

**NOTICE OF INTENT
TO ADOPT A NEGATIVE DECLARATION**

- LEAD AGENCY:** Sutter County Development Services Department
Planning Division
1130 Civic Center Boulevard, Suite A
Yuba City, CA 95993
- PROJECT TITLE:** Project No. U21-0082 (Sterling)
- CONTACT PERSON:** Casey Murray, Senior Planner (530) 822-7400, ext. 245;
cmurray@co.sutter.ca.us
- PROJECT LOCATION:** 1477 Oswald Road, Yuba City, CA 95993; located on the north side of Oswald Road, east of South Walton Avenue, approximately 1,650 feet west of State Highway 99; Assessor's Parcel No.: 23-071-009.
- PROJECT DESCRIPTION:** A General Plan amendment from RAN (Ranchette) to AG-20 (Agriculture, 20-acre minimum), a rezone from RAN (Ranchette) to AG (Agriculture), and use permit to legitimize a previously established commercial dog kennel that was established without land use approval.
- FINDINGS/DETERMINATION:** An Initial Study of the effect of this project has been made, and it has been determined that there will be no significant adverse effects on the quality of the environment; therefore, a Negative Declaration is proposed.
- PUBLIC REVIEW PERIOD:** A 20-day public review period for the Negative Declaration will commence on April 22, 2023 and end at 5pm on May 11, 2023, for interested and concerned individuals and public agencies to submit written comments on the document. Any written comments on the Negative Declaration must be received within the public review period. Copies or an electronic version of the Negative Declaration are available for review or purchase at the County address provided above and available online at:
<https://www.suttercounty.org/government/county-departments/development-services/planning-services/project-notices-and-environmental-documents>
- PUBLIC MEETING:** This project has not been scheduled for a public hearing at this time.

COUNTY OF SUTTER
NEGATIVE DECLARATION

PROJECT TITLE: Project #U21-0082 (Sterling)

PROJECT SPONSORS: Applicant:
Ron and Mary Anne Sterling
1477 Oswald Road, Yuba City, CA 95993

Landowners:
Donald D. and Deanna R. Miller
Ron and Mary Anne Sterling
1477 Oswald Road, Yuba City, CA 95993

Engineer/Surveyor:
Jeff W. Spence
Laughlin and Spence, Civil Engineers & Surveyors
1008 Live Oak Blvd., Yuba City, CA 95991

PROJECT LOCATION: 1477 Oswald Road, Yuba City, CA 95993; located on the north side of Oswald Road, east of South Walton Avenue, approximately 1,650 feet west of State Highway 99

ASSESSOR'S PARCEL NO: 23-071-009

PROJECT DESCRIPTION: A General Plan amendment from RAN (Ranchette) to AG-20 (Agriculture, 20-acre minimum), a rezone from RAN (Ranchette) to AG (Agriculture), and use permit to legitimize a previously established commercial dog kennel that was established without land use approval.

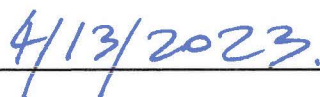
An Initial Study has been conducted by the Environmental Control Officer of the County of Sutter. The Environmental Control Officer finds that this project will not have a significant effect on the environment. The Initial Study is available for public review at the Sutter County Development Services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

STATEMENT OF REASONS TO SUPPORT FINDING
OF NEGATIVE DECLARATION

Staff has conducted an Initial Study for this project, which revealed that the proposed project will not have a significant impact on the environment.



Neal Hay
Director of Development Services
Environmental Control Officer



Date

Sutter County Initial Study

- 1. Project title:** Project #U21-0082 (Sterling)
- 2. Lead agency name and address:** Sutter County Development Services Department
Planning Division
1130 Civic Center Boulevard
Yuba City, CA 95993
- 3. Contact person and phone number:** Casey Murray, Senior Planner
530-822-7400 ext. 245
- 4. Project sponsor's name and address:** Applicants:
Ron and Mary Anne Sterling
1477 Oswald Road
Yuba City, CA 95993
- Owners:
Donald D. and Deanna R. Miller
Ron and Mary Anne Sterling
1477 Oswald Road
Yuba City, CA 95993
- Engineer/Surveyor:
Jeff W. Spence
Laughlin and Spence, Civil Engineers & Surveyors
1008 Live Oak Blvd.
Yuba City, CA 95991
- 5. Project Location & APN:** 1477 Oswald Road, Yuba City, CA 95993; located on the north side of Oswald Road, east of South Walton Avenue, approximately 1,650 feet west of State Highway 99; APN: 23-071-009
- 6. General Plan Designation:** RAN (Ranchette)
- 7. Zoning Classification:** RAN (Ranchette) District
- 8. Description of project:** The proposed project is a General Plan amendment from RAN (Ranchette) to AG-20 (Agriculture, 20-acre minimum), a rezone from RAN (Ranchette) to AG (Agriculture), and use permit to legitimize a previously established commercial dog kennel that was established without land use approval. Commercial dog kennels are not allowed in the RAN (Ranchette) District; however, they are allowed in the AG (Agriculture) District with approval of a use permit. If this application is approved, the proposed use permit will bring the illegal commercial dog kennel operation into compliance.

