public announcement at the time fixed by the preceding postponement in accordance with applicable law. Trustee shall deliver to such purchaser its deed conveying the Property so sold, but without any covenant or warranty, express or implied. The recitals in such deed of any matters or facts shall be conclusive proof of the truthfulness thereof. Any person, including Trustor, Trustee or Beneficiary may purchase at such sale. After deducting all costs, fees and expenses of Trustee and of this Trust, including cost of evidence of title in connection with sale, Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid, with accrued interest at the amount allowed by law in effect at the date hereof; all other sums then secured hereby; and the remainder, if any, to the person or persons legally entitled thereto.

**Judicial Foreclosure.** With respect to all or any part of the Real Property, Lender shall have the right in lieu of foreclosure by power of sale to foreclose by judicial foreclosure in accordance with and to the full extent provided by California law.

**UCC Remedies.** With respect to all or any part of the Personal Property, Lender shall have all the rights and remedies of a secured party under the Uniform Commercial Code, including without limitation the right to recover any deficiency in the manner and to the full extent provided by California law.

**Collect Rents.** Lender shall have the right, without notice to Trustor to take possession of and manage the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender may require any tenant or other user of the Property to make payments of rent or use fees directly to Lender. If the Rents are collected by Lender, then Trustor irrevocably designates Lender as Trustor's attorney-in-fact to endorse instruments received in payment thereof in the name of Trustor and to negotiate the same and collect the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

**Appoint Receiver.** Lender shall have the right to have a receiver appointed to take possession of all or any part of the Property, with the power to protect and preserve the Property, to operate the Property preceding foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver.

**Tenancy at Sufferance.** If Trustor remains in possession of the Property after the Property is sold as provided above or Lender otherwise becomes entitled to possession of the Property upon default of Trustor, Trustor shall become a tenant at sufferance of Lender or the purchaser of the Property and shall, at Lender's option, either (1) pay a reasonable rental for the use of the Property, or (2) vacate the Property immediately upon the demand of Lender.

**Other Remedies.** Trustee or Lender shall have any other right or remedy provided in this Deed of Trust or the Credit Agreement or available at law or in equity.

**Notice of Sale.** Lender shall give Trustor reasonable notice of the time and place of any public sale of the Personal Property or of the time after which any private sale or other intended disposition of the Personal Property is to be made. Reasonable notice shall mean notice given at least ten (10) days before the time of the sale or disposition. Any sale of the Personal Property may be made in conjunction with any sale of the Real Property.

**Sale of the Property.** To the extent permitted by applicable law, Trustor hereby waives any and all rights to have the Property marshalled. In exercising its rights and remedies, the Trustee or Lender shall be free to sell all or any part of the Property together or separately, in one sale or by separate sales. Lender shall be entitled to bid at any public sale on all or any portion of the Property.

**Attorneys' Fees; Expenses.** If Lender institutes any suit or action to enforce any of the terms of this Deed of Trust, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are

**DEED OF TRUST  
(Continued)**

necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Credit Agreement rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees and Lender's legal expenses, whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Trustor also will pay any court costs, in addition to all other sums provided by law.

**Rights of Trustee.** Trustee shall have all of the rights and duties of Lender as set forth in this section.

**POWERS AND OBLIGATIONS OF TRUSTEE.** The following provisions relating to the powers and obligations of Trustee are part of this Deed of Trust:

**Powers of Trustee.** In addition to all powers of Trustee arising as a matter of law, Trustee shall have the power to take the following actions with respect to the Property upon the written request of Lender and Trustor: (a) join in preparing and filing a map or plat of the Real Property, including the dedication of streets or other rights to the public; (b) join in granting any easement or creating any restriction on the Real Property; and (c) join in any subordination or other agreement affecting this Deed of Trust or the interest of Lender under this Deed of Trust.

**Obligations to Notify.** Trustee shall not be obligated to notify any other party of a pending sale under any other trust deed or lien, or of any action or proceeding in which Trustor, Lender, or Trustee shall be a party, unless the action or proceeding is brought by Trustee.

**Trustee.** Trustee shall meet all qualifications required for Trustee under applicable law. In addition to the rights and remedies set forth above, with respect to all or any part of the Property, the Trustee shall have the right to foreclose by notice and sale, and Lender will have the right to foreclose by judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law.

**Successor Trustee.** Lender, at Lender's option, may from time to time appoint a successor Trustee to any Trustee appointed under this Deed of Trust by an instrument executed and acknowledged by Lender and recorded in the office of the recorder of Glenn County, State of California. The instrument shall contain, in addition to all other matters required by state law, the names of the original Lender, Trustee, and Trustor, the book and page where this Deed of Trust is recorded, and the name and address of the successor trustee, and the instrument shall be executed and acknowledged by Lender or its successors in interest. The successor trustee, without conveyance of the Property, shall succeed to all the title, power, and duties conferred upon the Trustee in this Deed of Trust and by applicable law. This procedure for substitution of Trustee shall govern to the exclusion of all other provisions for substitution.

**Acceptance by Trustee.** Trustee accepts this Trust when this Deed of Trust, duly executed and acknowledged, is made a public record as provided by law.

**NOTICES.** Any notice required to be given under this Deed of Trust shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Deed of Trust. Trustor requests that copies of any notices of default and sale be directed to Trustor's address shown near the beginning of this Deed of Trust. All copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust shall be sent to Lender's address, as shown near the beginning of this Deed of Trust. Any person may change his or her address for notices under this Deed of Trust by giving formal written notice to the other person or persons, specifying that the purpose of the notice is to change the person's address. For notice purposes, Trustor agrees to keep Lender informed at all times of Trustor's current address. Unless otherwise provided or required by law, if there is more than one Trustor, any notice given by Lender to any Trustor is deemed to be notice given to all Trustors. It will be Trustor's responsibility to tell the others of the notice from Lender.

**STATEMENT OF OBLIGATION FEE.** Lender may collect a fee, not to exceed the maximum amount permitted by law, for furnishing the statement of obligation as provided by Section 2943 of the Civil Code of California.

**MISCELLANEOUS PROVISIONS.** The following miscellaneous provisions are a part of this Deed of Trust:

**Amendments.** What is written in this Deed of Trust and in the Related Documents is Trustor's entire agreement with Lender concerning the matters covered by this Deed of Trust. To be effective, any change or amendment to this Deed of Trust must be in writing and must be signed by whoever will be bound or obligated by the change or amendment.

**Caption Headings.** Caption headings in this Deed of Trust are for convenience purposes only and are not to be used to interpret or define the provisions of this Deed of Trust.

**Merger.** There shall be no merger of the interest or estate created by this Deed of Trust with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

**Governing Law.** This Deed of Trust will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of California without regard to its conflicts of law provisions. This Deed of Trust has been accepted by Lender in the State of California.

**Choice of Venue.** If there is a lawsuit, Trustor agrees upon Lender's request to submit to the jurisdiction of the courts of Glenn County, State of California.

**Joint and Several Liability.** All obligations of Trustor under this Deed of Trust shall be joint and several, and all references to Trustor shall mean each and every Trustor. This means that each Trustor signing below is responsible for all obligations in this Deed of Trust.

**No Waiver by Lender.** Trustor understands Lender will not give up any of Lender's rights under this Deed of Trust unless Lender does so in writing. The fact that Lender delays or omits to exercise any right will not mean that Lender has given up that right. If Lender does agree in writing to give up one of Lender's rights, that does not mean Trustor will not have to comply with the other provisions

**DEED OF TRUST  
(Continued)**

of this Deed of Trust. Trustor also understands that if Lender does consent to a request, that does not mean that Trustor will not have to get Lender's consent again if the situation happens again. Trustor further understands that just because Lender consents to one or more of Trustor's requests, that does not mean Lender will be required to consent to any of Trustor's future requests. Trustor waives presentment, demand for payment, protest, and notice of dishonor.

**Severability.** If a court finds that any provision of this Deed of Trust is not valid or should not be enforced, that fact by itself will not mean that the rest of this Deed of Trust will not be valid or enforced. Therefore, a court will enforce the rest of the provisions of this Deed of Trust even if a provision of this Deed of Trust may be found to be invalid or unenforceable.

**Successors and Assigns.** Subject to any limitations stated in this Deed of Trust on transfer of Trustor's interest, this Deed of Trust shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Trustor, Lender, without notice to Trustor, may deal with Trustor's successors with reference to this Deed of Trust and the indebtedness by way of forbearance or extension without releasing Trustor from the obligations of this Deed of Trust or liability under the Indebtedness.

**Time is of the Essence.** Time is of the essence in the performance of this Deed of Trust.

**DEFINITIONS.** The following words shall have the following meanings when used in this Deed of Trust:

**Beneficiary.** The word "Beneficiary" means Tri Counties Bank, and its successors and assigns.

**Borrower.** The word "Borrower" means Lonnie Michael St. Louis and Stacy Ann St. Louis and includes all co-signers and co-makers signing the Credit Agreement and all their successors and assigns.

**Credit Agreement.** The words "Credit Agreement" mean the credit agreement dated May 13, 2015, with credit limit of **\$150,000.00** from Trustor to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement. **NOTICE TO TRUSTOR: THE CREDIT AGREEMENT CONTAINS A VARIABLE INTEREST RATE.**

**Deed of Trust.** The words "Deed of Trust" mean this Deed of Trust among Trustor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

**Environmental Laws.** The words "Environmental Laws" mean any and all state, federal and local statutes, regulations and ordinances relating to the protection of human health or the environment, including without limitation the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq. ("CERCLA"), the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499 ("SARA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq., Chapters 6.5 through 7.7 of Division 20 of the California Health and Safety Code, Section 25100, et seq., or other applicable state or federal laws, rules, or regulations adopted pursuant thereto.

**Event of Default.** The words "Event of Default" mean any of the events of default set forth in this Deed of Trust in the events of default section of this Deed of Trust.

**Existing Indebtedness.** The words "Existing Indebtedness" mean the indebtedness described in the Existing Liens provision of this Deed of Trust.

**Hazardous Substances.** The words "Hazardous Substances" mean materials that, because of their quantity, concentration or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly used, treated, stored, disposed of, generated, manufactured, transported or otherwise handled. The words "Hazardous Substances" are used in their very broadest sense and include without limitation any and all hazardous or toxic substances, materials or waste as defined by or listed under the Environmental Laws. The term "Hazardous Substances" also includes, without limitation, petroleum and petroleum by-products or any fraction thereof and asbestos.

**Improvements.** The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

**Indebtedness.** The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Credit Agreement or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Credit Agreement or Related Documents and any amounts expended or advanced by Lender to discharge Trustor's obligations or expenses incurred by Trustee or Lender to enforce Trustor's obligations under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust.

**Lender.** The word "Lender" means Tri Counties Bank, its successors and assigns. The words "successors or assigns" mean any person or company that acquires any interest in the Credit Agreement.

**Personal Property.** The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Trustor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

**Property.** The word "Property" means collectively the Real Property and the Personal Property.

**Real Property.** The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

**Related Documents.** The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness; except that the words do not mean any guaranty or environmental agreement, whether now or hereafter existing, executed in connection with the Indebtedness.

**Rents.** The word "Rents" means all present and future leases, rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property together with the cash proceeds of the Rents.



# DEED OF TRUST (Continued)

**Trustee.** The word "Trustee" means Timios Title, whose address is 250 West Sycamore Street, Willows, CA 95988 and any substitute or successor trustees.

**Trustor.** The word "Trustor" means Lonnie Michael St. Louis and Stacy Ann St. Louis.

EACH TRUSTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND EACH TRUSTOR AGREES TO ITS TERMS, INCLUDING THE VARIABLE RATE PROVISIONS OF THE CREDIT AGREEMENT SECURED BY THIS DEED OF TRUST.

TRUSTOR:

x Lonnie Michael St. Louis  
Lonnie Michael St. Louis

x Stacy Ann St. Louis  
Stacy Ann St. Louis

## CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF California )  
 ) SS  
COUNTY OF Glenn )

On May 15, 2015 before me, Gina Forbes, Notary Public  
(here insert name and title of the officer)

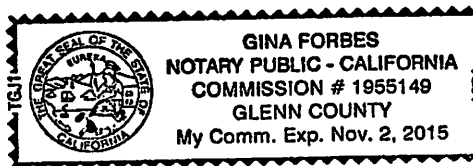
personally appeared Lonnie Michael St. Louis and Stacy Ann St. Louis, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gina Forbes

(Seal)



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**(DO NOT RECORD)**  
**REQUEST FOR FULL RECONVEYANCE**  
(To be used only when obligations have been paid in full)

To: \_\_\_\_\_, Trustee

The undersigned is the legal owner and holder of all indebtedness secured by this Deed of Trust. All sums secured by this Deed of Trust have been fully paid and satisfied. You are hereby directed, upon payment to you of any sums owing to you under the terms of this Deed of Trust or pursuant to any applicable statute, to cancel the Credit Agreement secured by this Deed of Trust (which is delivered to you together with this Deed of Trust), and to reconvey, without warranty, to the parties designated by the terms of this Deed of Trust, the estate now held by you under this Deed of Trust. Please mail the reconveyance and Related Documents to:

Date: \_\_\_\_\_

Beneficiary: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

**APPLICATION SIGNATURE SHEET ("SIGN ON")**

- Read instructions on reverse before completing.
- All signatures must be witnessed by an ABC employee or notarized in accordance with laws of the State where signed.

## 1. OWNERSHIP TYPE (Check one)

- ☐ Sole Owner      ☐ Partnership-Ltd  
☐ Partnership      ☐ Corporation  
☐ Married Couple      ☒ Limited Liability Company  
☐ Domestic Partner      ☐ Other \_\_\_\_\_

2. FILE NUMBER (If any)

3. LICENSE TYPE

02 Winegrowers  
License

## 4. TRANSACTION TYPE

- ☒ Original      ☐ Person to Person Transfer  
☐ Exchange      ☐ Premise to Premise Transfer  
☐ Other \_\_\_\_\_

5. APPLICANT(S) NAME (Last, first, middle)

Cousins Estate Vineyard, LLC (~~ABC~~ Unhinged Cellars (DBA))

6. APPLICANT'S MAILING ADDRESS (Street address/P.O. box, city, state, zip code)

7365 County Road 21, Orland, CA 95963

7. PREMISES ADDRESS (Street address, city, zip code)

7365 County Road 21, Orland, CA 95963

**APPLICANT'S CERTIFICATION**

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He/She is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he/she has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed

transfer is not made to (a) satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department, (b) to gain or establish a preference to or for any creditor or transferor, or (c) to defraud or injure any creditor or transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

I understand that if I fail to qualify for the license or withdraw this application, the application fee shall be non-refundable as specified in Section 23320 B&P.

**SOLE OWNER**

8. PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

**PARTNERSHIP/LIMITED PARTNERSHIP (Signatures of general partners only)**

9. PARTNER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

PARTNER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

PARTNER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

**CORPORATION**

10. PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

TITLE

☐ President    ☐ Vice President    ☐ Chairman of the Board

PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

TITLE

☐ Secretary    ☐ Asst. Secretary    ☐ Chief Financial Officer    ☐ Asst. Treasurer
**LIMITED LIABILITY COMPANY**

11. The limited liability company is member-run

☒ Yes☐ No

(If no, complete Item #12 below)

12. NAME OF DESIGNATED MANAGER, MANAGING MEMBER OR DESIGNATED OFFICER (Last, first, middle)

13. MEMBER'S PRINTED NAME (Last, first, middle)

Homer II, Atlee, Anthony

SIGNATURE

X

DATE SIGNED

2-21-20

MEMBER'S PRINTED NAME (Last, first, middle)

SIGNATURE

X

DATE SIGNED

2-21-20

**APPLICATION SIGNATURE SHEET (continued)****APPLICANT'S CERTIFICATION**

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He/She is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he/she has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed

transfer is not made to (a) satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department, (b) to gain or establish a preference to or for any creditor or transferor, or (c) to defraud or injure any creditor or transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

I understand that if I fail to qualify for the license or withdraw this application, the application fee shall be non-refundable up to the amount specified in B&P Section 23320.

**ADDITIONAL SIGNATURES**

14. PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
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PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED
PRINTED NAME (Last, first, middle)	SIGNATURE X	DATE SIGNED

**INSTRUCTIONS AND GENERAL INFORMATION**

- Type or print clearly in black or blue ink (do not use red).
- If you need more space for signatures, use Item #14.

**Ownership Type** (Item #1) - Check the box for the type of ownership for the business.

**File Number** (Item #2) - If this is an application for a transfer or exchange, enter the number assigned to the specific license being transferred or exchanged.

**License Type** (Item #3) - Enter the numeric designation for the license (e.g., Type 21) or description (e.g., Off-Sale General).

**Transaction Type** (Item #4) - Check the box for the type of transaction.

**Applicant(s) Name** (Item #5) - Enter the name of the applicant. For a general partnership, the names of the individual partners. For a limited partnership, limited liability company, or a corporation, the name of the entity.

**Applicant's Mailing Address** (Item #6) - Enter the address where you wish to receive mail. May be different from the premises address. Business and mailing addresses are public information and are available to the public. Please consider this, especially when listing a mailing address.

**Premises Address** (Item #7) - Enter the location of the premises for which the license is applied.

**Partnerships** (Item #9) - The application must be signed by each of the partners (e.g., general partnerships, husband and wife, etc.) **Limited Partnerships** - The application must be signed by each of the general partners. Limited partners do not need to sign.

**Corporations** (Item #10) - The application must be signed by two officers of the corporation, one from each of the following categories: (a) The chairperson of the board, the president, or a vice president; and (b) the secretary, assistant secretary, chief financial officer, or assistant treasurer.

**Limited Liability Companies** (Item #13) - For a limited liability company that is managed by its members, the application must be signed by each member or by an officer authorized by the articles of organization or the operating agreement to bind the company. For a limited liability company that is managed by a manager or managers, the application must be signed by the manager or managers or by an officer authorized by the articles of organization or the operating agreement to bind the company.

Department of Alcoholic Beverage Control  
**APPLICATION QUESTIONNAIRE**

State of California  
Gavin Newsom, Governor

*Please read instructions, which includes Privacy Notice, before completing form.*

1. APPLICANT'S NAME(S) (If an individual, first name, middle name, last name. Name of entity if corporation, limited partnership or limited liability company.)

**Cousins Estate Vineyard, LLC**

P-12 LICENSEE

☐ Yes

☒ No

(If yes, complete form ABC-811)

2. LICENSE TYPE(S) (Check appropriate items)

☐ 20 Off-Sale Beer & Wine

☐ 21 Off-Sale General

☐ 40 On-Sale Beer

☐ 41 On-Sale Beer & Wine Eating Place

☐ 42 On-Sale Beer & Wine Public Premises

☐ 47 On-Sale General Eating Place

☐ 48 On-Sale General Public Premises

☒ Other **02 Winegrowers**

3. TRANSACTION TYPE (Check appropriate item)

☒ Original (New)

Person-to-Person Transfer (check appropriate section):

Section 24071 (Surviving spouse, corporations, fiduciaries, etc.)

Section 24071.1 (Corporate Stock/Limited Partnership)

Section 24071.2 (Limited Liability Company)

Premises-to-Premises Transfer

Exchange

Other

4. TEMPORARY PERMIT REQUESTED (Person-to-Person transfers only)

☐ Yes

☒ No

5. PREMISES ADDRESS (Where license to be issued) (Street number and name, city, zip code)

**7365 County Road 21, Orland, CA. 95963**

County

**Glenn**

6. PREMISES TELEPHONE NUMBER

**(530) 520-0272**

7. PREMISES ARE INSIDE CITY LIMITS

☐ Yes

☒ No

8. BUSINESS NAME (DBA) YOU WILL USE

**Unhinged Cellars**

9. BUSINESS MAILING ADDRESS (Street number and name, city, state, zip code)

**7365 County Road 21, Orland, CA. 95963**

10. MAILING ADDRESS

☒ Permanent

☐ Temporary

11. ABC LICENSE COST (Item #33a on reverse)

**\$905**

12. SUBTOTAL (Item #33f on reverse)

**\$905**

13. HAS THE APPLICANT(S) EVER BEEN  
CONVICTED OF A FELONY?

☐ Yes

☒ No

14. HAS THE APPLICANT(S) EVER VIOLATED ANY OF THE PROVISIONS OF THE ALCOHOLIC BEVERAGE CONTROL ACT OR REGULATIONS  
OF THE DEPARTMENT PERTAINING TO THE ACT?

☐ Yes

☒ No

15. IF YES TO ITEM 13 OR 14, PLEASE EXPLAIN

16. TRANSFEROR'S NAME (If an individual, last, first, middle. Name of entity if corporation, limited partnership or limited liability company.)

17. ABC LICENSE NUMBER

18. TRANSFEROR'S PREMISES ADDRESS (Where license is now issued) (Street number and name, city, zip code)

19. PREMISES UNDER CONSTRUCTION

☐ Yes

☐ No

IF YES, LIST ESTIMATED COMPLETION DATE

20. FRANCHISE

☐ Yes

☐ No

21. NAME OF PERSON WE MAY CONTACT (For the applicant)

22. TITLE OF CONTACT PERSON

23. CONTACT TELEPHONE NUMBER

( )

24. CONTACT E-MAIL ADDRESS

25. PREMISES IS CURRENTLY LICENSED

☐ Yes

☐ No

IF YES, TYPE OF LICENSE

26. CURRENT LICENSE IS OPERATING

☐ Yes

☐ No

IF NO, DATE CLOSED

**FINANCIAL INFORMATION**

27. ESCROW COMPANY'S NAME

ESCROW COMPANY'S ADDRESS

TELEPHONE NUMBER

( )

28. BOOKKEEPER/ACCOUNTANT'S NAME

BOOKKEEPER/ACCOUNTANT'S ADDRESS

TELEPHONE NUMBER

( )

29. LANDLORD'S NAME

LANDLORD'S ADDRESS

TELEPHONE NUMBER

( )

30. MONTHLY RENT

31. LEASE EXPIRATION DATE

32. INDICATE WHETHER LEASE OR RENTAL AGREEMENT INCLUDES FURNITURE OR FIXTURES

☐ All

☐ Some

☐ None



**33. INVESTMENT INFORMATION**

	COST
a. ABC License	\$ 905
b. Furniture/fixtures	\$ 0
c. Inventory	\$ 0
d. Goodwill/non-compete covenant	\$ 0
e. Leasehold and/or Improvements	\$ 0
f. <b>SUBTOTAL</b> (Usually should equal the recorded notice)	\$ 0
g. Fees for other licenses, permits, and deposits (approximate). Include Federal, State, County or City license fees or permits; lease and utility deposits	\$ 0
h. Working capital (approximate)	\$ 12,000
i. Realty or interest therein	\$ 0
j. <b>TOTAL INVESTMENT (Items f through i)</b> (will equal total of amounts listed in item #33)	\$ 12,905.00

**34. Source of Funds for Total Investment (item #33j) - identify amount(s), type(s) and explain source(s) and/or terms of Repayment**

Amount	Type	Source and/or Terms of Repayment
<i>Examples</i> \$1,000	Gift	John Doe, Brother
\$15,000	Promissory Note	to seller, payable @ \$1,000 per month for 15 months
\$10,000	Loan	from ABC Bank, @ 8.5% over 5 yrs; monthly payment = \$2,052
\$4,305.00	Personal Bank Account	Atlee and Kelly Horner Wells Fargo Bank Account
\$4,300.00	Personal Bank Account	Lonnie and Stacy St. Louis Tri-County Bank Account
\$4,300.00	Personal Bank Account	Wade and Janelle Maxwell Bank of America Bank Account

**35. LIST ALL BANK ACCOUNTS FOR THIS BUSINESS OPERATION**

BANK NAME	BANK ADDRESS	ACCOUNT NUMBER
a. Tri County Bank	100 East Walker St., Orland, CA	077025017
b.		

**c. NAMES OF ALL PERSONS AUTHORIZED TO SIGN ON BANK ACCOUNT(S) (Print)**

I understand that falsification of the information on this form may constitute grounds for denial or revocation of the license(s). For a period of 90 days from this date, I/we hereby authorize the Department of Alcoholic Beverage Control, or any of its officers, to examine and secure copies of financial records consisting of signature cards, checking and savings accounts, notes and loan documents, deposit and withdrawal records, and escrow documents of my/our financial institution(s) or any financial records established in connection with this business. This authorization to examine records at any financial institution may be revoked at any time. I/we also authorize the Department of Alcoholic Beverage Control, or any of its officers, to examine and secure copies of any business records or documents established in connection with this business including, but not limited to those on file with my/our bookkeeper. I/we also read all of the above and declare under penalty of perjury that each and every statement is true and correct.

36. APPLICANT SIGNATURE (Only one signature needed)	PRINTED NAME	DATE SIGNED
	Atlee A. Horner II	2-21-20

ATTEST (ABC Employee or Notary Public)

# JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

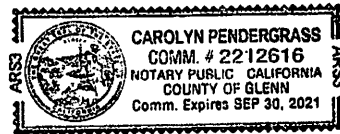
County of Glenn

Subscribed and sworn to (or affirmed) before me on this 21 day of Feb, 2020

by, Atlee A Horner II, proved to me on the basis of  
satisfactory evidence to be the person(s) who appeared before me.

Signature

Carolyn Pendergrass



(seal)

**SUPPLEMENTAL DIAGRAM**

## Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. *If this is an event for a daily license, catering authorization, event authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.*

1. APPLICANT NAME (Last, first, middle)

Horner II, Atlee, Anthony

2. LICENSE TYPE

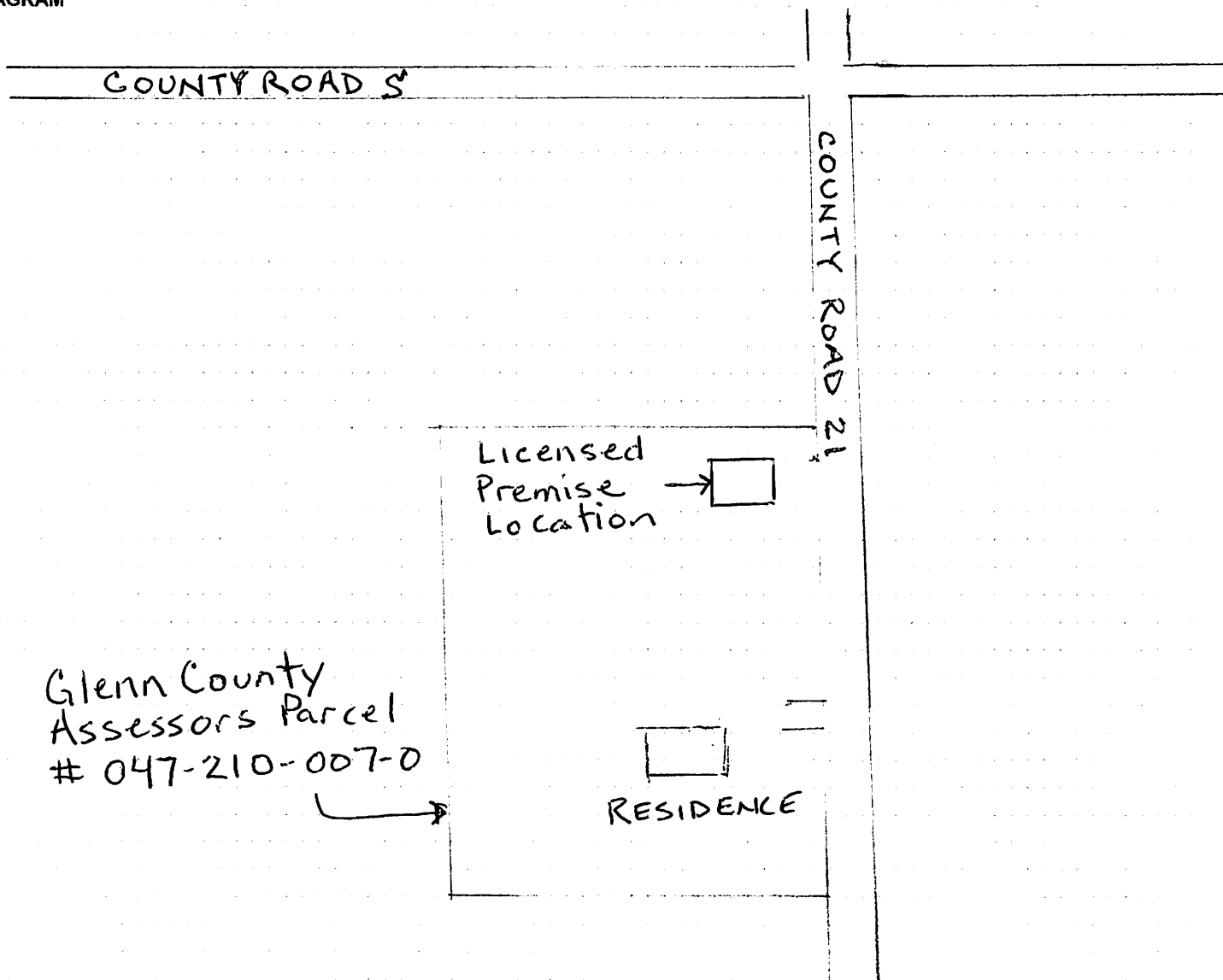
02 - Winegrowers

3. PREMISES ADDRESS (Street number and name, city, zip code)

7365 County Road 21, Orland, CA. 95963

4. NEAREST CROSS STREET

County Road S

**DIAGRAM**

I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE

DATE SIGNED

Atlee C. Horner II

2-15-20

**FOR ABC USE ONLY**

CERTIFIED CORRECT (Signature)

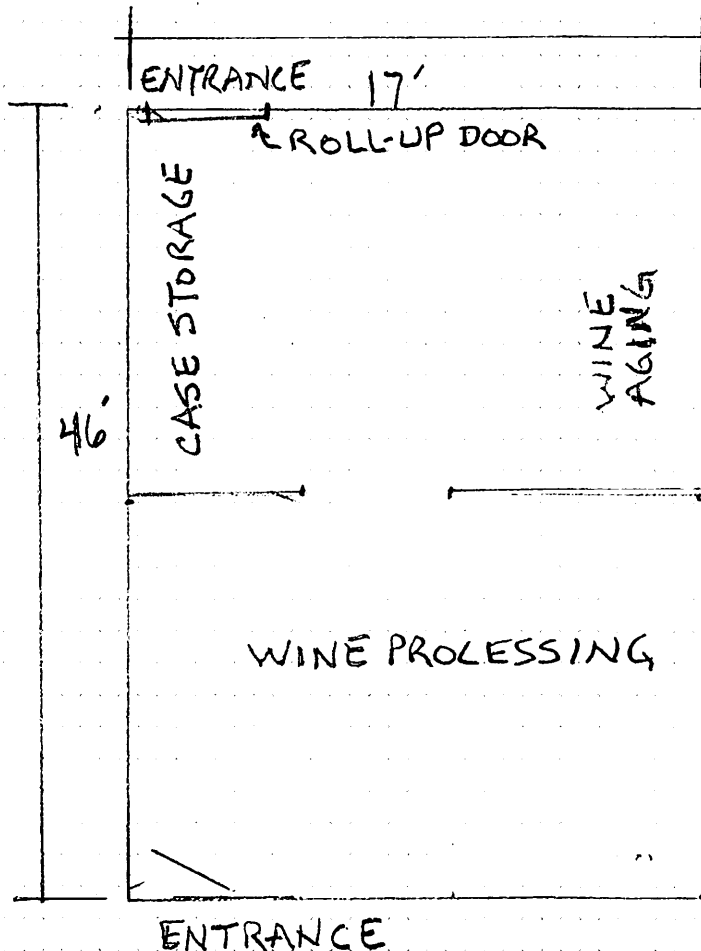
PRINTED NAME

INSPECTION DATE

**LICENSED PREMISES DIAGRAM (NON-RETAIL)**

1. APPLICANT NAME (Last, first, middle) Horner II, Atlee, Anthony	2. LICENSE TYPE 02 - Winegrowers
3. PREMISES ADDRESS (Street number and name, city, zip code) 7365 County Road 21, Orland, CA. 95963	4. NEAREST CROSS STREET County Road S

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, *including dimensions*.

**DIAGRAM**

It is hereby declared that the above-described premises and character of premises, as indicated on the reverse side, will not be changed in accordance with Rule 64.2 of the California Code of Regulations without first notifying and securing written approval of the Department of Alcoholic Beverage Control. Substantial changes to the premises may require an application fee in accordance with Section 24072 of the Business and Professions Code. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required) <i>Atlee H. Horner II</i>	DATE SIGNED 2-15-20
<b>FOR ABC USE ONLY</b>	
CERTIFIED CORRECT (Signature)	PRINTED NAME
INSPECTION DATE	

**PLANNED OPERATION (NON-RETAIL)**

1. APPLICANT NAME(S) (Last, first, middle) <b>Horner II, Allee, Anthony</b>					2. LICENSE TYPE(S) <b>02 - Winegrowers</b>		
3. PREMISES ADDRESS (Street number and name, city, zip code) <b>7365 County Road 21, Orland, CA. 95963</b>							
4. PREMISES (Check all that apply)							
<input type="checkbox"/> Office <input type="checkbox"/> Warehouse <input checked="" type="checkbox"/> Production Facility <input type="checkbox"/> Alternating Proprietorship <input type="checkbox"/> Tasting Room <input type="checkbox"/> Joint Tasting Room <input type="checkbox"/> Restaurant on Premises							
5. MANUFACTURE				IMPORT		WHOLESALE (Distribute)	
<input type="checkbox"/> Beer <input checked="" type="checkbox"/> Wine <input type="checkbox"/> Distilled Spirits				<input type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Distilled Spirits		<input type="checkbox"/> Beer <input type="checkbox"/> Wine <input type="checkbox"/> Distilled Spirits	
6. SELL TO							
<input checked="" type="checkbox"/> Retailers <input type="checkbox"/> Wholesalers <input type="checkbox"/> Consumers <input type="checkbox"/> Export out of California							
7. OPERATING HOURS							
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time							
Closing Time							
8. LIST ANY BRAND NAME(S) AND TYPE(S) OF ALCOHOL PRODUCT YOU WILL MANUFACTURE/IMPORT/DISTRIBUTE <b>Unhinged Cellars; Wine</b>							
9. IF CONTRACTING WITH A MANUFACTURER TO MAKE A CUSTOM PRODUCT TO BE SOLD UNDER YOUR BRAND NAME LIST NAME AND LICENSE NUMBER OF MANUFACTURER.							
10. LIST NAME(S) AND ADDRESS(ES) OF ALL SUPPLIERS OF <u>ALCOHOLIC BEVERAGES</u> (Street number and name, city, state, zip code)							
11. ALCOHOLIC BEVERAGES WILL BE SHIPPED TO MY CUSTOMERS FROM (STREET NUMBER AND NAME, CITY, STATE, ZIP CODE)							
<input checked="" type="checkbox"/> Applied-for premises <input type="checkbox"/> Type 14 (Public Warehouse)    ABC License Number _____ Address _____ <input type="checkbox"/> Other (E.G. Duplicate 02)    ABC License Number _____ Address _____							
12. ALCOHOLIC BEVERAGES WILL BE STORED AT (Street number and name, city, state, zip code) <b>7365 County Road 21, Orland, CA. 95963</b>				13. BUSINESS RECORDS WILL BE MAINTAINED AT (Street number and name, city, state, zip code) <b>7365 County Road 21, Orland, CA. 95963</b>			
14. FEDERAL BASIC PERMIT REQUIRED FROM ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    APPLICATION DATE _____							
15. IF APPLYING FOR TYPE 02 WINEGROWER LICENSE OR TYPE 22 WINEBLENDED LICENSE, LIST BONDED WINERY PERMIT NUMBER ISSUED BY TTB (REQUIRED) BONDED WINERY PERMIT NUMBER <b>BWN-CA-23189</b>							
16. REGISTRATION REQUIRED FROM STATE BOARD OF EQUALIZATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    REGISTRATION DATE _____							
<b>FOR ABC USE ONLY</b>							
INFORMATION PROVIDED				PROVIDED BY (Name)		DATE PROVIDED	
<input type="checkbox"/> ABC-579 Instructions to Beer Suppliers <input type="checkbox"/> ABC-413 Instructions to Distilled Spirits Shipper <input type="checkbox"/> ABC-414 Distilled Spirits Shipper Agreement							
COMMENTS/ADDITIONAL INFORMATION							



**LICENSED PREMISES DIAGRAM (RETAIL)**

1. APPLICANT NAME (If individual: Last, first, middle)

Horner II, Atlee Anthony

2. LICENSE TYPE

02 Winegrowers

3. PREMISES ADDRESS (Street number and name, city, zip code)

7365 County Road 21, Orland, CA. 95963

4. NEAREST CROSS STREET

County Road S

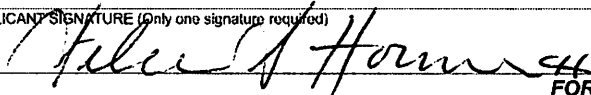
The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, *including dimensions and identification of each room (i.e., "storeroom", "office", etc.)*.

**DIAGRAM**

None planned.

It is hereby declared that the above-described premises and character of premises, as indicated on the reverse side, will not be changed in accordance with Rule 64.2 of the California Code of Regulations without first notifying and securing approval of the Department of Alcoholic Beverage Control. Substantial changes to the premises may require an application fee in accordance with Section 24072 of the Business and Professions Code. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)



DATE SIGNED

2-15-20

**FOR ABC USE ONLY**

CERTIFIED CORRECT (Signature)

PRINTED NAME

INSPECTION DATE

**PLANNED OPERATION (RETAIL)****SECTION I - FOR ALL RETAIL APPLICANTS**

1. APPLICANT NAME(S) (If Individual: Last, First, Middle Initial)				2. LICENSE TYPE(S)																																							
3. PREMISES ADDRESS (Street number and name, city, zip code)				4. NEAREST CROSS STREET																																							
5. TYPE OF BUSINESS (Choose one that best describes the planned operation) <table style="width:100%; border: none;"> <tr> <td><input type="checkbox"/> Full Service Restaurant</td> <td><input type="checkbox"/> Cafeteria/Hofbrau</td> <td><input type="checkbox"/> Cocktail Lounge</td> <td><input type="checkbox"/> Private Club</td> </tr> <tr> <td><input type="checkbox"/> Deli or Specialty Restaurant</td> <td><input type="checkbox"/> Comedy Club</td> <td><input type="checkbox"/> Night Club</td> <td><input type="checkbox"/> Veterans Club</td> </tr> <tr> <td><input type="checkbox"/> Cafe/Coffee Shop</td> <td><input type="checkbox"/> Brew Pub</td> <td><input type="checkbox"/> Tavern</td> <td><input type="checkbox"/> Fraternal Club</td> </tr> <tr> <td><input type="checkbox"/> Bed &amp; Breakfast</td> <td><input type="checkbox"/> Theater</td> <td><input type="checkbox"/> Wine Tasting Room</td> <td></td> </tr> <tr> <td colspan="4" style="border-top: 1px dashed black;"></td> </tr> <tr> <td><input type="checkbox"/> Supermarket</td> <td><input type="checkbox"/> Membership Store</td> <td><input type="checkbox"/> Service Station</td> <td><input type="checkbox"/> Swap Meet/Flea Market</td> </tr> <tr> <td><input type="checkbox"/> Liquor Store</td> <td><input type="checkbox"/> Department Store</td> <td><input type="checkbox"/> Convenience Market</td> <td><input type="checkbox"/> Drive-in Dairy</td> </tr> <tr> <td><input type="checkbox"/> Variety/Drug Store</td> <td><input type="checkbox"/> Gift Shop/Florist</td> <td><input type="checkbox"/> Convenience Market w/Gasoline</td> <td></td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Other - describe: _____</td> </tr> </table>								<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Cafeteria/Hofbrau	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club	<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club	<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern	<input type="checkbox"/> Fraternal Club	<input type="checkbox"/> Bed & Breakfast	<input type="checkbox"/> Theater	<input type="checkbox"/> Wine Tasting Room						<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market	<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy	<input type="checkbox"/> Variety/Drug Store	<input type="checkbox"/> Gift Shop/Florist	<input type="checkbox"/> Convenience Market w/Gasoline		<input type="checkbox"/> Other - describe: _____			
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Cafeteria/Hofbrau	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club																																								
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<input type="checkbox"/> Other - describe: _____																																											
6. PATRON CAPACITY		7. SURROUNDING AREA		8. PREMISES IS LOCATED IN																																							
		<input type="checkbox"/> Commercial <input type="checkbox"/> Rural <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____		<input type="checkbox"/> Free Standing Building <input type="checkbox"/> Shopping Center (Name): _____ <div style="display: flex; justify-content: space-between;"> <span><input type="checkbox"/> 10 Units or Less</span> <span><input type="checkbox"/> More than 10 Units</span> </div>																																							
9. FOOD SERVICE		10. PARKING LOT?		11. PATIO?		12. WILL YOU HIRE A MANAGER? (Rule 57.5)																																					
<input type="checkbox"/> None <input type="checkbox"/> Minimal <input type="checkbox"/> Full Meals		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No																																					
13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7)		14. MEAL TYPE		15. TYPE OF FOOD		16. HOURS OF FOOD SERVICE																																					
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Dinner House <input type="checkbox"/> Seafood <input type="checkbox"/> Fast Food/Deli <input type="checkbox"/> Other: _____ <input type="checkbox"/> Pizza/Pasta _____		<input type="checkbox"/> American <input type="checkbox"/> Greek <input type="checkbox"/> Indian <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Italian <input type="checkbox"/> Thai <input type="checkbox"/> Japanese <input type="checkbox"/> Other: _____		BREAKFAST HOURS From: _____ To: _____ LUNCH HOURS From: _____ To: _____ DINNER HOURS From: _____ To: _____																																					
17. OPERATING HOURS																																											
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																				
Opening Time																																											
Closing Time																																											
18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (*) below) <table style="width:100%; border: none;"> <tr> <td><input type="checkbox"/> None</td> <td><input type="checkbox"/> *Amplified Music</td> <td><input type="checkbox"/> Patron Dancing</td> <td><input type="checkbox"/> Card Room</td> </tr> <tr> <td><input type="checkbox"/> Recorded Music</td> <td><input type="checkbox"/> *Live Entertainment</td> <td><input type="checkbox"/> Bikini/Topless/Exotic</td> <td><input type="checkbox"/> Movies</td> </tr> <tr> <td><input type="checkbox"/> Juke Box</td> <td><input type="checkbox"/> *Floor/Stage Shows</td> <td><input type="checkbox"/> Pool/Billiard Tables</td> <td><input type="checkbox"/> *Hot Spot/Lottery</td> </tr> <tr> <td><input type="checkbox"/> *Other</td> <td><input type="checkbox"/> Karaoke</td> <td><input type="checkbox"/> *Amateur/Pro Sports Events</td> <td><input type="checkbox"/> Video/Coin-Operated Games</td> </tr> </table> *Description: _____								<input type="checkbox"/> None	<input type="checkbox"/> *Amplified Music	<input type="checkbox"/> Patron Dancing	<input type="checkbox"/> Card Room	<input type="checkbox"/> Recorded Music	<input type="checkbox"/> *Live Entertainment	<input type="checkbox"/> Bikini/Topless/Exotic	<input type="checkbox"/> Movies	<input type="checkbox"/> Juke Box	<input type="checkbox"/> *Floor/Stage Shows	<input type="checkbox"/> Pool/Billiard Tables	<input type="checkbox"/> *Hot Spot/Lottery	<input type="checkbox"/> *Other	<input type="checkbox"/> Karaoke	<input type="checkbox"/> *Amateur/Pro Sports Events	<input type="checkbox"/> Video/Coin-Operated Games																				
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<input type="checkbox"/> *Other	<input type="checkbox"/> Karaoke	<input type="checkbox"/> *Amateur/Pro Sports Events	<input type="checkbox"/> Video/Coin-Operated Games																																								
19. PREMISES IS LOCATED ON				20. TYPE OF STRUCTURE																																							
<input type="checkbox"/> Major Thoroughfare <input type="checkbox"/> Secondary Street <input type="checkbox"/> Other _____				<input type="checkbox"/> Single Story <input type="checkbox"/> Two-Story <input type="checkbox"/> Multi-Story - Number of stories: _____																																							
21. PASS-THROUGH WINDOW?		22. FIXED BARS?		23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES?																																							
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes - how many: _____ <input type="checkbox"/> No		_____																																							
<b>FOR ABC USE ONLY</b>																																											
24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)						25. DATE ENTERED INTO CABIN																																					

**ZONING AFFIDAVIT***Instructions to the Applicant: Complete Items 1 - 14. Sign and date the form and submit it to ABC.*

1. APPLICANT(S) NAME (Last, first, middle)

Cousins Estate Vineyard, LLC DBA Unhinged Cellars

2. PREMISES ADDRESS (Street number and name, city, zip code)

7365 County Road 21, Orland, CA 95963

3. PARCEL NUMBER OF PROPERTY (Obtain from  
County Assessor's Office)

047-210-007-0

4. TYPE OF LICENSE APPLIED FOR

5. UPGRADE OF LICENSED PRIVILEGES

☐ Yes☐ No

6. CURRENT LICENSE TYPE AT THIS LOCATION, IF ANY

7. TYPE OF BUSINESS (i.e., restaurant, mini-mart, gas station, etc.)

Winegrowers

8. ARE THE PREMISES INSIDE THE CITY LIMITS?

☐ Yes ☒ No*For answers to Questions 8 - 14, contact your local city OR county planning department (if inside the city limits, contact city planning; if outside, contact county planning).*

9. HOW ARE APPLICANT PREMISES ZONED? STATE TYPE (i.e., "C" commercial, "R" residential, etc.)

Agriculture

10. DOES ZONING PERMIT INTENDED USE?

☐ Yes☐ No11. IS A CONDITIONAL USE PERMIT (C.U.P.) NEEDED?  
(If yes, please attach copy of receipt or C.U.P.)☒ Yes☐ No

12. IF YES, DATE YOU FILED APPLICATION FOR C.U.P.

4-20-20

13. NAME OF PLANNER CONTACTED AT PLANNING DEPARTMENT

John Lanier

14. PLANNER'S PHONE NUMBER

530-934-6540

Under the penalty of perjury, I declare the information in this affidavit is true to the best of my

15. APPLICANT'S SIGNATURE (One signature will suffice)

Stacy St. Louis

16. DATE SIGNED

4-20-20

**FOR DEPARTMENT USE ONLY**☐ C.U.P. Approved

IF APPROVED, EFFECTIVE DATE

FILE NUMBER

☐ C.U.P. Denied

DATE DENIED

**GENERAL INFORMATION**

•Section 23790 of the Business and Professions Code says that ABC may not issue a retail license contrary to a valid zoning ordinance. This form will help us determine whether your proposed business is properly zoned for alcoholic beverage sales.

•A conditional use permit (CUP) (Item 11) is a special zoning permit granted after an individual review of proposed land-use has been made. CUP's are used in situations where the proposed use may create hardships or hazards to neighbors and other community members who are likely to be affected by the proposed use. The ABC district office will not make a final recommendation on your license application until after the local CUP review process has been completed. If the local government denies the CUP, ABC must deny your license application.

**23790. Zoning ordinances.** No retail license shall be issued for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city.

Premises which had been used in the exercise of those rights and privileges at a time prior to the effective date of the zoning ordinance may continue operation under the following conditions:

(a) The premises retain the same type of retail liquor license within a license classification.

(b) The licensed premises are operated continuously without substantial change in mode or character of operation.

For purposes of this subdivision, a break in continuous operation does not include:

(1) A closure for not more than 30 days for purposes of repair, if that repair does not change the nature of the licensed premises and does not increase the square footage of the business used for the sale of alcoholic beverages.

(2) The closure for restoration of premises rendered totally or partially inaccessible by an act of God or a toxic accident, if the restoration does not increase the square footage of the business used for the sale of alcoholic beverages.

**STATEMENT RE: RESIDENCES**  
**(Rule 61.4)**

Applicant: Please complete left side of form, then sign. List addresses of all residences within 100 feet of your proposed premises. If there are none, write "None." Measure all distances by direct line from the closest edge of the residential structure to the closest edge of your structure or parking lot, whichever is closer. Your "parking lot" includes any area that is maintained for the benefit of your patrons or operated in conjunction with your premises. Continue on reverse if needed.

## 1. APPLICANT NAME

Cousins Estate Vineyard, LLC

## 2. PREMISES ADDRESS (Street number and name, city, zip code)

7365 County Road 21, Orland, CA. 95963

## 3. RESIDENCES WITHIN 100'

## DEPARTMENT USE ONLY

	LTR	PERS	DATE	DISTANCE	SEPARATION FACTORS
1. None.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				
2.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				
3.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				
4.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				
5.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				
6.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				
7.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				
8.	<input type="checkbox"/>	<input type="checkbox"/>		ft.	
	NAME				

NON-INTERFERENCE (For Department Use Only)

*I acknowledge that any false, misleading or omitted information required in this statement may constitute grounds for denial of application for the license, or if the license is issued in reliance upon information in this statement which is offered, false or misleading, then such misinformation or omission will constitute grounds for revocation of the license so issued.*

## 4. APPLICANT SIGNATURE

## DATE SIGNED



2-15-20

## INFORMATION AND INSTRUCTIONS

Rule 61.4, Chapter 1, Title 4, California Code of Regulations states:

No original issuance of a retail license or premises-to-premises transfer of a retail license shall be approved for premises at which either of the following conditions exist:

- (a) The premises are located within 100 feet of a residence.
- (b) The parking lot or parking area which is maintained for the benefit of patrons of the premises, or operated in conjunction with the premises, is located within 100 feet of a residence. Where the parking lot is maintained for the benefit of patrons of multiple businesses in the vicinity of the premises, the parking area considered for the purpose of this rule shall be determined by the area necessary to comply with the off-street parking requirements as mandated by the local ordinance, or if there are no local requirements for off-street parking, then the area which would reasonably be necessary to accommodate the anticipated parking needs of the premises, taking into consideration the type business and operation contemplated.

Distances provided for in this rule shall be measured by airline from the closest edge of any residential structure to the closest edge of the premises or the closest edge of the parking lot or parking area, as defined herein above, whichever distance is shorter.

This rule does not apply where the premises have been licensed and operated with the same type license within 90 days of the application.

Notwithstanding the provisions of this rule, the department may issue an original retail license or transfer a retail license premises-to-premises where the applicant establishes the operation of the business would not interfere with the quiet enjoyment of the property by residents.

A residence is defined as a place where people actually live, such as a single family home, condo, residential hotel or motel, or mobile home.

A determination must be made as to whether or not your proposed premises is located in an area as described above. In order to make such determination, it will be necessary for you to complete the front of this form, to be submitted at the time you file a formal application.

If you can establish that your business will not disturb the residents, your license may be issued subject to appropriate conditions.



**STATEMENT RE: CONSIDERATION POINTS**

Applicant: Please complete left side of form, then sign. List the names and addresses of all schools, churches, hospitals, public playgrounds, and youth facilities located within 600 feet of your proposed premises. Measure all distances by direct line from the closest edge of the facility structure to the closest edge of your structure. Continue on reverse if needed.

## 1. APPLICANT NAME

Cousins Estate Vineyard, LLC.

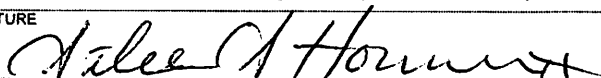
## 2. PREMISES ADDRESS (Street number and name, city, zip code)

7365 County Road 21, Orland, CA. 95963

3. FACILITY NAME/ADDRESS		DEPARTMENT USE ONLY			
		LTR	PERS	DATE	DISTANCE
1. None.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
2.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
3.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
4.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
5.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
6.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
7.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
8.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				
9.		<input type="checkbox"/>	<input type="checkbox"/>		FT.
	NAME				

I acknowledge that any false, misleading or omitted information required in this statement may constitute grounds for denial of the application for the license, or, if the license is issued in reliance upon information in this statement which is omitted, false or misleading, then such misinformation or omission will constitute grounds for revocation of the license so issued.

## 4. APPLICANT SIGNATURE




## DATE SIGNED

2-15-20

**LIMITED LIABILITY COMPANY QUESTIONNAIRE**

**Instructions:** An individual managing member or designee may sign on behalf of the limited liability company.  
Attach a copy of original operating agreement and all amendments.

1. LIMITED LIABILITY COMPANY NAME <b>Cousins Estate Vineyard, LLC</b>		2. TELEPHONE NUMBER <b>(530) 520-0272</b>	
3. PREMISES ADDRESS (Street number and name, city, zip code) <b>7365 County Road 21, Orland, CA. 95963</b>			
4. COMPANY HEADQUARTERS ADDRESS (Street number and name, city, state, zip code) <b>7365 County Road 21, Orland, CA. 95963</b>		5. HEADQUARTERS TELEPHONE NUMBER <b>(530) 520-0272</b>	
6. COMPANY ATTORNEY'S NAME <b>Garner Law Office</b>		7. ATTORNEY'S TELEPHONE NUMBER <b>(530) 934-3324</b>	
8. COMPANY ATTORNEY'S ADDRESS (Street number and name, city, state, zip code) <b>109 N Marshall Ave, Willows, CA 95988</b>			
9. DATE LLC-1 FILED WITH SECRETARY OF STATE <b>02/09/2016</b>	10. STATE WHERE LLC-1 FILED WITH SECRETARY OF STATE <b>CA</b>	11. STATE WHERE LLC FORMED <b>CA</b>	12. ARTICLES OF ORGANIZATION (LLC-2 OR LLC-10) HAS BEEN AMENDED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
13. OPERATING AGREEMENT DATE <b>01/01/2016</b>		14. LAST AMENDMENT DATE <b>01/01/2019</b>	
15. The Limited Liability Company will be managed by (check one) <input type="checkbox"/> One Manager <input type="checkbox"/> More than one Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Single Member			
16. NAME OF MANAGER(S)			
MANAGER PRINTED NAME		MANAGER PRINTED NAME	
MANAGER PRINTED NAME		MANAGER PRINTED NAME	
17. NAME OF OFFICERS AUTHORIZED BY ARTICLES OR AGREEMENT			
OFFICER PRINTED NAME <b>Atlee A. Horner II</b>		OFFICER PRINTED NAME	
OFFICER PRINTED NAME		OFFICER PRINTED NAME	
18. LIST ALL MEMBERS			
MEMBER'S PRINTED NAME <b>Atlee A. Horner II</b>	PERCENTAGE OF OWNERSHIP <b>16.67</b>	EFFECTIVE DATE <b>01/01/2016</b>	
MEMBER'S PRINTED NAME <b>Kelly A. Horner</b>	PERCENTAGE OF OWNERSHIP <b>16.67</b>	EFFECTIVE DATE <b>01/01/2016</b>	
MEMBER'S PRINTED NAME <b>Lonnie M. St. Louis</b>	PERCENTAGE OF OWNERSHIP <b>16.67</b>	EFFECTIVE DATE <b>01/01/2016</b>	
MEMBER'S PRINTED NAME <b>Stacy A. St. Louis</b>	PERCENTAGE OF OWNERSHIP <b>16.67</b>	EFFECTIVE DATE <b>01/01/2016</b>	
MEMBER'S PRINTED NAME <b>Wade E. Maxwell</b>	PERCENTAGE OF OWNERSHIP <b>16.67</b>	EFFECTIVE DATE <b>01/01/2016</b>	
I hereby certify that the above are the present managers, officers, and members of the limited liability company and that each such manager, officer, and member is the real party in interest with respect to his or her position and is not acting, directly or indirectly as an agent, employee or representative of any other person not reported to the Department. The provisions of sections 23405.2 and 23405.3 of the Business and Professions Code are hereby acknowledged. It is understood that changes within the limited liability company and/or its entities holding interest in the limited liability company will be reported to the Department and a fee may be required pursuant to Sections 24071.1 & 24072 B&P.			
19. SIGNATURE OF MANAGER OR DESIGNEE 		PRINTED NAME <b>Atlee A. Horner II</b>	DATE SIGNED <b>02/15/2020</b>
(Use reverse for additional names if needed)			

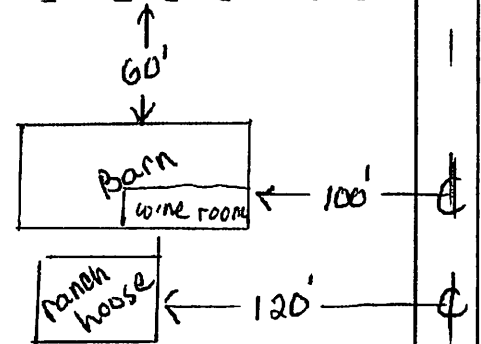
[illegible]

West

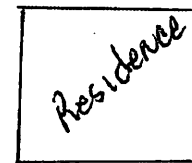
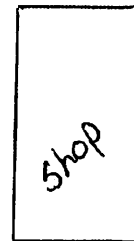
County Road 5

olive orchard

Glenn County  
Assessors Parcel  
# 047-210-007-0



10 Acres



150

Property line ↑

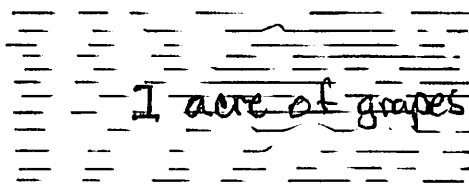
Almond orchard

dead End  
180

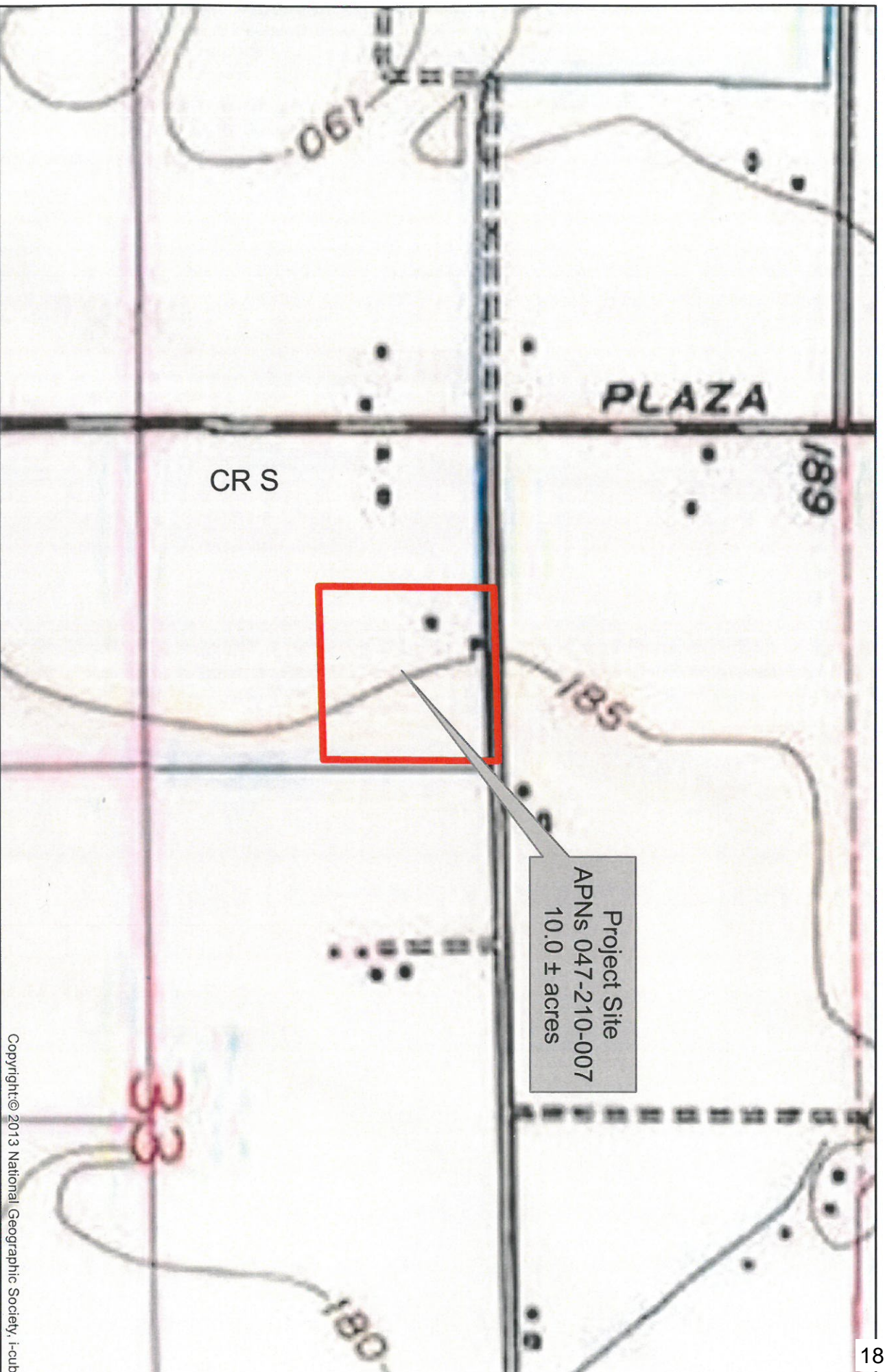
East

500+5

olive orchard



1 acre of grapes



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# Project CUP 2020-004

USGS 7.5 Minute Quadrangle Map: Hamilton City  
Section 33, T22N, R2W, M.D.B. & M.



Glenn County Planning and Community  
Development Services Agency 2020



**VICINITY NOTICE OF A PUBLIC HEARING BY THE  
GLENN COUNTY PLANNING COMMISSION**

Notice is hereby given that on **Wednesday, August 19, 2020, at 9:00 A.M.** in the Glenn County Board of Supervisors Chambers, 2<sup>nd</sup> Floor Memorial Hall, 525 West Sycamore Street, Willows, CA, the Glenn County Planning Commission will hold a public hearing on the following:

**PROJECT: Conditional Use Permit 2020-004**

**APPLICANT:** Cousins Estate Vineyard, LLC

**LANDOWNER:** Lonnie & Stacy St Louis

**PROJECT DESCRIPTION:** The applicant is requesting a Conditional Use Permit in order to produce and store wine for sale to restaurants and club members for off-site consumption (Alcohol Beverage Control (ABC) Type 02 License). A Notice of Exemption is proposed.

**LOCATION:** The project site is located at 7365 County Road 21, on the south side of County Road 21, east of County Road S, and north of County Road 24, in the unincorporated area of Glenn County, California.

**ASSESSOR PARCEL NUMBER:** 047-210-007

**ZONING:** "AE-40" (Exclusive Agriculture Zone)

**GENERAL PLAN:** "Intensive Agriculture"

**DECISIONS:** The Planning Commission may approve, deny, or continue the:

(A) Notice of Exemption from the California Environmental Quality Act (CEQA)

(B) Conditional Use Permit 2020-004

All environmental information and project documentation is available for review at the Planning & Community Development Services Agency office. Contact the planning staff at [planning@countyofglenn.net](mailto:planning@countyofglenn.net) or (530) 934-6540. To submit written comments by U.S. Mail for inclusion in the meeting record, they must be received by the Planning Division at 225 North Tehama Street, Willows, CA, 95988, no later than 9:00 a.m. on the morning of the noticed meeting. In order to honor Executive Order N-29-20, issued by California Governor Gavin Newsom, this meeting is anticipated to be conducted via teleconference and in person, attendance at the meeting is not anticipated to be allowed. However, you are encouraged to listen to the audio at <https://www.countyofglenn.net/government/minutes-agendas> and may submit written comments by email (during the meeting), at [planning@countyofglenn.net](mailto:planning@countyofglenn.net). Every effort will be made to read or acknowledge your comments into the record, but some comments requiring more than 3 minutes to recite may be summarized due to time limitations. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in correspondence delivered to the appropriate authority at, or prior to, the public hearing.



NOTIFICATION FOR REQUEST FOR AN  
ALCOHOLIC BEVERAGE CONTROL LICENSE

**NOTICE OF FILING**

REQUEST FOR CONDITIONAL USE  
PERMIT LEADING TO  
THE ISSUANCE OF A

**LICENSE TO SELL  
ALCOHOLIC  
BEVERAGES**

APPLICANT: (Cousins Estate Vineyards, LLC)

ADDRESS: (7365 County Road 21, Orland, CA)

ALL INTERESTED PARTIES MAY CONTACT  
THE AGENCY BELOW TO  
COMMENT ON THIS PROPOSAL

For information or comments – Contact Glenn County  
Planning & Community Development Services Agency  
225 North Tehama Street  
Willows, CA 95988  
(530) 934-6540  
[planning@countyofglenn.net](mailto:planning@countyofglenn.net)

**GLENN COUNTY**  
**Planning & Community Development Services Agency**

225 North Tehama Street  
Willows, CA 95988  
530.934.6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

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**GLENN COUNTY PLANNING COMMISSION**

**STAFF REPORT**

MEETING DATE: August 19, 2020

TO: Glenn County Planning Commission

FROM: John Lanier, Assistant Planner

RE: Tentative Parcel Map 2020-002  
"AP-80" Zoning District

---

Attachments:

1. Conditions of Approval
2. Negative Declaration - Initial Study
3. Figure 1, Topographic Map
4. Figure 2, Assessors Map
5. Figure 3, Parcel Map
6. Figure 4, Aerial Map
7. Agency Comments
8. Request for Review and Application Information
9. Exhibit "A" Tentative Parcel Map

## **1     PROJECT SUMMARY**

The applicant has proposed a Tentative Parcel Map to divide one parcel totaling 194.2± acres into the following:

<b>Parcel One:</b>	96.8± acres
<b>Parcel Two:</b>	97.4± acres

The project site is located on the east side of County Road SS, south of County Road 61, west of Willow Creek, and north of Norman Road, within the unincorporated area of Glenn County, California. The site consists of portions of Section 5, Township 18 North, Range 2 West, M.D.B. & M., Princeton Geological Survey (USGS) 7.5' topographic Quadrangle. The project site consists of the following Assessor's Parcel Numbers (APNs): 013-220-020 & 013-230-001.

The 194.2± acre site is being used exclusively for agriculture. There are no structures on either proposed parcel. The project site is zoned "AP-80" (Agricultural Preserve Zone, 72-acre minimum parcel size) and is designated "Intensive Agriculture" in the General Plan. Additional project information is included in the Negative Declaration and Initial Study attached to this report as well as other documentation.

### **1.1   RECOMMENDATIONS**

Staff recommends that the Planning Commission grant a Negative Declaration for Tentative Parcel Map 2019-001 with the findings as presented in the Staff Report.

Staff also recommends that the Planning Commission approve Tentative Parcel Map 2020-002 with the findings as presented in the Staff Report and the Conditions of Approval as attached.

## **2     ANALYSIS**

The proposed project to divide the existing parcel is consistent with surrounding land uses. This area of Glenn County is within an area of existing agriculture uses. The resultant parcels will continue to be used for agriculture. The proposed project will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.

### **2.1   ENVIRONMENTAL DETERMINATION**

A copy of the proposed Negative Declaration and Initial Study is attached. The Initial Study is a detailed discussion of the project and a discussion of the project's potential environmental impacts as required by the California Environmental Quality Act (CEQA). Based on the Initial Study, this project will result in no Potentially Significant Impacts to the environment.

The Initial Study concludes that there is no substantial evidence in light of the whole record that the project will have a significant impact on the environment either cumulatively or individually. Therefore, a Negative Declaration has been prepared.

## **2.2 GENERAL PLAN AND ZONING CONSISTENCY**

The site is designated “Intensive Agriculture” in the Glenn County General Plan and is zoned “AP-80” (Agricultural Preserve Zone, 72-acre minimum parcel size). The project consists of a land division from one parcel totaling 194.2± acres into the following:

<b>Parcel One:</b>	96.8± acres
<b>Parcel Two:</b>	97.4± acres

### **2.2.1 “AP” Agricultural Preserve Zone (Glenn County Code Chapter 15.460)**

#### Site Area (Glenn County Code §15.460.050):

The minimum parcel size for the “AP-80” zone is 72-acres. The proposed parcel sizes are 96.8± acres for proposed Parcel One and 97.4± acres for proposed Parcel Two; therefore, the parcels will meet the minimum parcel size for this zoning and the project site is adequate in size and shape to accommodate the proposed project.

#### Minimum Yard Requirements (Glenn County Code §15.460.080):

*The minimum front yard shall be thirty (30) feet. The measurement shall start at the edge of the existing “County Right-of-Way” as shown on the adopted Glenn County Circulation Plan, or the existing right-of-way for the road along the front of or through the property. The minimum side and rear yards shall be twenty-five (25) feet.* There are no existing structures on the project site; additionally, no structures are being proposed. Any future structures on the proposed Parcels will meet the required setback from the proposed lot line.

#### Williamson Act Land Divisions (California Government Code §66474.4):

The California Code requires that any land divisions on parcels with a Williamson Act contract create resultant parcels that are capable of sustaining agricultural uses. Each resultant parcel must be over ten acres in areas designated as prime farmland. The land division proposed in this project will create two parcels of sufficient size to sustain agricultural use; no new residential buildings are being proposed. Each proposed parcel will be over 90 acres and will continue to be utilized as rice paddies. Any future home sites will conform to Glenn County Code §15.460, ensuring adequate area is relegated to agricultural uses.

## 2.2.2 Land Divisions (Glenn County Code Chapter 15.230)

### Findings (Glenn County Code §15.230.010)

*No tentative map, for either a final map or a parcel map, shall be approved unless the following findings are made:*

- A. That the proposed map or the design or improvement of the proposed subdivision is consistent with the applicable general and specific plans and this title;*

The project site is zoned AP-80" (Agricultural Preserve Zone) and designated "Intensive Agriculture" in the General Plan. In accordance with General Plan §3.0.3 (Intensive Agriculture), the proposed project will not violate the population and building intensity standards outlined therein. The agricultural uses of the site are consistent with the "Intensive Agriculture" land use designation. Section 3.0.3 states the following:

*The Intensive Agriculture classification is used to identify areas suitable for commercial agriculture which provide a major segment of the county's economic base; to protect the agricultural to protect the agricultural community from encroachment of unrelated agricultural uses which, by their nature, would be injurious to the physical and economic wellbeing of the agricultural community; to accommodate lands under Williamson Act contracts; to encourage the preservation of agricultural land, both in production and potentially productive, which contain State-designated Important Farmlands or Locally Significant Farmlands.*

- B. That the site is physically suitable for the type of development, or for the density of development proposed;*

The proposed parcels are physically suitable for agricultural uses and they meet the minimum parcel size of 72 acres stated under Glenn County Code Chapter 15.460. There is sufficient area to accommodate potential future development allowed under Chapter 15.460 of the Glenn County Code. The proposed parcels will have adequate access for ingress and egress.

- C. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat, and, if applicable, that such subdivision and improvements provide reasonable public access to public resources as required by Article 3.5 of the Subdivision Map Act;*

The proposed land division will not cause substantial environmental damage nor will it injure fish, wildlife, or their habitat. The proposed project will not result in potentially significant impacts. Public access to public resources does not apply to this project. The environmental impacts of the project are discussed in the Initial Study attached to this report.

*D. That the design of the subdivision or the type of improvements will not cause substantial public health problems;*

The design of the proposed land division will not cause substantial public health problems. The impacts of this project on public health are discussed in the Initial Study attached to this report.

*E. That the design of the subdivision or the type of improvements is not in conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision;*

The design of the land division is not in conflict with easements acquired by the public at large for access through or use of the property. No easements will be impacted with this project. There will be adequate access to the proposed parcels.

*F. That the discharge of waste from the proposed subdivision into a sewer system would not result in the violation of existing requirements prescribed by the California Regional Water Quality Control Board;*

There is no sewer system that serves the project area; therefore, this project will not result in the violation of existing requirements prescribed by the California Regional Water Quality Control Board. The proposed parcels will be served by individual septic systems upon application for a use that would require sewage disposal. Compliance with Glenn County Environmental Health standards would ensure that any septic systems are properly operating and would be safe for the treatment and disposal of wastewater as well as the protection of groundwater quality

*G. That the property is not, or will not become, unhealthful or unfit for human habitation or occupancy if developed as proposed;*

The proposed parcels will not become unhealthful or unfit for human habitation or occupancy. The environmental impacts of the project are discussed in the Initial Study attached to this report. No potentially significant impacts were identified during the Initial Study that would pose danger to human occupancy at the site. The project site will not become unhealthful for human occupancy with approval of this land division.

*H. That the property is not hazardous for development or habitation because of flooding or inundation, adverse soil or geologic conditions, close proximity to an airport, excessive steepness, difficult access, wildfire hazard or other conditions adverse to the public health, safety or general welfare.*

No new development is proposed for the project site at this time. The property is not hazardous for development or habitation because of flooding, adverse soil or geologic conditions, close proximity to an airport, excessive steepness, difficult access, wildfire hazards or other conditions adverse to the public health, safety or general welfare. This



property is not hazardous for development as discussed in the Initial Study attached to this report.

### **3 PROJECT REQUIREMENTS**

1. There is a ten (10) day appeal period following the Planning Commission action on this map. The parcel map may not be recorded until this ten-day appeal period has expired (Glenn County Code §15.050.010).
2. All approved or conditionally approved tentative maps shall expire 24 months after such approval or conditional approval unless they are extended. If the applicant fails to submit for processing and recording an approved parcel map before the expiration of the tentative map, the tentative map shall be null and void. If a parcel map is not filed for recording prior to the expiration of the tentative map, a new tentative map shall be required to be submitted, processed, and approved (Glenn County Code §15.250.030).
3. The location, identification and description of known or found survey monuments on or adjacent to the site shall be shown and noted on the Parcel Map (Glenn County Code Chapter 15.680).
4. Prior to submitting the Parcel Map for recording, the subdivider shall file a properly executed Tax Collector's Certificate with the County Recorder. A copy of this executed certificate shall be included with the Parcel Map at the time the map is submitted to the County Surveyor for recording. In lieu of the above requirement, the Tax Collector's Certificate may be placed on the face of the Parcel Map. The Tax Collector's Certificate shall conform to Section 20.08.011 of the Board of Supervisors Book of Administrative Policies and Procedures.
5. Prior to any work being done in the County Right-of-Way, an Encroachment Permit shall be required (Glenn County Code §15.120).
6. The access to all parcels not fronting a County maintained road shall conform to County Code Section 15.640.
7. All areas which are subject to inundation or storm water overflows according to the Flood Insurance Rate Maps shall be shown and/or noted on the Parcel Map (Subdivision Map Act §66434.2).
8. The following shall be referenced on the recorded map and recorded concurrently with the recorded map "This parcel is not approved for any use that will generate liquid wastes. No permit to dispose of sewage or other liquid waste generated by the use of this property will be issued until the applicant has complied with the applicable provisions of Chapter 7.10 of the Glenn County Code."

9. The necessary permits shall be secured in all affected federal, state, and local agencies. It is the responsibility of the applicant to make certain all requirements are met and permits are obtained from all other agencies.

In addition to the Conditions of Approval, the applicant's and his/her technical or project management representative's attention is directed to the attached memoranda from other agencies reflecting their comments on reviewing the application. The items noted are a guide to assist the applicant in meeting the requirements of the Conditions of Approval and applicable government codes. The memoranda may also note unusual circumstances that need special attention. The items listed are a guide and not intended to be a comprehensive summary of all codified requirements or site-specific requirements.

## **4 FINDINGS**

### **4.1 FINDINGS FOR NEGATIVE DECLARATION**

The Initial Study prepared for the project documents reasons to support the following findings. The following findings shall be made prior to recommending approval of a negative declaration.

#### **Finding 1 (Aesthetics)**

The project will not have a significant impact on aesthetics. The adopted standards for lighting and construction will minimize impacts from future development. The project is compatible with existing uses in the area. Impacts are considered less than significant.

#### **Finding 2 (Agricultural and Forest Resources)**

The project will not have a significant impact on agriculture or forest resources because no significant change in the current use of the land will result. Agricultural activities within the vicinity will not be adversely impacted by this project. There are no forest resources located within the vicinity of the project. Impacts are considered less than significant.

#### **Finding 3 (Air Quality)**

The project will not have a significant impact on air quality because the project will not violate air quality standards or contribute substantially to an existing air quality violation. Additionally, the project will not adversely impact sensitive receptors nor would it create objectionable odors. Impacts are considered less than significant.

#### **Finding 4 (Biological Resources)**

The project will not have a significant impact on biological resources. There are no identified sensitive habitats or natural communities, therefore the project will have a less

than significant impact on 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. Impacts are considered less than significant.

#### Finding 5 (Cultural Resources)

The project will not have significant impact on cultural resources. State laws are in place in case of accidental discoveries made during future ground disturbing activities. Impacts are considered less than significant.

#### Finding 6 (Energy)

The project will not have a significant impact on energy. The project will comply with California Green Building Standards as well as California Energy Code. The project will not with conflict or obstruct a state or local plans for renewable or efficient energy.

#### Finding 7 (Geology and Soils)

The project will not have a significant impact on geology and soils because geologic hazards in the area are minimal and the building codes will require new construction to meet standards for soil conditions. New on-site sewage disposal systems will be required to meet the standards set forth in the Glenn County Code and by the Glenn County Environmental Health Department. Impacts are considered less than significant.

#### Finding 8 (Greenhouse Gas Emissions)

The project will not have a significant impact on global climate change as a result of greenhouse gas emissions. The project is not in conflict with existing guidelines or standards. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. No significant change in the current use of the land will result. The project will not create significant changes in GHG emissions. Impacts are considered less than significant.

#### Finding 9 (Hazards and Hazardous Materials)

Hazards and hazardous materials will not have a significant impact on the environment as a result of the proposed project. The project will not interfere with an adopted emergency response plan nor expose people to risk of loss, injury, or death. The project does not propose the use of hazardous materials either directly or indirectly. Impacts are considered less than significant.

#### Finding 10 (Hydrology/Water Quality)

The project will not have a significant impact on hydrology and water quality because the project will not significantly alter the drainage pattern of the area. The project will not

significantly interfere with groundwater recharge in the area. The project will not substantially deplete groundwater supplies or expose people or structures to a significant risk of loss, injury, or death involving flooding. The project will not violate water quality standards or waste discharge requirements. Impacts are considered less than significant.

#### Finding 11 (Land Use and Planning)

The project will not have a significant impact on land use and planning because the project would not physically divide an established community. The project site will meet the size and density requirements of the General Plan and Title 15 of the Glenn County Code and is consistent with the surrounding area. The project is also consistent with the Glenn County General Plan land use designation of "Intensive Agriculture". The project will not conflict with an existing habitat conservation plan or natural community conservation plan. No impacts are anticipated.

#### Finding 12 (Mineral Resources)

The project will not have a significant impact on mineral resources; according to the California Department of Conservation Mineral Lands Classification Map, the property does not contain Concrete-Grade Mineral Aggregates. Impacts are considered less than significant.

#### Finding 13 (Noise)

The project will not have a significant impact on people residing or working in the area from excessive noise levels. Noise generating activities are required to meet the established standards prescribed by the County Code. The project site is not within an airport land use plan and not in the vicinity of a private airstrip, which would expose people in the area to unacceptable noise levels. Impacts are considered less than significant.

#### Finding 14 (Population and Housing)

The project will not have a significant impact on population and housing because the project will not displace people or housing. This project would not induce substantial population growth directly or indirectly. Impacts are considered less than significant.

#### Finding 15 (Public Services)

The project will not have a significant impact on public services. The services of fire protection, police protection, schools, parks, and other public facilities are sufficient to accommodate the proposed project. Existing requirements for taxes and developmental impact fees are implemented to offset impacts.

#### Finding 16 (Recreation)

The project will not have a significant impact on recreation because it would not substantially increase the use of existing recreational facilities nor does the project include such facilities. No impacts are anticipated.

#### Finding 17 (Transportation)

The project will not have a significant impact on transportation/circulation because it will not significantly increase traffic volumes on existing roads. The project will not change air traffic patterns. There is adequate access to the project site. Public and private roads will provide adequate emergency access to the project site. Alternative transportation plans will not be impacted. Impacts are considered less than significant.

#### Finding 18 (Tribal Cultural Resources)

The project will not have a significant impact on Tribal Cultural Resources. The Northeast Information Center of the California Historical Resources Information System states that there are no prehistoric or historic resources in the project area; this site has routinely been disturbed through its current agriculture operation. Therefore, no significant adverse impacts are identified or anticipated.

#### Finding 19 (Utilities and Service Systems)

The project will not have a significant impact on utilities and service systems. The project can adequately be served by existing utilities and service systems and does not involve a public waste water treatment facility. Impacts are considered less than significant.

#### Finding 20 (Wildfire)

The project will not have a significant impact on wildfires. The project will not impair an adopted emergency response plan or emergency evacuation plan. The project will not exacerbate wildfire risk, and no new infrastructure is being proposed. The site is relatively flat and there will be no change in drainage. Impacts are considered less than significant.

#### Finding 21 (Mandatory Findings of Significance)

There is no substantial evidence in light of the whole record that the project may have a significant impact on the environment either cumulatively or individually. Impacts are considered less than significant.

### **4.2 FINDINGS FOR APPROVAL OF TENTATIVE PARCEL MAP**

#### **4.2.1 Land Divisions (Glenn County Code Chapter 15.230)**

According to Glenn County Code Section 15.230.010, *no tentative map, for either a final map or a parcel map, shall be approved unless the following findings are made:*

#### Finding 1 (General Plan and Zoning Consistency)

The design of the proposed land division is consistent with the General Plan and Title 15 of the Glenn County Code. The proposed land division is consistent with the Land Use Designation of "Intensive Agriculture" and the zoning of "AP-80" (Agricultural Preserve Zone, 72-acre minimum parcel size) because the proposed parcels will meet the land use and zoning requirements of the General Plan and County Code.

#### Finding 2 (Physical Suitability)

The project site and the proposed parcels are physically suitable for agricultural uses. The land use and zoning requirements of the General Plan and Zoning Code will be met.

#### Finding 3 (Environmental Impact)

The design of proposed land division will not cause substantial environmental damage or substantially injure fish or wildlife or their habitat because there are no land use changes or development proposed that would adversely impact the environment. In addition, there are no public resources that require public access on the site as required by Article 3.5 of the Subdivision Map Act.

#### Finding 4 (Public Health)

The design of the proposed land division will not cause substantial public health problems. Future development on the proposed parcels is required to meet all local, state and federal laws and requirements for air quality, construction, roads, drainage, improvements, water supply, and sewage disposal.

#### Finding 5 (Access)

The design of the land division is not in conflict with easements acquired by the public at large for access through or use of the property. There will be adequate access to the proposed parcels.

#### Finding 6 (Waste Water Discharge)

The discharge of waste from the proposed land division into a sewer system will not result in the violation of existing requirements prescribed by the California Regional Water Quality Control Board. There is no municipal sewer system for this area. The proposed parcels will be served by individual septic systems upon application for a use that would require sewage disposal. For all uses that require discharge of wastewater, on-site sewage disposal will likely be used. Such systems will be required to meet health & safety requirements as administered by Glenn County Environmental Health



Finding 7 (Suitability for Human Habitation)

The property is not, or will not become, unhealthful or unfit for human habitation or occupancy. The parcel arrangements are adequate in shape and size to accommodate continued agricultural uses. No potentially significant impacts were identified during the Initial Study that would pose danger to human occupancy at the site.

Finding 8 (Hazards)

The property is not hazardous for development or habitation. No development is currently proposed for the project site. The project site is not hazardous for development because of flooding, adverse soil or geologic conditions, close proximity to an airport, excessive steepness, difficult access, wildfire hazards or other conditions adverse to the public health, safety, or general welfare.

**5     SAMPLE MOTIONS:**

**5.1     Environmental Determination:**

I move that the Planning Commission, with the Findings as presented in the Initial Study and Staff Report, adopt the proposed Negative Declaration for Tentative Parcel Map 2020-002.

**5.2     Land Division:**

I (further) move that the Planning Commission find that Tentative Parcel Map 2020-002 meets the requirements of Glenn County Code Chapter 15.230.010, and therefore, approve Tentative Parcel Map 2020-002 with the Findings in the Staff Report and the Conditions of Approval as attached.

**GLENN COUNTY PLANNING AND  
COMMUNITY DEVELOPMENT SERVICES AGENCY**

**CONDITIONS OF APPROVAL TENTATIVE PARCEL MAP 2020-002**

**Tentative Parcel Map 2020-002:** Pursuant to the approval of the Glenn County Planning Commission, Tentative Parcel Map 2020-002 is hereby granted subject to the Conditions of Approval set forth herein. Tentative Parcel Map 2020-002 is hereby granted Pending final approval by the Glenn County Planning Commission the applicant shall file a signed copy of these Conditions of Approval with the Glenn County Planning & Community Development Services Agency.

**Project Summary:** The project consists of a land division to divide one legal lot (194.2± acres) into the following:

Parcel One:	96.8± acres
Parcel Two:	97.4± acres

The General Plan land use designation is “Intensive Agriculture” and the zoning designation is “AE-40” (Exclusive Agriculture Zone). Detailed project information is included in the Mitigated Negative Declaration and Initial Study attached to this report.

**Project Location:** The project site is located on the east side of County Road SS, south of County Road 61, west of Willow Creek, and north of Norman Road in the Codora area of unincorporated Glenn County, California. The site consists of a portion of Section 5, Township 18 North, Range 2 West, M.D.B. & M. Princeton Geological Survey (USGS) 7.5’ topographic Quadrangle; Assessor Parcel Numbers: 013-220-020 and 013-230-001.

## **ON GOING**

**Condition of Approval 1:** The Parcel Map shall substantially conform to the Tentative Parcel Map being identified as Exhibit “A” as submitted and on file at the Glenn County Planning & Community Development Services Agency.

**Condition of Approval 2:** There is a ten (10) day appeal period following the Planning Commission action on this map. The parcel map may not be recorded until this ten-day appeal period has expired (Glenn County Code §15.050.010).

**Condition of Approval 3:** All approved or conditionally approved tentative maps shall expire 24 months after such approval or conditional approval unless they are extended. If the applicant fails to submit for processing and recording an approved parcel map before the expiration of the tentative map, the tentative map shall be null and void. If a parcel map is not filed for recording prior to the expiration of the tentative map, a new tentative map shall be required to be submitted, processed, and approved (Glenn County Code §15.250.030).

**Condition of Approval 4:** The location, identification and description of known or found survey monuments on or adjacent to the site shall be shown and noted on the Parcel Map (Glenn County Code Chapter 15.680).

**Condition of Approval 5:** That the Applicant(s) and/or successor(s) in interest shall defend, hold harmless and indemnify Glenn County from any claim, action, or proceeding against Glenn County and/or its agents, officers, and employees, to attack, set aside, void or annul the approval(s) granted by Glenn County concerning this proposal/project or any action relating to or arising out of such approval. The Applicant(s) and/or successor(s) in interest shall further indemnify Glenn County and/or its agents, officers and employees from liability for any award, damages, costs, and fees, including but not limited to legal fees and costs, incurred by the County and/or awarded to any plaintiff in any action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant(s) and/or successor(s) in interest further agree to provide a defense for the County in any such action.

**Condition of Approval 6:** That the right-of-way for County Road D and County Road 62 shall be a minimum thirty (30) foot wide strip of land adjoining the centerline within the limits of the Parcel Map. The applicant shall submit acceptable evidence of existing dedication or shall provide dedication on the Parcel Map or by separate instrument to be recorded prior to the recording of the Parcel Map. The recording information for the dedication shall be shown on the face of the Parcel Map. (15.640.040 GCC)

**Condition of Approval 7:** Prior to any work being done in the County Right-of-Way, an Encroachment Permit shall be required (Glenn County Code §15.120).

**Condition of Approval 8:** That all areas which are subject to inundation or storm water overflows according to the Flood Insurance Rate Maps shall be shown and/or noted on the Parcel Map. (66434.2 SMA)

**Condition of Approval 9:** The necessary permits shall be secured in all affected federal, state, and local agencies. It is the responsibility of the applicant to make certain all requirements are met and permits are obtained from all other agencies.

## **Cultural Resources**

**Condition of Approval 13: CR-1 (Cultural Resources):** In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report, will be determined by the Glenn County Planning and Community Development Services Agency Director. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documented according to current professional standards.

## **Prior to Recording**

**Condition of Approval 14:** Prior to submitting the Parcel Map for recording, the subdivider shall file a properly executed Tax Collector's Certificate with the County Recorder. A copy of this executed certificate shall be included with the Parcel Map at the time the map is submitted to the County Surveyor for recording. In lieu of the above requirement, the Tax Collector's Certificate may be placed on the face of the Parcel Map. The Tax Collector's Certificate shall conform to Section 20.08.011 of the Board of Supervisors Book of Administrative Policies and Procedures.

## **Concurrent with Recording:**

**Condition of Approval 15:** The following statement shall be referenced on the recorded map and be recorded concurrently with the recorded map:

*"This parcel is not approved for any use that will generate liquid wastes. No permit to dispose of sewage or other liquid waste generated by the use of this property will be issued until the applicant has complied with the applicable provisions of Chapter 7.10 of the Glenn County Code."*

I hereby declare under penalty of perjury that I have read the foregoing conditions, which are in fact the conditions that were imposed upon the granting of the Tentative Parcel Map, and that I agree to abide fully by said conditions. Additionally, I have read the Staff Report and I am aware of codified county, state, and/or federal standards and regulations that shall be met with the granting of this permit.

**Signed:** \_\_\_\_\_  
Curtis G. Amaro, Applicant/Landowner

Date: \_\_\_\_\_

**Signed:** \_\_\_\_\_  
Shellie Lee Amaro, Landowner

Date: \_\_\_\_\_

**Signed:** \_\_\_\_\_  
John H. Webster, Landowner

Date: \_\_\_\_\_

**Signed:** \_\_\_\_\_  
Cathy Webster, Landowner

Date: \_\_\_\_\_

**Signed:** \_\_\_\_\_  
Gerald W. White, Surveyor

Date: \_\_\_\_\_

## TABLE OF CONTENTS

<b>NEGATIVE DECLARATION.....</b>	<b>1</b>
1.1 INTRODUCTION AND REGULATORY GUIDANCE .....	7
1.2 LEAD AGENCY .....	8
1.3 SUMMARY OF FINDINGS.....	8
<b>CHAPTER 2.....</b>	<b>9</b>
<b>PROJECT DESCRIPTION.....</b>	<b>9</b>
2.1 PROJECT DESCRIPTION.....	9
TABLE 1: EXISTING USES AND LAND USE DESIGNATIONS .....	9
<b>CHAPTER 3.....</b>	<b>10</b>
<b>ENVIRONMENTAL CHECKLIST .....</b>	<b>10</b>
I. AESTHETICS.....	12
II. AGRICULTURE AND FOREST RESOURCES .....	14
III. AIR QUALITY .....	17
IV. BIOLOGICAL RESOURCES.....	20
V. CULTURAL RESOURCES.....	27
VI. ENERGY .....	29
VII. GEOLOGY AND SOILS .....	30
VIII. GREENHOUSE GAS EMISSIONS .....	36
IX. HAZARDS AND HAZARDOUS MATERIALS .....	38
X. HYDROLOGY AND WATER QUALITY .....	42
XI. LAND USE AND PLANNING .....	46
XII. MINERAL RESOURCES.....	47
XIII. NOISE .....	48
XIV. POPULATION AND HOUSING.....	50
XV. PUBLIC SERVICES .....	51
XVI. RECREATION .....	53
XVII. TRANSPORTATION .....	54
XVIII. TRIBAL CULTURAL RESOURCES .....	56
XIX. UTILITIES AND SERVICE SYSTEMS .....	58
XX. WILDFIRE .....	60
XXI. MANDATORY FINDINGS OF SIGNIFICANCE .....	62
<b>REFERENCES.....</b>	<b>64</b>
<b>FIGURES .....</b>	<b>67</b>



## NEGATIVE DECLARATION

Date: May 2020

Project Title: **Tentative Parcel Map 2020-002, Amaro-Webster**

Lead Agency: Glenn County Planning & Community Development Services Agency  
225 North Tehama Street  
Willows, CA 95988

Contact Person: John Lanier, Assistant Planner  
530-934-6540  
[ilanier@countyofglenn.net](mailto:ilanier@countyofglenn.net)

Project Location: The project site is located east side of County Road SS, south of County Road 61, west of Willow Creek, and north of Norman Road, in the Codora area of unincorporated Glenn County, California. The site consists of portions of Section 5, Township 18 North, Range 2 West, M.D.B. & M., Princeton Geological Survey (USGS) 7.5' topographic Quadrangle.

APNs: 013-220-020, 013-230-001 (194.2± acres)

Applicant: Curtis Amaro  
12721 Merritt Horning Road  
Chico, CA 95928

Landowners: Curtis & Shellie Amaro  
12721 Merritt Horning Road  
Chico, CA 95928  
  
&  
  
John H. & Cathy S. Webster  
P.O. Box 2053  
Woodland, WA 98674

Surveyor: Gerald W. White PLS  
1070 W Wood Street  
Willows, CA 95988

General Plan: "Intensive Agriculture"

Zoning: AP-80, (72-acre minimum)

Project Summary:

The project consists of a land division to divide one existing legal lot totaling 194.2± acres into the following:

Parcel One:	96.8± acres
Parcel Two:	97.4± acres

The project is further described in Section 2.1 below.

Surrounding Land Uses and Setting:

The site is bounded on all sides by similar agriculture uses. Surrounding land uses and setting is further described in Section 2.1 below.

Other Public Agencies whose approval is required (e.g. permits, financing approval, or participation agreement.):

Other agencies may require permits that were not specifically listed or have yet to be recognized through the Initial Study and Glenn County permitting process. It is the responsibility of the applicant/agent to recognize and acquire any/all necessary permit approvals.

## **FINDINGS FOR NEGATIVE DECLARATION**

An Initial Study has been prepared by the Glenn County Planning & Community Development Services Agency. Based on this study, it is determined that the proposed project will not have a significant effect on the environment. The following Findings are made based on the Initial Study to support a Negative Declaration:

### Finding 1 (Aesthetics)

The project will not have a significant impact on aesthetics. The adopted standards for lighting and construction will minimize impacts from future development. The project is compatible with existing uses in the area. Impacts are considered less than significant.

### Finding 2 (Agricultural and Forest Resources)

The project will not have a significant impact on agriculture or forest resources because no significant change in the current use of the land will result. Agricultural activities within the vicinity will not be adversely impacted by this project. There are no forest resources located within the vicinity of the project. Impacts are considered less than significant.

### Finding 3 (Air Quality)

The project will not have a significant impact on air quality because the project will not violate air quality standards or contribute substantially to an existing air quality violation. Additionally, the project will not adversely impact sensitive receptors nor would it create objectionable odors. Impacts are considered less than significant.

### Finding 4 (Biological Resources)

The project will not have a significant impact on biological resources. There are no identified sensitive habitats or natural communities, therefore the project will have a less than significant impact on 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. Impacts are considered less than significant.

### Finding 5 (Cultural Resources)

The project will not have significant impact on cultural resources. State laws are in place in case of accidental discoveries made during future ground disturbing activities. Impacts are considered less than significant.

### Finding 6 (Energy)

The project will not have a significant impact on energy. The project will comply with California Green Building Standards as well as California Energy Code. The project will not with conflict or obstruct a state or local plans for renewable or efficient energy.

#### Finding 7 (Geology and Soils)

The project will not have a significant impact on geology and soils because geologic hazards in the area are minimal and the building codes will require new construction to meet standards for soil conditions. New on-site sewage disposal systems will be required to meet the standards set forth in the Glenn County Code and by the Glenn County Environmental Health Department. Impacts are considered less than significant.

#### Finding 8 (Greenhouse Gas Emissions)

The project will not have a significant impact on global climate change as a result of greenhouse gas emissions. The project is not in conflict with existing guidelines or standards. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. No significant change in the current use of the land will result. The project will not create significant changes in GHG emissions. Impacts are considered less than significant.

#### Finding 9 (Hazards and Hazardous Materials)

Hazards and hazardous materials will not have a significant impact on the environment as a result of the proposed project. The project will not interfere with an adopted emergency response plan nor expose people to risk of loss, injury, or death. The project does not propose the use of hazardous materials either directly or indirectly. Impacts are considered less than significant.

#### Finding 10 (Hydrology/Water Quality)

The project will not have a significant impact on hydrology and water quality because the project will not significantly alter the drainage pattern of the area. The project will not significantly interfere with groundwater recharge in the area. The project will not substantially deplete groundwater supplies or expose people or structures to a significant risk of loss, injury, or death involving flooding. The project will not violate water quality standards or waste discharge requirements. Impacts are considered less than significant.

#### Finding 11 (Land Use and Planning)

The project will not have a significant impact on land use and planning because the project would not physically divide an established community. The project site will meet the size and density requirements of the General Plan and Title 15 of the Glenn County Code and is consistent with the surrounding area. The project is also consistent with the Glenn County General Plan land use designation of "Intensive Agriculture". The project will not conflict with an existing habitat conservation plan or natural community conservation plan. No impacts are anticipated.

#### Finding 12 (Mineral Resources)

The project will not have a significant impact on mineral resources; according to the California Department of Conservation Mineral Lands Classification Map, the property

does not contain Concrete-Grade Mineral Aggregates. Impacts are considered less than significant.

#### Finding 13 (Noise)

The project will not have a significant impact on people residing or working in the area from excessive noise levels. Noise generating activities are required to meet the established standards prescribed by the County Code. The project site is not within an airport land use plan and not in the vicinity of a private airstrip, which would expose people in the area to unacceptable noise levels. Impacts are considered less than significant.

#### Finding 14 (Population and Housing)

The project will not have a significant impact on population and housing because the project will not displace people or housing. This project would not induce substantial population growth directly or indirectly. Impacts are considered less than significant.

#### Finding 15 (Public Services)

The project will not have a significant impact on public services. The services of fire protection, police protection, schools, parks, and other public facilities are sufficient to accommodate the proposed project. Existing requirements for taxes and developmental impact fees are implemented to offset impacts.

#### Finding 16 (Recreation)

The project will not have a significant impact on recreation because it would not substantially increase the use of existing recreational facilities nor does the project include such facilities. No impacts are anticipated.

#### Finding 17 (Transportation)

The project will not have a significant impact on transportation/circulation because it will not significantly increase traffic volumes on existing roads. The project will not change air traffic patterns. There is adequate access to the project site. Public and private roads will provide adequate emergency access to the project site. Alternative transportation plans will not be impacted. Impacts are considered less than significant.

#### Finding 18 (Tribal Cultural Resources)

The project will not have a significant impact on Tribal Cultural Resources. The Northeast Information Center of the California Historical Resources Information System states that there are no prehistoric or historic resources in the project area; this site has routinely been disturbed through its current agriculture operation. Therefore, no significant adverse impacts are identified or anticipated.

Finding 19 (Utilities and Service Systems)

The project will not have a significant impact on utilities and service systems. The project can adequately be served by existing utilities and service systems and does not involve a public wastewater treatment facility. Impacts are considered less than significant.

Finding 20 (Wildfire)

The project will not have a significant impact on wildfires. The project will not impair an adopted emergency response plan or emergency evacuation plan. The project will not exacerbate wildfire risk, and no new infrastructure is being proposed. The site is relatively flat and there will be no change in drainage. Impacts are considered less than significant.

Finding 21 (Mandatory Findings of Significance)

There is no substantial evidence in light of the whole record that the project may have a significant impact on the environment either cumulatively or individually. Impacts are considered less than significant.



## 1.1 INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study has been prepared by the County of Glenn to evaluate the potential impacts on the environment that could result from the implementation of the proposed project and to identify, if necessary, any mitigation measures that will reduce, offset, minimize, avoid, or otherwise compensate for significant environmental impacts.

This Initial Study has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), encoded in Sections 21000 *et seq.* of the Public Resources Code (PRC) with Guidelines for Implementation codified in the California Code of Regulations (CCR), Title 14, Chapter 3, Sections 15000 *et seq.*

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment [CEQA Guidelines §15063(a)]. If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) must be prepared, in accordance with CEQA Guidelines §15064(a). However, if the lead agency determines that there is no substantial evidence that the project may have a significant effect on the environment, a Negative Declaration may be prepared [CEQA Guidelines §15064(f)(3)]. The lead agency prepares a written statement describing the reasons a proposed project would not have a significant effect on the environment and, therefore, why an EIR need not be prepared. This document conforms to the content requirements under CEQA Guidelines §15071.

Alternatively, a Mitigated Negative Declaration may be prepared if the Initial Study identifies a potentially significant effect for which the project's proponent, before public release of a proposed Mitigated Negative Declaration, has made or agrees to make project revisions that mitigate the effects [CEQA Guidelines §15064(f)(2)].

Approval of the proposed project requires discretionary action by the County. According to CEQA Guidelines, a discretionary action or project must be reviewed by the lead agency, to determine its potential effects on the environment. Prior to preparation of the Initial Study, a Request for Review, which included a copy of the application and project description, was sent out by the County of Glenn to responsible and trustee state agencies, and local agencies and organizations to identify issues to be addressed in the Initial Study. Comments received were considered during the preparation of the Initial Study.

## **1.2 LEAD AGENCY**

The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines §15051(b)(1), "the lead agency will normally be an agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The lead agency for the proposed project is Glenn County Planning & Community Development Services Agency. The contact person for the lead agency to whom all inquiries and comments on this environmental document should be addressed is:

John Lanier, Assistant Planner  
Glenn County Planning & Community Development Services Agency  
225 North Tehama Street, Willows, CA 95988  
(530) 934-6540, [janier@countyofglenn.net](mailto:janier@countyofglenn.net)

## **1.3 SUMMARY OF FINDINGS**

Chapter 3 of this document contains the Environmental (Initial Study) Checklist that identifies the potential environmental impacts (by environmental issue) and a brief discussion of each impact resulting from implementation of the proposed project.

In accordance with §15064(f)(3) of the CEQA Guidelines, a Negative Declaration shall be prepared if there is no substantial evidence that the project may have a significant effect on the environment. Based on the available project information and the environmental analysis presented in this document, there is no substantial evidence that the proposed project would have a significant effect on the environment. It is proposed that a Negative Declaration be adopted in accordance with the CEQA Guidelines.

## CHAPTER 2 PROJECT DESCRIPTION

### 2.1 PROJECT DESCRIPTION

The project consists of a land division to divide one existing legal lot totaling 194.2± acres into the following:

<b>Parcel One:</b>	96.8± acres
<b>Parcel Two:</b>	97.4± acres

(See **Figure 3** for the Tentative Parcel Map)

#### Location:

The project site is located east side of County Road SS, south of County Road 61, west of Willow Creek, and north of Norman Road, in the Codora area of unincorporated Glenn County, California. The site consists of portions of Section 5, Township 18 North, Range 2 West, M.D.B. & M., Princeton Geological Survey (USGS) 7.5' topographic Quadrangle. (**Figure 1 and 2**). The project site consists of the following Assessor Parcel Numbers (APNs): 013-220-020, 013-230-001 (194.2± acres).

#### Surrounding Land Uses and Setting:

The project site as well as bordering parcels are currently being utilized for agriculture. Proposed Parcel One will have access to County Road SS, and Parcel Two will have access to County Road SS through Non-Exclusive Easements.

**Table 1** identifies the existing uses, General Plan designation and Zoning designations for the subject property and neighboring properties.

Table 1: Existing Uses and Land Use Designations			
	Existing Uses	General Plan	Zoning Designations
<b>Project Site:</b>	Agricultural	Intensive Agriculture	AP-80
North:	Agricultural	Intensive Agriculture	AE-40
East:	Agricultural	Intensive Agriculture	FS-80
South:	Agriculture	Intensive Agriculture	AP-80
West:	Agricultural	Intensive Agriculture	AE-40

**Figure 4** is an aerial photograph of the site and surroundings.

Based upon topographic maps the project site is relatively flat ranging from approximately 80 to 83 feet above mean sea level. Proposed Parcel One and Parcel Two are being utilized for Agriculture; additionally, there are no residences or other structures on either parcel.

## CHAPTER 3 ENVIRONMENTAL CHECKLIST

### PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment.

A significant impact is considered a substantial adverse effect, one that exceeds some critical and accepted threshold for negative environmental effects. CEQA defines a significant effect on the environment as "...a substantial, or potentially substantial, adverse (i.e., negative) change in any of the physical conditions within the area directly or indirectly caused by the Project, including effects on land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic "significance" (CEQA Guidelines, §15382). As recommended in the CEQA Guidelines, impacts are also identified as "potentially significant" prior to mitigation.

Mitigation measures are measures to mitigate, avoid, or substantially lessen impacts identified as significant or potentially significant. According to CEQA, the term "mitigation measures" refers to those items that are in addition to standard conditions, uniform codes, or project features that may also reduce potential impacts.

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Recourses
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

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

JPL-signed copy on file

\_\_\_\_\_  
 John Lanier, Assistant Planner

\_\_\_\_\_  
 July 24, 2020  
 Date

## I. AESTHETICS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### a) Would the project have a substantial adverse effect on a scenic vista?

**Less Than Significant Impact.** A scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. There are no designated scenic vistas on or adjacent to the subject property. The surrounding topography is flat. The project site itself is not a notably visible or scenic vista within the County. Available views in the area would generally continue to be available from the roadways and area surrounding the project site. It is concluded that there will be a less than significant impact.

### b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**No Impact.** Scenic resources may be defined as those landscape patterns and features that are visually or aesthetically pleasing and that, therefore, contribute affirmatively to the definition of a distinct community or region. Scenic areas, open spaces, rural landscapes, vistas, country roads, and other factors interact to produce a net visual benefit upon individuals or communities. Those visual resources that uniquely contribute to that public benefit may be considered scenic resources under CEQA.



The proposed project would not remove scenic resources such as buildings (historic or otherwise), rock outcroppings, or trees. There are no unique scenic resources or structures located at the project site.

The roadways in Glenn County are not listed as Eligible or as Officially Designated Scenic Highways according to the California Department of Transportation.<sup>1</sup> The project, as proposed, will not damage scenic resources in the area. Therefore, impacts are less than significant.

- c) **Would the project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

**Less Than Significant Impact.** Visual character is descriptive and non-evaluative, which means it is based on defined attributes that are neither good nor bad in and of themselves. It is the objective composition of the visible landscape within a viewshed. It is the viewer's perception of the visual environment and varies based on exposure, sensitivity, and expectation of the viewers.

The existing visual scenario consists of rice fields. The project will not substantially degrade the existing visual character or quality of the site or its surroundings. The existing visual character of the project location will not change because of this proposal. Therefore, it is concluded that there will be a less than significant impact on the existing visual character or quality of the site and its surroundings as a result of this project.

- d) **Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**Less Than Significant Impact.** Proposed Parcel One as well as Proposed Parcel Two are being utilized for Agriculture this would not be altered as a result of this proposal. Currently the zoning the would allow up to two residences, after the division up to four new residences could possibly be approved. The area surrounding the project site generally has low levels of ambient lighting, which emanate predominately from rural residential uses and vehicle headlights on county roads. The addition of four new residences on the 194.2±acre site would not have a significant impact.

The installation of any future lighting will be required to conform to the Glenn County Code. Glenn County Code §15.560.080 (Glare and Heat) requires that all exterior lighting accessory to any use be hooded, shielded or opaque. It further bans unobstructed beams of light from being directed beyond any exterior lot line.

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<sup>1</sup> California Department of Transportation. *Officially Designated State Scenic Highways*.  
[http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)

New exterior lighting is required to conform to this standard. These codified design standards reduce the potential impact to a less than significant level.

## II. AGRICULTURE AND FOREST RESOURCES

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

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Would the project 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?**

**Less Than Significant Impact.** The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (FMMP), tracks and categories land with respect to agricultural resources. Farmland is classified according to its ability to support crops or livestock. Land is designated as one of the following and each has a specific definition: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Farmland of Local Potential, Grazing Land, Urban and Built-Up Land, and Other Land.

The designation of Prime Farmland or Farmland of Statewide Importance covers the majority of the valley portion of Glenn County.

The 2016 FMMP map designates the property as “Prime Farmland”.<sup>2</sup>

California Department of Conservation defines “Prime Farmland” as *“Irrigated land with the best combination of physical and chemical features able to sustain long term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for production of irrigated crops at some time during the four years prior to the mapping date.”*

At 96.8± acres for proposed Parcel One and 97.4± for Parcel Two, both parcels will remain at a sufficient size for intensive agricultural use. All future uses will be required to comply with the “AP-80” (Agricultural Preserve Zone) zoning district. The project is consistent with agricultural uses and complies with the “AP-80” zone; therefore, this project will have a less than significant impact on agricultural resources.

**b) Would the project conflict with existing zoning for agriculture use, or a Williamson Act contract?**

**Less Than Significant Impact.** The property is under a Williamson Act Contract 2004-02. The project proposes to divide the property into Parcel One and Parcel Two, both parcels will retain their agriculture zoning (Agricultural Preserve Zone) as well as remain within Farmland Security Zone Contract 2004-02. The project is compatible with existing land uses and zoning in the area. The project will not result in the removal of Williamson Act land from agricultural use; therefore, there will be a less than significant impact.

**c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

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<sup>2</sup> California Department of Conservation, Division of Land Resource Protection. *Farmland Mapping and Monitoring Program*. <https://maps.conservation.ca.gov/DLRP/CIFF/>

**No Impact.** The proposed project will not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. The project site is not zoned for forestland or timberland use nor are adjacent lands; there are no forestland or timberland resources on or surrounding the project site. The “FA” Foothill Agricultural/Forestry Zone and “TPZ” Timberland Preserve Zone (Chapters 15.320 and 15.450 of the Glenn County Code) were created to protect timber and forested lands. Areas zoned “FA” and “TPZ” are located within the Mendocino National Forest in the western part of Glenn County where timber resources located; therefore, the project will have no impact.

**d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** Forest land is defined in Public Resources Code section 12220(g)) as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. This project will not result in the loss of forestland, as the project site does not contain land meeting the aforementioned definition. As a result, there is no impact because of this project.

**e) Would the project 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?**

**No Impact.** There will be no changes in the existing environment that would result in the conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. As discussed in Section II. a), no conversion of land from agriculture to another use will occur as a result of the proposed project. Further, there are no timber or forest resources on the subject property. For these reasons, there will be no impacts.

### III. AIR QUALITY

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

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Air Quality section addresses the impacts of the proposed project on ambient air quality and the exposure of people, especially sensitive individuals, to unhealthful pollutant concentrations. The primary air pollutants of concern for which ambient air quality standards (AAQS) have been established are ozone (O<sub>3</sub>), carbon monoxide (CO), coarse inhalable particulate matter (PM<sub>10</sub>), fine inhalable particulate matter (PM<sub>2.5</sub>), sulfur oxides (SO<sub>x</sub>), nitrogen dioxide (NO<sub>2</sub>), and lead (Pb). Geographic areas are classified under the federal and California Clean Air Act as in either attainment or nonattainment for each criteria pollutant based on whether the AAQS have been achieved.

**a) Would the project conflict with or obstruct implementation of the applicable air quality plan?**

**Less Than Significant Impact.** Air quality standards are set at both the federal and state levels. The Glenn County Air Pollution Control District (GCAPCD) is responsible for the planning and maintenance/attainment of these standards at the local level. The GCAPCD sets operational rules and limitations for businesses that emit significant amounts of criteria pollutants. The GCAPCD is supervised by the U.S. Environmental Protection Agency. Under the federal Clean Air Act, local air quality districts must produce and implement plans for cleaning up any pollutant that exceeds federal standards.

Local air districts are not able to enact rules that restrict "mobile sources" including cars, trucks, locomotives, and other vehicles. Only "stationary sources" of air

pollution fall under their control. Mobile sources are regulated by the California Air Resources Board.

The proposal will not conflict with or obstruct implementation of an applicable air quality plan. The Air Quality section of the Glenn County General Plan establishes mitigation measures designed to reduce particulate matter (PM) and ozone precursors in the ambient air as a result of emissions from sources that attract or generate motor vehicle activity.

The pollutants in Glenn County for which standards have been established include ozone and particulates (PM<sub>10</sub>). Glenn County has been designated as an attainment area for ozone; while particulates (PM<sub>10</sub>) are designated nonattainment by the state. Pursuant to the California Clean Air Act of 1988, an updated 2018 Air Quality Attainment Plan has been prepared for the Northern Sacramento Valley Planning Area (NSVPA). The NSVPA Districts have committed to jointly prepare and adopt the uniform air quality attainment plan for the purpose of achieving and maintaining healthful air quality throughout the air basin.

The 2018 triennial update of the NSVPA Air Quality Attainment Plan (2018 Plan) assesses the progress made in implementing the previous triennial update and proposes modifications to the strategies necessary to attain the California Ambient Air Quality Standards by the earliest practicable date. The 2018 Plan includes an assessment of progress towards achieving the control measure commitments in the previous Triennial Plan, a summary of the last three years of ozone data, a comparison of the expected versus actual emission reductions for each measure committed to in the previous Triennial Plan, updated control measure commitments, and updated growth rates of population, industry, and vehicle related emissions.

There is not anticipated to be a significant increase in vehicle miles traveled as a result of this project. The project consists of a land division to divide one existing parcel totaling 194.2± acres into two parcels; farming operations will not be altered. There is the potential to develop up to four new residences on the site. The proposal will not conflict with or obstruct the implementation of the Air Quality Attainment Plan; therefore, there is not a significant impact.

- b) Would the project 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?**

**Less Than Significant Impact.**

See Section III a) above.

Each project with emissions falling under regulatory standards must individually comply with the GCAPCD regulations. When adopting the General Plan in 1993, the Glenn County Board of Supervisors adopted a Statement of Overriding Considerations finding that the unavoidable impact to air quality could be



overridden because any project would represent a cumulative impact and that the General Plan employed all feasible mitigations. In addition, each project would be required to utilize the best available control technology to mitigate impacts to air quality.

The pollutants in Glenn County for which standards have been established include ozone and particulates (PM<sub>10</sub>). Glenn County has been designated as an attainment area for ozone; while particulates (PM<sub>10</sub>) are designated nonattainment by the state. An "Attainment" area

is defined as a geographic area that meets or exhibits values lower than the level of a criteria air pollutant allowed by the federal standards; a "Nonattainment" area is defined as a geographic area in which the level of a criteria air pollutant is higher than the level allowed by the federal standards. This project is not anticipated to increase Vehicle Miles Traveled nor is it anticipated to increase population, both of which are major contributors to pollutants including (PM<sub>10</sub>); it is concluded that the impact from the proposal is less than significant.

**c) Would the project expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** Neither California statutes nor regulations define "sensitive receptors" but this term normally refers to locations where uses and/or activities result in increased exposure of persons more sensitive to the unhealthful effects of emissions (such as children and the elderly). Examples of sensitive receptors include schools, hospitals, churches, and residential areas.

The proposed project is located in an area zoned for agricultural uses. Land use within the vicinity of the project site is agricultural and low-density rural residences. There are no schools, churches, hospitals, recreation areas, or other public facilities within the vicinity of the project site.

All uses at the site are still required to comply with applicable local, state and federal laws and regulations regarding contaminants and pollutants (Glenn County Code §15.560.040). These requirements include, but are not limited to, emissions of suspended particles, carbon monoxide, hydrocarbons, odors, toxic or obnoxious gases and fumes. As none of these impacts are expected to occur beyond lawful limits and due to the lack of sensitive receptors in the area, impacts are anticipated to be less than significant.

**d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**Less Than Significant Impact.** Odors are generally labeled as a nuisance and not a health risk to a community. It is a violation for odor to cause a nuisance according to GCAPCD, which has jurisdiction over odor complaints and can issue Notices of Violation according to state and local nuisance regulations if warranted. "Nuisance" includes anything which is injurious to human health, indecent or offensive to the senses, interferes with the comfortable enjoyment of life or

property, affects at the same time an entire community, neighborhood, household or any considerable number of persons although the extent of annoyance or damage inflicted upon an individual may be unequal, and which occurs as a result of the storage, removal, transport, processing or disposal of solid waste.

All land uses are required to comply with applicable local, state and federal laws and regulations regarding contaminants and pollutants (Glenn County Code §15.560.040). These requirements include, but are not limited to, emissions of suspended particles, carbon monoxide, hydrocarbons, odors, toxic or obnoxious gases and fumes.

GCAPCD will regulate future uses that may generate objectionable odors through the enforcement of applicable law.

The project area consists of agricultural and low-density residential uses. It is anticipated that this project will not generate objectionable odors which will affect a substantial number of people. Potential receptors in agricultural areas are subject to Glenn County's Right to Farm Ordinance and should expect inconveniences caused by odors associated with existing standard agricultural operations or practices. Homeowners must sign and acknowledge this ordinance prior to the construction of a home in or adjacent to an agricultural zone.

The project would not directly result in the creation of objectionable odors as the project does not include any features that would create objectionable odors. Given this information, impacts are considered less than significant.

#### IV. BIOLOGICAL RESOURCES

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Regulatory Background

### Special-Status Species

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern, and CDFW special-status invertebrates, are all considered special-status species.

Although CDFW Species of Special Concern generally have no special legal status, they are given special consideration under the California Environmental Quality Act (CEQA). In addition to regulations for special-status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918. Under this legislation, destroying active nests, eggs, and young is illegal. Plant species on the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (Inventory) with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Rank 3 and Rank 4 species are afforded little or no protection under CEQA.

### Waters of the United States

The U.S. Army Corps of Engineers (Corps) regulates “Waters of the United States” under Section 404 of the Clean Water Act. Waters of the U.S. are defined in the Code of Federal Regulations (CFR) as waters susceptible to use in commerce, including interstate waters and wetlands, all other waters (intrastate waterbodies, including wetlands), and their tributaries (33 CFR 328.3). Potential wetland areas, according to the three criteria used to delineate wetlands as defined in the *Corps of Engineers Wetlands Delineation*

*Manua<sup>3</sup>*, are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. Areas that are inundated at a sufficient depth and for a sufficient duration to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as “other waters” and are often characterized by an ordinary high water mark. Other waters, for example, generally include lakes, rivers, and streams. The placement of fill material into Waters of the U.S. generally requires an individual or nationwide permit from the Corps under Section 404 of the Clean Water Act.

#### Waters of the State

The term “Waters of the State” is defined by the Porter-Cologne Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” The Regional Water Quality Control Board (RWQCB) protects all waters in its regulatory scope and has special responsibility for wetlands, riparian areas, and headwaters. These water bodies have a high resource value, are vulnerable to filling, and are not systematically protected by other programs. RWQCB jurisdiction includes “isolated” wetlands and waters that may not be regulated by the Corps under Section 404. Waters of the State are regulated by the RWQCB under the State Water Quality Certification Program, which regulates discharges of fill and dredged material under Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Control Act. Projects that require a Corps permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State, are required to comply with the terms of the Water Quality Certification determination. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the RWQCB has the option to regulate the dredge and fill activities under its state authority in the form of Waste Discharge Requirements.

#### Streams, Lakes, and Riparian Habitat

Streams and lakes, as habitat for fish and wildlife species, are subject to jurisdiction by CDFW under Sections 1600-1616 of California Fish and Game Code. Alterations to or work within or adjacent to streambeds or lakes generally require a 1602 Lake and Streambed Alteration Agreement. The term “stream”, which includes creeks and rivers, is defined in the California Code of Regulations (CCR) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life [including] watercourses having a surface or subsurface flow that supports or has supported riparian vegetation” (14 CCR 1.72). In addition, the term “stream” can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife.<sup>4</sup> “Riparian” is defined as “on, or pertaining to, the banks of a stream.” Riparian vegetation is defined as “vegetation which occurs in and/or adjacent to a stream and is dependent

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<sup>3</sup> Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Department of the Army, Waterways Experiment Station, Vicksburg, Mississippi 39180-0631.

<sup>4</sup> California Department of Fish and Game. 1994. *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600-1607, California Fish and Game Code*. Environmental Services Division, Sacramento, CA.

on, and occurs because of, the stream itself.”<sup>5</sup> Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from CDFW.

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

**Less Than Significant Impact.**

Site Conditions

The project is located in unincorporated Glenn County and is approximately 194.2± acres in size. The project site, as well as bordering parcels, are currently being utilized for agricultural uses. There are no residential or other structures on either proposed parcel. Proposed Parcel One will have access to County Road SS, and proposed Parcel Two will have access to County Road SS through a Non-Exclusive Easement. Based upon Topographic Maps the project site is relatively flat ranging from approximately 79 to 83 feet above mean sea level (msl).

Surrounding Land Uses and Setting:

The project site is located on the east side of County Road SS, south of County Road 61, west of Willow Creek, and north of Norman Road, in the Codora area of unincorporated Glenn County, California. The site consists of portions of Section 5, Township 19 North, Range 2 West, M.D.B. & M., Princeton Geological Survey (USGS) 7.5' topographic Quadrangle.

This project will not have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species. The California Natural Diversity Database (CNDDDB) is a positive-sighting database managed by the California Department of Fish and Wildlife (CDFW).<sup>6</sup> According to the CNDDDB, sensitive species have not been documented within the project site and no sensitive species have been documented within 1.5-miles of the site.

The project site is not located in the vicinity of one of the twelve important biological areas defined in Table 2-5 of Volume III of the General Plan.<sup>7</sup> These important biological areas are primarily located within the riparian zones of the Sacramento

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<sup>5</sup> California Department of Fish and Game. 1994. *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600-1607, California Fish and Game Code*. Environmental Services Division, 015ento, CA.

<sup>6</sup> California Department of Fish and Wildlife. *California Natural Diversity Database*. <http://www.dfg.ca.gov/biogeodata/cnddb/>.

<sup>7</sup> Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Table 2-5.

River. The project site is not located within an area of special biological importance as shown on Figure 3-14 of Volume I of the General Plan.<sup>8</sup>

Many plant and wildlife species occur in specialized habitats, such as riparian, wetlands, marshes, ponds, and other aquatic habitats. The project is not adjacent to or in a position to impact these or other sensitive natural communities as none of these habitat areas exist on the project site.

In addition, a search of the following records showed no special status species within the project site or surrounding area:

- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper
- California Native Plant Society (CNPS) Electronic Inventory
- Aerial Imagery from 2018.

Agricultural uses will continue on-site; consequently, the habitat value of the project site will remain the same. No endangered plant species exist within the project site due to the site's long history of agricultural use and soil disturbance. The project does not include activities that would adversely affect fisheries because the site is not located near major watercourses.

The project will have a less than significant impact 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 Game or U.S. Fish and Wildlife Service.

**b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?**

**Less Than Significant Impact.** According to the Glenn County General Plan, riparian communities formerly occupied extensive stands within Glenn County; however, current riparian communities are principally located along the Sacramento River, Willow Creek, and Walker Creek.<sup>9</sup> The project site is located in the vicinity of Willow Creek. See Section IV. a) for additional information about current develop status of the project site.

The project site is not located in the vicinity of any of the twelve important biological areas defined in Table 2-5 of Volume III of the General Plan.<sup>10</sup> These important biological areas are primarily located within the riparian zones of the Sacramento

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<sup>8</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume I, Policy Plan*, Figure 3-14.

<sup>9</sup> Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 2.4.1, Vegetation.

<sup>10</sup> Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Table 2-5.



River. The project site is also not located within an area of special biological importance as shown on Figure 3-14 of Volume I of the General Plan.<sup>11</sup>

The project does not involve changes to the physical environment, which would alter or destroy sensitive natural communities. All present land uses will continue on the project site; therefore, there would be a less than significant impact on riparian habitat or other sensitive natural community.

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

**Less Than Significant Impact.** According to the Confined Animal Facilities Element of the Glenn County General Plan, wetlands comprise approximately 4,278 acres of Glenn County, and include marshes, ponds, fringes of small lakes, sloughs, and swamps. The largest wetland assemblages occur within the Sacramento River floodplain, including the managed wetlands of the Sacramento National Wildlife Refuge. Wetlands may also be found in areas with suitable soil and hydrologic conditions.<sup>12</sup>

Since the 1970s, the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency have used the following definition for wetlands for regulatory purposes: *“Wetlands are areas that are inundated or saturated by surface or ground water 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. Wetlands generally include swamps, marshes, bogs, and similar areas.”*

According to the National Wetlands Inventory of the U.S. Fish and Wildlife Service<sup>13</sup>, wetlands do not exist at the project site. According to the California Central Valley Wetlands and Riparian GIS data sets of the California Department of Fish and Wildlife<sup>14</sup>, the project site is not designated as a protected wetland site. The project will not directly remove, fill, interrupt the hydrology of, or otherwise affect federally protected wetlands. Therefore, it is concluded that there will be a less than significant impact on federally protected wetlands as a result of this project.

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<sup>11</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume I, Policy Plan*, Figure 3-14.

<sup>12</sup> Quad Knopf. May 2005. *Confined Animal Facilities Element of the Glenn County General Plan*, Section 2.4, Biological Resources.

<sup>13</sup> United States Fish and Wildlife Service. *National Wetlands Inventory*: <http://www.fws.gov/nwi>.

<sup>14</sup> California Department of Fish and Wildlife. 2014. *California Central Valley Wetlands and Riparian GIS Data Sets*: <http://www.dfg.ca.gov/biogeodata/wetlands/>.

- d) **Would the project 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?**

**Less Than Significant Impact.** According to the Glenn County General Plan, there is a large expanse of deer range located in the western portion of the County next to the Mendocino National Forest.<sup>15</sup> Major migration corridors are located in the western part of the County. Based on the project site's location in the eastern portion of the County, there will be a less than significant impact on migration corridors.

Glenn County is located within the Pacific Flyway; a migratory corridor for birds moving between their winter and summer ranges. Winter waterfowl habitat is located within and surrounding the Sacramento National Wildlife Refuge, which is located in the southern part of the County. Many of these birds are protected by the Migratory Bird Treaty Act which prohibits killing, possessing, or trading in migratory birds except in accordance with regulations prescribed by the United States Secretary of the Interior. The project would have no impact on migratory waterfowl and other birds migrating through the region because the project does not include features, which would draw migratory fowl to the area.

The project site has routinely been graded; the project does not involve new activities on undisturbed ground. The project activities would not alter or destroy migratory wildlife corridors. The project site does not contain native wildlife nursery habitat. The project would not significantly impede migratory wildlife corridors. Therefore, it is concluded the proposed project would have a less than significant impact upon the movement of any native resident or migratory wildlife species.

- e) **Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No Impact.** The proposed project would not create a conflict with local policies or ordinances protecting biological resources because there are none within the area of the project. Therefore, it is concluded that there will be no impact.

- f) **Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** The proposed project would not create a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan because no plans have been adopted for this specific area. Therefore, it is concluded that there will be no impact.

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<sup>15</sup> Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 2.4.2, Wildlife.

## V. CULTURAL RESOURCES

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

Cultural resources include prehistoric and historic period archeological sites; historical features, such as rock walls, cemeteries, water ditches and flumes, and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates the past.

- a) **Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**
- b) **Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less Than Significant Impact with Mitigation Incorporated.** In compliance with CEQA Guideline §15064.5 (Determining the Significance of Impacts to Archaeological and Historical Resources), a request for a records search was submitted to the Northeast Information Center (NEIC), a member of the California Historic Resources Information System (CHRIS), to determine if any cultural places are located within the project site. Results from the NEIC were received April 2, 2020.

### Prehistoric Resources

According to the records of the NEIC, no prehistoric sites have been recorded in the project area or the vicinity. The project is located in a boundary region utilized by Konkow Maidu, Nomlaki, and Patwin populations. Unrecorded prehistoric cultural resources may be located in the project area.

### Historic Resources

According to the records of the NEIC, one site of this type has been recorded in the project area. The site, CA-GLE-603H, consists of the Provident Main Canal (aka, Brush Canal). Unrecorded historic cultural resources may be located in the project area.

The USGS Princeton 7.5' quad map indicates that the project area lies in the Larkins Childrens Rancho and the Quint Canal, Provident Main Canal, unnamed canals, roads, and levees are located in the project area, while Willow Creek, the Sacramento River, roads, and structures are located in the project vicinity.

In 1844, John Bidwell searched for a suitable land grant for the children of Thomas Larkin. His first trip was unsuccessful, but he eventually found the land grant in 1845 which was named Larkins Childrens Rancho.

The Provident Main/Brush Canal was constructed between 1916 and 1917 by the Provident Irrigation Syndicate (later the Provident Irrigation District). The canal, which is about 16 miles long, draws water from the Sacramento River at Sidd's landing and irrigates agricultural land west of the Sacramento River and southwest of the town of Princeton.

The project site is not known to have historically significant characteristics as defined by the criteria within Section 15064.5 of the Public Resource Code. This site has been farmed for many years and the ground has been levelled and tilled repeatedly, therefore the likelihood of discovering anything of historic value is minimal. The project site does not include historically significant structures. Present land uses will continue with approval of this project. Therefore, a cultural resources survey was not made a requirement for this project.

#### Discovery of Cultural Resources

In accordance with State and Federal Laws if any potentially prehistoric, protohistoric, and/or historic cultural resources are accidentally encountered during future excavation of the site, all work shall cease in the area of the find pending an examination of the site and materials by a qualified archaeologist.

#### **Mitigation:**

***Mitigation Measure CR-1 (Cultural Resources):*** *In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report, will be determined by the Glenn County Planning and Community Development Services Agency Director. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting*

*archaeologist, subject to scientific analysis, professional museum curation, and documented according to current professional standards.*

*Timing/Implementation: During construction/excavation activities*

*Enforcement/Monitoring: Glenn County Planning & Community Development Services Agency*

**c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less Than Significant Impact.** The project site contains no known paleontological resources or unique geologic sites. In accordance with State and Federal Laws if any potentially prehistoric, protohistoric, and/or historic cultural resources are accidentally encountered during future excavation of the site, all work shall cease in the area of the find pending an examination of the site and materials by a qualified archaeologist. It is concluded there will be a less than significant impact.

**d) Would the project disturb any human remains, including those interred outside of formal cemeteries?**

**Less Than Significant Impact.** The majority of the project site is currently graded and there is no evidence to suggest the presence of any human remains or burial sites located on or near the project site. The potential exists during construction to possibly uncover previously unidentified resources. Future development would be required to comply with the required procedures of conduct following the accidental discovery of human remains as mandated in the Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA).

Section 7050.5 of the California Health and Safety Code states that if human remains are found during construction activities, all operations are to cease until the County coroner has determined that the remains are not subject to the provisions of law concerning investigation of the circumstances in the manner provided in Section 5097.98 of the Public Resources Code. Based on this information, it is concluded that there is a less than significant impact.

## VI. Energy

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

**Less Than Significant Impact.** The proposal will not result in a significant impact due to wasteful, inefficient or unnecessary consumption. No development is being proposed at this time, however, the division could allow for the permitting of additional residences. Any future development must comply with California Green Building Standards as well as California Energy Code. Impacts are anticipated to be less than significant.

- b) **Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Less Than Significant Impact.** This proposal will not conflict with any state or local renewable energy plan or efficiently. This proposal is required to conform with the Glenn County Energy Element. Future development would be required to comply with the updated Title 24 of the California Code of Regulations established by the Energy Commission regarding emergency conservation standards.

## VII. GEOLOGY AND SOILS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)		Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)		Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)		Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)		Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

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

**ii) Strong seismic ground shaking?**

**Less Than Significant Impact.** Fault rupture occurs when an active fault displaces in two separate directions during an earthquake. Concern about the growing number of structures located on or near active and potentially active faults led the State of California to enact the Alquist-Priolo Geologic Hazard Zone Act of 1972. The Act was revised in 1975 and renamed the Alquist-Priolo Special Studies Zone Act. Sudden surface rupture from severe earthquakes can cause extensive property damage, but even the slow movement known as “fault creep” can cause displacement that results in offset or disfiguring of curbs, streets, and buildings.

According to the Glenn County General Plan, Glenn County is in a generally inactive seismic area. There are no Alquist-Priolo Special Studies Zones within the County. During the past 100 years, the County has experienced only minor earthquakes within its boundaries and secondary impacts from earthquakes centered out of the area. Projections of future impacts are low to moderate.<sup>16</sup> Glenn

<sup>16</sup> Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 3.3.1, Seismicity.

County is in a Seismic Design Load “D” according to the Uniform Building Code (UBC). All construction in the County is required to meet the standard set by the UBC for this area.

According to the Glenn County General Plan, the highest historic intensity rating for an earthquake affecting Glenn County is VII as measured by the Modified Mercalli Intensity Scale.<sup>17</sup> The UBC establishes standards for structures to survive earthquakes of an intensity of VII with little or no damage. The UBC also classifies all of Glenn County as being within a Seismic Risk Zone 3. Seismic risk zones are based, in part, on the distribution of earthquakes and the Modified Mercalli Intensity Scale rating of known earthquakes. A Seismic Risk Zone 3 requires that special precautions be taken, in accordance with the UBC, during construction to avoid or minimize earthquake damage.

The United States Geologic Survey (USGS) and California Geologic Survey (CGS) produced a Seismic Shaking Hazards in California map (revised April 2003), which depicts the peak ground acceleration (pga) percentage that has a 10% potential of occurring in the next fifty years.<sup>18</sup> Glenn County, as well as areas on the west side of the central valley, are rated as 10%–30% on a scale of 0%–100%. Additionally, no earthquake greater than a magnitude 5.5 has occurred in Glenn County in over 200 years.<sup>19</sup>

The seismic history of Glenn County shows the area to be generally stable. Glenn County’s stability can be correlated with its location away from tectonic plate boundary convergence/divergence and its location away from major active faults with high slip rates. Given this data, seismic related activities such as rupture of known earthquake faults and strong seismic ground shaking would have a less than significant impact on people and structures in the area of the project.

### iii) Seismic-related ground failure, including liquefaction?

**Less Than Significant Impact.** Liquefaction is defined as the transformation of a granular material from a solid state into a liquefied state resulting from increased pore water pressure. Ground shaking resulting from an earthquake is capable of providing the mechanism for liquefaction.

Due to the lack of seismic activity in Glenn County, it is unlikely that liquefaction or other ground failure of this type would occur. Liquefaction generally occurs in low-lying areas with saturated soils and its effects are commonly observed near water bodies. Soils with a loose structure, such as sand, are more susceptible to liquefaction when saturated.

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<sup>17</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Section 4.1.4, Earthquakes.

<sup>18</sup> United States Geological Survey and California Geologic Survey. *Seismic Shaking Hazards in California*. <http://www.consrv.ca.gov/cgs/rghm/psha/Pages/pga.aspx>.

<sup>19</sup> California Department of Conservation, California Geologic Survey. *Map 49, California Earthquakes, 1800-2000*. <http://www.consrv.ca.gov/CGS/rghm/quakes/Pages/index.aspx>.

Depending on the level of saturation, soils at the site may be subject to liquefaction during strong shaking in a seismic event. However, since 1800, there have been no recorded earthquakes in Glenn County above a magnitude 5.5. The Earthquake Shaking Potential for California map published by the California Geologic Survey in 2008 indicates that Glenn County is in an area that only will experience lower levels of ground shaking.<sup>20</sup> Further, the California Geologic Survey does not list Glenn County as an area where seismic activity affects soil stability. It is concluded that there is a less than significant impact.

**iv) Landslides?**

**No Impact.** Landslides include phenomena that involve the downslope displacement and movement of material, either triggered by static (gravity) or dynamic (earthquake) forces. Areas susceptible to landslides are typically characterized by steep, unstable slopes in weak soil or bedrock units. The highest potential for landslides exists in the western portion of the County. Figure 4-2 of Volume II of the General Plan depicts the project site as being in an area with the least potential for landslide.<sup>21</sup> The topography of the site and surrounding area is generally flat; therefore, it is not susceptible to slope failures and landslides. Therefore, it is concluded that there will be no impact.

**b) Would the project result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** Soil erosion occurs through either water or wind action. Erosion by water includes sheet, rill, ephemeral gully, classical gully, and stream bank erosion. The project site is generally flat. Severe erosion typically occurs on moderate slopes of sand and steep slopes of clay subjected to concentrated water runoff. Disruption of soils on the site is not expected to create significant soil erosion due to the flat topography on the site. All future construction at the site is required to conform to the Glenn County Code, which includes Glenn County Code Section 15.700 (Leveling of Land-Drainage Changes). The project would therefore not result in substantial soil erosion or the loss of topsoil. It is concluded that there will be a less than significant impact.

**c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less Than Significant Impact.** This proposal will have a less than significant impact on soil involving unstable soils that may result in on- or off-site landslides,

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<sup>20</sup> United States Geological Survey and California Geological Survey. 2008. *Earthquake Shaking Potential for California*.  
[http://www.consrv.ca.gov/cgs/information/publications/ms/Documents/MS48\\_revised.pdf](http://www.consrv.ca.gov/cgs/information/publications/ms/Documents/MS48_revised.pdf).

<sup>21</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Figure 4-2.

lateral spreading, subsidence, liquefaction, or collapse. Soils and the geology of the project site are generally stable because of the area's seismic stability and low relief (see Section VI. a) i) above).

#### On or Off-Site Landslide

Landslide potential in the County generally correlates with relief. Landslides are not a threat because the site is not located in an area with a great amount of relief. Figure 4-2 of Volume II of the General Plan shows that the project area is in an area of least landslide potential.<sup>22</sup>

#### Lateral Spreading

There is a low probability for lateral spreading to occur because of the area's seismic stability. All future construction is required to meet the standards set by the UBC, which will reduce impacts from lateral spreading.

#### Subsidence

Land subsidence is a gradual settling or sudden sinking of the Earth's surface owing to subsurface movement of earth materials. The principal causes of subsidence are aquifer-system compaction, drainage of organic soils, underground mining, hydrocompaction, natural compaction, sinkholes, and thawing permafrost.<sup>23</sup>

According to the Glenn County General Plan, potential subsidence areas occur in the eastern portion of the County where extensive groundwater withdrawals have occurred.<sup>24</sup> Extraction of natural gas reservoirs located in these same areas can also contribute to local subsidence of the land surface.

Glenn County is being monitored for subsidence through 58 monitoring stations. There have been no cases of subsidence at the project site<sup>25</sup>. The closest monitoring station is located approximately 1 mile southeast of the project site. All future construction is required to meet the standards set by the UBC, which will reduce impacts from possible subsidence. Farming intensity at the project site will not increase and will not have a significant impact on subsidence.

#### Liquefaction/Collapse

Liquefaction occurs when loosely packed sandy or silty materials saturated with water are shaken enough to lose strength and stiffness. Liquefied soils behave like a liquid and are responsible for damage during an earthquake, causing pipes to leak, roads and airport runways to buckle, and building foundations to be damaged. There is a low probability for liquefaction and ground collapse to occur

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<sup>22</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Figure 4-2.

<sup>23</sup> U.S. Geological Survey. December 2000. *Land Subsidence in the United States*, USGS Fact Sheet - 165-00. <http://water.usgs.gov/ogw/pubs/fs00165/>.

<sup>24</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Section 4.1.3, Subsidence.

<sup>25</sup> CA. Department of Water Resources. February 2015. Glenn County GPS Subsidence

because of the area's seismic stability. Future construction in compliance with the UBC will reduce impacts from liquefaction and collapse.

There is no record of any incidents of unstable geologic units in the project area. Based on the information provided above, it is concluded that there will be a less than significant impact.

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

**Less Than Significant Impact.** Expansive soils are those that shrink or swell with the change in moisture content. The volume of change is influenced by the quantity of moisture, by the kind and amount of clay in the soil, and by the original porosity of the soil. According to Figure 4-5 of Volume II of the Glenn County General Plan, most of Glenn County has high expansive soils.<sup>26</sup> Soils containing a high clay content often exhibit a generally high potential to expand when saturated, and contract when dried out. This shrink/swell movement can adversely affect building foundations, often causing them to crack or shift, with resulting damage to the buildings they support.

There would be no substantial risks to life or property from this project because all future development will require compliance with the UBC to avoid potential unstable earth conditions or changes in geologic substructures.

As part of the building permit process for future structures on the project site, the Glenn County Building Division will ensure that the foundations of all new structures are adequately designed for the shrink/swell characteristics of expansive soils and no significant impacts to life or property are expected. An engineer will be required to design the footings for future structures to address soil conditions. California Building Code compliance reduces potential impacts from expansive soils to less than significant. Therefore, it is concluded that there is a less than significant impact.

- e) **Would the project 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?**

**Less Than Significant Impact.** The project area relies on the use of septic tanks for the disposal of wastewater, as there is no municipal sewer system available in the area of the project.

The Glenn County Environmental Health Department replied to the Request for Review with the following comments: *We have reviewed the application*

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<sup>26</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Figure 4-5.

information for the project noted above and recommend it be found complete for further processing. We have the following comments:

*Proposed parcels one and two are undeveloped and proposed for agricultural use. As per section 15.660.040 of the Glenn County Code the following statement must be referenced on the recorded map and recorded concurrently with the recorded map:*

*“This parcel is not approved for any use that will generate liquid wastes. No permit to dispose of sewage or other liquid waste generated by the use of this property will be issued until the applicant has complied with the applicable provisions of Chapter 7.10 of the Glenn County Code.”*

Compliance with Glenn County Environmental Health standards would ensure that any septic systems are properly operating and any expansion of the system is designed with respect to on-site soil capabilities for the safe treatment and disposal of wastewater and the protection of groundwater quality. Therefore, this impact would be less than significant.

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

**Less Than Significant Impact.** The project site contains no known paleontological resources or unique geologic sites.

## VIII. GREENHOUSE GAS EMISSIONS

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

### Legislative/Regulatory

The Governor of California signed Executive Order S-3-05 (EO), in June 2005, which established statewide reduction targets for greenhouse gases. The EO states that emissions shall be reduced to 2000 levels by 2010, to 1990 levels by 2020, and by 2050 reduced to 80 percent of the 1990 levels. Assembly Bill 32, the California Global Warming Solutions Act, 2006 (AB 32), was signed into law in September 2006. AB 32 finds that global warming poses a serious threat to the economic wellbeing, public health, natural resources, and the California environment. It establishes a state goal of reducing



greenhouse gas emissions to 1990 levels by the year 2020, which would be a 25 percent reduction from forecasted emission levels.

Senate Bill 97 (SB 97) was approved by the Governor of California in August 2007. SB 97 requires the Governor's Office of Planning and Research (OPR) to prepare, develop, and transmit guidelines to the Resources Agency for the feasible mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions, as required by CEQA. In April 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency (Resources Agency) conducted formal rulemaking prior to certifying and adopting the amendments, as required by Senate Bill 97. The Resources Agency adopted the proposed amendments, and transmitted the amendments to the Office of Administrative Law on December 31, 2009. The Office of Administrative Law reviewed the Adopted Amendments and the Natural Resources Agency's rulemaking file. The Adopted Amendments were filed with the Secretary of State, and became effective March 18, 2010.

These CEQA Guidelines amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in draft CEQA documents. The greenhouse gas guidelines fit within the existing CEQA framework by amending existing Guidelines to reference climate change.

Greenhouse gases (GHGs), as defined by the Health and Safety code, include but are not limited to water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ozone (O<sub>3</sub>), and chlorofluorocarbons (CFCs) (Health and Safety Code §38500 et seq.). These gases all act as effective global insulators, reflecting back to earth visible light and infrared radiation.

GHGs are present in the atmosphere naturally, released by natural sources, or formed from secondary reactions taking place in the atmosphere. In the last 200 years, substantial quantities of GHGs have been released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, enhancing the natural greenhouse effect, which is believed to cause global warming. While manmade GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), some (like CFCs) are completely new to the atmosphere.

Natural sources of carbon dioxide (CO<sub>2</sub>) include respiration (breathing) of animals and plants and evaporation from the oceans. Together, these natural sources release about 150 billion tons of CO<sub>2</sub> each year, far outweighing the seven billion tons of manmade emissions from fossil fuel burning, waste incineration, deforestation, and cement manufacture. Nevertheless, natural removal processes such as photosynthesis by land and ocean-dwelling plant species cannot keep pace with this extra input of manmade CO<sub>2</sub>, and consequently the gas is building up in the atmosphere.

Methane (CH<sub>4</sub>) is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Manmade sources include the mining and burning of fossil fuels, digestive processes in ruminant animals such as cattle, rice paddies, and the burying of waste in landfills. Total annual

emissions of CH<sub>4</sub> are about 500 million tons, with manmade emissions accounting for the majority. The major removal process of atmospheric methane – chemical breakdown in the atmosphere – cannot keep pace with source emissions, and CH<sub>4</sub> concentrations in the atmosphere are increasing.<sup>27</sup>

**a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Less Than Significant Impact.** No changes are proposed for either parcel, as all existing uses will continue. This project will not create significant changes in GHG emissions. The GHG emissions associated with the agricultural operations at the site will continue to occur, with or without the project.

Future residential and non-residential uses must comply with standard green building and energy efficiency standards that would reduce potential GHG emissions. Consistent with the CBC and Title 24 Energy Code standards, the incorporation of green building measures, as applicable for a residence, would reduce energy and water consumption, which would also reduce GHG emissions. Because of the energy efficiency practices in place for future construction, future residential uses are not expected to make a substantial contribution of GHG emissions, and a less than significant impact would result. It is concluded that the proposed project would have a less than significant impact on emissions of GHG's and climate change.

**b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Less Than Significant Impact.** See discussion in section VII a) above. AB 32 is the State of California's primary GHG emissions regulation. There are no local plans in place with respect the GHG reduction. The project would not conflict with the state's goals to achieve the reduction targets under AB 32. Impacts are anticipated to be less than significant.

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<sup>27</sup> State of California. September 2006. *Assembly Bill 32 California Global Warming Solutions Act of 2006*, [http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab\\_0001-0050/ab\\_32\\_bill\\_20060927\\_chaptered.pdf](http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf)

b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less Than Significant Impact.** The California Health and Safety Code defines a Hazardous Material as “any material that because of its quantity, concentration, or physical or chemical characteristics poses a significant present or potential hazard to human health and safety or the environment if released into the workplace or environment”. Thus, hazardous material is a broad term for all substances that may be hazardous (there is no single list) and includes hazardous substances and hazardous wastes. Substances that are flammable, corrosive, reactive oxidizers, radioactive, combustible, or toxic are considered hazardous. Examples include oil, fuels, paints, thinners, cleaning solvents, compressed gasses (acetylene, carbon dioxide, oxygen, nitrogen, etc.), radioactive materials, and pesticides.

The Glenn County Air Pollution Control District (GCAPCD) is the Administering Agency and the Certified Unified Program Agency (CUPA) for Glenn County with responsibility for regulating hazardous materials handlers, hazardous waste generators, underground storage tank facilities, above ground storage tanks, and stationary sources handling regulated substances. The storage and handling of hazardous materials are closely monitored by the GCAPCD.

The routine transport of hazardous materials is not relevant to this project, which is a tentative parcel map to divide one parcel into two parcels. Any future uses involving the storage and handling of chemicals would be monitored by the GCAPCD. Therefore, it is concluded that impacts would be less than significant.

- b) **Would the project 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?**

**Less Than Significant Impact.**

Refer to subsection VIII a) above.

Uses involving the storage and handling of hazardous materials are closely monitored by the GCAPCD, which is the CUPA for Glenn County. According to the GCAPCD, businesses that handle hazardous materials are required by law to provide an immediate verbal report of any release or threatened release of hazardous materials, if there is a reasonable belief that the release or threatened release poses a significant present or potential hazard to human health, safety, property, or the environment.

Local, state, and federal regulations for use and handling of hazardous materials reduce impacts to the public and the environment to a less than significant level.

- c) **Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less than Significant Impact.** The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no schools within one-quarter mile of the project; therefore, it is concluded that there will be no impact as a result of this project.

- d) **Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**No Impact.** The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to California Government Code §65962.5. According to the database of cleanup sites provided through the California Department of Toxic Substance Control (DTSC), there are no cleanup sites within the vicinity of the project.<sup>28</sup> Therefore, there will be no impact.

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

**No Impact.** The project site is not located within an airport land use plan or within two miles of a public airport or public use airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area; therefore, there is no impact.

- f) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** The project would not interfere with an adopted emergency response or evacuation plan. All roads in the area would remain open. The project will not interfere with adjacent roadways that may be used for emergency response or evacuation. The project will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

Designated emergency evacuation routes in the event of flood or dam failure are listed in Section 3.7 of Volume II of the Glenn County General Plan.<sup>29</sup> The proposed project does not pose a unique or unusual use or activity that would impair the effective and efficient implementation of an adopted emergency response or evacuation plan. The project will not obstruct or compromise the safety of emergency response vehicles or aircraft and their ability to effectively respond in an emergency; therefore, there is no impact.

- g) **Would the project 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?**

**Less Than Significant Impact.** The proposed project would not expose people or structures to a significant risk of loss, injury or death-involving wildland fires because there are no wildlands surrounding the project site. The project site is not located within or adjacent to a State Responsible Area (SRA) managed by the California Department of Forestry and Fire Protection (CAL FIRE); therefore, the

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<sup>28</sup> California Department of Toxic Substance Control. *Envirostor: Cleanup Sites and Hazardous Waste Permitted Facilities*. <http://www.envirostor.dtsc.ca.gov/public/>.

<sup>29</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Section 3.7, Emergency Response Plan.

site is not ranked by CAL FIRE.<sup>30</sup> According to Figure 3-2 of Volume II of the Glenn County General Plan, the project site is not located within a fire hazard severity zone.<sup>31</sup> The most severe wildland fires occur in the western portion of the County within the Mendocino National Forest. It is concluded that there will be a less than significant impact on the project from wildland fires.

## X. HYDROLOGY AND WATER QUALITY

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

<sup>30</sup> California Department of Forestry and Fire Protection. 2007. *Fire Hazard Severity Zones in State Responsible Areas (SRA, Fire and Resource Assessment Program (FRAP))*.  
[http://frap.cdf.ca.gov/webdata/maps/glenn/fhszs\\_map.11.jpg](http://frap.cdf.ca.gov/webdata/maps/glenn/fhszs_map.11.jpg).

<sup>31</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Figure 3-2.



	iv)	impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

**Less Than Significant Impact.** It is anticipated that the proposed project will not violate water quality standards or waste discharge requirements set forth by the Central Valley Regional Water Quality Control Board. The proposed project is not in an area of integrated sewer systems, and the proposal will require a permit for onsite wastewater treatment systems issued by Glenn County Environmental Health. It is concluded that there will be a less than significant impact as a result of this project.

**b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Less Than Significant Impact.** The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. According to the Glenn County General Plan, the eastern portion of Glenn County overlies the Sacramento Valley Groundwater Basin, which contains abundant supplies of high quality groundwater to depths of 800 feet.<sup>32</sup>

There is the potential for an additional four residences to be developed as a result of this proposal. The average residence will use approximately 232 gallon of water per day; for a total of 928 gallons as a result of this proposal<sup>33</sup>. 928 gallons of water would not significantly deplete groundwater supplies or interfere substantially with groundwater recharge. The project site is primarily used for agriculture, which will continue independently of this project. Water use associated with future development is not anticipated to include heavy uses of water and would not have a significant impact upon groundwater decline.

<sup>32</sup> Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues, Natural Resources Issue Paper, Section 3, Water Resources.*

<sup>33</sup> U.S. Geological Survey's. <https://water.usgs.gov/edu/qa-home-percapita.html>

Irrigation using surface water is currently used to support agricultural uses in the vicinity of the project. Irrigation of agricultural fields using available surface water is a major contributor to groundwater recharge. Soils in the project area allow a moderate amount of water percolation. Groundwater in the area is recharged it appears, in part, by the irrigation of field crops in the surrounding areas. Groundwater recharge in the project area will potentially continue to take place as crops are irrigated, therefore there will be a less than significant impact on groundwater supplies and groundwater recharge.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**
- i) **result in a substantial erosion or siltation on- or off-site;**
  - ii) **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**

**Less Than Significant Impact.** Based on the approximate project site topography the project site is relatively flat with an elevation of approximately 83 feet, with the lowest elevation of approximately 80 feet within the southern portion of the project site; the site currently drains to the south of the property. Quint Canal is located east of the project site and is adjacent to the site. The drainage pattern of the site is not anticipated to change as a result of this project, there is anticipated to be no substantial increase in erosion or siltation. Given that the drainage pattern of the project site will not substantially change as a result of this project there will not be a significant impact to surface runoff, which would result in flooding on- or off-site.

- iii) **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**

**Less Than Significant Impact.** There will not be a significant increase in surface runoff, which would result in erosion or siltation on- or off-site. All future construction is required to conform to the Glenn County Code, which includes Glenn County Code Section 15.700 (Leveling of Land-Drainage Changes). As is the case under current land use designations and zoning, future development would be required to adhere to standard practices designed to prevent erosion and siltation, such as slope protection and dust control. Any future drainage changes shall meet the requirements of Chapter 15.650 of the County Code. The project will not generate substantial additional sources of polluted runoff. It is concluded that there will be a less than significant impact.

**iv) impede or redirect flood flows?**

**Less Than Significant Impact.** This project will not impede or redirect flood flows. The project site is located within Flood Zone “A” according to Flood Insurance Rate Map (FIRM) No. 06021C0850D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “A” is one of the Special Flood Hazard Areas (SFHAs) inundation by the 1% annual chance flood event. All future construction and improvements of the project will be required to comply with the Glenn County Flood Plain Management Ordinance (Chapter 15.540 of the Glenn County Code). The project will not have a significant impact in impeding or redirecting flood flows.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**Less Than Significant Impact.** A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are potentially hazardous when the wave action created in lakes or swimming pools is strong enough to threaten life and property. Tsunamis are large ocean waves generated by major seismic events. There would be no impact on the project site from inundation by seiche or tsunami because the project area is not located near large bodies of water that would pose a seiche or tsunami hazard.

The project site is located within Flood Zone “A” according to Flood Insurance Rate Map (FIRM) No. 06021C0850D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “A” is one of the Special Flood Hazard Areas (SFHAs) inundation by the 1% annual chance flood event. No base flood elevations or base flood depths are shown within this zone.

All future construction and improvements will be required to comply with the Glenn County Flood Plain Management Ordinance (Chapter 15.540 of the Glenn County Code). A Flood Elevation Certificate will be required to be submitted by a licensed land surveyor upon application for a building permit. It is concluded that there will be a less than significant impact on release of pollutants due to existing regulations for new structures within a flood hazard area.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less than significant impact.** The proposal will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The proposed project will not substantially degrade water quality. No source of pollution affecting water quality would be generated with approval of this project. Construction activities resulting in a land disturbance of greater than one acre would require permitting through the Central Valley Regional Water Quality Control Board. An expansion of a septic system or a new system could degrade water quality. However, compliance with Glenn County

Environmental Health standards would ensure the safe treatment and disposal of wastewater and the protection of groundwater quality. The proposed project would not substantially decrease groundwater supplies or interfere with groundwater recharge as no increases in groundwater use are planned. It is concluded that there will be a less than significant impact.

#### XI. LAND USE AND PLANNING

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

##### a) Would the project physically divide an established community?

**No Impact.** The proposed project would not physically divide an established community. The proposed project is not of the scale or nature that could physically divide an established community. The project proposes to divide a single parcel into two parcels. The project would not block a public street, trail, or other access route or result in a physical barrier that would divide a community; therefore, no impacts would occur.

##### b) Would the project Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**No Impact.** The General Plan land use designation is “Intensive Agriculture” and the zoning designation is “AP-80” (Agricultural Preserve Zone, 72-acre minimum parcel size). The proposed project would meet the density requirements for this designation. This project is consistent with, and will not conflict with the “AP-80” zoning designation (Glenn County Code Chapter 15.470). The project is consistent with the General Plan land use goals and policies and no significant land use impacts will occur. It is concluded that there will be no impact on land use.

## XII. MINERAL RESOURCES

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

The purpose of the Mineral Resources section is to identify and evaluate the potential for the project to adversely affect the availability of known mineral resources. The mineral resources of concern include metals, industrial minerals (e.g., aggregate, sand and gravel), oil and gas, and geothermal resources that would be of value to the region and residents of the State of California.

Notable mineral resources in Glenn County include natural gas and construction grade aggregate material. In addition, published reports indicate past attempts to exploit deposits of chromite, molybdenite, and copper. Primary areas for gravel extraction occur along Stony Creek and the Sacramento River, although there are other pockets of gravel scattered throughout the County.

Several gas fields contribute to a significant quantity of natural gas production in Glenn County. Of these, the Malton-Black Butte field located on the border with Tehama County in eastern Glenn County, and the Willows-Beehive Bend field located in southeastern Glenn County account for nearly 80 percent of total gas production in the County. No oil or geothermal resources have been discovered in the County.

Mining in Glenn County was primarily related to the extraction of strategic minerals during World Wars I and II. The extraction of chrome and manganese essentially ended in the late 1940s with the loss of government demand and subsidies.<sup>34</sup>

- a) **Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b) **Would the project 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?**

**Less Than Significant Impact.** According to the Mined Land Classification Map for Concrete-Grade Aggregate Resources Central Glenn County, produced by the

<sup>34</sup> Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 2.5, Mineral and Energy Resources.

California Department of Conservation, the project area is located within a mineral resource zone MRZ-2b. These zones are areas that have a high likelihood of containing significant aggregate deposits.<sup>35</sup> The project site is located within the “AP-80” (Agricultural Preserve) zone. Mining and related processing activities are not an allowed in the “AP-80” zone. Mineral extraction activities are not present at the project site and no such activities have occurred on the project site in the past. These activities would not be precluded by this project as the resource would still be accessible. Glenn County does not contain oil or geothermal fields but contains several natural gas fields.<sup>36</sup> Additionally, no oil or geothermal resources have been discovered in the County.<sup>37</sup> The project site does not lie within a known natural gas field. Natural gas wells have been located within the project vicinity and is adjacent to the Greenwood Gas, South natural gas well administrative area as designated by the Division of Oil, Gas, and Geothermal Resources. The project would not preclude natural gas well development in the future; therefore, no significant impacts to mineral resources are anticipated. It is concluded that the project would have a less than significant impact on mineral resources.

### XIII. NOISE

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

<sup>35</sup> California Department of Conservation. 1997. *Mined Land Classification Map for Concrete-Grade Aggregate Resources Central Glenn County*.

<sup>36</sup> California Department of Conservation, Division of Oil, Gas, and Geothermal Resources. 2001. *Oil, Gas, and Geothermal Fields in California*.

<sup>37</sup> Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 2.5, Mineral and Energy Resources.



a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Less Than Significant Impact.** The Glenn County General Plan Noise Element provides a basis for local policies to control and abate environmental noise, and to protect the citizens of Glenn County from excessive noise exposure. The County also enforces its Noise Ordinance (Chapter 15.560.100) in the County Code. This ordinance contains noise level standards for residential and non-residential land uses.

Glenn County Code §15.160.100 states that construction site sounds between 7:00 a.m. and 7:00 p.m. and agricultural equipment when operated on property zoned for agricultural activities (provided standard, reasonable practices are being followed) are exempt from local noise standards. Noise impacts associated with on-site activities and traffic is not anticipated to exceed the area's existing ambient noise levels.

There is not anticipated to be any noise generated as a result of this proposal as no new development is being proposed, however, the proposal does have the potential to create up to four new residences. Any noise generated would not be in excess of standards established in the Glenn County General Plan or noise ordinance. The project site is located in an area of lands zoned for agriculture uses.

Section 6.10 of the Glenn County General Plan supplies noise/land use compatibility guidelines and noise level standards. Noise impacts associated with on-site activities and traffic is not anticipated to exceed the area's existing ambient noise levels. No significant increase in noise is anticipated as a result of this project. Based on the aforementioned information, it is concluded that there will be a less than significant impact.

There may be periodic increases in noise during future construction activities. Construction-related noises between the hours of 7 A.M. and 7:00 P.M. are exempt from the local noise standards per Glenn County Code §15.560.100(F)(5). Construction-related noise levels at other times are regulated by the above-referenced County Code section. The operation of the project may increase noise levels in the project vicinity; however, there are no residences within 1,000 feet of the project site. Therefore, it is concluded there will be less than significant impact.

b) **Generation of excessive groundborne vibration or groundborne noise levels??**

**Less Than Significant Impact.** The proposed project would not generate excessive groundborne vibrations. Vibrations are regulated by Glenn County Code §15.560.130, which states that no use shall generate ground vibrations which are perceptible without instruments beyond the lot line. Ground vibration caused by motor vehicles, aircraft, temporary construction work or agricultural equipment are

exempt from the vibration performance standard as stated under Glenn County Code §15.560.130. Potential residential construction work in the future would not cause significant groundborne vibration. Since the duration of impact would be brief and would occur during less sensitive daytime hours (i.e., between 7:00 a.m. and 7:00 p.m.), the impact from construction-related groundborne vibration and groundborne noise is considered less than significant.

- c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** There are no private airports or private airstrips located within the vicinity of the project site. According to topographic maps and aerial photos, the project site is not located within the vicinity of a private airstrip. Additionally the project sites is located outside of airport land use planning boundaries and is approximately 8 miles southeast from the Willows-Glenn County Airport.<sup>38</sup> This airport is the closest public use airport to project site. The project site is outside of the noise contour based on the Community Noise Equivalent Level (CNEL) as defined in the Willows Glenn County Airport Master Plan. It is concluded that there will be a less than significant impact as a result of this project.

#### XIV. POPULATION AND HOUSING

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Population impacts are often associated with substantial increases in population from a project. Housing impacts may result directly from the construction of new housing units or indirectly from changes in housing demand associated with new non-residential development, such as office, manufacturing, and industrial uses that increase employment in an area.

<sup>38</sup> Glenn County Airport Land Use Commission. June 30, 1990. *Comprehensive Airport Land Use Plan Willows Glenn County Airport*. [http://gcppwa.net/documents/Willows\\_Airport\\_Land\\_Use\\_Plan-1990.pdf](http://gcppwa.net/documents/Willows_Airport_Land_Use_Plan-1990.pdf)

- a) **Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

**Less Than Significant Impact.** The proposed project would not induce substantial population growth directly or indirectly. The site is currently undeveloped. While no new houses are being proposed, up to two residences per parcel could be constructed as allowed by zoning. A total of four new homes would at 2.75 persons per household, would total 11 new people, not a substantial increase to the population in the area. New businesses and/or the extension of roads that may lead to significant population growth are not possible with this project; therefore, there will be a less than significant impact on population growth.

- b) **Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**
- c) **Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The proposal would not displace existing housing or people within the area of the project. Construction of replacement housing would not be necessary with this proposal. Therefore, it is concluded that there will be no impact.

## XV. PUBLIC SERVICES

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

v)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

i) **Fire protection?**

**Less Than Significant Impact.** Glenn County is primarily serviced by volunteer fire protection districts. The community of Hamilton City and the City of Willows are the only areas that have paid firefighter personnel. The project site is served by the Willows Rural Fire Protection District. Response time would not be affected by the proposed project. County roads will provide adequate transportation routes to reach the project site in the event of a fire.

All future uses at the site will be required to meet fire and building codes. Compliance with building and fire codes will be determined by the Building Inspection Division. All of the fire protection regulations of the affected fire district are applicable to any future development. The project would not create significant demand for fire protection services to the extent that new fire facilities would need to be constructed to provide added protection capacity. It is concluded that there will be a less than significant impact on fire protection as a result of this project.

ii) **Police protection?**

**Less Than Significant Impact.** Law enforcement for unincorporated portions of Glenn County, including the project site, is provided by the Glenn County Sheriff's Department. There is a sheriff's office located in the City of Willows and substations located in the City of Orland and Hamilton City. The California Highway Patrol is responsible for patrolling interstate and state highways (including Interstate 5). Transportation routes to the project site are adequate for law enforcement to reach the area in the event of an emergency. Response time would not be affected by the proposed project. This project is not anticipated to require the staffing of additional peace officers or the purchase of additional equipment to support law enforcement activities. Based on this information, it is concluded that the project would have a less than significant impact on police protection.

iii) **Schools?**

**Less Than Significant Impact.** The project site lies within the Princeton Joint Unified School District. To help offset the impacts of development, the District assesses a development fee per square foot of the development. The proposed project does not require the use of school facilities. The proposed project would not induce substantial population growth and therefore, would not substantially

increase the demand on schools. Therefore, it is concluded that there will be a less than significant impact.

**iv) Parks?**

**Less Than Significant Impact.** The County provides for maintenance and upkeep of the existing parks within the unincorporated area. The proposed project would not affect the County's ability to provide recreational opportunities facilitated by parks and no demands on the current facilities would be generated by this proposal. The proposed project does not involve the use of parks and will not greatly increase park use. The proposed project could induce population growth of 11 and therefore, would not substantially increase the demand on parks. Therefore, it is concluded that there will be a less than significant impact.

**v) Other public facilities?**

**Less Than Significant Impact.** The proposed project may have incremental increases on demands for other public services and facilities; however, this would be a less than significant impact. Public agencies have reviewed this proposal for impacts to public services and facilities and a potentially significant impact has not been identified for this proposed project. The project will not significantly affect the ability of such utilities as electricity or telephone to provide service. Therefore, there is a less than significant impact to other public facilities.

**XVI. RECREATION**

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

**No Impact.** The project does not involve the use of recreational facilities. The proposed project could induce population growth of 11 and therefore, would not substantially increase the demand on parks. The project would not result in

substantial physical deterioration of recreational facilities. Therefore, it is concluded that there will be no impact.

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

**No Impact.** The project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, there will be no impact from the proposed project.

## XVII. TRANSPORTATION

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Glenn County Roads Overview:

The major north-south road is Interstate 5 (I-5), which provides major connection between Glenn County and major cities to the north, such as Red Bluff and Redding, and to the south to cities such as Sacramento. East of I-5, Routes 32 and 162 are the major east-west roads. Route 32 provides a connection through Orland to Chico, the closest of the major urban areas of California to Glenn County residents. To the south, approximately 16 miles, Highway 162 provides a similar connection to Oroville. The next major east-west road to the south is Highway 20 (approximately 23 miles south of Highway 162), which provides a connection to the Yuba City- Marysville area. Highway 45 is the only major north-south road east of I-5. It serves adjoining land uses as well as providing a connection between State Routes 32, 162, and 20.

State Route 162 is the only state route west of I-5. The route originally began at Highway 101 in Mendocino County and continued into Glenn County, but a 70-mile break currently



exists (34 miles of which is in Mendocino County and 36 miles in Glenn County). The intermediate mileage is a seasonal road owned and maintained by Mendocino and Glenn Counties. This travel corridor is the only east-west route between I-5 and Highway 101 between State Routes 20 and 36, a distance of approximately 75 miles.

The jurisdictions responsible for public roads within Glenn County include the County of Glenn, incorporated cities (Orland, Willows), the State of California, and the U.S. Forest Service.

**a) Would the project Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less Than Significant Impact.** The project will not conflict with an applicable plan, ordinance or policy addressing the circulation system.

The proposed project will be served by Non-Exclusive Easements and County Road SS. Traffic in the area of the project is related to agricultural and rural residential uses. The rural areas of Glenn County experience a wide array of agricultural related traffic. Additional vehicle traffic as a result of this project would not have a significant impact on current access roads or nearby connecting roads.

County roads in the area of the project have limited attraction with low traffic volumes of pedestrians, bicyclists, and leisure drivers due to the sparse local population and distance from residential areas. The surrounding areas are zoned for agricultural uses.

An increase in traffic could result if each resultant parcel is developed to its maximum of two residences per parcel totaling four new residences. According to the Institute of Transportation Engineers, a detached single-family residence averages 9.53 weekday vehicle trips. Four new residences would potentially result in 38.12 vehicle trips per day during weekdays. An increase of 38.12 vehicle trips would not be substantial for existing traffic volumes or road capacities. It is concluded that there will be a less than significant impact on transportation and traffic.

**b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)**

**§ 15064.3 Determining the Significance of Transportation Impacts**

**(b) Criteria for Analyzing Transportation Impacts**

**(1) Land Use Projects.** *“Vehicles miles traveled exceeding an applicable thresholds of significant may indicate a significant impact. Generally, projects within one-half mile of either an existing major transportation stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant impact. Projects that decrease vehicle miles traveled in the project area*

*compared to existing conditions should be presumed to have a less than significant impact”.*

**Less Than Significant Impact.** Vehicle Miles Traveled (VMT) are not anticipated to significantly increase as a result of this proposal. No development is being proposed at this time. While the proposal does have the potential to create four additional residences, it would not significantly increase VMT. With an additional population of 11, VMT would increase 421.63. The project is along an existing transit connector, County Road 60, the proposal is also not anticipated to significantly increase VMT; therefore; it is concluded there will be a less than significant impact.

- c) **Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less Than Significant Impact.** The proposed project would not substantially increase traffic hazards due to geometric design feature or incompatible uses. The project does not include potentially hazardous design features such as sharp curves or dangerous intersections. Non-exclusive easements to County Road SS will provide adequate ingress and egress to the resultant parcels.

- e) **Would the project result in inadequate emergency access?**

**Less Than Significant Impact.** There will be adequate emergency access to the project site and the project will not inhibit emergency vehicle access to surrounding parcels. Emergency services agencies have been contacted and have no objections to the proposal. The site will be accessible to fire, ambulance, and law enforcement vehicles. It is concluded that there will be a less than significant impact on emergency access.

## XVIII. TRIBAL CULTURAL RESOURCES

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

i)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**
- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**i) and ii) Less than significant Impact .** The proposed project will not cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code section 21074. A request for project review was sent to local native tribes as well as the Northeast Information Center of the California Historical Resources Information System (NEIC). No comments were received from native tribes. According to NEIC records, there are no prehistoric or historic resources at the project site. It is concluded the proposal will have a less than significant impact with mitigations incorporated.

#### Discovery of Cultural Resources

This site has been used for farming for many years, and as such has been tilled repeatedly, greatly reducing the chance that Cultural Resources will be discovered. In accordance with State and Federal Laws if any prehistoric, protohistoric, and/or

historic cultural resources are accidentally encountered during future excavation of the site, all work shall cease in the area of the find pending an examination of the site and materials by a qualified archaeologist. See Mitigation Measure CR1 for additional information.

## XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

**Less Than Significant Impact.** The proposed project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. There is no municipal wastewater treatment facility proposed with this project. The project will not require or result in new or expanded municipal facilities that could cause

significant environmental effects. The proposal will rely on individual sewage disposal systems for wastewater treatment.

The project site has been graded to accommodate existing uses. The proposed project would not require or result in the construction of new storm water drainage facilities or the expansion of existing facilities; therefore, no significant environmental damage would result from the construction of such facilities. Current land drainage is not expected to significantly change. Any leveling of land or drainage changes must comply with Chapter 15.700 of the Glenn County Code, as well as State and Federal regulations. The project will not require significant alterations to existing electric power, natural gas, or telecommunications facilities. It is concluded there will be a less than significant impact as a result of this project.

**b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**Less Than Significant Impact.** The project will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. While no new development is being proposed, the project does have the potential to create up to four new residences. Existing groundwater resources would be sufficient to serve the project and reasonably foreseeable development. Any residential development would be required to have county permitted water sources, making this impact less than significant. Future development may add to the cumulative impacts of water use, but is a less than significant impact to water supplies due to the scope of the project.

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

**Less Than Significant Impact.** There is no municipal wastewater treatment provider for the area. Individual sewage disposal systems are currently the only long-term method of providing sewage disposal for the project area. Any new sewage disposal systems would be required to meet the standards set forth in Chapter 7.010 of the Glenn County Code and by the Glenn County Environmental Health Department. No sewage disposal systems are located on the site and none are proposed. Future development shall meet all Environmental Health and Safety codes.

**d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**Less Than Significant Impact.** The proposed project will be required to comply with all solid waste regulations as implemented and enforced by the County of Glenn. Solid waste disposal is currently provided at the Glenn County Transfer Station. While future development at the project site would generate solid waste,

the amount of additional waste generated from the proposal's maximum buildout of an additional four residences would not have a significant impact of existing waste disposal. According to Environmental Protection Agency, the average person generated 4.82 pounds of solid waste per day. On average there are 2.58 persons per household, with four possible new residences there is the potential to create ~49.74 pounds of solid waste per day. An additional 49.74 pounds of solid waste per day would not have a significant impact on Glenn County Transfer Station Operations. The cumulative impacts on the Transfer Station will be offset in the future from increased requirements for sorting and diversion and/or increases in disposal costs. It is concluded that there will be a less than significant impact.

**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**No Impact.** In compliance with guidelines set forth by AB 939 (California Integrated Waste Management Act of 1989), the County of Glenn has adopted a Source Reduction and Recycling Element (SRRE) to define goals and objectives for waste reduction, recycling, and diversion. The SRRE defines guidelines to implement these goals and objectives through seven main programs, consisting of Source Reduction, Recycling, Composting, Special Waste Materials, Public Education, Policy Incentives, and Facility Recovery. The proposed project will be required to comply with all federal, state, and local statutes and regulations related to solid waste disposal. As a result, there would be no impact on solid waste regulations.

**XX. Wildfire**

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.** The project would not interfere with an adopted emergency response or emergency evacuation plan. All roads in the area would remain open. The project site is located on private property with adequate access to county roads. The project will not interfere with adjacent roadways that may be used for emergency response or evacuation. The project will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out. The proposed project does not pose a unique or unusual use or activity that would impair the effective and efficient implementation of an adopted emergency response or evacuation plan. According to Figure 3-2 of Volume II of the Glenn County General Plan, the project site is not located within a fire hazard severity zone. The most severe wildland fires occur in the western portion of the County within the Mendocino National Forest. The project will not obstruct or compromise the safety of emergency response vehicles or aircraft and their ability to effectively respond in an emergency. Therefore, it is concluded that there is a less than significant impact.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**Less Than Significant Impact.** The project site is relatively flat with minimal slope. The site has an elevation of approximately 83 feet, with the lowest elevation of approximately 80 feet within the southern portion of the project site. The project site has no features that would exacerbate wildfire risk including slope or prevailing winds; therefore, it is concluded there will be a less than significant impact.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact.** This project would not require the installation or maintenance of additional infrastructure that may exacerbate fire risk impacts to the environment. It is concluded there will be no impact.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**Less Than Significant Impact.** The project site is relatively flat with an elevation of approximately 83 feet, with the lowest elevation of approximately 80 feet within the southern portion of the project site. The drainage pattern of the site is not anticipated to change as a result of this project. No people or structures will be exposed to a significant risk due to post-fire slope instability or drainage changing. It is concluded there will be a less than significant impact.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Less Than Significant Impact.** All impacts associated with the project have been identified in this document. Impacts on biological resources and cultural resources were discussed in sections V and VI above. The project would not degrade the

quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. All uses at the site are subject to applicable codified federal, state, and local laws and regulations. It is concluded that there will be a less than significant impact.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

**Less Than Significant Impact.** As detailed throughout this document, the proposed project would have no impact or a less than significant impact for all environmental impact areas. The project's incremental impacts would not contribute to any cumulative impacts. All future uses at the site are subject to applicable federal, state, and county laws and standards. Therefore, impacts are considered less than significant.

- c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less Than Significant Impact.** The proposed project would not create significant hazards or health safety concerns. Aspects of this project, which have the potential to have an effect on human beings or the environment, have been discussed in this document. The impacts of the project have been concluded to be less than significant. The project as proposed will not have substantial adverse effects on human beings, either directly or indirectly. It is concluded that there will be a less than significant impact.

## REFERENCES

In addition to the resources listed below, Initial Study analysis may also be based on on-site field observations, discussions with the affected agencies, analyses of adopted plans and policies, review of existing studies, and specialized environmental studies. Most resource materials are on file in the office of the Glenn County Planning & Community Development Services Agency, 225 North Tehama Street, Willows, CA 95988, Phone (530) 934-6540.

### **Records of, or consultation with the following:**

#### **LANDOWNERS:**

Curtis & Shellie Amaro  
12721 Merritt-Horning Road,  
Chico, CA 92528  
&

John H. & Cathy S. Webster  
P.O. Box 2053,  
Woodland, WA 98674

#### **SURVEYOR:**

Gerald W. White, PLS  
California Engineering Company, Inc.  
1070 West Wood Street, Suite D,  
Willows, CA 95988

California Department of Conservation, Division of Land Resource Protection  
California Department of Fish and Wildlife  
Central Valley Regional Water Quality Control Board  
Glenn County Agricultural Commissioner  
Glenn County Air Pollution Control District/Certified Unified Program Agency  
Glenn County Environmental Health Department  
Glenn County Planning & Community Development Services, Building Inspection Division  
Glenn County Planning & Community Development Services, Environmental Health  
Glenn County Planning & Public Works Agency, Engineering & Surveying Division  
Glenn County Sheriff's Office  
Grindstone Rancheria of Wintun-Wailaki  
Mechoopda Indian Tribe of Chico Rancheria  
Middletown Rancheria of Pomo Indians California  
Northeast Information Center (NEIC) of the California Historical Resources Information System  
Willows Rural Fire Protection District  
Willows School District  
Pacific Gas and Electric Company (PG&E)  
Paskenta Band of Nomlaki Indians

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## FIGURES

- Figure 1. Topographic Map
- Figure 2. Assessor's Map
- Figure 3. Tentative Parcel Map
- Figure 4. Aerial Photograph of Site

Figure 1

PACKER TRACT  
Sacramento Valley Colony No. 4

T.C.A. 13-22

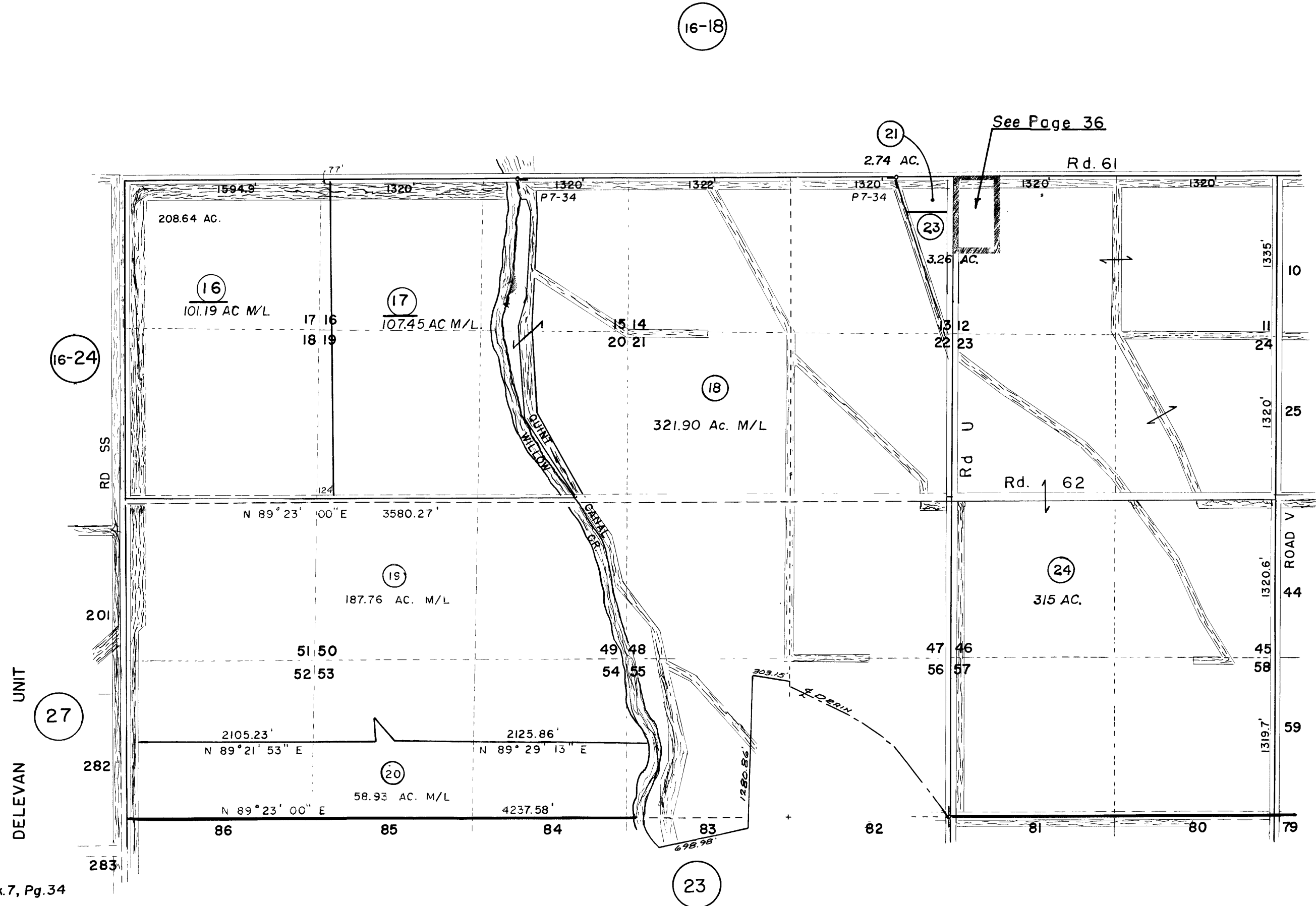
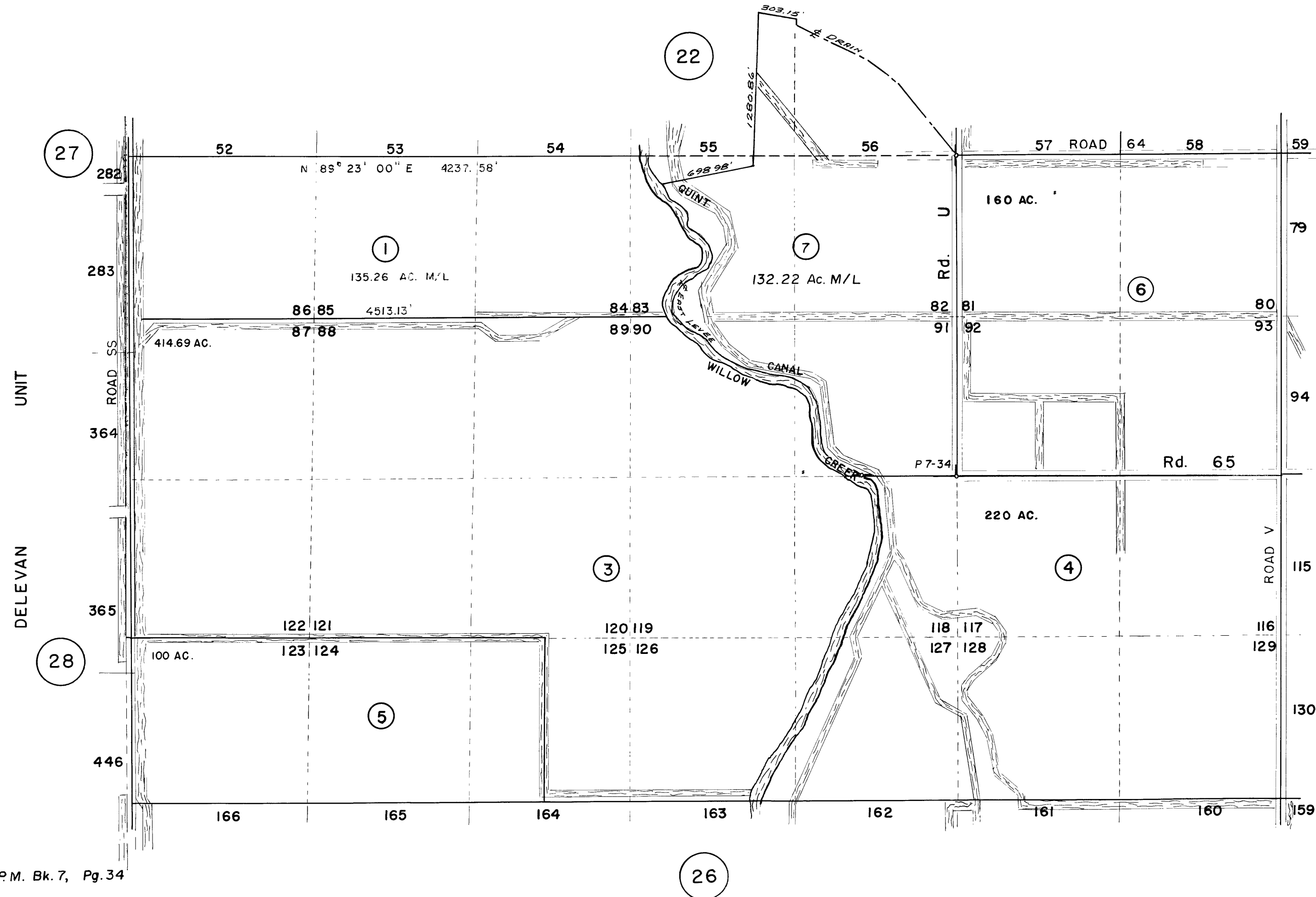


Figure 2

**PACKER TRACT**  
Sacramento Valley Colony No. 4

T.C.A. 13-23



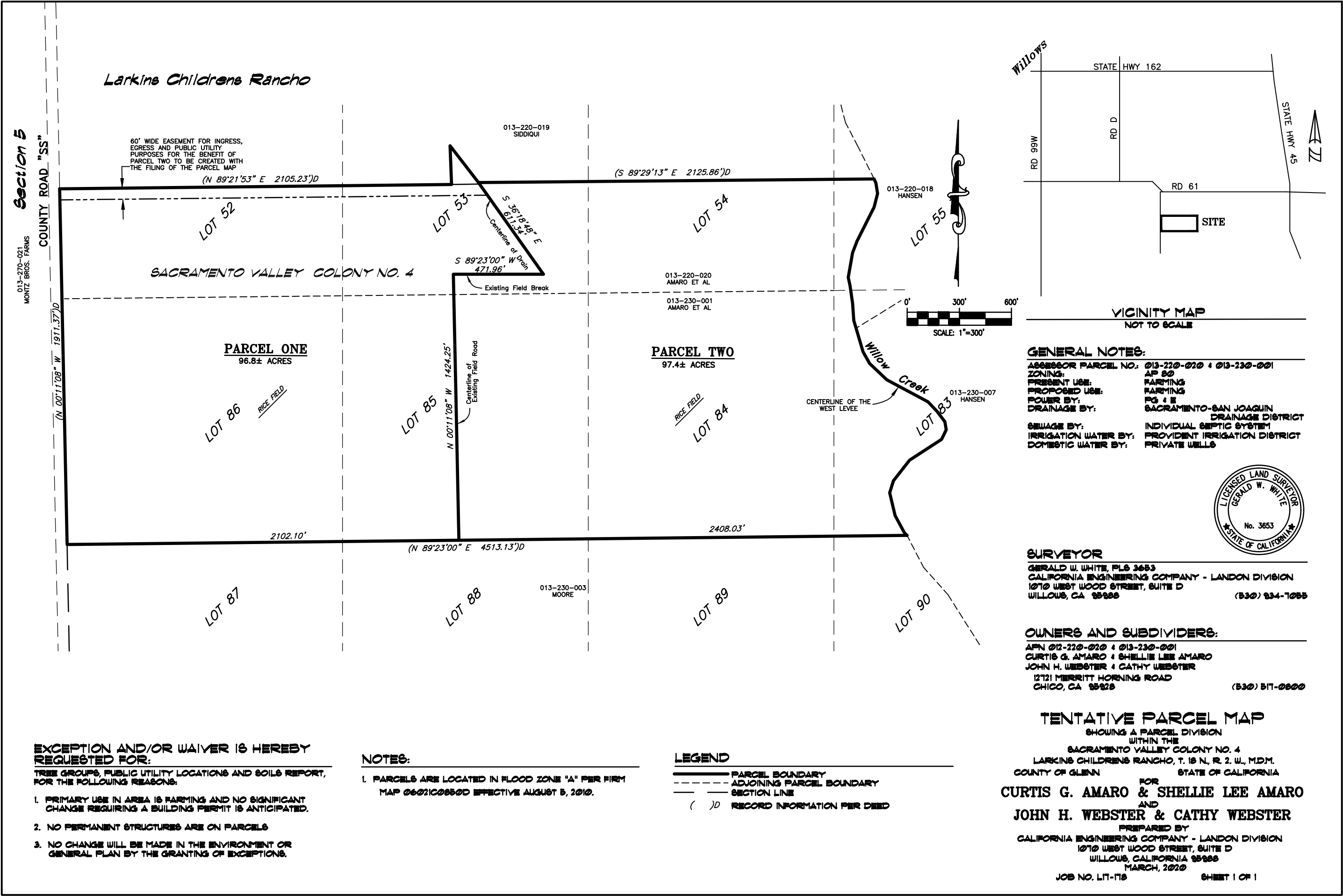


Figure 4

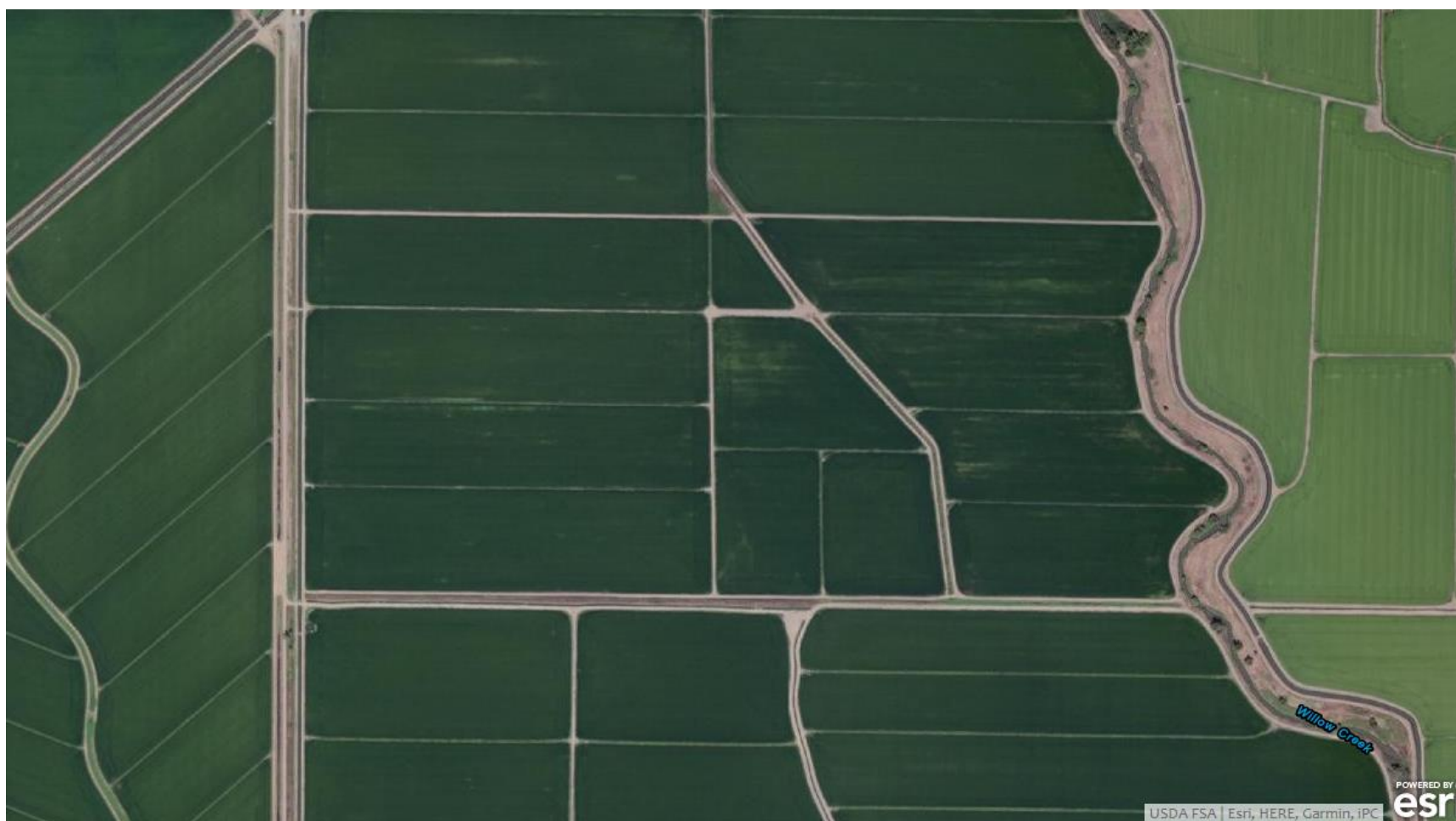


Figure 4: Aerial Image of Project Site



March 12, 2020

John Lanier  
County of Glenn  
225 N Tehama St  
Willows, CA 95988

Ref: Gas and Electric Transmission and Distribution

Dear John Lanier,

Thank you for submitting the Amaro-Webster plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: [https://www.pge.com/en\\_US/business/services/building-and-renovation/overview/overview.page](https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page).
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team  
Land Management





## **Attachment 1 – Gas Facilities**

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1.     Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2.     Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3.     Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4.     Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5.     Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [ $24/2 + 24 + 36/2 = 54$ ] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ( $90^\circ \pm 15^\circ$ ). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



## **Attachment 2 – Electric Facilities**

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. **Reservoirs, Sumps, Drainage Basins, and Ponds:** Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. **Automobile Parking:** Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. **Storage of Flammable, Explosive or Corrosive Materials:** There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 ([http://www.cpuc.ca.gov/gos/GO95/go\\_95\\_startup\\_page.html](http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html)) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

# GLENN COUNTY

## Planning & Community Development Services Agency Environmental Health Department

225 N Tehama St.  
Willows, CA 95988  
Tel: 530.934.6102 Fax: 530.934.6103  
[www.countyofglenn.net](http://www.countyofglenn.net)



DONALD RUST, Director

Date: March 18, 2020

To: John Lanier, Assistant Planner  
Glenn County Planning & Community Development Services Agency (PCDSA)  
(Via Email)

From: Kevin Backus, REHS  
Director, Glenn County PCDSA - Environmental Health Department

Re: TPM 2020-002, Amaro-Webster, APN 013-220-020, 013-230-001 (Land Division)

We have reviewed the application information for the project noted above and recommend it be found complete for further processing. We have the following comments/requirements:

Proposed parcels one and two are undeveloped and proposed for agriculture use. As per section 15.660.040 of the Glenn County Code the following statement must be referenced on the recorded map and recorded concurrently with the recorded map:

*"This parcel is not approved for any use that will generate liquid wastes. No permit to dispose of sewage or other liquid waste generated by the use of this property will be issued until the applicant has complied with the applicable provisions of Chapter 7.10 of the Glenn County Code."*

Where no map is recorded the statement shall be recorded with the certificate of compliance.

Please contact Environmental Health at 530-934-6102 with any questions on this matter.



## PUBLIC WORKS AGENCY

P.O. Box 1070 / 777 N. Colusa Street  
Willows, CA 95988

**Cole Grube, P.E., Director**

Airports  
Engineering  
Flood Control  
Roads & Bridges  
Solid Waste  
Surveyor  
Transit

March 25, 2020

Glenn County Planning and  
Community Development Services  
777 N. Colusa Street  
Willows, CA 95988

Attn: John Lanier, Assistant Planner

Subject: Tentative Parcel Map 2020-002 – Conditions of Approval  
Landowners: Curtis & Shellie Amaro and John & Cathy Webster

### Comments

That prior to any work being done in the County Right of Way an Encroachment Permit shall be required. (15.120 GCC)

### Conditions

That the right-of-way for County Road SS shall be a minimum thirty (30) foot wide strip of land adjoining the centerline within the limits of the Parcel Map. The applicant shall submit acceptable evidence of existing dedication or shall provide dedication on the Parcel Map or by separate instrument to be recorded prior to the recording of the Parcel Map. The recording information for the dedication shall be shown on the face of the Parcel Map. (15.640.040 GCC)

That all areas which are subject to inundation or storm water overflows according to the Flood Insurance Rate Maps shall be shown and/or noted on the Parcel Map. (66434.2 SMA)

Michael Biggs  
Engineering Technician III  
Glenn County Public Works



# GLENN COUNTY

## Planning & Community Development Services Agency

225 N. Tehama Street  
Willows, CA 95988  
530.934.6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

### REQUEST FOR REVIEW

#### COUNTY DEPARTMENTS/DISTRICTS

- ☒ Glenn County Agricultural Commissioner
- ☒ Glenn County Air Pollution Control District/CUPA
- ☒ Glenn County Assessor
- ☒ Glenn County Building Inspector
- ☒ Glenn County Engineering & Surveying Division
- ☒ Glenn County Environmental Health Department
- ☒ Glenn County Sheriff's Department
- ☐ Glenn County Board of Supervisors
- ☐ Glenn County Counsel
- ☐ Glenn County Planning Commission
- ☐ Glenn LAFCO

#### FEDERAL AGENCIES

- ☐ U.S. Army Corps of Engineers
- ☐ U.S. Fish and Wildlife Service
- ☐ U.S. Department of Agriculture
- ☐ U.S. Bureau of Reclamation - Willows

#### OTHER

- ☐ AT&T
- ☐ California Water Service Co. (Chico)
- ☐ California Association of RC&D
- ☐ City of Orland
- ☐ Comcast Cable (Chico Office)
- ☐ Community Services District:
- ☐ Drainage District:
- ☒ Fire Protection District: Willows Rural
- ☐ Glenn County Resource Conservation District
- ☒ Grindstone Rancheria of Wintun-Wailaki
- ☒ Northeast Center of the California Historical Resources Information System

#### STATE AGENCIES

- ☒ Central Valley Flood Protection Board
- ☐ Central Valley Regional Water Quality Control Board (RWQCB)
- ☐ CHP – Willows Office (GPA's, ZC's, and TSM's)
- ☐ Department of Alcoholic Beverage Control (ABC)
- ☒ Department of Conservation, Division of Land Resource Protection
- ☐ Department of Conservation, Office of Mine Reclamation (OMR)
- ☐ Department of Conservation, Division of Oil, Gas, and Geothermal Resources
- ☒ Department of Fish and Wildlife
- ☐ Department of Food and Agriculture
- ☐ Department of Forestry and Fire Protection (Cal Fire)
- ☐ Department of Housing and Community Development (HCD)
- ☐ Department of Public Health
- ☐ Department of Toxic Substances Control (DTSC)
- ☐ Department of Transportation (Caltrans)
- ☐ Department of Water Resources (DWR)
- ☐ Office of the State Fire Marshall
- ☐ Public Utilities Commission

- ☒ Paskenta Band of Nomlaki Indians
- ☒ Mechoopda Indian Tribe of Chico Rancheria
- ☒ Middletown Rancheria of Pomo Indians California
- ☒ Pacific Gas and Electric Company (PG&E)
- ☐ Railroad:
- ☐ Reclamation District:
- ☒ School District: Princeton Joint Unified
- ☐ Special District:
- ☐ Tehama-Colusa Canal Authority
- ☐ UC Cooperative Extension Office
- ☒ Water/Irrigation District: GCID

DATE: March 11, 2020

PROJECT: Tentative Parcel Map 2020-002, Amaro-Webster

PLANNER: John Lanier, Assistant Planner, [janier@countyofglenn.net](mailto:janier@countyofglenn.net)

# GLENN COUNTY

## Planning & Community Development Services Agency

225 N. Tehama Street  
Willows, CA 95988  
530.934.6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

### REQUEST FOR REVIEW

DATE: March 11, 2020

PROJECT: **Tentative Parcel Map 2020-002, Amaro-Webster**

PLANNER: John Lanier, Assistant Planner, [jlanier@countyofglenn.net](mailto:jlanier@countyofglenn.net)

APPLICANT/  
LANDOWNER: Curtis & Shellie Amaro  
12721 Merritt-Horning Road, Chico, CA 92528  
530-517-0800, [cgamaro@yahoo.com](mailto:cgamaro@yahoo.com)  
John H. & Cathy S. Webster  
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California Engineering Company, Inc.  
1070 W. Wood Street, Suite D, Willows, CA 95988  
(530) 934-7055  
[gwhite@cecusa.net](mailto:gwhite@cecusa.net)

PROPOSAL: **Tentative Parcel Map 2020-002, Amaro-Webster**

The project consists of a land division to divide one legal lot totaling approximately 194.2± acres into the following:

Parcel One:	96.8± acres
Parcel Two:	97.4± acres

APNs: 013-220-020, 013-230-001

LOCATION: The project site is located on the east side of County Road SS, south of County Road 61, west of Willow Creek, and north of Norman Road, in the Codora area of unincorporated Glenn County, California.

ZONING: AP-80, 72-acre minimum

GENERAL PLAN: "Intensive Agriculture"

**FLOOD ZONE:** Flood Zone “A” according to Flood Insurance Rate Map (FIRM) No. 06021C0850D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “A” is one of the Special Flood Hazard Areas (SFHAs) inundation by the 1% annual chance flood event. No base flood elevations or base flood depths are shown within this zone.

The Glenn County Planning Division is requesting comments on this proposal for determination of completeness, potential constraints, and/or proposed conditions of approval. If comments are not received by **Friday, March 27, 2020**, it is assumed that there are no specific comments to be included in the analysis of the project. Comments submitted by e-mail are acceptable. Thank you for considering this matter.

### **AGENCY COMMENTS:**

Please consider the following:

1. Is the information in the application complete enough to analyze impacts and conclude review?
2. Comments may include project-specific code requirements unique to the project. Cite code section and document (i.e. General Plan, Subdivision Map Act, etc.).
3. What are the recommended Conditions of Approval for this project and justification for each Condition? When should each Condition be accomplished (i.e. prior to any construction at the site, prior to recording the parcel map, filing the Final Map, or issuance of a Certificate of Occupancy, etc.)?
4. Are there significant environmental impacts? What mitigation(s) would bring the impacts to a less than significant level? When should mitigation(s) be accomplished (i.e. prior to recording parcel map, filing Final Map, or Certificate of Occupancy, etc.)?

TPM 2020-002

GLENN COUNTY  
PLANNING AND PUBLIC WORKS AGENCY  
777 North Colusa Street  
WILLOWS, CA 95988  
(530) 934-6540  
FAX (530) 934-6533  
[www.countyofglenn.net](http://www.countyofglenn.net)

**APPLICATION FOR TENTATIVE PARCEL MAP**

NOTE: FAILURE TO ANSWER APPLICABLE QUESTIONS AND REQUIRED ATTACHMENTS COULD DELAY THE PROCESSING OF YOUR APPLICATION.

1. Applicant(s):

Name: Curtis Amaro

Address: 12721 Merritt Horning Rd., Chico, Ca 95928

Phone: (Business) \_\_\_\_\_ (Home) 530-517-0800

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

2. Property Owner(s):

Name: Curtis & Shellie Amaro & John H. & Cathy Webster

Address: 12721 Merritt Horning Rd., Chico, Ca 95928

Phone: (Business) \_\_\_\_\_ (Home) 530-517-0800

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

3. Engineer/Surveyor:

Name: Gerald W. White. PLS

Mailing Address: 1070 W. Wood St., Ste. D, Willows, Ca 95988

Phone: (Business) 530-934-7055 (Home) \_\_\_\_\_

Fax: 530-934-4158 E-mail: gwhite@cecusa.net

4. Name and address of property owner's duly authorized agent (if applicable) who is to be furnished with notice of hearing (Section 65091 California Government Code).
- Name: Curtis & Shellie Amaro, John H. & Cathy Webster
- Mailing Address: 12721 Merritt Horning Rd., Chico, Ca 95928
5. Is There a Deed of Trust on the Property? Yes \_\_\_\_\_ No X
- (If Yes, list the person(s):
- Name: \_\_\_\_\_
- Mailing Address: \_\_\_\_\_
6. Request or Proposal: \_\_\_\_\_
7. Address and Location of Project: County Rd. SS, South of Rd. 61
8. Current Assessor's Parcel Number(s): 013-220-020 & 013-230-001
9. Existing Zoning: AP80
10. Existing Use of Property: Farming
11. Proposed Use of Property: Farming
12. Number of Existing Residential Dwelling Units on each Resultant Parcel: N/A
13. Number of Parcels to be Created: 2
14. Size for Each Parcel: 96.8+- Acres and 97.4+- Acres
15. Request for Waiver: Yes \_\_\_\_\_ No X  
(If "Yes", a written request must be submitted when the map is filed).
16. Provide any additional information that may be helpful in evaluating this request: Farm Management
- \_\_\_\_\_
- \_\_\_\_\_

**DECLARATION UNDER PENALTY OF PERJURY**

(Must be signed by Applicant(s) and Property Owner(s))

(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

Applicant(s):

Signed: Curtis Amaro Shellie Amaro

Print: Curtis Amaro Shellie Amaro

Date: 2/28/20 2/28/2020

Address: 12721 Merritt Horning Rd. Chico, Ca. 95928

I am (We are) the owner(s) of property involved in this application and I (We) have completed this application and all other documents required.

I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

I (We) declare under penalty of perjury that the foregoing is true and correct.

Property Owner(s):

Signed: John H. Webster Cathy S. Webster

Print: John H. Webster Cathy S. Webster

Date: 3/4/20

Address: PO Box 2053, Woodland, WA 98674



Case TPM 2020-002

GLENN COUNTY  
PLANNING AND PUBLIC WORKS AGENCY  
777 North Colusa Street  
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**ENVIRONMENTAL INFORMATION FORM**

**To be completed by applicant or engineer**

**Use extra sheets if necessary**

This list is intended to meet the requirements of State of California Government Code Section 65940.

I. GENERAL INFORMATION:

1. Name: Curtis & Shellie Amaro  
Address, City, State, Zip: 12721 Merritt Horning Rd., Chico, Ca 95928  
Telephone: 530-517-0800 Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_
2. Name: John H. & Cathy Webster  
Address, City, State, Zip: 12721 Merritt Horning Rd., Chico, Ca 95928  
Telephone: 530-517-0800 Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_
3. Address and Location of Project: County Rd. SS, South of Rd. 61
4. Current Assessor's Parcel Number(s): 013-220-020 & 013-230-001
5. Existing Zoning: AP80
6. Existing Use: Farming
7. Proposed Use of Site (project for which this form is prepared): Farming
8. Indicate the type of permit(s) application(s) to which this form pertains: Tentative Parcel Map



9. If the project involves a variance, conditional use permit, or rezoning application, state this and indicate clearly why the application is required:

No

10. List and describe any other related permit(s) and other public approvals required for this project, including those required by city, regional, state, and federal agencies: None

11. Have any special studies been prepared for the project site that are related to the proposed project including, but not limited to traffic, biology, wetlands delineation, archaeology, etc? No

II. ENVIRONMENTAL SETTING:

1. Describe in detail the project site as it exists before the project, including information on topography, soil stability, plants and animals (wetlands, if any), different crops, irrigation systems, streams, creeks, rivers, canals, water table depth, and any cultural historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

Existing rice fields.

2. Describe the surrounding properties, including information on plants, animals, and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, agricultural, etc.), intensity of land use (one-family, apartment houses, shops, department stores, dairy, row crops, orchards, etc.) Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

North: Rice fields

East: Rice fields

South: Rice fields

West: Rice fields

3. Describe noise characteristics of the surrounding area (include significant noise sources): N/A

III. SPECIFIC ITEMS OF IMPACT:

1. Drainage:

Describe how increased runoff will be handled (on-site and off-site): \_\_\_\_\_  
No additional runoff anticipated.

Will the project change any drainage patterns? (Please explain): No

Will the project require the installation or replacement of storm drains or channels? If yes, indicate length, size, and capacity: No

Are there any gullies or areas of soil erosion? (Please explain): No

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? No

If yes, you may be required to obtain authorization from other agencies such as the Army Corps of Engineers or California Department of Fish and Game.

2. Water Supply:

Indicate and describe source of water supply (domestic well, irrigation district, private water company): Provident Irrigation district

Will the project require the installation or replacement of new water service mains? No

3. Liquid Waste Disposal:

Will liquid waste disposal be provided by private on-site septic system or public sewer?: N/A

If private on-site septic system, describe the proposed system (leach field or seepage pit) and include a statement and tests explaining percolation rates, soil types, and suitability for any onsite sewage disposal systems: N/A

Will any special or unique sewage wastes be generated by this project other than normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe) No

Should waste be generated by the proposed project other than that normally associated with a single family residence, Waste Discharge Requirements may be required by the Regional Water Quality Control Board.

4. Solid Waste Collection:

How will solid waste be collected? Individual disposal, private carrier, city? Private carrier

5. Source of Energy:

What is the source of energy (electricity, natural gas, propane)? PG&E

If electricity, do any overhead electrical facilities require relocation? Is so, please describe: No

If natural gas, do existing gas lines have to be increased in size? If yes, please describe: No

Do existing gas lines require relocation? If yes, please describe: No

6. Fire Protection:

Indicate number and size of existing and/or proposed fire hydrants and distance from proposed buildings: N/A

Indicate number and capacity of existing and/or proposed water storage facilities and distance from proposed buildings: N/A

IV. FOR ZONE CHANGE, ZONE VARIANCE, AND SPECIAL USE PERMIT APPLICATION:

1. Number and sizes of existing and proposed structures: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Square footage (structures) \_\_\_\_\_ S.F.; \_\_\_\_\_ S.F.  
(New) (Existing)

2. Percentage of lot coverage: \_\_\_\_\_

3. Amount of off-street parking provided: \_\_\_\_\_

4. Will the project be constructed in phases? If so, please describe each phase briefly: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected: \_\_\_\_\_  
\_\_\_\_\_

6. If commercial, indicate type, estimated employment per shift, days and hours of operation, estimated number of daily customers/visitors on site at peak time, and loading facilities: \_\_\_\_\_  
\_\_\_\_\_

7. If industrial, indicate type, estimated employment per shift, and loading facilities: \_\_\_\_\_  
\_\_\_\_\_

8. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project: \_\_\_\_\_  
\_\_\_\_\_

9. List types and quantities of any hazardous or toxic materials, chemicals, pesticides, flammable liquids, or other similar product used as a part of the operation and storage container sizes: \_\_\_\_\_  
\_\_\_\_\_

Submit Material Safety Data Sheets (MSDS) for any proposed hazardous materials. If hazardous materials are proposed, it is recommended that the applicant contact the Air Pollution Control District/CUPA for permitting requirements.

10. Describe any earthwork (grading) to be done and dust control methods to be used during construction: \_\_\_\_\_  
\_\_\_\_\_
11. Describe any potential noise or vibration sources associated with the project (i.e. compressor, machine noise, heavy equipment). \_\_\_\_\_  
\_\_\_\_\_
12. Describe source, type, and amount of air pollutant emissions (smoke, odors, steam, gases, water vapor, dust, chemicals) from the project. Describe what methods would be used to reduce emissions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. CERTIFICATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 3/11/20 Signature: [Signature]  
For: Curtis Amaro et al

According to Section 65943 for the California Government Code, your application will be reviewed within 30 days and you or your agent will receive written notice regarding the completeness of your application. Any reviewing agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

According to Section 65944 (C), additional information may be requested in order to comply with Division 13 of the State of California Public Resources Code.

# PRELIMINARY REPORT

**To:**

CALIFORNIA ENGINEERING CO INC  
1070 W WOOD ST, STE D  
WILLOWS, CA 95988  
ATTN: JERRY WHITE

**Title Officer:**

TITLE OFFICER: DEBBIE FALTESEK  
TIMIOS TITLE  
750 MAIN STREET  
RED BLUFF, CA 96080  
PHONE NO.: 530-988-5532

ESCROW NO: 71-00163792

**Property Address:**

013-230-001-000, 013-220-020-000  
BUTTE CITY, CA, 95920

**Title No:**

71-00163791

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy Forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.**

**This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a binder or commitment should be requested.**

The form of Policy of title insurance contemplated by the report is:

ALTA STANDARD OWNER'S POLICY

Issued by: FIRST AMERICAN TITLE INSURANCE COMPANY

Dated as of: Jan 24, 2020 at 8:00 a.m.

The Estate or Interest in the land hereinafter described or referred to covered by this report is:

A FEE AS TO PARCEL ONE; AN EASEMENT AS TO PARCELS TWO AND THREE

Title to said estate of interest at the date hereof is vested in:

CURTIS G. AMARO AND SHELLIE LEE AMARO, HUSBAND AND WIFE AS JOINT TENANTS AS TO AN UNDIVIDED 50% INTEREST; AND JOHN H. WEBSTER AND CATHY WEBSTER, HUSBAND AND WIFE AS JOINT TENANTS AS TO AN UNDIVIDED 50% INTEREST



At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows:

1. PROPERTY TAXES, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES, TO BE LEVIED FOR THE FISCAL YEAR 2020-2021 THAT ARE A LIEN NOT YET DUE.
2. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF PART 0.5, CHAPTER 3.5 OR PART 2, CHAPTER 3, ARTICLES 3 AND 4 RESPECTIVELY (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A; OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO THE DATE OF THE POLICY.
3. THE HEREIN DESCRIBED PROPERTY LIES WITHIN THE BOUNDARIES OF THE SACRAMENTO-SAN JOAQUIN DRAINAGE DISTRICT AND IS SUBJECT TO ALL TAXES, ASSESSMENTS AND OBLIGATIONS THEREOF.
5. THE HEREIN DESCRIBED PROPERTY LIES WITHIN THE BOUNDARIES OF THE RECLAMATION DISTRICT NO. 2047 AND IS SUBJECT TO ALL TAXES, ASSESSMENTS AND OBLIGATIONS THEREOF. ANY AND ALL ASSESSMENTS ARE COLLECTED WITH COUNTY TAXES.
6. THE HEREIN DESCRIBED PROPERTY LIES WITHIN THE BOUNDARIES OF THE PROVIDENT IRRIGATION DISTRICT AND IS SUBJECT TO ALL TAXES, ASSESSMENTS AND OBLIGATIONS THEREOF.
7. RESERVATIONS OF LATERALS, DITCHES, ETC., TOGETHER WITH FUTURE RIGHTS OF WAY AS CONTAINED IN THE DEED FROM PROVIDENT IRRIGATION DISTRICT TO C.L. WOLCOTT AND FLORENCE WOLCOTT, AS JOINT TENANTS, DATED JULY 9, 1940 AND RECORDED NOVEMBER 19, 1940 IN BOOK 131 OF OFFICIAL RECORDS, AT PAGE 171.
8. AN EASEMENT FOR INGRESS AND EGRESS AND INCIDENTAL PURPOSES CONVEYED TO WINTON GEORGE WOLCOTT AND TIMOTHY LEON CARNAHAN, AS TRUSTEES OF THE CHESTER IRVING WOLCOTT TRUST A, AN UNDIVIDED 17.30% INTEREST AND WINTON GEORGE WOLCOTT AND TIMOTHY LEON CARNAHAN, AS TRUSTEES OF THE CHESTER IRVING WOLCOTT TRUST B, AN UNDIVIDED 82.70 INTEREST IN THE DOCUMENT RECORDED JULY 27, 2004 AS INSTRUMENT NO. 2004-4939 OF OFFICIAL RECORDS.
9. TERMS, PROVISIONS, COVENANTS, RESTRICTIONS AND CONDITIONS CONTAINED IN A DOCUMENT EXECUTED PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965 (WILLIAMSON ACT) AND RECORDED DECEMBER 15, 2004 AS INSTRUMENT NO. 2004-8493 OF OFFICIAL RECORDS.
10. AN OIL AND GAS LEASE EXECUTED BY L.J. FARMS, A GENERAL PARTNERSHIP AS LESSOR AND VENOCO, INC., A DELAWARE CORPORATION AS LESSEE, RECORDED OCTOBER 5, 2007 AS INSTRUMENT NO. 2007-6063 OF GLENN COUNTY OFFICIAL RECORDS.  
  
THE PRESENT OWNERSHIP OF SAID LEASEHOLD AND OTHER MATTERS AFFECTING THE LEASE ARE NOT SHOWN HEREIN.
11. AN EASEMENT FOR A DRAIN DITCH AND ROAD EASEMENT AND INCIDENTAL PURPOSES CONVEYED TO WINTON GEORGE WOLCOTT AND TIMOTHY LEON CARNAHAN, AS TRUSTEES OF THE CHESTER IRVING WOLCOTT TRUST B IN THE DOUCMENT RECORDED APRIL 5, 2017 AS INSTRUMENT NO, 2017-1465 OF OFFICIAL RECORDS.
12. THERE APPEARS TO BE NO DEED OF TRUST/MORTGAGE(S) FOUND OF RECORD ON SAID PROPERTY. IF YOU HAVE ANY INFORMATION THAT STATES OTHERWISE, PLEASE CONTACT YOUR CLOSING OFFICER IMMEDIATELY. WE WILL REQUIRE AN AFFIDAVIT OF DEBTS AND LIENS TO BE EXECUTED BY THE PARTIES LISTED ON SCHEDULE "A" OF THIS COMMITMENT.
13. RIGHTS AND CLAIMS OF PARTIES IN POSSESSION.
14. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS ARE SHOWN BY THE PUBLIC RECORDS.



15. EVIDENCE MUST BE PROVIDED THAT THERE ARE NO COMMITMENT STATEMENTS IN EFFECT UNDER CIVIL CODE SECTION 850 ET SEQ. WITH RESPECT TO THE PROPERTY.

IN ORDER TO REMOVE THIS STATEMENT, THE LANDOWNER WILL NEED TO PROVIDE US WITH AN AFFIDAVIT STATING THAT THEY ARE NOT AWARE OF ANY RELEASE REPORTS OR COMMITMENT STATEMENTS WHICH HAVE BEEN ISSUED UNDER THIS STATUTE WITH RESPECT TO THE PROPERTY.

16. ANY CLAIM THAT THE TITLE IS SUBJECT TO A TRUST OR LIEN CREATED UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT (7 U.S.C. 499A, ETSEQ), THE PACKERS AND STOCKYARDS ACT (7 U.S.C. 181, ETSEQ) OR UNDER SIMILAR FEDERAL OR STATE LAWS.

## NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

### NOTES:

- A. ACCORDING TO THE PUBLIC RECORDS, THERE HAS BEEN NO CONVEYANCE OF THE LAND WITHIN A PERIOD OF TWENTY FOUR MONTHS PRIOR TO THE DATE OF THIS REPORT, EXCEPT AS FOLLOWS:

NONE

- B. NONE OF THE ITEMS SHOWN IN THIS REPORT WILL CAUSE THE COMPANY TO DECLINE TO ATTACH CLTA ENDORSEMENT FORM 100 TO AN ALTA POLICY, WHEN ISSUED.

- C. THE POLICY TO BE ISSUED MAY CONTAIN AN ARBITRATION CLAUSE. WHEN THE AMOUNT OF INSURANCE IS LESS THAN THE CERTAIN DOLLAR AMOUNT SET FORTH IN ANY APPLICABLE ARBITRATION CLAUSE, ALL ARBITRABLE MATTERS SHALL BE ARBITRATED AT THE OPTION OF EITHER THE COMPANY OR THE INSURED AS THE EXCLUSIVE REMEDY OF THE PARTIES. IF YOU DESIRE TO REVIEW THE TERMS OF THE POLICY, INCLUDING ANY ARBITRATION CLAUSE THAT MAY BE INCLUDED, CONTACT THE OFFICE THAT ISSUED THIS COMMITMENT OR REPORT TO OBTAIN A SAMPLE OF THE POLICY JACKET FOR THE POLICY THAT IS TO BE ISSUED IN CONNECTION WITH YOUR TRANSACTION.

- D. CANCELLATION FEES

NOTE: PURSUANT TO RULE NO. 2 OF BULLETIN NO. NS-35 OF CALIFORNIA STATE INSURANCE COMMISSIONER THIS REPORT IS ISSUED SUBJECT TO A MINIMUM FEE OF \$400.00

- E. TAXES FOR PRORATION PURPOSES FOR THE FISCAL YEAR 2019-2020

1 <sup>ST</sup> INSTALLMENT:	\$2,768.57	PAID 12/06/2019
2 <sup>ND</sup> INSTALLMENT:	\$2,768.57	PAID 01/10/2020
ASSESSMENT NO.:	013-230-001-000	

1 <sup>ST</sup> INSTALLMENT:	\$1,270.47	PAID 12/06/2019
2 <sup>ND</sup> INSTALLMENT:	\$1,270.47	PAID 01/10/2020
ASSESSMENT NO.:	013-220-020-000	

## LEGAL DESCRIPTION

### PARCEL ONE:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF GLENN, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 84, 85, 86, AND PORTIONS OF LOTS 52, 53, 54, 55, AND 83 OF THE SACRAMENTO VALLEY COLONY NO. 4, LYING WEST OF THE CENTERLINE OF THE WEST LEVEE OF WILLOW CREEK, AS SHOWN ON THAT CERTAIN PLAT FILED IN THE GLENN COUNTY RECORDER'S OFFICE IN BOOK 1 OF MAPS AND SURVEYS, AT PAGE, 156, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 2-1/2" BRASS CAPPED IRON PIPE STAMPED L.S. 3747, SAID POINT BEING THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 2 WEST, MOUNT DIABLO BASE AND MERIDIAN AND ACCEPTED AS BEING A POINT ON THE WEST BOUNDARY OF THE SACRAMENTO VALLEY COLONY NO. 4; THENCE SOUTH 1° 11' 10" EAST, 1711.71 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 1° 11' 08" EAST, 1911.37 FEET TO THE SOUTHWEST CORNER OF LOT 86 OF THE SACRAMENTO VALLEY COLONY NO. 4; THENCE NORTH 89° 23' 00" EAST, 4513.13 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE OF LOT 83 OF THE SACRAMENTO VALLEY COLONY NO. 4 AND THE CENTER LINE OF THE WEST LEVEE OF WILLOW CREEK; THENCE NORTHWESTERLY ALONG SAID CENTER LINE OF THE WEST LEVEE OF WILLOW CREEK THE FOLLOWING COURSES: NORTH 47° 27' 09" WEST, 18.92 FEET; THENCE NORTH 28° 09' 27" WEST, 106.70 FEET; THENCE NORTH 13° 19' 32" WEST, 125.48 FEET; THENCE NORTH 17° 05' 49" EAST, 67.67 FEET; THENCE NORTH 38° 01' 15" EAST, 140.51 FEET; THENCE NORTH 56° 59' 08" EAST, 205.16 FEET; THENCE NORTH 26° 10' 31" EAST, 57.14 FEET; THENCE NORTH 9° 35' 53" WEST, 43.96 FEET; THENCE NORTH 37° 06' 42" WEST, 72.09 FEET; NORTH 43° 50' 23" WEST, 68.51 FEET; THENCE NORTH 61° 48' 00" WEST, 250.00 FEET; THENCE NORTH 46° 37' 26" WEST, 127.72 FEET; THENCE NORTH 29° 23' 55" WEST, 71.56 FEET; THENCE NORTH 16° 23' 49" WEST, 176.01 FEET; THENCE NORTH 4° 19' 30" WEST, 91.73 FEET; THENCE NORTH 7° 56' 03" WEST, 95.88 FEET; THENCE NORTH 12° 32' 36" WEST, 46.31 FEET; THENCE NORTH 9° 59' 53" EAST, 135.01 FEET; THENCE NORTH 21° 30' 51" EAST, 66.55 FEET; THENCE NORTH 26° 30' 30" EAST, 204.60 FEET; THENCE NORTH 13° 53' 07" EAST, 75.44 FEET; THENCE NORTH 8° 42' 24" WEST, 55.55 FEET; THENCE NORTH 23° 03' 57" WEST, 24.74 FEET; THENCE LEAVING SAID CENTER LINE OF THE WEST LEVEE OF WILLOWS CREEK, SOUTH 89° 29' 13" WEST, 2125.86 FEET; THENCE NORTH 37° 44' 20" WEST, 249.39 FEET; THENCE SOUTH 2° 11' 00" EAST, 207.77 FEET; THENCE SOUTH 89° 21' 53" WEST 2105.23 FEET TO THE POINT OF BEGINNING.

THE BASIS OF BEARING OF THIS DESCRIPTION IS THE NORTHERLY LINE OF LOTS 49, 50, AND 51 OF THE SACRAMENTO VALLEY COLONY NO. 4 WHICH BEARS NORTH 89° 23' 00" EAST ON THAT CERTAIN PLAT ON FILE AT THE GLENN COUNTY RECORDER'S OFFICE IN BOOK 4 OF MAPS AND SURVEYS, AT PAGE 17.

NOTICE OF VOLUNTARY MERGER RECORDED DECEMBER 15, 2004 AS INSTRUMENT NUMBER 2004-8494 OF OFFICIAL RECORDS.

### PARCEL TWO:

A PORTION OF LOTS 52, 53, 54 AND 55 OF THE SACRAMENTO VALLEY COLONY NO. 4, LYING WEST OF THE CENTERLINE OF THE WEST LEVEE OF WILLOW CREEK, AS SHOWN ON THAT CERTAIN PLAT FILED IN THE GLENN COUNTY RECORDER'S OFFICE IN BOOK 1 OF MAPS AND SURVEYS AT PAGE 156, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT FOR INGRESS AND EGRESS OVER A 10.00 FOOT WIDE STRIP OF LAND LYING CONTIGUOUS WITH THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A 2-1/2" BRASS CAPPED IRON PIPE STAMPED LS 3747, SAID POINT BEING THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 18 NORTH, RANGE 2 WEST, MOUNT DIABLO MERIDIAN AND ACCEPTED AS BEING A POINT ON THE WEST BOUNDARY OF THE SACRAMENTO VALLEY COLONY NO.4; THENCE SOUTH 01° 11' 10" EAST, ALONG SAID BOUNDARY, A DISTANCE OF 1711.71 FEET TO THE TRUE POINT OF BEGINNING OF THIS EASEMENT DESCRIPTION; THENCE NORTH 89° 21' 53" EAST, ALONG THE SOUTH LINE OF SAID EASEMENT, A DISTANCE OF 2105.23 FEET; THENCE NORTH 02° 11'00" WEST, ALONG THE EASTERLY LINE OF SAID EASEMENT, A DISTANCE OF 207.77 FEET; THENCE SOUTH 37° 44' 20" EAST, ALONG THE SOUTHERLY LINE OF SAID EASEMENT, A DISTANCE OF 249.39 FEET; THENCE NORTH 89° 29' 13" EAST, ALONG THE SOUTH LINE OF SAID EASEMENT, A DISTANCE OF 2125.86 FEET, MORE OR LESS, TO THE CENTER LINE OF THE WEST LEVEE OF WILLOW CREEK AND THE TERMINUS OF THIS EASEMENT DESCRIPTION. THE SIDELINES OF SAID EASEMENT SHALL BE PROLONGED OR SHORTENED TO PROVIDE A CONTINUOUS 10.00 FOOT WIDE EASEMENT.

PARCEL THREE:

AN EXISTING IRRIGATION DITCH AND ROAD EASEMENT 30 FEET IN WIDTH, ALONG WITH THE RIGHT TO MAINTAIN AND GENERALLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE LINE OF LOT 51 OF THE SACRAMENTO VALLEY COLONY NO. 4 AS SHOWN ON THAT CERTAIN PLAT FILED IN THE GLENN COUNTY RECORDER'S OFFICE IN BOOK 1 OF MAPS AND SURVEYS, AT PAGE, 156, NEAR THE NORTHWEST CORNER OF SAID LOT 51 WHERE THE IRRIGATION DITCH ENTERS SAME THENCE EASTERLY ALONG SAID DITCH TO A POINT WHERE THE DITCH TURNS SOUTH, THENCE SOUTHERLY ALONG THE EXISTING IRRIGATION DITCH TO A POINT WHERE THE DITCH ENTERS INTO THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 14, 2000, AS INSTRUMENT NO. 2000-2049 AND THE END OF SAID EASEMENT.

SAID EASEMENT IS FOR THE BENEFIT OF THAT CERTAIN PARCEL CONTAINED IN DEED RECORDED APRIL 14, 2000, AS INSTRUMENT NO. 2000-2049 AND OVER THAT CERTAIN PARCEL CONTAINED IN DEED RECORDED NOVEMBER 3, 1989, AS INSTRUMENT NO. 1989-4673.

APN: 013-230-001-000, 013-220-020-000

**EXHIBIT A**  
**LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)**

**CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (02-03-10)**  
**EXCLUSIONS**

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
  - (a) building;
  - (b) zoning;
  - (c) land use;
  - (d) improvements on the Land;
  - (e) land division; and
  - (f) environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
  - (a) that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
  - (b) that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
  - (c) that result in no loss to You; or
  - (d) that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
  - (a) to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
  - (b) in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.

**LIMITATIONS ON COVERED RISKS**

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows: For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16: 1% of Policy Amount or \$2,500.00 (whichever is less)	\$10,000.00
Covered Risk 18: 1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 19: 1% of Policy Amount or \$5,000.00 (whichever is less)	\$25,000.00
Covered Risk 21: 1% of Policy Amount or \$2,500.00 (whichever is less)	\$5,000.00

**ALTA RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)**  
**EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
  - (a) and use
  - (b) improvements on the land
  - (c) and division
  - (d) environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
  - (a) a notice of exercising the right appears in the public records on the Policy Date
  - (b) the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking
3. Title Risks:
  - (a) that are created, allowed, or agreed to by you
  - (b) that are known to you, but not to us, on the Policy Date -- unless they appeared in the public records
  - (c) that result in no loss to you
  - (d) that first affect your title after the Policy Date -- this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
  - (a) to any land outside the area specifically described and referred to in Item 3 of Schedule A OR
  - (b) in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

**2006 ALTA LOAN POLICY (06-17-06)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.  
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**2006 ALTA OWNER'S POLICY (06-17-06)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.  
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters



- (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 or 10); or
  - (e) in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
- (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

#### EXCEPTIONS FROM COVERAGE

- This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:
1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
  2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
  3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
  4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
  5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
  6. Any lien or right to a lien for services, labor or material not shown by the public records.

#### ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
  - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.



9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.

**CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY – 1990**  
**SCHEDULE B**

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1.
  - (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
  - (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable "doing business" laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim which arises out of the transaction vesting in the insured the estate or interest insured by their policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state of insolvency or similar creditors' rights laws.

## PRIVACY INFORMATION

### **We Are Committed to Safeguarding Customer Information**

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information. We agree that you have right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

### **Applicability**

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other sources, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

### **Types of Information**

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

### **Use of Information**

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

### **Former Customers**

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

### **Confidentiality and Security**

We will use our best efforts to ensure that no unauthorized parties have access to any of our information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

### **Information Obtained Through Our Web Site**

### **Business Relationships**

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

### **Cookies**

Some of First American's Web site may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive. FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

### **Fair Information Values**

**Fairness** We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

**Public Record** We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

**Use** We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

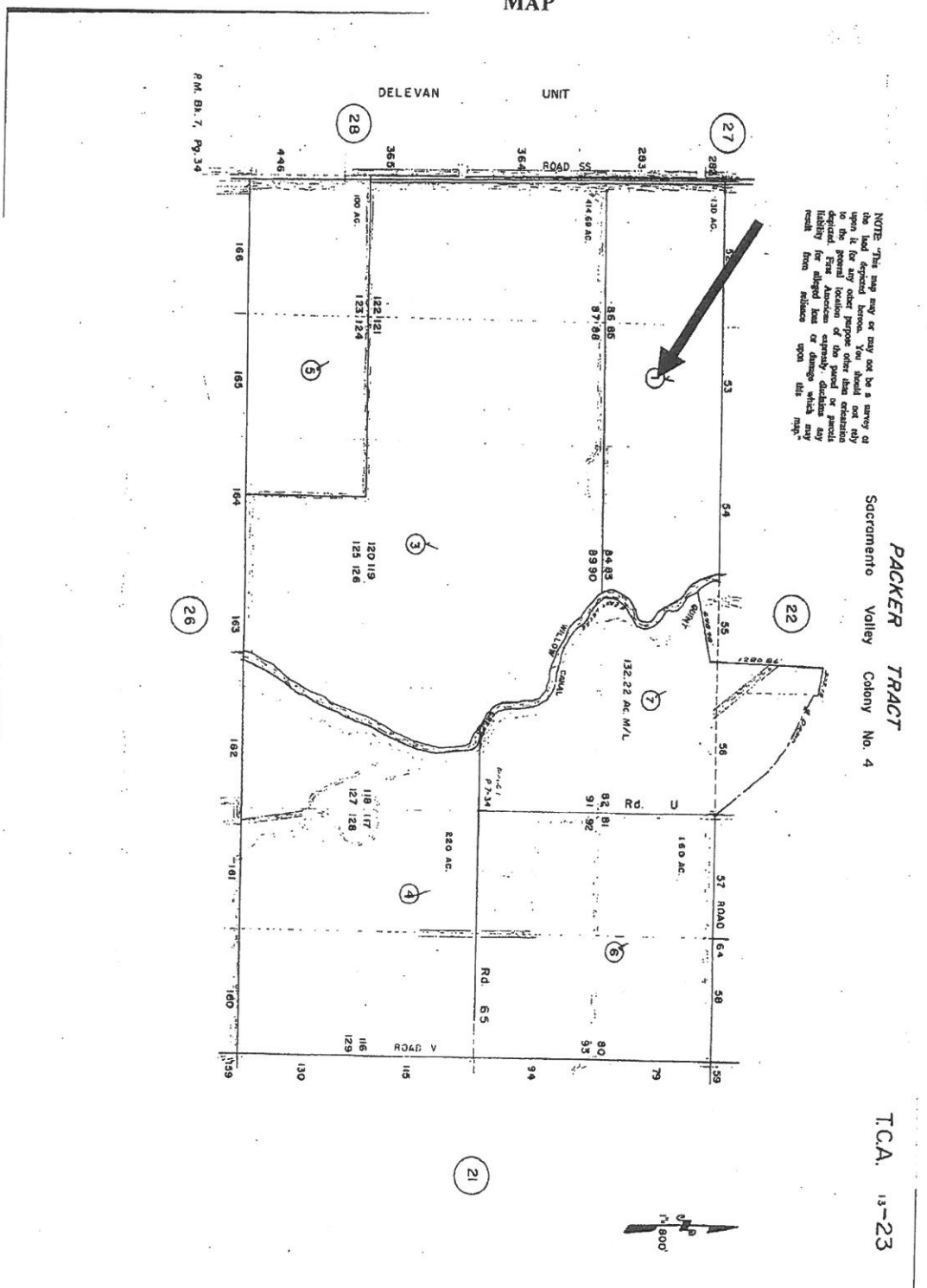
**Accuracy** We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

**Education** We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

**Security** We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

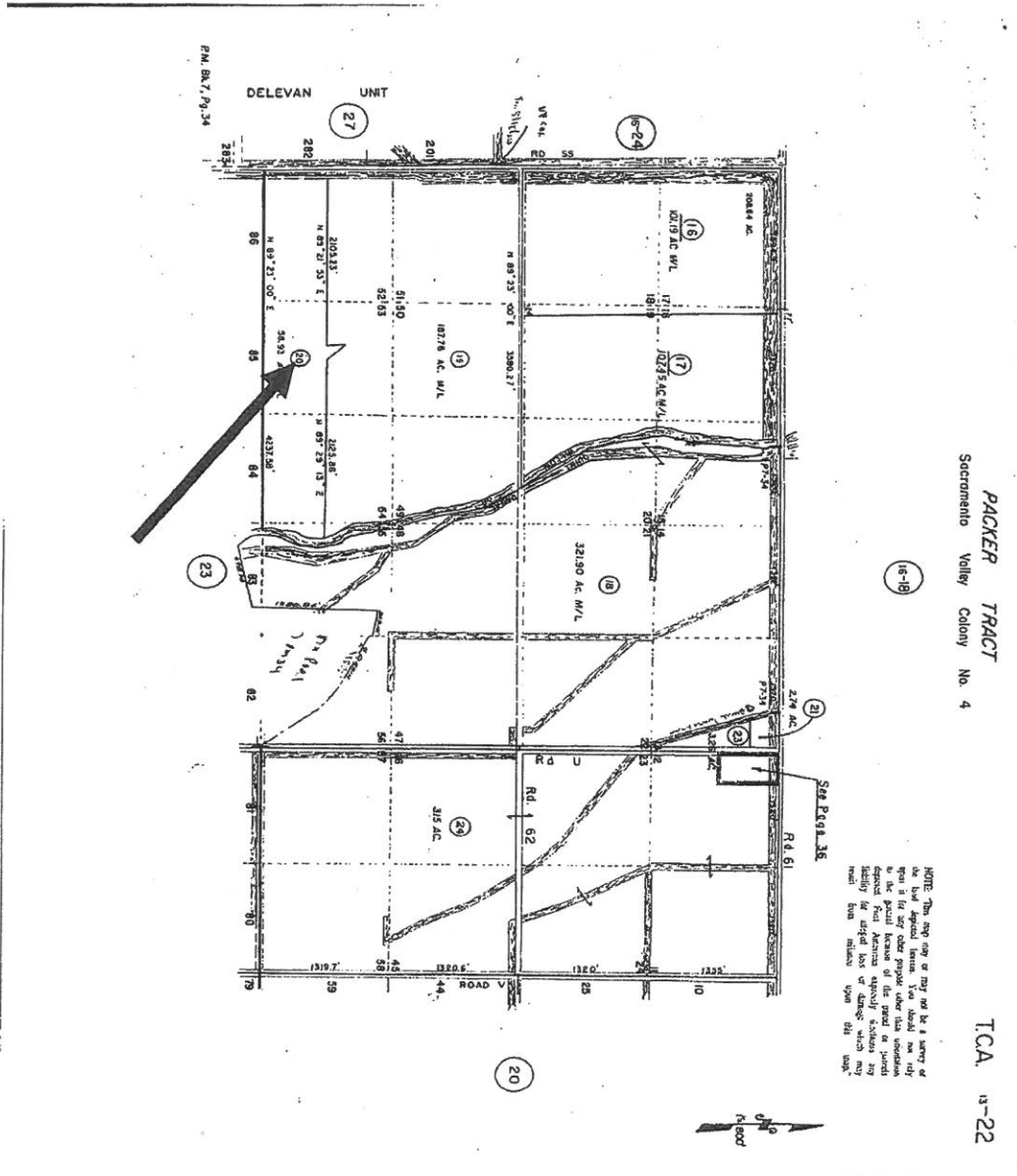
The map attached, if any, may or may not be a survey of the land depicted hereon. Timios Title and it's Underwriters expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

# MAP



The map attached, if any, may or may not be a survey of the land depicted hereon. Timios Title and it's Underwriters expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

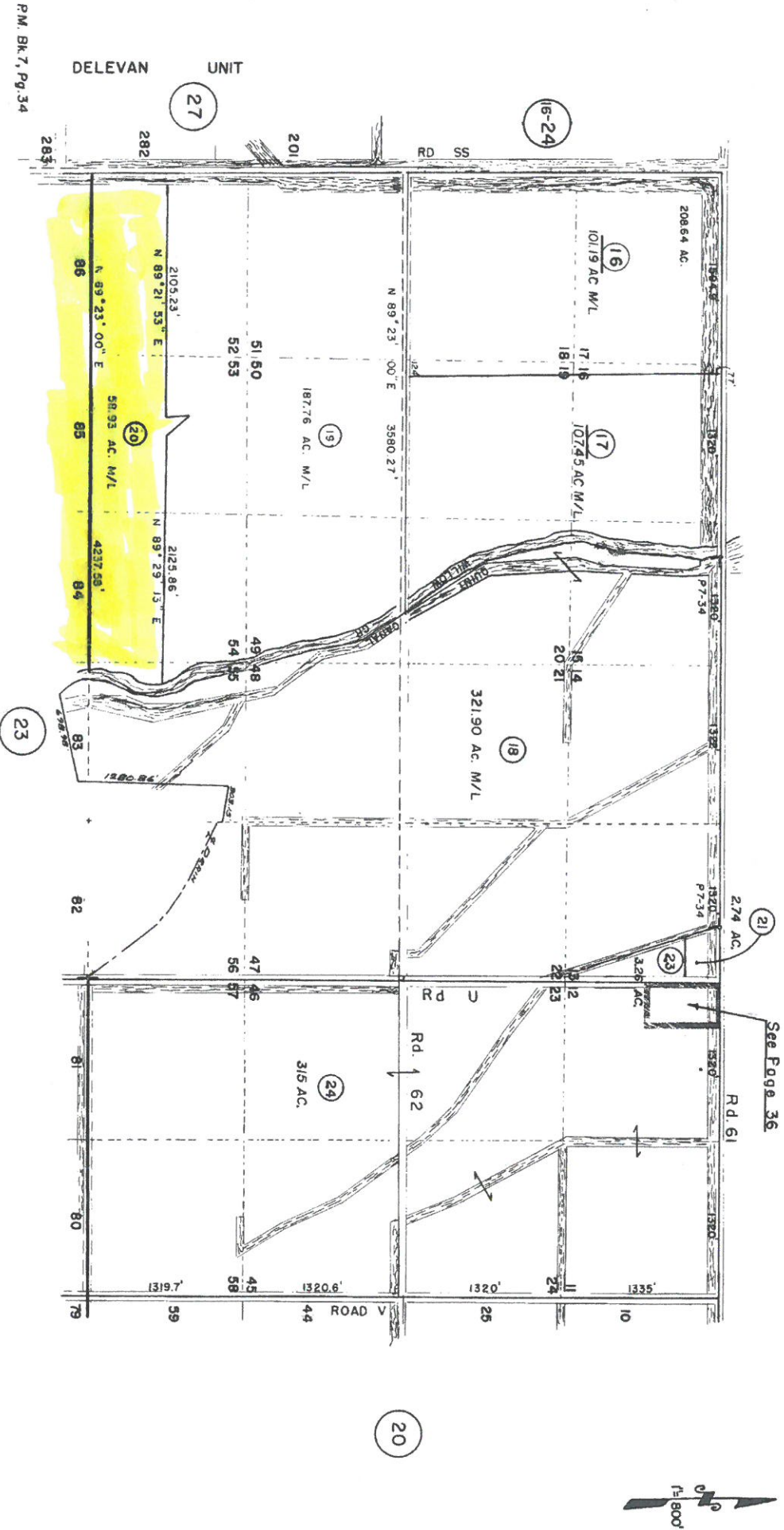
# MAP



PACKER TRACT  
Sacramento Valley Colony No. 4

T.C.A. 13-22

16-18



P.M. Bk. 7, Pg. 34





Section 5

013-270-021  
MONTIZ BROS. FARMS

COUNTY ROAD "SS"

(N 00°11'08" W 1911.37')D

Larkins Childrens Rancho

60' WIDE EASEMENT FOR INGRESS,  
EGRESS AND PUBLIC UTILITY  
PURPOSES FOR THE BENEFIT OF  
PARCEL TWO TO BE CREATED WITH  
THE FILING OF THE PARCEL MAP

(N 89°21'53" E 2105.23')D

LOT 52

SACRAMENTO VALLEY COLONY NO. 4

**PARCEL ONE**  
96.8± ACRES

LOT 86  
RICE FIELD

LOT 53

S 36°18'48" E  
611.34'  
Centerline of Drain  
471.96'

Existing Field Break

LOT 85

N 00°11'08" W 1424.25'  
Centerline of  
Existing Field Road

(N 89°23'00" E 4513.13')D

LOT 88

013-230-003  
MOORE

(S 89°29'13" E 2125.86')D

LOT 54

013-220-020  
AMARO ET AL  
013-230-001  
AMARO ET AL

**PARCEL TWO**  
97.4± ACRES

LOT 84  
RICE FIELD

LOT 89

2408.03'

013-220-018  
HANSEN

LOT 55

CENTERLINE OF THE  
WEST LEVEE

Willow Creek

013-230-007  
HANSEN

LOT 83

LOT 90

0'  
300'  
600'  
SCALE: 1"=300'

Willows

STATE HWY 162

RD D

STATE HWY 45

RD 61

SITE

**VICINITY MAP**  
NOT TO SCALE

**GENERAL NOTES:**

ASSESSOR PARCEL NO: 013-220-020 & 013-230-001  
ZONING: AP 80  
PRESENT USE: FARMING  
PROPOSED USE: FARMING  
POWER BY: PG & E  
DRAINAGE BY: SACRAMENTO-SAN JOAQUIN DRAINAGE DISTRICT  
SEWAGE BY: INDIVIDUAL SEPTIC SYSTEM  
IRRIGATION WATER BY: PROVIDENT IRRIGATION DISTRICT  
DOMESTIC WATER BY: PRIVATE WELLS



**SURVEYOR**

GERALD W. WHITE, PLS 3653  
CALIFORNIA ENGINEERING COMPANY - LONDON DIVISION  
1070 WEST WOOD STREET, SUITE D  
WILLOWS, CA 95688 (530) 934-1055

**OWNERS AND SUBDIVIDERS:**

APN 012-220-020 & 013-230-001  
CURTIS G. AMARO & SHELLIE LEE AMARO  
JOHN H. WEBSTER & CATHY WEBSTER  
12721 MERRITT HORNING ROAD  
CHICO, CA 95928 (530) 517-0800

**TENTATIVE PARCEL MAP**

SHOWING A PARCEL DIVISION  
WITHIN THE  
SACRAMENTO VALLEY COLONY NO. 4  
LARKINS CHILDRENS RANCHO, T. 18 N., R. 2. W., M.D.M.  
COUNTY OF GLENN STATE OF CALIFORNIA

FOR  
**CURTIS G. AMARO & SHELLIE LEE AMARO**  
AND  
**JOHN H. WEBSTER & CATHY WEBSTER**

PREPARED BY  
CALIFORNIA ENGINEERING COMPANY - LONDON DIVISION  
1070 WEST WOOD STREET, SUITE D  
WILLOWS, CALIFORNIA 95688  
MARCH, 2020

JOB NO. L17-178 SHEET 1 OF 1

**EXCEPTION AND/OR WAIVER IS HEREBY  
REQUESTED FOR:**

TREE GROUPS, PUBLIC UTILITY LOCATIONS AND SOILS REPORT,  
FOR THE FOLLOWING REASONS:

1. PRIMARY USE IN AREA IS FARMING AND NO SIGNIFICANT  
CHANGE REQUIRING A BUILDING PERMIT IS ANTICIPATED.
2. NO PERMANENT STRUCTURES ARE ON PARCELS
3. NO CHANGE WILL BE MADE IN THE ENVIRONMENT OR  
GENERAL PLAN BY THE GRANTING OF EXCEPTIONS.

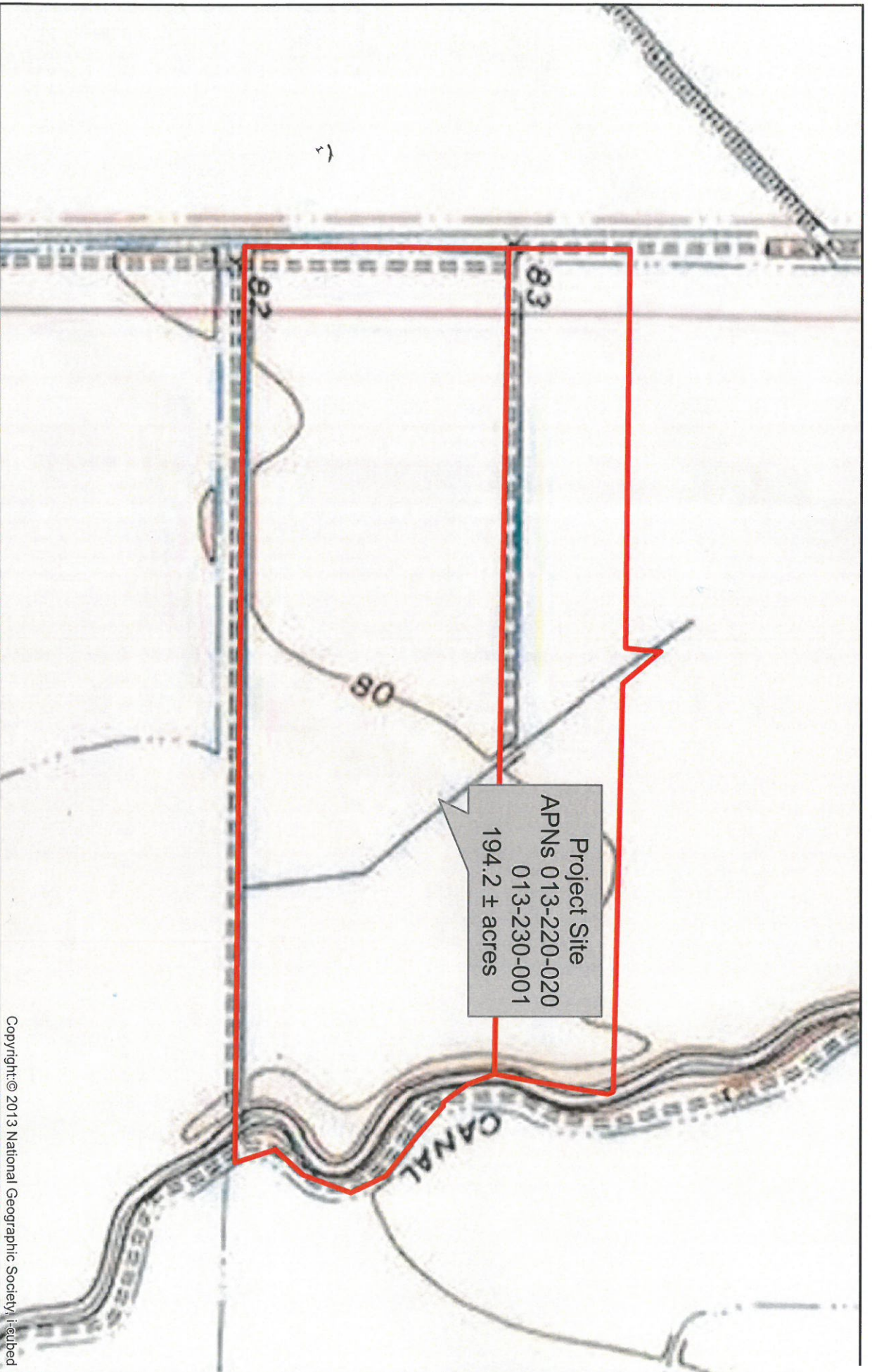
**NOTES:**

1. PARCELS ARE LOCATED IN FLOOD ZONE "A" PER FIRM  
MAP 06021C00500 EFFECTIVE AUGUST 5, 2010.

**LEGEND**

- PARCEL BOUNDARY
- - - - - ADJOINING PARCEL BOUNDARY
- SECTION LINE
- ( )D RECORD INFORMATION PER DEED





# Project TPM 2020-002

USGS 7.5 Minute Quadrangle Map: Princeton  
Section 5, T18N, R2W, M.D.B. & M.



Glenn County Planning and Community  
Development Services Agency 2018



**ONE-THOUSAND FOOT VICINITY NOTICE**  
**NOTICE OF INTENT AND PUBLIC HEARING**  
**BY THE GLENN COUNTY PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Glenn, State of California, as lead agency, will consider an environmental determination and hold a Public Hearing to consider the proposed project provided in this notice. The Planning Commission may adopt a negative declaration for the project, which states that the project will not result in a significant adverse effect on the environment. A Public Hearing will be held at the Glenn County Board of Supervisors' Chambers, 2nd Floor Willows Memorial Hall, 525 West Sycamore Street, Willows, California, on Wednesday, August 19, 2020, at 9:00 A.M., or as soon thereafter as the business of the Commission will allow.

**PROJECT:** Tentative Parcel Map 2020-002, Amaro-Webster

The project consists of a land division to divide two existing parcels (one legal lot) into the following:

Parcel One: 96.8± acres

Parcel Two: 97.4± acres

**LOCATION:** The project site is located on the east side of County Road SS, south of County Road 61, west of Willow Creek, and north of Norman Road, in the Codora area of unincorporated Glenn County, California.

**APNs:** 013-220-020 (58.93± acres) & 013-230-001 (135.26± acres)

**APPLICANT/LANDOWNER:** Curtis & Shellie Amaro and John H. & Cathy S. Webster

**SURVEYOR:** Gerald W. White, PLS

**ZONING:** "AP-80" Agricultural Preserve Zone (72-acre, minimum parcel size)

**GENERAL PLAN:** "Intensive Agriculture"

**DECISIONS:** The Planning Commission may approve, deny, or continue the:

(A) Tentative Parcel Map 2020-002.

(B) Negative Declaration for the proposed project.

All interested parties may submit comments regarding the proposed project by Tuesday, August 18, 2020. In order to honor Executive Order N-29-20, issued by California Governor Gavin Newsom, this meeting is anticipated to be conducted via teleconference and in person, attendance at the meeting is not anticipated to be allowed. However, you are encouraged to listen to the audio at <https://www.countyofglenn.net/government/minutes-agendas> and may submit written comments by email (during the meeting), at [planning@countyofglenn.net](mailto:planning@countyofglenn.net). Every effort will be made to read or acknowledge your comments into the record, but some comments requiring more than 3 minutes to recite may be summarized due to time limitations. Please note that if you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence at, or prior to, the Public Hearing. All environmental information and project documentation is available for review at the Planning & Community Development Services Agency, 225 North Tehama Street, Willows, CA 95988. Contact John Lanier, Assistant Planner by phone (530) 934-6540, or [janier@countyofglenn.net](mailto:janier@countyofglenn.net).

# GLENN COUNTY

## Planning & Community Development Services Agency

225 N. Tehama Street  
Willows, CA 95988  
530.934.6530  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

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### **STAFF REPORT**

MEETING DATE: Wednesday, August 19, 2020, 9:00 a.m.

TO: Glenn County Planning Commission

FROM: Andy Popper, Senior Planner

RE: **Knife River Construction, Hambright Property**  
Biological Characterization Summary Report

#### **SUMMARY:**

Baldwin Contracting, doing business as Knife River Construction, has a Conditional Use Permit and Reclamation Plan (94-01) for an aggregate mining operation located northwest of the City of Orland, in the unincorporated area of Glenn County, California (Assessor Parcel Numbers 044-290-008, -009, and -011).

The location is further described as, along the west side of Interstate 5, south of County Road 7, and along approximately one-half mile of Hambright Creek. The site is primarily used for mining material that is transported to a processing facility north of the location.

Condition of Approval #35, of Conditional Use Permit 94-01, states the permittee is to submit an annual report to the Planning Commission documenting the wildlife species that use the site.

Knife River Construction has submitted the required study to the Planning & Community Development Services Agency to provide to the Planning Commission. No further action or decision is required.

#### **Attachment:**

*2020 Biological Characterization Summary Report*



**Knife River Construction Company  
Hambright Property: 2020  
Biological Characterization  
Summary Report**

July 20, 2020

Prepared for:  
Knife River Construction Company, Inc.  
1764 Skyway  
Chico, CA 95928  
Attn.: Mr. Mason Richardson

Prepared by:  
Stantec Consulting Services INC  
376 Hartnell Avenue, Suite B  
Redding, CA 96002

**KNIFE RIVER CONSTRUCTION COMPANY HAMBRIGHT PROPERTY: 2020 BIOLOGICAL  
CHARACTERIZATION SUMMARY REPORT**

**Contents**

<b>1.0</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>2.0</b>	<b>STUDY AREA .....</b>	<b>1</b>
<b>3.0</b>	<b>METHODS .....</b>	<b>1</b>
<b>4.0</b>	<b>RESULTS .....</b>	<b>3</b>
4.1	DATABASE SEARCH FINDINGS.....	3
4.2	STUDY AREA HABITATS .....	3
4.3	WILDLIFE.....	4
<b>5.0</b>	<b>REFERENCES.....</b>	<b>5</b>

**Figures**

Figure 1. Project Location .....	2
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**Appendices**

Appendix A	CNDDDB Database Query Results
Appendix B	CWHR Database Query Results
Appendix C	Photographs
Appendix D	Summary of Wildlife Species Observed and Habitat Use



# KNIFE RIVER CONSTRUCTION COMPANY HAMBRIGHT PROPERTY: 2020 BIOLOGICAL CHARACTERIZATION SUMMARY REPORT

## 1.0 INTRODUCTION

Stantec Consulting Services Inc. (Stantec) conducted a reconnaissance-level characterization of biological resources at the Hambright Property (study area) on May 8, 2020. The characterization describes current wildlife habitat conditions and provides an assessment of wildlife use at the site to meet a requirement of the Glenn County Conditional Use Permit issued for the Knife River Construction Company's Hambright Creek Project. General vegetation and habitats at the study area were identified and described during the biological characterization. Observations of wildlife use, and other general site conditions were also documented.

## 2.0 STUDY AREA

The study area consists of the Hambright Property which encompasses 157.82 acres and is located approximately one mile northwest of the city of Orland, Glenn County, California. It is shown on the *Kirkwood, CA* U.S. Geological Survey 7.5-minute topographic quadrangle in Township 22N, Range 3W, Section 16. The study area consists of generally flat to gently rolling terrain and situated between rural residential areas to the south and west, Stony Creek to the north, and Interstate 5 to the east, as depicted in Figure 1. Land use within the study area includes primarily gravel excavation, with occasional light agricultural use (e.g., apiary yards, horse paddock).

## 3.0 METHODS

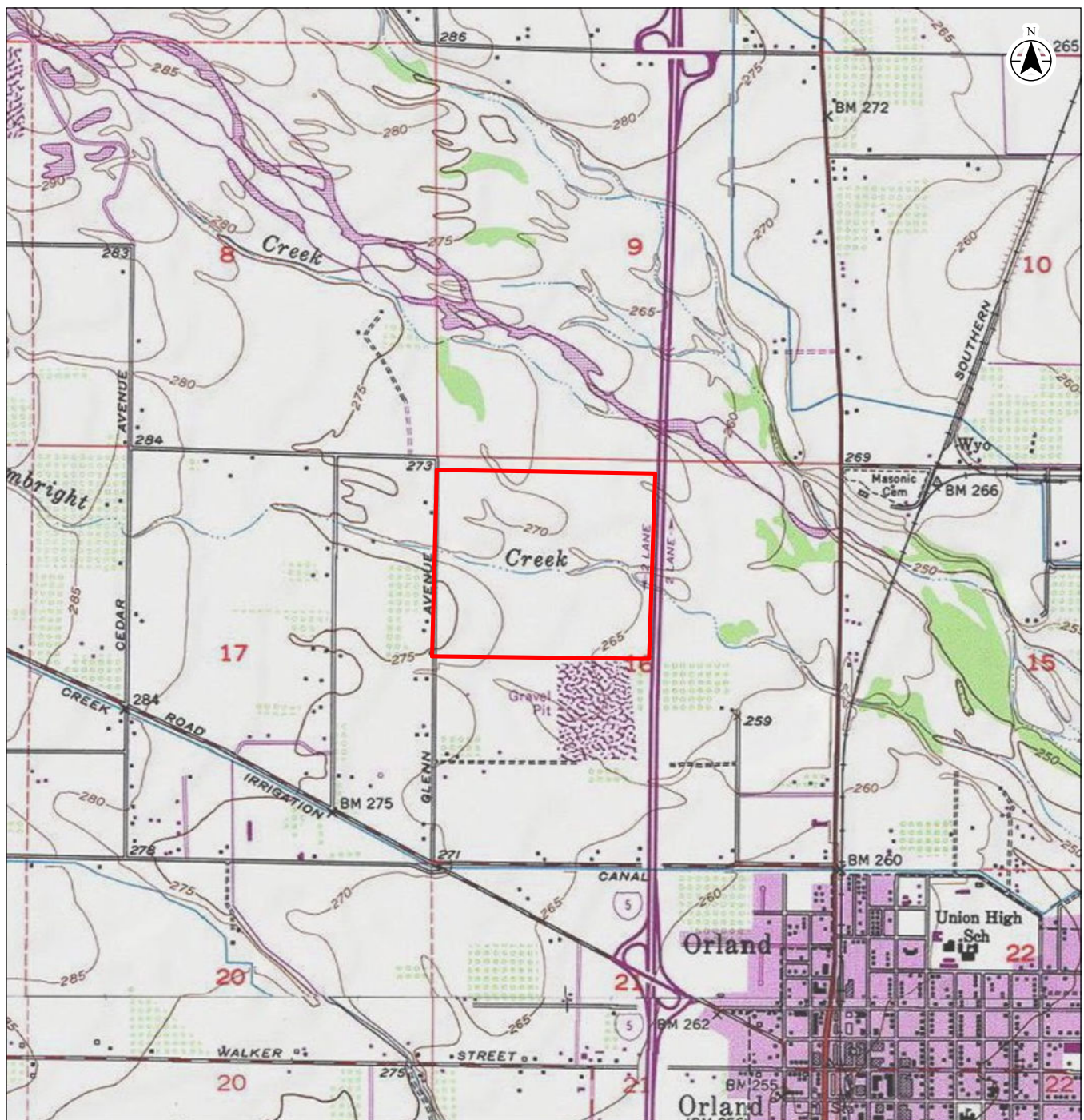
Stantec queried two online databases to assist in determining potential wildlife use of the study area: the California Department of Fish and Wildlife (CDFW) Natural Diversity Database RareFind 5 (Version 5.2.14) (CNDDDB), and the CDFW California Wildlife Habitat Relationships System database (Version 9.0) (CWHR) (California Department of Fish and Wildlife 2013).

The CNDDDB is a database maintained by the CDFW consisting of records of special-status plant and wildlife species observations, and special plant communities. The CNDDDB is limited to reported sightings and is therefore not a comprehensive list of plant and wildlife species that may occur in a specific area. The CNDDDB was reviewed for records in the *Kirkwood, CA* quadrangle. This search produced a list of special-status species and other special habitats recorded in the CNDDDB within the vicinity of the study area.

Stantec used the CWHR database to help determine wildlife species that could potentially occur in habitats within the study area. CWHR is a predictive system based on scientific information concerning wildlife species and their geographic and habitat relationships. Fish and invertebrate species are not included in the CWHR system. Habitats within the study area were classified using the system developed for use with CWHR (Mayer and Laudenslayer 1988).







Study Area (157.82 acres)

0 2,000  
Feet  
1 inch = 2,000 feet (At page size of 8.5"x11")



Project Location  
Glenn County, California

2272008600  
Prepared by TM on 2018-04-12

Client/Project  
Hambright Property Biological Characterization

Figure No.  
1

Title  
Project Location

- Notes**
1. Coordinate System: NAD 1983 StatePlane California 1 FIPS 0401 Feet
  2. Base map: ESRI USA Topo Maps web mapping service
  3. Public Land Survey: T22N, 03W, Sec. 16
  4. USGS 7.5 Quad: Kirkwood 1969

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.



# KNIFE RIVER CONSTRUCTION COMPANY HAMBRIGHT PROPERTY: 2020 BIOLOGICAL CHARACTERIZATION SUMMARY REPORT

Query parameters used to generate a list of species potentially occurring in the study area included location (i.e., Glenn County) and CWHR habitats (i.e., annual grassland, eucalyptus, fresh emergent wetland, lacustrine, and riverine). Plant taxonomy follows Baldwin et al. (2012).

Following the desktop analysis, a Stantec biologist performed a general reconnaissance site visit on May 8, 2020, to characterize vegetation and wildlife habitats, and to document wildlife use. Wildlife species were identified by direct observation, by identification of vocalizations, or by observations of various wildlife sign (e.g., tracks, scat). Observations of habitat types, site conditions, wildlife use, and other general site conditions were documented during the site visit and are presented in this report. The wildlife observations included documentation of the specific habitats that species were observed in. Other pertinent behavioral observations (e.g., nesting) were also noted. No focused surveys or habitat evaluations for a specific species were performed as part of this biological characterization.

## 4.0 RESULTS

### 4.1 DATABASE SEARCH FINDINGS

Results of the CNDDDB database query did not identify any records of special-status plant species, special-status wildlife species, or special plant communities within the study area. However, three special-status species records occur within close proximity to the study area (1 mile) documenting the occurrence of: a tricolored blackbird (*Agelaius tricolor*) nesting colony along Stoney Creek in 1936, a crotch bumblebee (*Bombus crotchii*) collected July 2, 1952 in the vicinity of Orlando, and Stony Creek spurge (*Euphorbia ocellata* ssp. *rattanii*) collected from Stoney Creek two miles north of Orland in 1884 and 1935. The query of CWHR identified 329 species with potential to occur in the study area.

The CNDDDB database search and CWHR query results are included as Appendices A and B, respectively.

### 4.2 STUDY AREA HABITATS

CWHR habitats occurring in the study area include lacustrine, riverine, fresh emergent wetland, eucalyptus, and annual grassland. The locations of many of these habitats vary annually, depending on the amount of recent gravel excavation work occurring in the study area. The ongoing operations of Knife River Construction Company at the study area typically result in a dynamic “continuum” of mainly early-seral (i.e., young) fresh emergent wetland and woody riparian habitat mixed among open water and barren areas.

Lacustrine habitat is the dominant habitat type occurring within the study area (Photos 1 and 2, Appendix C). This habitat type consists primarily of open water areas resulting from gravel excavation activities (i.e., gravel ponds). These areas are typically too deep to support emergent wetland vegetation. Dominant substrates include small cobble, gravel, sand, and silt.

Riverine habitat within the study area consists of Hambright Creek (Photos 3 and 4, Appendix C). The creek enters the study area through a well-defined channel from the west. Within the study area, the



## KNIFE RIVER CONSTRUCTION COMPANY HAMBRIGHT PROPERTY: 2020 BIOLOGICAL CHARACTERIZATION SUMMARY REPORT

creek loses its defined channel, as gravel extraction activities have removed the natural creek banks and floodplain. The stream flows through a network of excavated areas within the site, returning to the natural channel at the eastern portion of the study area, near Interstate 5. Stream substrates within the study area are generally small size classes, consisting of small cobble, gravel, sand, and silt.

Fresh emergent wetland habitat occurs along the edges of the lacustrine habitat and is characterized by open, barren areas with occasional stands of sparse to moderate herbaceous and woody vegetation cover (Photos 5 and 6, Appendix C). The dominant herbaceous species include cocklebur (*Xanthium strumarium*), docks (*Rumex* spp.), water chickweed (*Montia fontana*), and willow-herb (*Epilobium* sp.); with occasional cattail (*Typha* sp.), bulrush (*Schoenoplectus* sp.), smartweed (*Polygonum* sp.), rushes (*Juncus* spp.), nutsedges (*Cyperus* sp.), canary grass (*Phalaris* sp.), and duckweed (*Lemna minor*). Dominant woody species include scattered individuals to moderate-sized patches of giant reed (*Arundo donax*), with occasional narrow-leaf willow (*Salix exigua*), Fremont cottonwood (*Populus fremontii*), mule fat (*Baccharis salicifolia*), black willow (*Salix gooddingii*), and saltcedar (*Tamarisk ramosissima*).

Eucalyptus is the dominant upland habitat in the study area and includes two groves of trees planted in rows along the southern and western borders of the study area (Photo 7, Appendix C). These groves consist mainly of even-aged seedling- to small-sized (2- to 24-inch diameter at breast height) eucalyptus (*Eucalyptus* sp.) trees with open to dense (25-100%) canopy closure. The understory is moderate to dense and dominated by annual grassland vegetation. Some eucalyptus trees are dying or are in poor health, providing snags and occasional open canopy areas in an otherwise dense tree stand. An additional row of eucalyptus and juniper (*Juniperus* sp.) trees occurs on the east side of the study area near the Interstate 5 right-of-way fence. Tree cover in this area is sparse to moderate (10-59 % canopy closure) with a dense annual grassland understory.

Annual grassland consists of open to dense growth of ruderal annual grasses and forbs, and mainly occurs along the margins of the fresh emergent wetland habitat, and in small areas disturbed by gravel extraction activities that do not retain adequate moisture for wetland vegetation to persist (Photo 8, Appendix C). This habitat often extends into other adjacent habitats present on the site including the eucalyptus groves and upland locations within the fresh emergent wetlands. Dominant species include wild oat (*Avena sativa*), Italian ryegrass (*Festuca* sp.), downy brome (*Bromus tectorum*), ripgut brome (*Bromus diandrus*), filaree (*Erodium* sp.), mustard (*Brassica* sp.), yellow starthistle (*Centaurea solstitialis*), rose clover (*Trifolium hirtum*), fiddleneck (*Amsinckia* sp.), wild radish (*Raphanus sativus*), bicolor lupine (*Lupinus bicolor*), milkthistle (*Silybum* sp.), vetch (*Vicia* sp.), brodiaea (*Brodiaea* sp.), black medic (*Medicago lupulina*), wild geranium (*Geranium dissectum*), pineapple weed (*Matricaria discoidea*), and torilis (*Torilis arvensis*).

Photographs showing representative habitats within the study area and use by wildlife are presented as Appendix C.

### 4.3 WILDLIFE

The Stantec biologist noted 44 wildlife species during the 2020 site visit using one or more of the habitat types found within the study area; including one reptile, 41 birds, and two mammals. A list of wildlife



## KNIFE RIVER CONSTRUCTION COMPANY HAMBRIGHT PROPERTY: 2020 BIOLOGICAL CHARACTERIZATION SUMMARY REPORT

species observed during the 2020 site visit, and a summary of habitat use by each species observed, is included as Appendix D.

Wildlife use was observed in all habitats present in the study area. Twenty-five species were observed in lacustrine/riverine habitats. Commonly observed species include Canada goose (*Branta canadensis*), mallard (*Anas platyrhynchos*), pied-billed grebe (*Podilymbus podiceps*), double-crested cormorant (*Phalacrocorax auritus*), and red-eared slider (*Trachemys scripta elegans*). Fresh emergent wetland habitat was the least common habitat type in the study area and only six species were observed including species such as belted-king fisher (*Megaceryle alcyon*) and green heron (*Butorides virescens*). Only seven species were observed in annual grassland including two species, California scrub-jay (*Aphelocoma californica*) and golden-crowned sparrow (*Zonotrichia atricapilla*), which were only observed in annual grassland. Stantec observed 22 species in eucalyptus habitat including species such as turkey vulture (*Cathartes aura*), wild turkey (*Meleagris gallopavo*), lesser goldfinch (*Spinus psaltria*), Anna's hummingbird (*Calypete anna*), and red fox (*Vulpes vulpes*). Black-tailed deer (*Odocoileus hemionus columbianus*) sign was observed as scat and tracks in riverine, annual grassland, and eucalyptus habitats.

Wildlife behaviors observed in the study area include nesting, foraging, and roosting. Lesser goldfinch was observed nesting in eucalyptus habitat. Canada geese with goslings provide evidence of nesting prior to the site visit. Double-crested cormorant, pied-billed grebe, green heron (*Butorides virescens*), spotted sandpiper (*Actitis macularius*), and northern-rough wing swallow (*Stelgidopteryx serripennis*) were observed foraging in lacustrine and fresh emergent wetland habitats. Turkey vultures were roosting in eucalyptus trees (*Eucalyptus* sp.) and Anna's hummingbird was foraging on their flowers. Overall, the study area attracts various wildlife species which use the habitats in the study area as a seasonal stopover location, during migration (e.g., migratory waterfowl), or year-round (e.g., Canada geese and black-tailed deer).

## 5.0 REFERENCES

- Baldwin, B. G., D. H. Goldman, D. J. Kiel, R. Patterson, T. J. Rosatti, and D. H. Wilken, editors. 2012. The Jepson manual: vascular plants of California. 2nd edition. University of California Press, Berkeley, California, USA.
- California Department of Fish and Wildlife. 2013. California Interagency Wildlife Task Group. CWHR Version 9.0 personal computer program. Sacramento, CA.
- Mayer, K. E., and W. F. Laudenslayer Jr., Editors. 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection. Sacramento, California, USA. 166 pp.



## **Appendix A**

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### **CNDDDB Database Query Results**



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



Query Criteria: Quad<span style='color:Red'> IS </span>(Kirkwood (3912272))

Map Index Number: 32334

Key Quad: Kirkwood (3912272)

Occurrence Number: 67

EO Index: 2651

Element Code: AAABF02020

Occurrence Last Updated: 2018-11-13

Scientific Name: *Spea hammondi*

Common Name: western spadefoot

Listing Status: Federal: None

Rare Plant Rank:

State: None

Other Lists: BLM\_S-Sensitive  
CDFW\_SSC-Species of Special Concern  
IUCN\_NT-Near Threatened

CNDDB Element Ranks: Global: G3

State: S3

#### General Habitat:

OCCURS PRIMARILY IN GRASSLAND HABITATS, BUT CAN BE FOUND IN VALLEY-FOOTHILL HARDWOOD WOODLANDS.

#### Micro Habitat:

VERNAL POOLS ARE ESSENTIAL FOR BREEDING AND EGG-LAYING.

Last Date Observed: 1978-04-22

Occurrence Type: Natural/Native occurrence

Last Survey Date: 1978-04-22

Occurrence Rank: Unknown

Owner/Manager: UNKNOWN

Trend: Unknown

Presence: Presumed Extant

#### Location:

ALONG RICE CREEK, ABOUT 0.7 MI E OF HWY 99 AT CAPAY RD, 1.2 MI W OF CAPAY AT INGRAM RD, W OF KIRKWOOD.

#### Detailed Location:

THE 1937 LOCATION DESCRIBED AS "RICE CREEK, 6 MI S CORNING." THE 1978 LOCATION DESCRIBED AS "IN RICE CREEK, NEXT TO CAPAY ROAD, 0.7 MILES EAST OF HIGHWAY 99W, SOUTH OF CORNING."

#### Ecological:

##### Threats:

##### General:

ABOUT 30 TADPOLES COLLECTED ON 20 MAY 1937. 2 SPADEFOOT TADPOLES OBSERVED ON 22 APR 1978.

PLSS: T23N, R03W, Sec. 10, SE (M)

Accuracy: 1/5 mile

Area (acres): 0

UTM: Zone-10 N4412156 E569772

Latitude/Longitude: 39.85657 / -122.18432

Elevation (feet): 232

#### County Summary:

#### Quad Summary:

Tehama

Kirkwood (3912272)

#### Sources:

FIT37S0004 FITCH, H. - MVZ# 24121 COLLECTED AT RICE CREEK, 6 MI S CORNING 1937-05-20

MCC78U0001 MCCREADY, A. (CALIFORNIA STATE UNIVERSITY, SACRAMENTO) - CORRESPONDENCE TO JOHN BRODE (DFG) REGARDING 22 WESTERN SPADEFOOT TOAD OBSERVATIONS DURING SPRING 1978. 1978-12-26



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



<b>Map Index Number:</b>	88104	<b>EO Index:</b>	89123
<b>Key Quad:</b>	Kirkwood (3912272)	<b>Element Code:</b>	ABNKC19070
<b>Occurrence Number:</b>	1996	<b>Occurrence Last Updated:</b>	2013-02-05

<b>Scientific Name:</b>	<i>Buteo swainsoni</i>	<b>Common Name:</b>	Swainson's hawk
<b>Listing Status:</b>	<b>Federal:</b> None <b>State:</b> Threatened	<b>Rare Plant Rank:</b>	
<b>CNDDDB Element Ranks:</b>	<b>Global:</b> G5 <b>State:</b> S3	<b>Other Lists:</b>	BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern

<b>General Habitat:</b>	<b>Micro Habitat:</b>
BREEDS IN GRASSLANDS WITH SCATTERED TREES, JUNIPER-SAGE FLATS, RIPARIAN AREAS, SAVANNAHS, & AGRICULTURAL OR RANCH LANDS WITH GROVES OR LINES OF TREES.	REQUIRES ADJACENT SUITABLE FORAGING AREAS SUCH AS GRASSLANDS, OR ALFALFA OR GRAIN FIELDS SUPPORTING RODENT POPULATIONS.

<b>Last Date Observed:</b>	2006-08-20	<b>Occurrence Type:</b>	Natural/Native occurrence
<b>Last Survey Date:</b>	2006-08-20	<b>Occurrence Rank:</b>	Unknown
<b>Owner/Manager:</b>	UNKNOWN	<b>Trend:</b>	Unknown
<b>Presence:</b>	Presumed Extant		

**Location:**  
SOUTH SIDE OF COUNTY RD 2, ABOUT 0.3 MI W OF COUNTY RD P JUNCTION & 0.7 MI E OF COUNTY RD N JUNCTION, 3 MI W OF CAPAY.

**Detailed Location:**  
MAPPED TO COORDINATES PROVIDED ON FIELD SURVEY FORM FOR RESSEGUIE'S SITE KIRKWOOD 3.

**Ecological:**  
NEST AT 60% HEIGHT OF COTTONWOOD ON SOUTH SHOULDER OF MALTON SWITCH RD (RD 2).

**Threats:**  
**General:**  
NEST MONITORED 22 JUN TO 29 AUG 2006. 1 ADULT AND 1 JUVENILE OBSERVED, PRESUMED FLEDGED.

<b>PLSS:</b>	T22N, R03W, Sec. 01, NE (M)	<b>Accuracy:</b>	80 meters	<b>Area (acres):</b>	0
<b>UTM:</b>	Zone-10 N4405637 E573043	<b>Latitude/Longitude:</b>	39.79756 / -122.14680	<b>Elevation (feet):</b>	220

<b>County Summary:</b>	<b>Quad Summary:</b>
Glenn, Tehama	Kirkwood (3912272)

**Sources:**  
RES06F0056 RESSEGUIE, L. - FIELD SURVEY FORM FOR BUTEO SWAINSONI 2006-08-10



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



<b>Map Index Number:</b>	33735	<b>EO Index:</b>	30787
<b>Key Quad:</b>	Kirkwood (3912272)	<b>Element Code:</b>	ABPBXB0020
<b>Occurrence Number:</b>	323	<b>Occurrence Last Updated:</b>	2016-11-16

<b>Scientific Name:</b>	<i>Agelaius tricolor</i>	<b>Common Name:</b>	tricolored blackbird
<b>Listing Status:</b>	<b>Federal:</b> None <b>State:</b> Threatened	<b>Rare Plant Rank:</b>	
<b>CNDDB Element Ranks:</b>	<b>Global:</b> G2G3 <b>State:</b> S1S2	<b>Other Lists:</b>	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern

<b>General Habitat:</b>	<b>Micro Habitat:</b>
HIGHLY COLONIAL SPECIES, MOST NUMEROUS IN CENTRAL VALLEY & VICINITY. LARGELY ENDEMIC TO CALIFORNIA.	REQUIRES OPEN WATER, PROTECTED NESTING SUBSTRATE, AND FORAGING AREA WITH INSECT PREY WITHIN A FEW KM OF THE COLONY.

<b>Last Date Observed:</b>	1999-06-11	<b>Occurrence Type:</b>	Natural/Native occurrence
<b>Last Survey Date:</b>	2000-06-21	<b>Occurrence Rank:</b>	Excellent
<b>Owner/Manager:</b>	UNKNOWN	<b>Trend:</b>	Unknown
<b>Presence:</b>	Presumed Extant		

**Location:**  
GAY CREEK, JUST PAST THE I-5 AND GLENN/TEHAMA COUNTY LINE.

**Detailed Location:**  
1972 LOCATION WAS "GAY CREEK, JUST PAST GLENN COUNTY." COLONY DATA STORED IN THE UC DAVIS TRBL PORTAL; SITE NAMES WERE "GAY CREEK #1/#2." MAPPED ACCORDING TO PROVIDED COORDINATES AND LOCATION IN PORTAL.

**Ecological:**  
HABITAT IN 1972 WAS TULE, BLACKBERRIES, WILLOWS, AND COTTONWOOD IN VICINITY; NESTS IN TULE, SIZE OF COLONY ABOUT 2 ACRES. FORAGING AT DAIRY, IRRIGATED PASTURE, AND DRY RANGE.

#### Threats:

#### General:

ABOUT 2000 BIRDS AND 1500 NESTS OBSERVED ON 6 JUN 1972; BIRDS HAD ALREADY FLEDGED. ANECDOTALLY REPORTED AS NESTING IN 1993. ABOUT 5000 FEMALES OBSERVED ON 11 JUN 1999; INCUBATING, NESTS WITH EGGS CONFIRMED. 0 BIRDS OBS ON APR & JUN 2000.

<b>PLSS:</b>	T23N, R03W, Sec. 33, SE (M)	<b>Accuracy:</b>	nonspecific area	<b>Area (acres):</b>	74
<b>UTM:</b>	Zone-10 N4405823 E568233	<b>Latitude/Longitude:</b>	39.79963 / -122.20297	<b>Elevation (feet):</b>	270

<b>County Summary:</b>	<b>Quad Summary:</b>
Glenn, Tehama	Kirkwood (3912272)

#### Sources:

BEE91R0001	BEDDY, E.C., S.D. SANDERS & D. BLOOM - BREEDING STATUS, DISTRIBUTION, AND HABITAT ASSOCIATIONS OF THE TRICOLORED BLACKBIRD (AGELAIUS TRICOLOR), 1850-1989. 1991-06-XX
DFG04U0002	CALIFORNIA DEPARTMENT OF FISH & GAME - TRICOLORED BLACKBIRD BREEDING OBSERVATIONS 1980-2000, BIOS DS20. 2004-XX-XX
HAM99F0024	HAMILTON, W. - FIELD SURVEY FORM FOR AGELAIUS TRICOLOR 1999-06-11
TRI14D0001	TRICOLORED BLACKBIRD PORTAL - ICE (UNIVERSITY OF CALIFORNIA, DAVIS) - 1907-2014 TRICOLORED BLACKBIRD RECORDS FROM UC DAVIS TRICOLORED BLACKBIRD PORTAL, INFORMATION CENTER FOR THE ENVIRONMENT (ICE) 2014-XX-XX
WOL00F0003	WOLDER, M. - FIELD SURVEY FORM FOR AGELAIUS TRICOLOR 2000-04-25





**Occurrence Report**  
**California Department of Fish and Wildlife**  
**California Natural Diversity Database**



<b>Map Index Number:</b> A0599	<b>EO Index:</b> 102155
<b>Key Quad:</b> Kirkwood (3912272)	<b>Element Code:</b> ABPBXB0020
<b>Occurrence Number:</b> 896	<b>Occurrence Last Updated:</b> 2016-07-08

<b>Scientific Name:</b> <i>Agelaius tricolor</i>	<b>Common Name:</b> tricolored blackbird
<b>Listing Status:</b> <b>Federal:</b> None <b>State:</b> Threatened	<b>Rare Plant Rank:</b>
<b>CNDDB Element Ranks:</b> <b>Global:</b> G2G3 <b>State:</b> S1S2	<b>Other Lists:</b> BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern

<b>General Habitat:</b> HIGHLY COLONIAL SPECIES, MOST NUMEROUS IN CENTRAL VALLEY & VICINITY. LARGELY ENDEMIC TO CALIFORNIA.	<b>Micro Habitat:</b> REQUIRES OPEN WATER, PROTECTED NESTING SUBSTRATE, AND FORAGING AREA WITH INSECT PREY WITHIN A FEW KM OF THE COLONY.
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<b>Last Date Observed:</b> 1936-05-27	<b>Occurrence Type:</b> Natural/Native occurrence
<b>Last Survey Date:</b> 1936-05-27	<b>Occurrence Rank:</b> Unknown
<b>Owner/Manager:</b> UNKNOWN	<b>Trend:</b> Unknown
<b>Presence:</b> Presumed Extant	

**Location:**  
ALONG STONY CREEK, 1 MILE NE OF I-5 & HWY 32 INTERSECTION, N OF ORLAND.

**Detailed Location:**  
1936 LOCATION DESCRIBED ONLY AS "NEAR ORLAND." EXACT LOCATION UNKNOWN. HABITAT WAS ALONG A CREEK AND THEREFORE MAPPED AS BEST GUESS TO STONY CREEK ON N SIDE OF HISTORIC ORLAND. 2014 SURVEY LIKELY NOT AT THE SAME LOCATION AS 1936 SURVEY.

**Ecological:**  
HABITAT IN 1936 DESCRIBED AS CATTAILS ALONG CREEK.

**Threats:**  
**General:**  
A COLONY COMPOSED OF ABOUT 750 PAIRS OBSERVED ON 27 MAY 1936 (NEFF 1937). 0 BIRDS OBSERVED IN GENERAL AREA OF ORLAND CITY PROPER ON 18 APR 2014. COLONY PRESUMED EXTIRPATED BY BEEDY (1991).

<b>PLSS:</b> T22N, R03W, Sec. 15 (M)	<b>Accuracy:</b> 1 mile	<b>Area (acres):</b> 1,987
<b>UTM:</b> Zone-10 N4401491 E569588	<b>Latitude/Longitude:</b> 39.7605 / -122.1876	<b>Elevation (feet):</b> 247

<b>County Summary:</b> Glenn	<b>Quad Summary:</b> Orland (3912262), Kirkwood (3912272)
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**Sources:**

BEE91R0001	BEEDEY, E.C., S.D. SANDERS & D. BLOOM - BREEDING STATUS, DISTRIBUTION, AND HABITAT ASSOCIATIONS OF THE TRICOLORED BLACKBIRD (AGELAIUS TRICOLOR), 1850-1989. 1991-06-XX
NEF37R0001	NEFF, J.A. - DISTRIBUTION OF THE TRICOLORED RED WING. THE CONDOR 39(2):61-81. 1937-03-XX
TRI14D0001	TRICOLORED BLACKBIRD PORTAL - ICE (UNIVERSITY OF CALIFORNIA, DAVIS) - 1907-2014 TRICOLORED BLACKBIRD RECORDS FROM UC DAVIS TRICOLORED BLACKBIRD PORTAL, INFORMATION CENTER FOR THE ENVIRONMENT (ICE) 2014-XX-XX



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



<b>Map Index Number:</b>	09754	<b>EO Index:</b>	15612
<b>Key Quad:</b>	Foster Island (3912271)	<b>Element Code:</b>	CTT61430CA
<b>Occurrence Number:</b>	18	<b>Occurrence Last Updated:</b>	1998-07-23

<b>Scientific Name:</b>	<i>Great Valley Valley Oak Riparian Forest</i>			<b>Common Name:</b>	Great Valley Valley Oak Riparian Forest
<b>Listing Status:</b>	<b>Federal:</b>	None	<b>Rare Plant Rank:</b>		
	<b>State:</b>	None	<b>Other Lists:</b>		
<b>CNDDDB Element Ranks:</b>	<b>Global:</b>	G1			
	<b>State:</b>	S1.1			

<b>General Habitat:</b>	<b>Micro Habitat:</b>
<input type="checkbox"/>	<input type="checkbox"/>

<b>Last Date Observed:</b>	1980-XX-XX	<b>Occurrence Type:</b>	Natural/Native occurrence
<b>Last Survey Date:</b>	1980-XX-XX	<b>Occurrence Rank:</b>	Unknown
<b>Owner/Manager:</b>	PVT	<b>Trend:</b>	Unknown
<b>Presence:</b>	Presumed Extant		

**Location:**  
APPROX 0.5 MILE SE OF KIRKWOOD, EAST OF CAPAY ROAD, ALONG RICE CREEK & BURCH CREEK.

**Detailed Location:**

**Ecological:**  
BROAD CORRIDOR OF CONTIGUOUS OAK WOODLANDS W/BLEU OAK & VALLEY OAK; TYPICAL OF FOOTHILLS BUT HERE ON VALLEY FLOOR. VALLEY OAK INCREASES IN DOMINANCE CLOSER TO SACRAMENTO RIVER. VARIOUS AGE CLASSES PRESENT BUT NO SAPLING OAKS.

**Threats:**  
DIRT ROADS, CLEARING & GRAZING DISTURBANCE, THREATS.

**General:**  
SEE [WWW.DFG.CA.GOV/BIOGEODATA/VEGCAMP/NATURAL\\_COMM\\_BACKGROUND.ASP](http://WWW.DFG.CA.GOV/BIOGEODATA/VEGCAMP/NATURAL_COMM_BACKGROUND.ASP) TO INTERPRET AND ADDRESS THE PRESENCE OF RARE COMMUNITIES.

<b>PLSS:</b>	T23N, R02W, Sec. 17 (M)	<b>Accuracy:</b>	specific area	<b>Area (acres):</b>	896
<b>UTM:</b>	Zone-10 N4410944 E575222	<b>Latitude/Longitude:</b>	39.84518 / -122.12075	<b>Elevation (feet):</b>	190

<b>County Summary:</b>	<b>Quad Summary:</b>
Tehama	Foster Island (3912271), Kirkwood (3912272)

**Sources:**

BUR80U0001	BURKE, M.T. - ELEMENT PRESERVATION PLAN: VALLEY OAK WOODLAND (THE NATURE CONSERVANCY). 1980-XX-XX
DFG76M0001	CALIFORNIA DEPARTMENT OF FISH & GAME - CENTRAL VALLEY RIPARIAN MAPPING PROJECTS; 7 1/2' MAPS 1976-XX-XX



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 33202  
**Key Quad:** Henleyville (3912283)  
**Occurrence Number:** 15

**EO Index:** 2652  
**Element Code:** ICBRA03030  
**Occurrence Last Updated:** 2014-07-10

**Scientific Name:** *Branchinecta lynchi*  
**Common Name:** vernal pool fairy shrimp

**Listing Status:** **Federal:** Threatened  
**State:** None  
**Rare Plant Rank:**  
**Other Lists:** IUCN\_VU-Vulnerable

**CNDDB Element Ranks:** **Global:** G3  
**State:** S3

**General Habitat:** ENDEMIC TO THE GRASSLANDS OF THE CENTRAL VALLEY, CENTRAL COAST MOUNTAINS, AND SOUTH COAST MOUNTAINS, IN ASTATIC RAIN-FILLED POOLS.  
**Micro Habitat:** INHABIT SMALL, CLEAR-WATER SANDSTONE-DEPRESSION POOLS AND GRASSED SWALE, EARTH SLUMP, OR BASALT-FLOW DEPRESSION POOLS.

**Last Date Observed:** 2013-03-18  
**Last Survey Date:** 2013-03-18  
**Owner/Manager:** PVT-PGE  
**Presence:** Presumed Extant

**Occurrence Type:** Natural/Native occurrence  
**Occurrence Rank:** Fair  
**Trend:** Unknown

**Location:** BLACKBURN MITIGATION BANK AND ALONG PG&E PIPELINE AND ACCESS ROAD, 5 MILES SW OF CORNING.

**Detailed Location:** 1990S DETECTIONS FROM HALL-STONY CREEK RESTORATION SITE; IN >7 MILE SECTION OF PG&E PIPELINE RIGHT-OF-WAY; LOCATION GIVEN ONLY FOR POOL #H-2. MAPPED GENERALLY TO #H-2 & TO SPECIFIC LOCS GIVEN FOR BLACKBURN MITIGATION BANK POOLS (2005-2013).

**Ecological:** NATURAL VERNAL POOLS AND SWALES IN ANNUAL GRASSLAND WITH SOME EUCALYPTUS STANDS AND OPEN WATER. DETECTIONS FROM 2000S ON 631-ACRE MITIGATION BANK. SURROUNDING LAND USES: CATTLE GRAZING, TIMBER FARMING.

**Threats:** POSSIBLE THREATS: ALTERATION OF HYDROLOGIC CONDITIONS DUE TO PLOWING; TIMBER PRODUCTION-CLEARING OF EUCALYPTUS (1995).

**General:** PRESENT, 1992. BODY PARTS FOUND IN #H-2, 1995; 1 COLLECTED (CASIZ #102860). 10S-1000S IN 9 POOLS, '96-97. 1000S PRESENT, 2005. IN 30 OF 190 PLS, '07; IN 95/195, '08. EST. POP 1000 IN '09, 100S IN '11. IN 13/205 PLS, '13.

**PLSS:** T23N, R04W, Sec. 02 (M) **Accuracy:** nonspecific area **Area (acres):** 472  
**UTM:** Zone-10 N4414281 E562101 **Latitude/Longitude:** 39.87631 / -122.27379 **Elevation (feet):** 370

**County Summary:** Tehama  
**Quad Summary:** Kirkwood (3912272), Black Butte Dam (3912273), Corning (3912282), Henleyville (3912283)



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



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**Sources:**

ARN96F0003	ARNOLD, R. - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 1996-01-29
ARN96F0004	ARNOLD, R. - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 1996-01-29
ARN96U0001	ARNOLD, R. - RECORD OF TELEPHONE CONVERSATION REGARDING VERNAL POOL LOCALITIES FROM 1996 SURVEY ON HALL/STONY CREEK SITE OF PGT/PG&E PIPELINE EXPANSION PROJECT. 1996-08-14
ARN97F0001	ARNOLD, R. - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 1997-12-22
ARN97F0002	ARNOLD, R. - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 1997-12-22
ARN97R0008	ARNOLD, R. (ENTOMOLOGICAL CONSULTING SERVICES) - PRT-797233 FOR VERNAL POOL CRUSTACEANS, 1997 VERNAL POOL CRUSTACEAN ANNUAL SURVEY REPORT, PGT-PG&E PIPELINE EXPANSION PROJECT 1997-06-28
ARN98R0001	ARNOLD, R. (ENTOMOLOGICAL CONSULTING SERVICES) - PRT-797233 FOR VERNAL POOL CRUSTACEANS, PGT-PG&E PIPELINE EXPANSION PROJECT. 1998 VERNAL POOL CRUSTACEAN SURVEY REPORT. 1998-06-14
FIE95S0003	FIELDS, W. - CASIZ #102860, COLLECTED AT "PG&E GAS PIPELINE CORRIDOR, JUST SOUTH OF MF HALL CREEK, POOL H2." 1995-02-23
GAR95F0006	GARMAN, G. (PRUNUSKE CHATHAM, INC.) - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 1995-02-23
KIN96R0001	KING, J. ET AL. - HYDROBIOLOGIA (IN PRESS) 1996. ENDEMISM, SPECIES RICHNESS, AND ECOLOGY OF CRUSTACEAN ASSEMBLAGES IN NORTHERN CALIFORNIA VERNAL POOLS 1996-XX-XX
MUN05F0003	MUNSON, S. (WILDLANDS, INC.) - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 2005-01-13
MUN11F0001	MUNSON, S. (WILDLANDS, INC.) - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 2011-02-04
PRU95R0001	PRUNUSKE CHATHAM, INC. - 1995 VERNAL POOL CRUSTACEAN SURVEY REPORT FOR PGT-PG&E PIPELINE EXPANSION PROJECT (VERNAL POOL FAIRY SHRIMP, VERNAL POOL TADPOLE SHRIMP, CONSERVANCY FAIRY SHRIMP) 1995-05-XX
ROB09F0005	ROBINSON, J. (WILDLANDS, INC.) - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 2009-03-05
WIL07R0001	WILDLANDS, INC. - VERNAL POOL BRANCHIOPOD SURVEY, 2007 ANNUAL REPORT 2007-11-XX
WIL08R0001	WILDLANDS, INC. - VERNAL POOL BRANCHIOPOD SURVEY, 2008 ANNUAL REPORT 2008-03-18
WIL13R0001	WILDLANDS, INC. - VERNAL POOL BRANCHIOPOD SURVEY 2013 ANNUAL REPORT, FEDERAL PERMIT NO. TE-035879-5 2013-06-XX



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



<b>Map Index Number:</b>	79091	<b>EO Index:</b>	80058
<b>Key Quad:</b>	Kirkwood (3912272)	<b>Element Code:</b>	ICBRA03030
<b>Occurrence Number:</b>	629	<b>Occurrence Last Updated:</b>	2014-07-03

<b>Scientific Name:</b>	<i>Branchinecta lynchi</i>			<b>Common Name:</b>	vernal pool fairy shrimp
<b>Listing Status:</b>	<b>Federal:</b>	Threatened	<b>Rare Plant Rank:</b>		
	<b>State:</b>	None	<b>Other Lists:</b>	IUCN_VU-Vulnerable	
<b>CNDDB Element Ranks:</b>	<b>Global:</b>	G3			
	<b>State:</b>	S3			

#### General Habitat:

ENDEMIC TO THE GRASSLANDS OF THE CENTRAL VALLEY, CENTRAL COAST MOUNTAINS, AND SOUTH COAST MOUNTAINS, IN ASTATIC RAIN-FILLED POOLS.

#### Micro Habitat:

INHABIT SMALL, CLEAR-WATER SANDSTONE-DEPRESSION POOLS AND GRASSED SWALE, EARTH SLUMP, OR BASALT-FLOW DEPRESSION POOLS.

<b>Last Date Observed:</b>	2007-01-12	<b>Occurrence Type:</b>	Natural/Native occurrence
<b>Last Survey Date:</b>	2007-01-12	<b>Occurrence Rank:</b>	Fair
<b>Owner/Manager:</b>	PVT	<b>Trend:</b>	Unknown
<b>Presence:</b>	Presumed Extant		

#### Location:

0.5 MILE SOUTH OF INTERSECTION OF COUNTY ROAD 9 AND COUNTY ROAD P, NORTH SIDE OF STONY CREEK, NE OF ORLAND.

#### Detailed Location:

JUST WEST OF COUNTY ROAD P. 2006: INSTARS COLLECTED FROM 1 BASIN (HBC1); DRY SAMPLES IN CAS FROM WF68, 70, 71, & 72; AND HCB1, 2, 3, & 5. 2007: WET SEASON DETECTIONS FROM WF67, 70, & 71 AND HBC3.

#### Ecological:

51 BASINS PROVIDING POTENTIAL LARGE BRANCHIOPOD HABITAT, ON 250-ACRE PARCEL SLATED FOR SAND/GRAVEL EXTRACTION FOLLOWED BY RESTORATION.

#### Threats:

SAND AND GRAVEL EXTRACTION.

#### General:

HATCHLINGS COLLECTED 11 SEP 2006 REARED TO ADULT B. LYNCHI FROM HBC1; DRY SAMPLES POSITIVELY IDED FROM 7 OTHER POOLS (CASIZ #191946-191948, 191950-191954); CYSTS IN ANOTHER 12 POOLS. ADULTS COMMON IN 3 POOLS, PRESENT IN A 4TH, 12 JAN 2007.

<b>PLSS:</b>	T22N, R03W, Sec. 13, E (M)	<b>Accuracy:</b>	specific area	<b>Area (acres):</b>	25
<b>UTM:</b>	Zone-10 N4401632 E573550	<b>Latitude/Longitude:</b>	39.76144 / -122.14133	<b>Elevation (feet):</b>	225

#### County Summary:

Glenn

#### Quad Summary:

Kirkwood (3912272)



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



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**Sources:**

HEL06F0043	HELM, B. (HELM BIOLOGICAL CONSULTING) - FIELD SURVEY FORM FOR BRANCHINECTA LYNCHI 2006-09-11
HEL06S0020	HELM, B. - HELM #WF-68 CASIZ #191954, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL06S0021	HELM, B. - HELM #WF-72 CASIZ #191953, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL06S0022	HELM, B. - HELM #WF-70 CASIZ #191952, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL06S0023	HELM, B. - HELM #HBC-03 CASIZ #191951, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL06S0024	HELM, B. - HELM #HBC-02 CASIZ #191950, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL06S0025	HELM, B. - HELM #HBC-01 CASIZ #191948, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL06S0026	HELM, B. - HELM #HBC-05 CASIZ #191947, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL06S0027	HELM, B. - HELM #VF-71 CASIZ #191946, COLLECTED "E OF TEHAMA CANAL, S OF WYOMING ROAD (COUNTY ROAD 9)" 2006-09-11
HEL07R0012	HELM, B. (HELM BIOLOGICAL CONSULTING) - FEDERALLY-LISTED LARGE BRANCHIOPODS SAMPLING AT THE STONY CREEK PROJECT 2007-08-XX



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 92970 **EO Index:** 94125  
**Key Quad:** Kirkwood (3912272) **Element Code:** ICBRA03030  
**Occurrence Number:** 649 **Occurrence Last Updated:** 2014-06-30

**Scientific Name:** *Branchinecta lynchi* **Common Name:** vernal pool fairy shrimp  
**Listing Status:** **Federal:** Threatened **Rare Plant Rank:**  
**State:** None **Other Lists:** IUCN\_VU-Vulnerable  
**CNDDB Element Ranks:** **Global:** G3  
**State:** S3

**General Habitat:** ENDEMIC TO THE GRASSLANDS OF THE CENTRAL VALLEY, CENTRAL COAST MOUNTAINS, AND SOUTH COAST MOUNTAINS, IN ASTATIC RAIN-FILLED POOLS.  
**Micro Habitat:** INHABIT SMALL, CLEAR-WATER SANDSTONE-DEPRESSION POOLS AND GRASSED SWALE, EARTH SLUMP, OR BASALT-FLOW DEPRESSION POOLS.

**Last Date Observed:** 1980-02-05 **Occurrence Type:** Natural/Native occurrence  
**Last Survey Date:** 1980-02-05 **Occurrence Rank:** Unknown  
**Owner/Manager:** PVT **Trend:** Unknown  
**Presence:** Presumed Extant

**Location:** WEST SIDE OF OLD HWY 99W, ABOUT 0.4 MILE NORTH OF THE TEHAMA-GLENN COUNTY LINE, 4 MILES NORTH OF ORLAND.

**Detailed Location:** MAPPED TO GIVEN LOCALITY.

**Ecological:**

**Threats:**

**General:**

2 COLLECTED FROM POOL ON 5 FEB 1980 (USNM #1156050).

**PLSS:** T23N, R03W, Sec. 33, SE (M) **Accuracy:** 2/5 mile **Area (acres):** 0  
**UTM:** Zone-10 N4406287 E568594 **Latitude/Longitude:** 39.80379 / -122.19869 **Elevation (feet):** 280

**County Summary:** Tehama **Quad Summary:** Kirkwood (3912272)

**Sources:** ENG80S0002 ENG, L. & J. BRODE - USNM #1156050, COLLECTED FROM "POOL, WEST SIDE OF OLD HIGHWAY 99 WEST, 0.4 MI NORTH OF TEHAMA COUNTY LINE." 1980-02-05





# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 81460  
**Key Quad:** Kirkwood (3912272)  
**Occurrence Number:** 385  
**EO Index:** 82436  
**Element Code:** ICBRA06010  
**Occurrence Last Updated:** 2011-01-25

**Scientific Name:** *Linderiella occidentalis*  
**Common Name:** California linderiella  
**Listing Status:** **Federal:** None  
**State:** None  
**Rare Plant Rank:**  
**Other Lists:** IUCN\_NT-Near Threatened  
**CNDDB Element Ranks:** **Global:** G2G3  
**State:** S2S3

**General Habitat:** SEASONAL POOLS IN UNPLOWED GRASSLANDS WITH OLD ALLUVIAL SOILS UNDERLAIN BY HARDPAN OR IN SANDSTONE DEPRESSIONS.  
**Micro Habitat:** WATER IN THE POOLS HAS VERY LOW ALKALINITY, CONDUCTIVITY, AND TOTAL DISSOLVED SOLIDS.

**Last Date Observed:** 2006-09-11  
**Last Survey Date:** 2006-09-11  
**Owner/Manager:** UNKNOWN  
**Presence:** Presumed Extant  
**Occurrence Type:** Natural/Native occurrence  
**Occurrence Rank:** Fair  
**Trend:** Unknown

**Location:**  
ALONG SOUTH SIDE OF STONY CREEK, 1 MILE NW JUNCTION OF SR 32 AND COUNTY ROAD P, ABOUT 2.4 MILES NE THE ORLAND PO.

**Detailed Location:**  
BASIN HBC8; STONY CREEK PROJECT SITE. LOCATION MAPPED TO PROVIDED MAP.

**Ecological:**  
HABITAT ON PROJECT SITE CONSISTS OF VERNAL POOLS AND FRESH EMERGENT WETLANDS.

#### Threats:

#### General:

UNKNOWN NUMBER OBSERVED ON 11 SEP 2006.

**PLSS:** T22N, R03W, Sec. 13, SW (M) **Accuracy:** 80 meters **Area (acres):** 0  
**UTM:** Zone-10 N4401303 E572542 **Latitude/Longitude:** 39.75856 / -122.15314 **Elevation (feet):** 230

**County Summary:** Glenn  
**Quad Summary:** Kirkwood (3912272)

#### Sources:

HEL06F0047 HELM, B. (HELM BIOLOGICAL CONSULTING) - FIELD SURVEY FORM FOR LINDERIELLA OCCIDENTALIS 2006-09-11



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 81462  
**Key Quad:** Kirkwood (3912272)  
**Occurrence Number:** 386  
**EO Index:** 82439  
**Element Code:** ICBRA06010  
**Occurrence Last Updated:** 2011-01-25

**Scientific Name:** *Linderiella occidentalis*  
**Common Name:** California linderiella  
**Listing Status:** **Federal:** None  
**State:** None  
**Rare Plant Rank:**  
**Other Lists:** IUCN\_NT-Near Threatened  
**CNDDB Element Ranks:** **Global:** G2G3  
**State:** S2S3

**General Habitat:** SEASONAL POOLS IN UNPLOWED GRASSLANDS WITH OLD ALLUVIAL SOILS UNDERLAIN BY HARDPAN OR IN SANDSTONE DEPRESSIONS.  
**Micro Habitat:** WATER IN THE POOLS HAS VERY LOW ALKALINITY, CONDUCTIVITY, AND TOTAL DISSOLVED SOLIDS.

**Last Date Observed:** 2006-09-11  
**Last Survey Date:** 2006-09-11  
**Owner/Manager:** UNKNOWN  
**Presence:** Presumed Extant  
**Occurrence Type:** Natural/Native occurrence  
**Occurrence Rank:** Fair  
**Trend:** Unknown

**Location:** JUST SOUTH & (PRIMARILY) NORTH OF STONY CK, FROM COUNTY RD P TO 0.8 MI W OF COUNTY RD P, ABOUT 2.8 MI NE THE ORLAND PO.

**Detailed Location:** BASINS HBC5, HBC14, WF40, WF41, WF42, WF43, WF44, WF48, WF55, WF56, WF60, WF67, WF70, WF77, AND WF96; STONY CREEK PROJECT SITE. LOCATION MAPPED TO PROVIDED MAP.

**Ecological:** HABITAT ON PROJECT SITE CONSISTS OF VERNAL POOLS AND FRESH EMERGENT WETLANDS.

#### Threats:

#### General:

UNKNOWN NUMBER OBSERVED ON 11 SEP 2006.

**PLSS:** T22N, R03W, Sec. 13 (M) **Accuracy:** specific area **Area (acres):** 63  
**UTM:** Zone-10 N4401902 E573167 **Latitude/Longitude:** 39.76390 / -122.14577 **Elevation (feet):** 225

**County Summary:** Glenn  
**Quad Summary:** Kirkwood (3912272)

#### Sources:

HEL06F0047 HELM, B. (HELM BIOLOGICAL CONSULTING) - FIELD SURVEY FORM FOR LINDERIELLA OCCIDENTALIS 2006-09-11



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 79092 **EO Index:** 80059  
**Key Quad:** Kirkwood (3912272) **Element Code:** ICBRA10010  
**Occurrence Number:** 270 **Occurrence Last Updated:** 2015-01-12

**Scientific Name:** *Lepidurus packardii* **Common Name:** vernal pool tadpole shrimp  
**Listing Status:** **Federal:** Endangered **Rare Plant Rank:**  
**State:** None **Other Lists:** IUCN\_EN-Endangered  
**CNDDB Element Ranks:** **Global:** G4  
**State:** S3S4

**General Habitat:** INHABITS VERNAL POOLS AND SWALES IN THE SACRAMENTO VALLEY CONTAINING CLEAR TO HIGHLY TURBID WATER.  
**Micro Habitat:** POOLS COMMONLY FOUND IN GRASS-BOTTOMED SWALES OF UNPLOWED GRASSLANDS. SOME POOLS ARE MUD-BOTTOMED AND HIGHLY TURBID.

**Last Date Observed:** 2006-09-11 **Occurrence Type:** Natural/Native occurrence  
**Last Survey Date:** 2006-09-11 **Occurrence Rank:** Fair  
**Owner/Manager:** UNKNOWN **Trend:** Unknown  
**Presence:** Presumed Extant

**Location:**  
AREA 0.6 MILE SOUTH JUNCTION OF COUNTY ROAD 9 AND COUNTY ROAD P, NORTH/SOUTH OF STONY CREEK AND ABOUT 2.5 MI ENE ORLAND.

**Detailed Location:**  
BASIN HBC1 NORTH OF CREEK, JUST WEST OF COUNTY ROAD P AND ABOUT 0.5 MILE SOUTH OF COUNTY ROAD 9. BASINS WF60 AND WF63 SOUTH OF CREEK AND 0.1-0.2 MILES WEST OF COUNTY ROAD P. LOCATION MAPPED TO PROVIDED MAP.

**Ecological:**  
STONY CREEK PROJECT SITE. 42.53 ACRES OF WETLAND ON 250 ACRE PARCEL SLATED FOR SAND AND GRAVEL EXTRACTION FOLLOWED BY HABITAT CREATION AND RESTORATION.

#### Threats:

#### General:

CYSTS WERE OBSERVED IN SOILS COLLECTED FROM 3 BASINS ON 11 SEP 2006.

**PLSS:** T22N, R03W, Sec. 13, SE (M) **Accuracy:** specific area **Area (acres):** 24  
**UTM:** Zone-10 N4401333 E573231 **Latitude/Longitude:** 39.75877 / -122.14508 **Elevation (feet):** 223

**County Summary:** **Quad Summary:**  
Glenn Kirkwood (3912272)

**Sources:**  
HEL06F0046 HELM, B. (HELM BIOLOGICAL CONSULTING) - FIELD SURVEY FORM FOR LEPIDURUS PACKARDI 2006-09-11  
HEL07R0012 HELM, B. (HELM BIOLOGICAL CONSULTING) - FEDERALLY-LISTED LARGE BRANCHIOPODS SAMPLING AT THE STONY CREEK PROJECT 2007-08-XX



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 79094 **EO Index:** 80060  
**Key Quad:** Kirkwood (3912272) **Element Code:** ICBRA10010  
**Occurrence Number:** 271 **Occurrence Last Updated:** 2015-01-12

**Scientific Name:** *Lepidurus packardii* **Common Name:** vernal pool tadpole shrimp  
**Listing Status:** **Federal:** Endangered **Rare Plant Rank:**  
**State:** None **Other Lists:** IUCN\_EN-Endangered  
**CNDDB Element Ranks:** **Global:** G4  
**State:** S3S4

**General Habitat:** INHABITS VERNAL POOLS AND SWALES IN THE SACRAMENTO VALLEY CONTAINING CLEAR TO HIGHLY TURBID WATER.  
**Micro Habitat:** POOLS COMMONLY FOUND IN GRASS-BOTTOMED SWALES OF UNPLOWED GRASSLANDS. SOME POOLS ARE MUD-BOTTOMED AND HIGHLY TURBID.

**Last Date Observed:** 2006-09-11 **Occurrence Type:** Natural/Native occurrence  
**Last Survey Date:** 2006-09-11 **Occurrence Rank:** Fair  
**Owner/Manager:** UNKNOWN **Trend:** Unknown  
**Presence:** Presumed Extant

**Location:**  
AREA 0.5 MILE SW THE JUNCTION OF COUNTY ROAD 9 AND COUNTY ROAD P, NORTH OF STONY CREEK, ABOUT 2.5 MILES ENE ORLAND.

**Detailed Location:**  
BASIN WF41: 0.3 MI S OF COUNTY RD 9 AND 0.5 MI W OF COUNTY RD P. BASIN WF96: 0.3 MI S OF COUNTY RD 9 AND 0.4 MI W OF COUNTY RD P. BASIN WF52: 1/4 MI S OF COUNTY RD 9 & 0.3 MI W OF COUNTY RD P. LOCATIONS MAPPED TO PROVIDED MAP.

**Ecological:**  
STONY CREEK PROJECT SITE. 42.53 ACRES OF WETLAND ON 250 ACRE PARCEL SLATED FOR SAND AND GRAVEL EXTRACTION FOLLOWED BY HABITAT CREATION AND RESTORATION.

#### Threats:

#### General:

CYSTS WERE OBSERVED IN SOILS COLLECTED FROM 3 BASINS ON 11 SEP 2006.

**PLSS:** T22N, R03W, Sec. 13, N (M) **Accuracy:** specific area **Area (acres):** 17  
**UTM:** Zone-10 N4401904 E572893 **Latitude/Longitude:** 39.76394 / -122.14897 **Elevation (feet):** 225

**County Summary:** **Quad Summary:**  
Glenn Kirkwood (3912272)

#### Sources:

HEL06F0046 HELM, B. (HELM BIOLOGICAL CONSULTING) - FIELD SURVEY FORM FOR LEPIDURUS PACKARDI 2006-09-11  
HEL07R0012 HELM, B. (HELM BIOLOGICAL CONSULTING) - FEDERALLY-LISTED LARGE BRANCHIOPODS SAMPLING AT THE STONY CREEK PROJECT 2007-08-XX



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 97275 **EO Index:** 98541  
**Key Quad:** Orland (3912262) **Element Code:** IIHYM24480  
**Occurrence Number:** 7 **Occurrence Last Updated:** 2015-08-19

**Scientific Name:** *Bombus crotchii* **Common Name:** Crotch bumble bee  
**Listing Status:** **Federal:** None **Rare Plant Rank:**  
**State:** Candidate Endangered **Other Lists:**  
**CNDDDB Element Ranks:** **Global:** G3G4  
**State:** S1S2

**General Habitat:** COASTAL CALIFORNIA EAST TO THE SIERRA-CASCADE CREST AND SOUTH INTO MEXICO.  
**Micro Habitat:** FOOD PLANT GENERA INCLUDE ANTIRRHINUM, PHACELIA, CLARKIA, DENDROMECON, ESCHSCHOLZIA, AND ERIOGONUM.

**Last Date Observed:** 1952-07-02 **Occurrence Type:** Natural/Native occurrence  
**Last Survey Date:** 1952-07-02 **Occurrence Rank:** Unknown  
**Owner/Manager:** UNKNOWN **Trend:** Unknown  
**Presence:** Presumed Extant

**Location:**

ORLAND.

**Detailed Location:**

EXACT LOCATION UNKNOWN. MAPPED BY CNDDDB IN THE GENERAL VICINITY OF ORLAND.

**Ecological:**

**Threats:**

**General:**

COLLECTED 2 JUL 1952.

**PLSS:** T22N, R03W, Sec. 22 (M) **Accuracy:** 1 mile **Area (acres):** 0  
**UTM:** Zone-10 N4400031 E569156 **Latitude/Longitude:** 39.74738 / -122.19279 **Elevation (feet):** 250

**County Summary:**

Glenn

**Quad Summary:**

Orland (3912262), Kirkwood (3912272)

**Sources:**

ANO52S0010 ANONYMOUS - EMEC #554358 COLLECTED FROM ORLAND 1952-07-02



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 09543  
**Key Quad:** Kirkwood (3912272)  
**Occurrence Number:** 3

**EO Index:** 4654  
**Element Code:** PDCAR0L0V0  
**Occurrence Last Updated:** 2013-07-30

**Scientific Name:** *Paronychia ahartii*  
**Common Name:** Ahart's paronychia

**Listing Status:** **Federal:** None  
**State:** None  
**Rare Plant Rank:** 1B.1  
**Other Lists:** BLM\_S-Sensitive

**CNDDDB Element Ranks:** **Global:** G3  
**State:** S3

**General Habitat:** VALLEY AND FOOTHILL GRASSLAND, VERNAL POOLS, CISMONTANE WOODLAND.  
**Micro Habitat:** STONY, NEARLY BARREN CLAY OF SWALES AND HIGHER GROUND AROUND VERNAL POOLS. 45-500 M.

**Last Date Observed:** 1955-06-12  
**Last Survey Date:** 1955-06-12  
**Owner/Manager:** UNKNOWN  
**Presence:** Presumed Extant

**Occurrence Type:** Natural/Native occurrence  
**Occurrence Rank:** Unknown  
**Trend:** Unknown

**Location:**  
8.5 MILES SOUTH OF CORNING.

**Detailed Location:**  
EXACT LOCATION UNKNOWN. MAPPED AS BEST GUESS BY CNDDDB AROUND 8.5 MILES SOUTH OF CORNING IN THE VICINITY OF I-5.

**Ecological:**  
HIGHER GROUND AROUND VERNAL POOL DEPRESSIONS. ASSOC WITH CHLOROGALUM ANGUSTIFOLIUM, POLYGONUM CALIFORNICUM, NAVARRETIA PUBESCENS, N. HETERANDRA, AND N. TAGETINA. ON THE VERNAL POOL BEDS WERE BOISDUVALIA CLEISTOGAMA, ERYNGIUM VASEYI, ETC.

#### Threats:

#### General:

TYPE LOCALITY. ONLY SOURCE OF INFORMATION FOR THIS OCCURRENCE IS A 1955 COLLECTION BY HOWELL. NEEDS FIELDWORK.

**PLSS:** T23N, R03W, Sec. 27 (M) **Accuracy:** 1 mile **Area (acres):** 0  
**UTM:** Zone-10 N4407980 E568777 **Latitude/Longitude:** 39.81903 / -122.19638 **Elevation (feet):** 280

**County Summary:** Tehama  
**Quad Summary:** Kirkwood (3912272)

**Sources:**  
HOW55S0003 HOWELL, J. - HOWELL #30307 CAS #637932, CAS-BOT-BC #7073, CHSC #47401, GH #37783, NY #342566, SEINET #4855735, RM #0002173 1955-06-12



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** 09545  
**Key Quad:** Kirkwood (3912272)  
**Occurrence Number:** 4

**EO Index:** 5892  
**Element Code:** PDCAR0L0V0  
**Occurrence Last Updated:** 2013-07-30

**Scientific Name:** *Paronychia ahartii*  
**Common Name:** Ahart's paronychia

**Listing Status:**  
**Federal:** None  
**State:** None

**CNDDDB Element Ranks:**  
**Global:** G3  
**State:** S3

**Rare Plant Rank:** 1B.1  
**Other Lists:** BLM\_S-Sensitive

**General Habitat:** VALLEY AND FOOTHILL GRASSLAND, VERNAL POOLS, CISMONTANE WOODLAND.  
**Micro Habitat:** STONY, NEARLY BARREN CLAY OF SWALES AND HIGHER GROUND AROUND VERNAL POOLS. 45-500 M.

**Last Date Observed:** 1958-04-23  
**Last Survey Date:** 1958-04-23  
**Owner/Manager:** UNKNOWN  
**Presence:** Presumed Extant

**Occurrence Type:** Natural/Native occurrence  
**Occurrence Rank:** Unknown  
**Trend:** Unknown

**Location:** LOWER PORTIONS OF THE KIRKWOOD PLAINS; 2 MILES WEST OF KIRKWOOD, 0.5 MILE WEST OF HWY 99, AND ABOUT 7 MI S OF CORNING.  
**Detailed Location:** EXACT LOCATION UNKNOWN. MAPPED AS BEST GUESS BY CNDDDB AROUND 0.5 MILE WEST OF I-5 BETWEEN RICE CREEK AND SOUR GRASS CREEK.

#### Ecological:

#### Threats:

#### General:

ONLY SOURCE OF INFORMATION FOR THIS OCCURRENCE IS A 1958 COLLECTION BY BACIGALUPI. NEEDS FIELDWORK.

**PLSS:** T23N, R03W, Sec. 16 (M) **Accuracy:** nonspecific area **Area (acres):** 378  
**UTM:** Zone-10 N4411244 E567871 **Latitude/Longitude:** 39.84851 / -122.20663 **Elevation (feet):** 290

**County Summary:** Tehama  
**Quad Summary:** Kirkwood (3912272)

#### Sources:

BAC58S0002 BACIGALUPI, R., ET AL. - BACIGALUPI #6290 JEPS #22646, #82504, RSA #18692, SD #131826, UCR #71528, HSC #89828, SBBG #100031, DAV #98357 & #112896, LA #106659 1958-04-23





# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



<b>Map Index Number:</b>	56512	<b>EO Index:</b>	56528
<b>Key Quad:</b>	Kirkwood (3912272)	<b>Element Code:</b>	PDEUP0D1P1
<b>Occurrence Number:</b>	4	<b>Occurrence Last Updated:</b>	2011-09-16

<b>Scientific Name:</b>	<i>Euphorbia ocellata ssp. rattanii</i>	<b>Common Name:</b>	Stony Creek spurge
<b>Listing Status:</b>	<b>Federal:</b> None <b>State:</b> None	<b>Rare Plant Rank:</b>	1B.2
<b>CNDDDB Element Ranks:</b>	<b>Global:</b> G4T2? <b>State:</b> S2?	<b>Other Lists:</b>	BLM_S-Sensitive

<b>General Habitat:</b>	<b>Micro Habitat:</b>
VALLEY AND FOOTHILL GRASSLAND, CHAPARRAL, RIPARIAN SCRUB.	SANDY OR ROCKY SOILS. 80-520 M.

<b>Last Date Observed:</b>	1935-10-16	<b>Occurrence Type:</b>	Natural/Native occurrence
<b>Last Survey Date:</b>	1935-10-16	<b>Occurrence Rank:</b>	Unknown
<b>Owner/Manager:</b>	UNKNOWN	<b>Trend:</b>	Unknown
<b>Presence:</b>	Presumed Extant		

**Location:**  
STONY CREEK, 2 MILES NORTH OF ORLAND.

**Detailed Location:**  
EXACT LOCATION UNKNOWN. MAPPED AS BEST GUESS BY CNDDDB IN THE VICINITY OF STONY CREEK, 2 MILES N OF ORLAND, NEAR I-5.

**Ecological:**  
PROSTRATE ON DRY, SUNNY GRAVEL OF FLOOD-BED CREEK. WITH CHRYSOLEPSIS, MENTZELIA LAEVICAULIS AND BRICKELLIA CALIFORNICA.

**Threats:**  
**General:**  
TYPE LOCALITY. MAIN SOURCE OF INFORMATION FOR THIS OCCURRENCE IS A 1935 WHEELER COLLECTION. 1884 COLLECTION BY RATTAN FROM "STONY CREEK" ATTRIBUTED TO THIS SITE. NEEDS FIELDWORK.

<b>PLSS:</b>	T22N, R03W, Sec. 09 (M)	<b>Accuracy:</b>	1 mile	<b>Area (acres):</b>	0
<b>UTM:</b>	Zone-10 N4403311 E567425	<b>Latitude/Longitude:</b>	39.77707 / -122.21265	<b>Elevation (feet):</b>	270

<b>County Summary:</b>	<b>Quad Summary:</b>
Glenn	Kirkwood (3912272)

**Sources:**

RAT84S0002	RATTAN, V. - RATTAN SN JEPS #2596 1884-06-XX
TAY93U0004	TAYLOR, D. - LETTER TO CNPS REGARDING SEVERAL PLANTS INCLUDING ATRIPLEX PERSISTENS, ATRIPLEX JOAQUINIANA, ALLIUM SANBORNII SANBORNII, CAREX COMOSA & CAMISSONIA SIERRAE ALTICOLA. 1993-10-06
WHE35S0004	WHEELER, L. - WHEELER #4041 UC #869044, UCR #66588, RSA #498981 & #70382 1935-10-16



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Map Index Number:** B2283 **EO Index:** 114207  
**Key Quad:** Kirkwood (3912272) **Element Code:** PDEUP0D1P1  
**Occurrence Number:** 37 **Occurrence Last Updated:** 2019-02-11

**Scientific Name:** *Euphorbia ocellata ssp. rattanii* **Common Name:** Stony Creek spurge  
**Listing Status:** **Federal:** None **Rare Plant Rank:** 1B.2  
**State:** None **Other Lists:** BLM\_S-Sensitive  
**CNDDB Element Ranks:** **Global:** G4T2?  
**State:** S2?

**General Habitat:** VALLEY AND FOOTHILL GRASSLAND, CHAPARRAL, RIPARIAN SCRUB.  
**Micro Habitat:** SANDY OR ROCKY SOILS. 80-520 M.

**Last Date Observed:** 2017-07-26 **Occurrence Type:** Natural/Native occurrence  
**Last Survey Date:** 2017-07-26 **Occurrence Rank:** Good  
**Owner/Manager:** PVT **Trend:** Unknown  
**Presence:** Presumed Extant

**Location:**  
SOUR GRASS CREEK, APPROXIMATELY 3.9 AIR MILES SOUTHWEST OF KIRKWOOD.

**Detailed Location:**  
MAPPED ACCORDING TO 2017 GREGG COORDINATES, IN THE SE 1/4 OF THE SW 1/4 OF SECTION 20.

**Ecological:**  
CEMENTED COBBLE/GRAVEL BARS ASSOCIATED WITH CREEK. AREA WAS LARGELY BARREN, BUT THE FEW ASSOCIATE PLANTS PRESENT INCLUDED EUPHORBIA OCELLATA SSP. OCELLATA, MOLLUGO VERTICILLATA, AND CRYPIS SCHOENOIDES.

**Threats:**  
DEVELOPMENT AND GAS WELLS.

**General:**  
10S OF PLANTS FOUND SPARSELY SCATTERED WITHIN SOUR GRASS CREEK IN 2017. PLANTS WERE ONLY MINUTELY HAIRY, MAY BE A HYBRID WITH E. OCELLATA SSP. OCELLATA.

**PLSS:** T23N, R03W, Sec. 20, SW (M) **Accuracy:** 80 meters **Area (acres):** 5  
**UTM:** Zone-10 N4409132 E566192 **Latitude/Longitude:** 39.82961 / -122.22648 **Elevation (feet):** 270

**County Summary:** Tehama **Quad Summary:** Kirkwood (3912272)

**Sources:**  
GRE17F0006 GREGG, E. - FIELD SURVEY FORM FOR EUPHORBIA OCELLATA SSP. RATTANII 2017-07-26



# Occurrence Report

## California Department of Fish and Wildlife

### California Natural Diversity Database



<b>Map Index Number:</b>	09543	<b>EO Index:</b>	4653
<b>Key Quad:</b>	Kirkwood (3912272)	<b>Element Code:</b>	PDPLM0C0E1
<b>Occurrence Number:</b>	17	<b>Occurrence Last Updated:</b>	1994-08-05

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<b>Scientific Name:</b>	<i>Navarretia leucocephala ssp. bakeri</i>	<b>Common Name:</b>	Baker's navarretia
<b>Listing Status:</b>	<b>Federal:</b> None <b>State:</b> None	<b>Rare Plant Rank:</b>	1B.1
<b>CNDDB Element Ranks:</b>	<b>Global:</b> G4T2 <b>State:</b> S2	<b>Other Lists:</b>	

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<b>General Habitat:</b>	<b>Micro Habitat:</b>
CISMONTANE WOODLAND, MEADOWS AND SEEPS, VERNAL POOLS, VALLEY AND FOOTHILL GRASSLAND, LOWER MONTANE CONIFEROUS FOREST.	VERNAL POOLS AND SWALES; ADOBE OR ALKALINE SOILS. 3-1680 M.

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<b>Last Date Observed:</b>	1955-06-12	<b>Occurrence Type:</b>	Natural/Native occurrence
<b>Last Survey Date:</b>	1955-06-12	<b>Occurrence Rank:</b>	Unknown
<b>Owner/Manager:</b>	UNKNOWN	<b>Trend:</b>	Unknown
<b>Presence:</b>	Presumed Extant		
<b>Location:</b>	8.5 MILES SOUTH OF CORNING.		
<b>Detailed Location:</b>			
<b>Ecological:</b>	DRIED BED OF VERNAL POOL.		
<b>Threats:</b>			
<b>General:</b>	ONLY SOURCE OF INFORMATION ON THIS SITE IS 1955 COLLECTION BY HOWELL. COLLECTION LABEL SAYS "NAVARRETIA LEUCOCEPHALA, POSSIBLE VARIANT NEAR SSP. BAKERI."		
<b>PLSS:</b>	T23N, R03W, Sec. 27 (M)	<b>Accuracy:</b>	1 mile
<b>UTM:</b>	Zone-10 N4407980 E568777	<b>Latitude/Longitude:</b>	39.81903 / -122.19638
		<b>Area (acres):</b>	0
		<b>Elevation (feet):</b>	280

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<b>County Summary:</b>	<b>Quad Summary:</b>
Tehama	Kirkwood (3912272)

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<b>Sources:</b>
HOW55S0006    HOWELL, J. - HOWELL #30303 CAS #413546, CAS-BOT-BC #230341 1955-06-12

## **Appendix B**

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### **CWHR Database Query Results**



CALIFORNIA WILDLIFE HABITAT RELATIONSHIPS SYSTEM  
supported by the  
CALIFORNIA INTERAGENCY WILDLIFE TASK GROUP  
and maintained by the  
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
Database Version: 9.0

SPECIES SUMMARY REPORT

FE = Federal Endangered FT = Federal Threatened CE = California Endangered CT = California Threatened	CF = California Fully Protected CP = California Protected SC = California Species of Special Concern PE = Federally-Proposed Endangered	PT = Federally-Proposed Threatened FC = Federal Candidate BL = BLM Sensitive FS = USFS Sensitive	CD = CDF Sensitive HA = Harvest
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Note: Any given status code for a species may apply to the full species or to only one or more subspecies or distinct population segments.

ID	Species Name	Status	Native/Introduced
A006	ROUGH-SKINNED NEWT		NATIVE
A012	COMMON ENSATINA	SC BL FS	NATIVE
A014	CALIFORNIA SLENDER SALAMANDER		NATIVE
A020	SPECKLED BLACK SALAMANDER		NATIVE
A022	ARBOREAL SALAMANDER		NATIVE
A028	WESTERN SPADEFOOT	SC BL	NATIVE
A032	WESTERN TOAD		NATIVE
A039	PACIFIC TREEFROG		NATIVE
A043	FOOTHILL YELLOW-LEGGED FROG	SC BL FS	NATIVE
A046	AMERICAN BULLFROG		HA INTRODUCED
A048	COASTAL GIANT SALAMANDER		NATIVE
A071	CALIFORNIA RED-LEGGED FROG	FT SC	NATIVE
B003	COMMON LOON	SC	NATIVE
B006	PIED-BILLED GREBE		NATIVE
B007	HORNED GREBE		NATIVE
B009	EARED GREBE		NATIVE
B010	WESTERN GREBE		NATIVE
B042	AMERICAN WHITE PELICAN	SC	NATIVE
B044	DOUBLE-CRESTED CORMORANT		NATIVE
B049	AMERICAN BITTERN		NATIVE
B050	LEAST BITTERN	SC	NATIVE
B051	GREAT BLUE HERON		CD NATIVE
B052	GREAT EGRET		CD NATIVE
B053	SNOWY EGRET		NATIVE
B057	CATTLE EGRET		NATIVE
B058	GREEN HERON		NATIVE
B059	BLACK-CROWNED NIGHT HERON		NATIVE
B062	WHITE-FACED IBIS		NATIVE
B067	TUNDRA SWAN		NATIVE
B070	GREATER WHITE-FRONTED GOOSE	SC HA	NATIVE
B071	SNOW GOOSE		HA NATIVE
B072	ROSS' S GOOSE		HA NATIVE
B075	CANADA GOOSE		HA NATIVE
B076	WOOD DUCK		HA NATIVE
B077	GREEN-WINGED TEAL		HA NATIVE
B079	MALLARD		HA NATIVE
B080	NORTHERN PINTAIL		HA NATIVE
B082	BLUE-WINGED TEAL		HA NATIVE
B083	CINNAMON TEAL		HA NATIVE

ID	Species	Status			Native/Introduced
B084	NORTHERN SHOVELER			HA	NATIVE
B085	GADWALL			HA	NATIVE
B086	EURASIAN WIGEON			HA	NATIVE
B087	AMERICAN WIGEON			HA	NATIVE
B089	CANVASBACK			HA	NATIVE
B090	REDHEAD		SC	HA	NATIVE
B091	RING-NECKED DUCK			HA	NATIVE
B094	LESSER SCAUP			HA	NATIVE
B101	COMMON GOLDENEYE			HA	NATIVE
B103	BUFFLEHEAD			HA	NATIVE
B104	HOODED MERGANSER			HA	NATIVE
B105	COMMON MERGANSER			HA	NATIVE
B107	RUDDY DUCK			HA	NATIVE
B108	TURKEY VULTURE				NATIVE
B110	OSPREY			CD	NATIVE
B111	WHITE- TAILED KITE		CF	BL	NATIVE
B113	BALD EAGLE	CE	CF	BL FS CD	NATIVE
B114	NORTHERN HARRIER		SC		NATIVE
B115	SHARP-SHINNED HAWK				NATIVE
B116	COOPER'S HAWK				NATIVE
B117	NORTHERN GOSHAWK		SC	BL FS CD	NATIVE
B119	RED-SHOULDERED HAWK				NATIVE
B121	SWAINSON'S HAWK		CT	BL FS	NATIVE
B123	RED-TAILED HAWK				NATIVE
B124	FERRUGINOUS HAWK				NATIVE
B125	ROUGH-LEGGED HAWK				NATIVE
B126	GOLDEN EAGLE		CF	BL CD	NATIVE
B127	AMERICAN KESTREL				NATIVE
B128	MERLIN				NATIVE
B129	PEREGRINE FALCON		CF	CD	NATIVE
B131	PRAIRIE FALCON				NATIVE
B133	RING-NECKED PHEASANT			HA	INTRODUCED
B134	SOOTY GROUSE		SC	HA	NATIVE
B138	WILD TURKEY			HA	INTRODUCED
B140	CALIFORNIA QUAIL		SC	HA	NATIVE
B141	MOUNTAIN QUAIL			HA	NATIVE
B145	VIRGINIA RAIL				NATIVE
B146	SORA				NATIVE
B148	COMMON GALLINULE			HA	NATIVE
B149	AMERICAN COOT			HA	NATIVE
B150	SANDHILL CRANE		CT CF SC	BL FS	NATIVE
B151	BLACK-BELLIED PLOVER				NATIVE
B156	SEMIPALMATED PLOVER				NATIVE
B158	KILLDEER				NATIVE
B159	MOUNTAIN PLOVER		SC	BL	NATIVE
B163	BLACK-NECKED STILT				NATIVE
B164	AMERICAN AVOCET				NATIVE
B165	GREATER YELLOWLEGS				NATIVE
B166	LESSER YELLOWLEGS				NATIVE
B168	WILLET				NATIVE
B170	SPOTTED SANDPIPER				NATIVE
B172	WHIMBREL				NATIVE
B173	LONG-BILLED CURLEW				NATIVE

ID	Species	Status	Native/Introduced
B176	MARBLED GODWIT		NATIVE
B183	WESTERN SANDPIPER		NATIVE
B185	LEAST SANDPIPER		NATIVE
B191	DUNLIN		NATIVE
B193	STILT SANDPIPER		NATIVE
B196	SHORT-BILLED DOWITCHER		NATIVE
B197	LONG-BILLED DOWITCHER		NATIVE
B199	WILSON'S SNIPE		NATIVE
B200	WILSON'S PHALAROPE		NATIVE
B213	MEW GULL		NATIVE
B214	RING-BILLED GULL		NATIVE
B215	CALIFORNIA GULL		NATIVE
B216	HERRING GULL		NATIVE
B217	THAYER'S GULL		NATIVE
B227	CASPIAN TERN		NATIVE
B233	FORSTER'S TERN		NATIVE
B235	BLACK TERN	SC	NATIVE
B250	ROCK PIGEON		INTRODUCED
B255	MOURNING DOVE		HA NATIVE
B260	GREATER ROADRUNNER		NATIVE
B262	BARN OWL		NATIVE
B264	WESTERN SCREECH OWL		NATIVE
B265	GREAT HORNED OWL		NATIVE
B267	NORTHERN PYGMY OWL		NATIVE
B269	BURROWING OWL	SC BL	NATIVE
B272	LONG-EARED OWL	SC	NATIVE
B273	SHORT-EARED OWL	SC	NATIVE
B274	NORTHERN SAW-WHET OWL		NATIVE
B275	LESSER NIGHTHAWK		NATIVE
B277	COMMON POORWILL		NATIVE
B281	VAUX'S SWIFT	SC	NATIVE
B282	WHITE-THROATED SWIFT		NATIVE
B286	BLACK-CHINNED HUMMINGBIRD		NATIVE
B287	ANNA'S HUMMINGBIRD		NATIVE
B289	CALLIOPE HUMMINGBIRD		NATIVE
B291	RUFIOUS HUMMINGBIRD		NATIVE
B292	ALLEN'S HUMMINGBIRD		NATIVE
B293	BELTED KINGFISHER		NATIVE
B294	LEWIS' S WOODPECKER		NATIVE
B296	ACORN WOODPECKER		NATIVE
B299	RED-BREASTED SAPSUCKER		NATIVE
B302	NUTTALL'S WOODPECKER		NATIVE
B303	DOWNY WOODPECKER		NATIVE
B304	HAIRY WOODPECKER		NATIVE
B307	NORTHERN FLICKER		NATIVE
B309	OLIVE-SIDED FLYCATCHER	SC	NATIVE
B311	WESTERN WOOD-PEWEE		NATIVE
B317	HAMMOND'S FLYCATCHER		NATIVE
B318	DUSKY FLYCATCHER		NATIVE
B320	PACIFIC-SLOPE FLYCATCHER		NATIVE
B321	BLACK PHOEBE		NATIVE
B323	SAY'S PHOEBE		NATIVE
B326	ASH-THROATED FLYCATCHER		NATIVE



ID	Species	Status		Native/Introduced
B333	WESTERN KINGBIRD			NATIVE
B337	HORNED LARK			NATIVE
B338	PURPLE MARTIN		SC	NATIVE
B339	TREE SWALLOW			NATIVE
B340	VIOLET-GREEN SWALLOW			NATIVE
B341	NORTHERN ROUGH-WINGED SWALLOW			NATIVE
B342	BANK SWALLOW	CT	BL	NATIVE
B343	CLIFF SWALLOW			NATIVE
B344	BARN SWALLOW			NATIVE
B346	STELLER'S JAY			NATIVE
B348	WESTERN SCRUB-JAY			NATIVE
B352	YELLOW-BILLED MAGPIE			NATIVE
B353	AMERICAN CROW		HA	NATIVE
B354	COMMON RAVEN			NATIVE
B358	OAK TITMOUSE			NATIVE
B360	BUSHTIT			NATIVE
B361	RED-BREASTED NUTHATCH			NATIVE
B362	WHITE-BREASTED NUTHATCH			NATIVE
B364	BROWN CREEPER			NATIVE
B366	ROCK WREN			NATIVE
B368	BEWICK'S WREN		SC	NATIVE
B369	HOUSE WREN			NATIVE
B370	WINTER WREN			NATIVE
B372	MARSH WREN		SC	NATIVE
B373	AMERICAN DIPPER			NATIVE
B375	GOLDEN-CROWNED KINGLET			NATIVE
B376	RUBY-CROWNED KINGLET			NATIVE
B377	BLUE-GRAY GNATCATCHER			NATIVE
B380	WESTERN BLUEBIRD			NATIVE
B381	MOUNTAIN BLUEBIRD			NATIVE
B382	TOWNSEND'S SOLITAIRE			NATIVE
B385	SWAINSON'S THRUSH			NATIVE
B386	HERMIT THRUSH			NATIVE
B389	AMERICAN ROBIN			NATIVE
B390	VARIED THRUSH			NATIVE
B391	WRENTIT			NATIVE
B393	NORTHERN MOCKINGBIRD			NATIVE
B398	CALIFORNIA THRASHER			NATIVE
B404	AMERICAN PIPIT			NATIVE
B407	CEDAR WAXWING			NATIVE
B408	PHAINOPEPLA			NATIVE
B410	LOGGERHEAD SHRIKE	FE	SC	NATIVE
B411	EUROPEAN STARLING			INTRODUCED
B415	CASSIN'S VIREO			NATIVE
B417	HUTTON'S VIREO		SC	NATIVE
B418	WARBLING VIREO			NATIVE
B425	ORANGE-CROWNED WARBLER			NATIVE
B426	NASHVILLE WARBLER			NATIVE
B430	YELLOW WARBLER		SC	NATIVE
B435	YELLOW-RUMPED WARBLER			NATIVE
B436	BLACK-THROATED GRAY WARBLER			NATIVE
B437	TOWNSEND'S WARBLER			NATIVE
B438	HERMIT WARBLER			NATIVE

ID	Species	Status	Native/Introduced
B460	MACGILLIVRAY'S WARBLER		NATIVE
B461	COMMON YELLOWTHROAT	SC	NATIVE
B463	WILSON'S WARBLER		NATIVE
B471	WESTERN TANAGER		NATIVE
B475	BLACK-HEADED GROSBEAK		NATIVE
B476	BLUE GROSBEAK		NATIVE
B477	LAZULI BUNTING		NATIVE
B483	SPOTTED TOWHEE	SC	NATIVE
B484	CALIFORNIA TOWHEE	FT CE	NATIVE
B489	CHIPPING SPARROW		NATIVE
B494	VESPER SPARROW	SC	NATIVE
B495	LARK SPARROW		NATIVE
B499	SAVANNAH SPARROW	CE SC	NATIVE
B501	GRASSHOPPER SPARROW	SC	NATIVE
B504	FOX SPARROW		NATIVE
B505	SONG SPARROW	SC	NATIVE
B506	LINCOLN'S SPARROW		NATIVE
B509	GOLDEN-CROWNED SPARROW		NATIVE
B510	WHITE-CROWNED SPARROW		NATIVE
B512	DARK-EYED JUNCO		NATIVE
B514	LAPLAND LONGSPUR		NATIVE
B519	RED-WINGED BLACKBIRD	SC	NATIVE
B520	TRICOLORED BLACKBIRD	SC BL	NATIVE
B521	WESTERN MEADOWLARK		NATIVE
B522	YELLOW-HEADED BLACKBIRD	SC	NATIVE
B524	BREWER'S BLACKBIRD		NATIVE
B528	BROWN-HEADED COWBIRD		NATIVE
B530	HOODED ORIOLE		NATIVE
B532	BULLOCK'S ORIOLE		NATIVE
B536	PURPLE FINCH		NATIVE
B538	HOUSE FINCH		NATIVE
B539	RED CROSSBILL		NATIVE
B542	PINE SISKIN		NATIVE
B543	LESSER GOLDFINCH		NATIVE
B544	LAWRENCE'S GOLDFINCH		NATIVE
B545	AMERICAN GOLDFINCH		NATIVE
B546	EVENING GROSBEAK		NATIVE
B547	HOUSE SPARROW		INTRODUCED
B548	CLARK'S GREBE		NATIVE
B554	PLUMBEOUS VIREO		NATIVE
B648	BAIRD'S SANDPIPER		NATIVE
B649	PECTORAL SANDPIPER		NATIVE
B655	RED-NECKED PHALAROPE		NATIVE
B773	AMERICAN REDSTART		NATIVE
B798	WHITE-THROATED SPARROW		NATIVE
B799	HARRIS'S SPARROW		NATIVE
B809	INDIGO BUNTING		NATIVE
M001	VIRGINIA OPOSSUM	HA	INTRODUCED
M010	WATER SHREW		NATIVE
M012	TROWBRIDGE'S SHREW		NATIVE
M015	SHREW-MOLE		NATIVE
M018	BROAD-FOOTED MOLE	SC	NATIVE
M021	LITTLE BROWN BAT		NATIVE

ID	Species	Status			Native/Introduced
M023	YUMA MYOTIS			BL	NATIVE
M025	LONG-EARED MYOTIS			BL	NATIVE
M026	FRINGED MYOTIS			BL	NATIVE
M027	LONG-LEGGED MYOTIS				NATIVE
M028	CALIFORNIA MYOTIS				NATIVE
M030	SILVER-HAIRED BAT				NATIVE
M031	CANYON BAT				NATIVE
M032	BIG BROWN BAT				NATIVE
M033	WESTERN RED BAT		SC	FS	NATIVE
M034	HOARY BAT				NATIVE
M037	TOWNSEND'S BIG-EARED BAT		SC	BL FS	NATIVE
M038	PALLID BAT		SC	BL FS	NATIVE
M039	BRAZILIAN FREE-TAILED BAT				NATIVE
M042	WESTERN MASTIFF BAT		SC	BL	NATIVE
M045	BRUSH RABBIT	FE	CE		HA NATIVE
M047	AUDUBON'S COTTONTAIL				HA NATIVE
M051	BLACK-TAILED JACKRABBIT		SC		HA NATIVE
M072	CALIFORNIA GROUND SQUIRREL				NATIVE
M075	GOLDEN-MANTLED GROUND SQUIRREL				NATIVE
M077	WESTERN GRAY SQUIRREL				HA NATIVE
M081	BOTTA'S POCKET GOPHER				NATIVE
M084	MAZAMA POCKET GOPHER				NATIVE
M087	SAN JOAQUIN POCKET MOUSE		SC	BL	NATIVE
M105	CALIFORNIA KANGAROO RAT		SC		NATIVE
M112	AMERICAN BEAVER				HA NATIVE
M113	WESTERN HARVEST MOUSE				NATIVE
M117	DEER MOUSE		SC		NATIVE
M119	BRUSH MOUSE				NATIVE
M120	PINYON MOUSE				NATIVE
M127	DUSKY-FOOTED WOODRAT	FE	SC		NATIVE
M128	BUSHY-TAILED WOODRAT				NATIVE
M134	CALIFORNIA VOLE	FE	CE	SC	BL NATIVE
M139	COMMON MUSKRAT				HA NATIVE
M140	BLACK RAT				INTRODUCED
M141	NORWAY RAT				INTRODUCED
M142	HOUSE MOUSE				INTRODUCED
M143	WESTERN JUMPING MOUSE				NATIVE
M145	COMMON PORCUPINE				NATIVE
M146	COYOTE				HA NATIVE
M147	RED FOX		CT	FS	HA NATIVE
M149	GRAY FOX				HA NATIVE
M151	BLACK BEAR				HA NATIVE
M152	RINGTAIL		CF		NATIVE
M153	RACCOON				HA NATIVE
M157	LONG-TAILED WEASEL				HA NATIVE
M158	AMERICAN MINK				HA NATIVE
M160	AMERICAN BADGER		SC		HA NATIVE
M161	WESTERN SPOTTED SKUNK		SC		HA NATIVE
M162	STRIPED SKUNK				HA NATIVE
M163	NORTHERN RIVER OTTER		SC		NATIVE
M165	MOUNTAIN LION		SC		NATIVE
M166	BOBCAT				HA NATIVE
M176	WILD PIG				HA INTRODUCED

ID	Species	Status			Native/Introduced
M177	ELK			HA	NATIVE
M181	MULE DEER			HA	NATIVE
M182	PRONGHORN			HA	NATIVE
R004	WESTERN POND TURTLE	SC		BL FS	NATIVE
R022	WESTERN FENCE LIZARD				NATIVE
R023	COMMON SAGEBRUSH LIZARD			BL	NATIVE
R036	WESTERN SKINK	SC		BL	NATIVE
R039	TIGER WHIPTAIL				NATIVE
R040	SOUTHERN ALLIGATOR LIZARD				NATIVE
R042	NORTHERN ALLIGATOR LIZARD				NATIVE
R046	NORTHERN RUBBER BOA	CT		FS	NATIVE
R048	RING-NECKED SNAKE			FS	NATIVE
R049	COMMON SHARP-TAILED SNAKE				NATIVE
R051	NORTH AMERICAN RACER				NATIVE
R053	STRIPED RACER	FT	CT		NATIVE
R057	GOPHERSNAKE		SC		NATIVE
R058	EASTERN KINGSNAKE				NATIVE
R059	CALIFORNIA MOUNTAIN KINGSNAKE		SC	BL FS	NATIVE
R060	LONG-NOSED SNAKE				NATIVE
R061	COMMON GARTERSNAKE	FE	CE	CF SC	NATIVE
R062	TERRESTRIAL GARTERSNAKE				NATIVE
R071	DESERT NIGHTSNAKE				NATIVE
R076	WESTERN RATTLESNAKE				NATIVE
R078	AQUATIC GARTERSNAKE				NATIVE
R079	GIANT GARTERSNAKE	FT	CT		NATIVE

Total Number of Species: 329

#### Query Parameters

##### Included Locations

Glenn Co

##### Included Location Seasons

All Location Seasons Included

##### Included Habitats & (Stages)

Annual Grassland, Eucalyptus, Fresh Emergent Wetland, Lacustrine, Riverine

##### Habitat Suitability Threshold

Reproduction - Low, Cover - Low, Feeding - Low

##### Included Habitat Seasons

All Habitat Seasons Included

##### Excluded Elements

No Elements Excluded

##### Included Species

All Species Included

##### Included Special Statuses

All Statuses Included

## **Appendix C**

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### **Photographs**

**Hambright Property**  
**2020 Biological Characterization Summary Report**

**Summary of Wildlife Species Observed and Habitat Use<sup>1</sup>. Hambright Property**  
**Biological Characterization, Glenn County, California, 8 May 2020.**

SPECIES (LISTED BY COMMON NAME)	CWHR HABITAT TYPE <sup>2</sup>			
	FEW	LAC/RIV	AGS	EUC
<b>Reptiles and Amphibians</b>				
Red-eared slider	X	X		
<b>Birds</b>				
Canada goose		X	X	
Gadwall		X		
Mallard	X	X		
Wild turkey				X
Pied-billed grebe	X	X		
Eurasian collard-dove				X
Mourning dove				X
Anna's hummingbird				X
American coot		X		
Black-necked stilt		X		
Killdeer		X		
Spotted sandpiper		X		
California gull		X		
Double-crested cormorant		X		
Great blue heron		X		
Great egret		X		
Green heron	X	X		
Turkey vulture		X		X
Bald eagle		X		X
Red-shouldered hawk				X
Red-tailed hawk		X		
American kestrel		X		
Belted kingfisher	X			
Nuttall's woodpecker				X
Black Phoebe				X
Western kingbird			X	X
California scrub-jay			X	
Cliff swallow		X		
Tree swallow		X		X
Northern rough-winged swallow		X		
House sparrow				X
American robin				X
House finch			X	X



**Hambright Property  
2020 Biological Characterization Summary Report**

**Summary of Wildlife Species Observed and Habitat Use<sup>1</sup>. Hambright Property  
Biological Characterization, Glenn County, California, 8 May 2020.**

SPECIES (LISTED BY COMMON NAME)	CWHR HABITAT TYPE <sup>2</sup>			
	FEW	LAC/RIV	AGS	EUC
Lesser goldfinch (nesting)			X	X
Yellow-rumped warbler		X		
Wilson's warbler				X
Golden-crowned sparrow			X	
Red-winged blackbird	X	X		X
Brewer's blackbird				X
Great-tailed grackle		X		
Bullock's oriole				X
<b>Mammals</b>				
Black-tailed mule deer (sign observed)		X	X	X
Red fox				X

<sup>1</sup> An "X" indicates species was observed in designated habitat type.

<sup>2</sup> California Wildlife Habitat Relationships System (CWHR) Habitat Types (Mayer and Laudenslayer 1988). FEW = Fresh emergent wetland; LAC = Lacustrine; RIV = Riverine; AGS = Annual grassland; EUC = Eucalyptus.





## **Appendix D**

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### **List of Wildlife Species Observed and Summary of Habitat Use**

## Appendix D Photographs



**Photo 1.** Lacustrine habitat from the central portion of the study area, facing west.



**Photo 2.** Lacustrine habitats from the central portion of the study area, facing east.



**Photo 3. Riverine habitat, at the location where Hambright Creek enters the study area, facing southwest.**



**Photo 4. Riverine habitat, where Hambright Creek leaves the study area, facing southeast.**





**Photo 5. Lacustrine and fresh emergent wetland habitats at the northwestern portion of the study area, facing southeast.**



**Photo 6. Lacustrine and fresh emergent wetland habitats from the southwest portion of the study area, facing east.**



**Photo 7. Eucalyptus habitat in the southern portion of the study area, facing west.**



**Photo 8. Annual grassland habitat in the eastern portion of the study area, facing north.**





**Photo 9. Annual grassland, eucalyptus and lacustrine habitats at the southeastern portion of the study area, facing west.**



**Photo 10. Turkey vultures roosting in eucalyptus habitat in the western portion of the study area.**



Photo 11. Lesser goldfinch adult on nest in eucalyptus habitat in the southern portion of the study area.



Photo 12. Canada goose in lacustrine habitat in the central portion of the study area.





**Photo 13. Double-crested cormorant in lacustrine habitat in the central portion of the study area.**



**Photo 14. Red-eared slider on bank in the southeastern portion of the study area.**



**Photo 15. Bullock's oriole in eucalyptus habitat in the Southern portion of the study area.**



**Photo 16. Red fox in eucalyptus habitat in the western portion of the study area.**

# GLENN COUNTY

## Planning & Community Development Services Agency

225 North Tehama Street  
Willows, CA 95988  
530.934.6540  
[www.countyofglenn.net](http://www.countyofglenn.net)



Donald Rust, Director

### GLENN COUNTY PLANNING COMMISSION

#### STAFF REPORT

MEETING DATE: August 19, 2020

TO: Glenn County Planning Commission

FROM: Planning Staff

RE: Hamilton City Unified School District Expansion  
"AP-80" Agriculture Preserve Zoning District

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#### Attachments:

1. Proposed Expansion Map
2. Letter of Request to Planning Commission

## **1 PROJECT SUMMARY**

On June 15, 2020, the Glenn County Planning Division received a project referral requesting that the Planning Commission review a proposed expansion of the Hamilton High School campus by the Hamilton City Unified School District. The proposed expansion would absorb a  $\pm 45.91$ -acre portion of the  $\pm 125.58$ -acre property located directly north of the existing campus.

The project site is located at 500 Sixth Street within the community of Hamilton City; on the east side of County Road 203, southwest of the Southern-Pacific Rail Road, and north of the Hamilton City High School, in the unincorporated area of Glenn County, California. The current Assessor's Parcel Number (APN) for the site of the expansion is 032-230-015.

The proposed expansion site is zoned "AP-80" Agriculture Preserve Zone (72-acre minimum parcel size) and is designated "Intensive Agriculture" in the Glenn County General Plan. The Hamilton City Unified School District will acquire  $\pm 45.91$ -acres of the property for the expansion of the High School Campus; the remaining  $\pm 79.67$ -acres will remain as agriculture under the existing Williamson Act Contract.

### **1.1 RECOMMENDATIONS**

Planning Staff recommends that the Planning Commission find that the proposed expansion is inconsistent with the General Plan and that this report be delivered to the Hamilton City Unified School District.

## **2 ANALYSIS**

Section 21151.2 of the Public Resources Code requires the Planning Commission to consider the proposed site and to submit to the governing board (school district) a written report of the investigation and its recommendation concerning the acquisition of the site. The school governing board shall not acquire title to the property until the report of the Planning Commission has been received.

Section 65402 of the Government Code requires the Planning Commission to determine the site's consistency with the General Plan. The report is not subject to CEQA; however, Section 53097 of the Government Code requires the school district to comply with County ordinances relative to drainage, street improvements, grading, and off-site improvements.

California State law requires that the Land Use Element of the General Plan address criteria for locating various land uses including school facilities. Glenn County has chosen to meet these requirements through a Conditional Use Permit process. Glenn County zoning designations, including residential and agricultural zones, allow schools. However, the Agricultural Preserve Zoning district (and Williamson Act Contract restriction) does not permit schools.



The Conditional Use Permit process requires a public hearing to be conducted prior to decision of a school expansion, unless the school district chooses to ignore these regulations. According to State law, the school district may vote (2/3 vote required) to ignore County zoning regulations (Government code Section 53094.1). The Hamilton City School Unified District Board elected to proceed without the County Zoning process.

## **2.1 GENERAL PLAN CONSISTENCY**

The Intensive Agriculture classification is used to identify areas suitable for commercial agriculture which provide a major segment of the county's economic base; to protect the agricultural to protect the agricultural community from encroachment of unrelated agricultural uses which, by their nature, would be injurious to the physical and economic wellbeing of the agricultural community; to accommodate lands under Williamson Act contracts; to encourage the preservation of agricultural land, both in production and potentially productive, which contain State-designated Important Farmlands or Locally Significant Farmlands.

Examples of permitted uses within the Intensive Agriculture General Plan designation are growing and harvesting field crops, grain, and hay crops; growing and harvesting fruit and nut trees, vines and vegetables; pasture and grazing land; and animal raising operations.

While the proposed expansion is not consistent with the current General Plan designation of Intensive Agriculture, Glenn County is currently in the processes of updating the 1993 General Plan. Part of the General Plan update process includes revisions to land use designations of parcels suited or planned for an alternate land use designation. The land use designation revision, if approved with the General Plan Update, would thereby place the proposed expansion into conformance with the General Plan.

## **2.2 WILLIAMSON ACT**

The Agricultural Preserve ("AP") Zone is to be applied to lands which are covered by a California Land Conservation Act (Williamson Act) contract with the county, for the following purposes:

- A. To preserve the maximum amount of the limited supply of agricultural land which is necessary in the conservation of the county's economic resources and vital for a healthy agricultural economy of the county;
- B. To protect the general welfare of the agricultural community for encroachments of unrelated agricultural uses which, by their nature, would be injurious to the physical and economic well-being of the agricultural community.

As noted in California Government Code 51290-51295, with certain findings and notification to the California Department of Conservation Director, and Section 53094.1, the school district can acquire the property and the Williamson Act Contract for the property acquired will be canceled.

### **3. CONCLUSION**

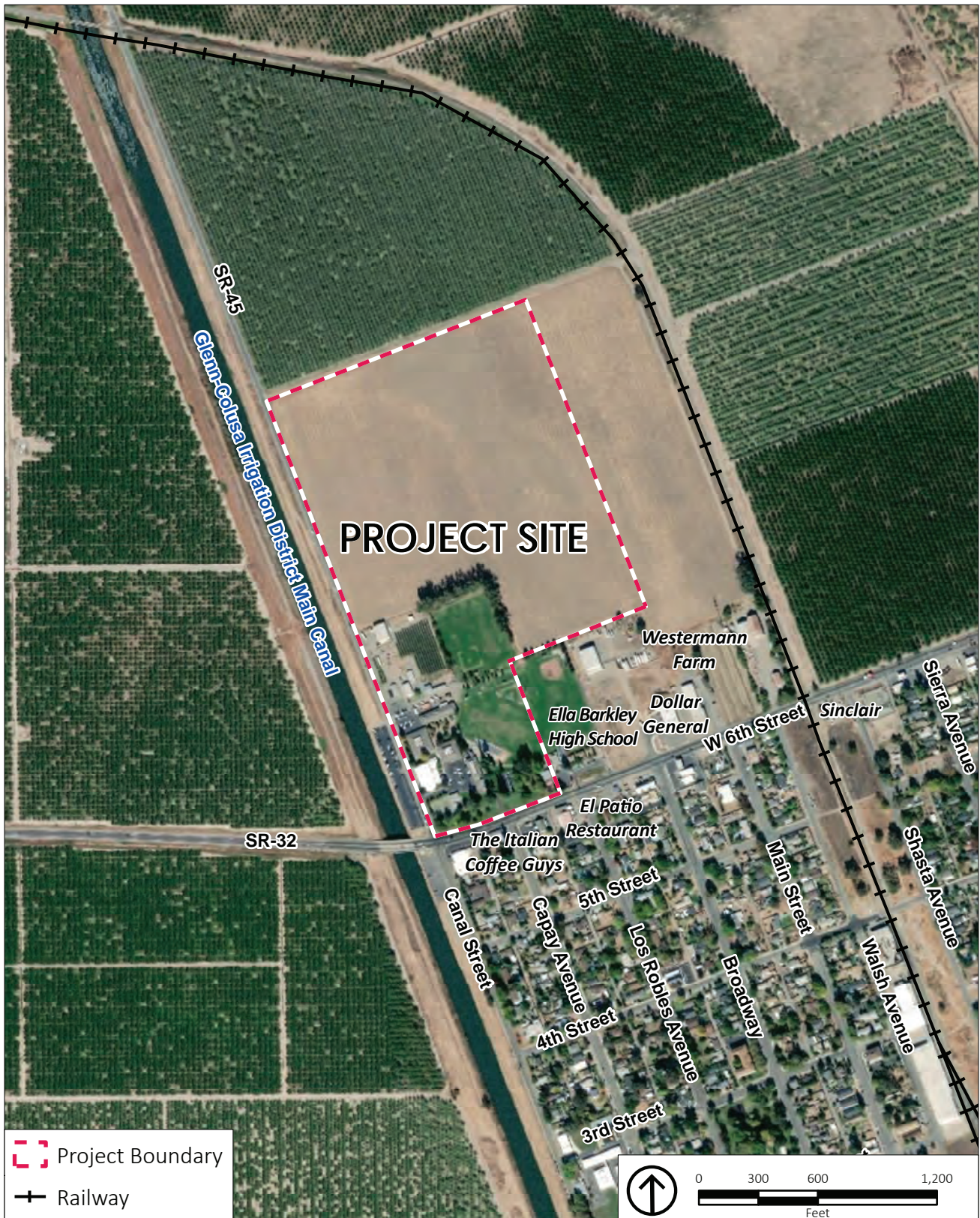
The proposed expansion site is inconsistent with the current Glenn County General Plan; however, pending the school acquiring the property the updated general plan land use designation for the property will likely be revised to be consistent with the school expansion. In addition, there are no other feasible expansion possibilities in the immediate adjacent vicinity for the Hamilton City Unified School District.

To the east of the current school are developed commercial properties considered inadequate in size for the proposed expansion, ranging from  $\pm 1$  acre to  $\pm 2.5$  acres. South of the property is State Route 32, followed by residential properties, and west of the current school is County Road 203 and the Glenn Colusa Canal. The proposed northward expansion of the Hamilton City High School campus is a reasonable growth pattern for the area of Hamilton City and the district.

### **4. SAMPLE MOTION**

I move that the Planning Commission find that the proposed expansion of the Hamilton City High School campus is inconsistent with the Glenn County General Plan and direct staff to transmit this report to the Hamilton City School District, per Section 21151.2 of the Public Resources Code and pursuant to Government Code 65402.

## PROJECT DESCRIPTION



Source: ESRI, 2019; 2019; County of Glenn, 2019; PlaceWorks, 2019.

Figure 1-2  
Local Setting





# HAMILTON UNIFIED SCHOOL DISTRICT

620 Canal Street  
P.O. Box 488, Hamilton City, CA 95951  
TEL 530-826-3261 | FAX 530-826-0440

Jeremy Powell, Ed. D.  
Superintendent

Donald Rust, Director  
Glenn County Planning & Community Services Department  
225 N. Tehama street  
Willows, CA 95988

Dear Mr. Rust:

In accordance with Public Resources Code Sections 21151.2 and 65402, this letter will serve as formal notice to the Glenn County planning department regarding the proposed acquisition of the following property for construction and operation of a public school facility:

Approximately 48 acres located on State Route 45 in the community of Hamilton City, located immediately north of the existing Hamilton High School 620 Canal Street, Hamilton City and entirely within Glenn County Assessor Parcel Number (APN 032-230-015).

The District is in the process of completing an Initial Study/Mitigated Negative Declaration pursuant to requirements of the California Environmental Quality Act, and is also in the process of drafting the First Notice to Glenn County and the Department of Conservation pursuant to Williamson Act requirements. The District requests that the Glenn County Planning & Community Services Department analyze the subject property to determine conformity with the underlying General Plan Land Use designation so that a written report of the investigation and the Planning Commission's recommendations may be submitted to the District's Board of Trustees.

Please submit findings to Dr. Jeremy Powell, Superintendent at Hamilton Unified School District, P.O. Box 488, Hamilton City CA 95951 **within 45 days of receipt** of this notice.

Please contact either myself at (530) 826-3261 or Michael Cannon. EFPM at (916) 825-0000 if you have any questions or need any additional information.

Sincerely,

Jeremy Powell, Ed. D.

Michael Cannon, EFPM  
Alan Popper, Glenn County Planning  
Attachment: Site Map

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## BOARD OF TRUSTEES

Gabriel Leal, President | Hubert "Wendall" Lower, Clerk  
Rod Boone, Trustee | Ray Odom, Trustee | Genaro Reyes, Trustee

**BOARD AGENDA ITEM – RESOLUTION RE EXEMPTION FROM LOCAL LAND USE PLANNING REQUIREMENTS; AND, DESIGNATION OF DISTRICT AS LEAD AGENCY FOR CEQA STUDY PURPOSES**

The attached Resolution will, as a part of the planning process for the proposed expansion of Hamilton High School, exempt the District, as a State Agency, from local land use planning requirements. This would relieve the District from resolving conflicts between State mandated siting, design and construction requirements for public schools, and local codes which may either be in direct conflict with, or may exceed State requirements. The District is required to follow State requirements in order to receive design approval and be eligible for State Facilities funding; County requirements different from those required by the State would be unapproved and not funded by the State.

The attached Resolution would also designate the District as the Lead Agency for California Environmental Quality Act (CEQA) study purposes. This designation will allow the District, rather than the County or State, to act as the controlling agency for this project: powers would include setting project scope; reviewing all project documentation and findings; and acting and adopting all necessary findings and mitigation actions.

District staff recommends approval.

**HAMILTON UNIFIED SCHOOL DISTRICT**  
**RESOLUTION NO. 18-19-110**

IN THE MATTER OF: The exemption of the Hamilton Unified District from County zoning and use ordinances for the proposed Hamilton High School Expansion Project in Glenn County, as well as designating the District as Lead Agency under the provisions of the California Environmental Quality Act (CEQA).

**RESOLUTION**

WHEREAS, pursuant to Section 53094 of the Government Code, School Districts are allowed to exempt specific projects from local zoning and use ordinances, as well as designating itself as the Lead Agency under the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, exemption from local zoning and use ordinances would relieve the District from resolving conflicts between State mandated siting, design and construction requirements for public schools, and local codes which may either be in direct conflict with, or may exceed State requirements; and

WHEREAS, the District is required to follow State requirements in order to receive design approval and be eligible for State Facilities funding, and County requirements different from or above those required by the State would be unapproved and not funded; and

WHEREAS, this exemption will benefit the District's capital facilities program as well as the County's planning process; and

WHEREAS, this exemption will preserve the District and County from any potential conflicts between local ordinances and mandated State requirements for public school siting, design and construction; and

WHEREAS, the District may, by statute, designate itself as the Lead Agency for California Environmental Quality Act (CEQA) study and action purposes, and carry out those functions required of a Lead Agency; now

THEREFORE, BE IT RESOLVED that, by a recorded two thirds affirmative vote, that the Hamilton Unified School District exempt itself from Glenn County zoning and use ordinances for the proposed Hamilton High School Expansion Project in the County of Glenn, as well as designating the District as the Lead Agency under the provisions of the California Environmental Quality Act (CEQA).

The above RESOLUTION was duly passed by the Board of Trustees of the Hamilton Unified School District at its regularly scheduled meeting on February 27, 2019, by the following roll call vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTAINED: 0

Signed and approved by me after passage.

A handwritten signature in black ink, appearing to read "Gabriel Leal", written over a horizontal line.

Gabriel Leal, President

A handwritten signature in blue ink, appearing to read "Wendall Lower", written over a horizontal line. To the right of the signature, the date "3.27.19" is written in blue ink.

Wendall Lower, Clerk



## Educational Facilities Program Management, LLC

Glenn County Planning Commission  
225 North Tehama Street  
Willows, CA 95988

August 17, 2020

Gentlemen:

Please accept this letter and attachment as a comment on the Glenn County Planning Commission Agenda Item 6b of the August 19, 2020 Commission meeting.

As noted in the Staff Analysis, Hamilton Unified School District is currently negotiating for the purchase of a 45.9 acre parcel adjacent to the current Hamilton High School as part of a site expansion and reconfiguration. This is being done to meeting program and enrollment increase needs over the next ten years.

The Staff Report notes in Section 2.2 Williamson Act that the District is required by Government Code Sections 51290-51295 and 53094.1 to notify the Department of Conservation of the acquisition of property for use as a school site. The attached email response of July 23, 2020 from Annie Giovacchini of the Department of Conservation acknowledges receipt and acceptance of the notification, and requires the District to provide the Department with documentation of the purchase when finalized.

Finally, Ms. Giovacchini's email states that "Under Gov. Code §51295, acquisition by HUSD of the properties through this method nullifies the contract, which means HUSD does not have to remove the contract through other methods, such as cancellation or non-renewal prior to commencing with the project." The District plans to proceed with the acquisition and will provide both the Department and County with documentation of the final site purchase.

Please contact me at (916) 825-0000 or [mscannon\\_efpm@msn.com](mailto:mscannon_efpm@msn.com) if you have any questions or need any additional information. On behalf of the District, thank you for the opportunity to work with the County.

Sincerely,

Michael S. Cannon  
Principal

Cc: Jeremy Powell, Superintendent  
Hamilton Unified School District

129 Rideout Way  
Phone 916.825.0000

Marysville, CA 95901  
Email: [mscannon\\_efpm@msn.com](mailto:mscannon_efpm@msn.com)

Public Acquisition of Williamson Act Land



Giovacchini, Annie@DOC <Annie.Giovacchini@conservation.ca.gov>

Thu 7/23/2020 10:16 AM

To: Online Notification

Cc: Jeremy Powell; Tiffany Wilhelm

Dear Mr. Cannon

The Department of Conservation (Department) received notice of the intention of Hamilton Unified School District (HUSD) to acquire approximately 45 acres of property (APN: 032-230-015) within an agricultural preserve and subject to a Williamson Act contract in Glenn County. The purpose of the project is to expand and modernize the existing Hamilton High School campus located adjacent to the property to be acquired in order to meet current and future enrollment and program needs of the facility.

HUSD submitted the appropriate findings in compliance with Gov. Code §51292(a)(b) and the Department has no comment to offer. Additionally, HUSD has indicated the intention to acquire the property in lieu of eminent domain and will supply necessary documentation to the Department when it becomes available. Under Gov. Code §51295, acquisition by HUSD of the properties through this method nullifies the contract, which means HUSD does not have to remove the contract through other methods, such as cancellation or non-renewal prior to commencing with the project.

If any significant changes are proposed for the project before it is completed, please consult Gov. Code §51291(d) for further requirements. Please be advised that Gov. Code §51291(c) requires HUSD to notify the Department once the property is acquired. Thank you for notifying the Department of the proposed acquisition. If you have any questions or need further assistance, please contact me.

Sincerely,

**Annie Giovacchini**

Associate Environmental Planner Division of Land Resource Protection

California Department of Conservation

501 K Street, MS 14-15, Sacramento, CA 95814

T: (916) 324-9038

E: [annie.giovacchini@conservation.ca.gov](mailto:annie.giovacchini@conservation.ca.gov)



...

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**GLENN COUNTY PLANNING DIVISION IN PROCESS PROJECT AND STATUS REPORT – August 2020**

<b>PROJECT APPLICATIONS</b> (generally affiliated with a specific private property)							
Project Number	Application Date	Parcel Number	Applicant/Landowner	Address/Location	Description	Project Status	Approval Authority
<b>Conditional Use Permits</b>							
CUP 2019-001	7/03/2019	044-200-007	Olson	7120 County Road 9, Orland	Agriculture Livestock Washout	Incomplete Letter Sent 8-1; Applicant Preparing Reply	Planning Commission
CUP 2020-001	3/23/2020	032-320-019	Dollar General	400 6 <sup>th</sup> Street, Hamilton City	Alcohol Beverage License	Planning Commission Public Hearing Continued August 19, 2020	Planning Commission
CUP 2020-002	4/07/2020	024-100-017	Mission Livestock	6569 County Road 27, Orland	Mission Livestock Feedlot	Public Hearing September 16, 2020	Planning Commission
CUP 2020-004	4/21/2020	047-210-007	ST. Louis	7365 County Road 21, Orland	Vineyard/Winery	Drafting Report	Planning Commission
<b>Conditional Use Permit – Amendments</b>							
CUP 1982-59	4/26/2013	020-050-037	North Valley Rock, LLC	South Side Of County Road 39, East Of County Road 99W	Amendment For Extension Of Permit For An Operational Mine	Environmental Review And Staff Report To Do	Planning Commission
CUP 1986-18	1/18/2013	046-170-015	North Valley Rock, LLC	7266 Highway 32	Amendment For Extension Of Permit For An Operational Mine	Environmental Review And Staff Report In To Do	Planning Commission



**GLENN COUNTY PLANNING DIVISION IN PROCESS PROJECT AND STATUS REPORT – August 2020**

<b>Lot Line Adjustment</b>							
LLA 2020-001	3/18/2020	037-260-016	North State Hulling	7559 State Route 43, Orland	4 Parcel Adjustment	Drafting Staff Report	Director
<b>Site Plan Reviews</b>							
SPR 2020-014	7/22/2020	019-030-015	Pylman	2586 State Route 45, Glenn	Shop Addition	Request for Review Sent	Director
SPR 2020-015	7/22/2020	047-180-007	Orland Industrial Park	6990 Haigh Drive, Orland	Warehouse and Parking	Request for Review Sent	Director
SPR 2020-016	7/31/2020	037-260-011	Hinkley	7765 County Road 16, Hamilton City	Workshop	Application Received	Director
SPR 2020-017	8/03/2020	013-280-023	Roberts	County Road SS & Normand Road	Agriculture Storage	Application Received	Director
<b>Tentative Parcel Map</b>							
TPM 2020-002	3/09/2020	013-230-001	Amaro	East side of County Road SS, south of County Road 61	One Legal Lot Parcel Into Two	Drafting Staff Report	Planning Commission

<b>Project Status</b>	
<b>Housing Element Update</b>	
The Housing Element is required by State law to identify and analyze existing and projected housing needs in order to preserve, improve and develop housing for all economic segments of the community, and demonstrate how the County will accommodate its share of regional housing needs.	Remaining in compliance is conditioned on the County zoning adequate sites to address the unaccommodated housing need from the 2014-2019 cycle, two acres. Additional sites need to be selected and processed for rezoning. Staff submitted the 2019 Annual Progress Report on March 31, 2020. Planning Commission Report June 17, 2020 with subsequent BOS Update.
<b>Mitigation Monitoring</b>	
Review, correspondence, and inspections regarding all past Conditional Use Permits, Mitigations and Conditions of Approval.	Conditions of Approval, Mitigation Measures, and Road Impact Fees are continuously reviewed and monitored for completions and compliance.
<b>Surface Mining and Reclamation Act (SMARA)</b>	
Authorizes and directs local agencies to adopt ordinances establishing procedures for the review and approval of reclamation plans and the issuance of permits.	Annual Review of Financial Assurance Estimates and Mechanisms. Assisting operators, and State Department of Mine and Reclamation, with procedures and general SMARA questions. Annual inspection reports require completed, with subsequent submission to CA DMR
<b>Glenn County Safety Element – Calfire Grant</b>	
Glenn County is seeking Cal Fire’s Climate Investment Grant to help fund update of Safety Element section of General Plan.	Grant was reapplied for on December 4, 2019. On March 11, 2020 notice was given that Glenn County has been selected for funding. Agreement was signed April 2020.
<b>Small Communities Flood Risk Reduction Program (SCFRRP) Grant</b>	
California Department of Water Resources, SCFRR funding will be used as a feasibility study for Butte City to investigate and recommend actions to reduce flood risk and promote multiple benefits.	KSN has requested extension through Department of Water Resources and has provided Glenn County report of analysis.

GLENN COUNTY PLANNING DIVISION **APPROVED/COMPLETED** PROJECT REPORT – 2020

<b>APPROVED/COMPLETED PROJECTS LIST</b> January 1, 2020 to Current				
<b>Project</b>	<b>Completion</b>	<b>Applicant</b>	<b>Address/Location</b>	<b>Description</b>
Zone Clearances for 2020	134 plot plan reviews	Various	Unincorporated Area	Zone Clearances not requiring a Staff Report (majority being solar)
SPR 2020-013	August 4, 2020	Johns	7995 County Road 62, Butte City	Detached Shop/Garage
TPM 2020-004	July 15, 2020	Ellsworth	514 5th Street, Willows	One Lot into Two
CUP 2020-003	July 14, 2020	Diamond T	6239 State Route 162, Willows	Applicant Withdrew: Outdoor Boat/RV Storage
SPR 2020-012	July 2, 2020	Reimann	County Road 28 & County Road F, Orland	1,054.50 KW Ground Mount Solar
TPM 2020-003	June 17, 2020	Soeth	975 County Road D, Willows	One Lot Into Two
TPM 2020-001	June 17, 2020	Giesbrecht	321 County Road XX, Butte City	One Legal Paprcel Into Two
ZC 2020-001	June 16, 2020	Glenn County	County Wide	Hemp Cultivation
SPR 2020-011	June 5, 2020	Hansen	7565 County Road 61, Princeton	50' X 125' Metal Building

GLENN COUNTY PLANNING DIVISION **APPROVED/COMPLETED** PROJECT REPORT – 2020

<b>APPROVED/COMPLETED PROJECTS LIST</b> January 1, 2020 to Current				
<b>Project</b>	<b>Completion</b>	<b>Applicant</b>	<b>Address/Location</b>	<b>Description</b>
ZC 2019-002 & TPM 2019-006	June 2, 2020	Baughner	7030 County Road 25, Orland	AP - 80 To AP - 40 & One Parcel in to Two
ZC 2020-002	June 2, 2020	Glenn County	County Wide	Cannabis Cultivation
ADM 2020-003	June 2, 2020	McIntosh	8079 State Route 162, Glenn	2 <sup>nd</sup> Residence
CUP 2018-003	May 20, 2020	Faust	5700 County Road 33, Artois	West Hills Shooting And Training Facility
CUP 2019-003	May 20, 2020	Farmers Brewing	880 County Road WW, Princeton	Tap Room
SPR 2020-010	May 4, 2020	Bravo, Swift, Rascal LLC	421/423 County Road 401, Elk Creek	Roof Structure
SPR 2020-009	April 24, 2020	Souza	6935 County Road 47, Willows	Agriculture Storage
SPR2020-008	April 9, 2020	Gruber	3874 County Road M, Orland	88' X 26' Storage Building
SPR 2019-022	March 13, 2020	Svejda	6781 County Road 10, Orland	44' X 60' Barn

GLENN COUNTY PLANNING DIVISION **APPROVED/COMPLETED** PROJECT REPORT – 2020

<b>APPROVED/COMPLETED PROJECTS LIST</b> January 1, 2020 to Current				
<b>Project</b>	<b>Completion</b>	<b>Applicant</b>	<b>Address/Location</b>	<b>Description</b>
SPR 2020-005	March 5, 2020	Slocum	4768 3rd Avenue, Orland	Storage Structure
ADM 2020-001	February 12, 2020	Giesbrecht	8th Street, Artois	New SFD – 2nd Residence
SPR 2020-003	February 12, 2020	Orland Livestock Commission	3875 County Road 99W, Orland	Commercial Restroom
SPR 2020-001	February 11, 2020	Grewal	6455 County Road 7, Orland	Agriculture Storage
SPR 2020-004	February 4, 2020	Cundiff	1875 State Route 45, Glenn	Agriculture Structure
LLA 2019-007	February 4, 2020	Juney	South Of State 162, West Of County Road P	Two Lot Adjustment, Williamson Act
ADM 2020-002	January 31, 2020	Mello	7685 County Road 34, Glenn	2nd Residence, Moving Residence
SPR 2020-002	January 29, 2020	Fiack	7827 County Road 34, Glenn	Equipment Storage
CUP 2019-002	January 15, 2020	Church Of God In Christ	1079 County Road WW, Princeton	Church & Cemetery

GLENN COUNTY PLANNING DIVISION **APPROVED/COMPLETED** PROJECT REPORT – 2020

<b>APPROVED/COMPLETED PROJECTS LIST</b> January 1, 2020 to Current				
<b>Project</b>	<b>Completion</b>	<b>Applicant</b>	<b>Address/Location</b>	<b>Description</b>
SPR 2019-025	January 10, 2020	Millar	2882 State Route 45, Glenn	Fuel Containment
SPR 2019-021	January 7, 2020	Alberico	4669 4th Avenue Orland	Agriculture Equipment Storage

For [projects approved/completed during 2019](http://www.countyofglenn.net/government/minutes-agendas), see the previous Planning Commission Agendas at:  
<http://www.countyofglenn.net/government/minutes-agendas>