The project site is zoned RAN (Ranchette) and General Planned RAN (Ranchette). On November 14, 2006, the Board of Supervisors approved Project #06-027, a General Plan amendment to change the General Plan designation of the project site from AG-20 (Agriculture, 20-acre minimum) to RAN (Ranchette), a rezone of the project site from AG (Agriculture) to RAN (Ranchette), and tentative parcel map to divide the 17-acre project site into three parcels. A parcel map was not recorded, and the tentative parcel map expired. In addition to legitimizing the existing commercial dog kennel facility, the proposed project will revert the project site back to its previous General Plan designation and zoning.

The project site (See attachments 1 to 5) is approximately 17 acres. Approximately 11.5 acres of the site is

planted with a peach orchard and 2.53 acres is devoted to the dog kennel use. The remainder of the property includes a residence and accessory structures.

The applicants have been running Sterling Labradors, a dog breeding and commercial kennel facility for 15 years. They acquire Labradors from all over the world, housing roughly 72 dogs in the facility at any one time. They raise "English" Labs, which are mellow and easy going, and exhibit a calm temperament and attitude. Roughly 30 percent of these dogs go on to be service dogs and the other 70 percent become family or companion dogs.

Of the approximate 72 dogs, there are typically six to 12 stud dogs. Females used for breeding are typically retired at five to six years old, after three to four litters, and go on to be service dogs and/or companion dogs as well. The facility has around 6-7 litters at any one time.

The applicants strive to maintain the up-most health and care of the dogs while in their care. The dogs at this facility receive regular onsite veterinary visits, are health tested, and are American Kennel Club (AKC) inspected annually. Additionally, visitation from the general public is limited to three hours per day from 10:00 am to 1:00 pm, by appointment only and closed on holidays. Only one family at a time is allowed on-site at a time. The facility is run by the property owners and their family along with one part time employee.

The basic layout of the facility consists of outdoor dog runs (partial use), general storage, and indoor and outdoor kennels (See attachment 3). The indoor portion of facility is provided with heat and cooling to help with the temperatures during the extreme weather. The outdoor kennels are provided with a water misting system in the summer to reduce the temperature by up to 30 degrees. The partially enclosed outdoor kennels are provided with cots to keep the dogs off of the ground and sheltered in the winter to prevent wind and rain within the individual kennels.

Puppies are housed within individual kennels within a conditioned indoor building shown on the site plan as building 10 (See attachment 3). Mature dogs are located both inside the conditioned building and within individual kennels within partially enclosed outdoor kennels shown on the site plan as buildings 12, 19, and 20. Areas labeled as 13 and 15 on the site plan are open outside dog run locations. Building 14 is a shade structure for dogs located within the dog run area. Shade is also provided by two ground mount solar arrays (buildings 16 and 17). Area 11 shown on the site plan is a 10-foot by 10-foot shed used for storage associated with the kennels such as dog food and supplies.

Waste generated from the dogs at this facility is disposed of by an infiltrator system on site. The infiltrator system consists of two 500-gallon poly-tanks with a screened inlet and is pumped 2-3 times a year. Waste is removed from the individual kennels two times per day and disposed of. Fly control is provided throughout the facility. Disinfectant and deodorizer are used to reduce odors such that they won't be detectable beyond the property lines.

The Sutter County Animal Services Authority (SASA) has indicated that the property owners will need to obtain a kennel license for the existing facility. Letters in support of this project have been received from adjacent property owners, including owners with property immediately adjacent to the dog kennel facility.

The dog kennel facility is enclosed by perimeter fencing and existing buildings. Existing landscaping generally consists of densely planted oleander and eucalyptus trees along Oswald Road with ornamental trees and grass within the facility.

Entrance to the facility is provided by an existing 20-foot-wide driveway with access gate off of Oswald Road. The gate at the driveway is setback approximately 55 feet from the edge of the roadway, which allows vehicles to completely exit the roadway before reaching the gate. The driveway entrance leads to an existing gravel surfaced parking area. The parking area provides four existing parking spaces for staff and customers. A fifth parking space is proposed as an ADA parking space.

No construction is proposed with this project as all dog kennel facilities are existing. Wall mounted lights are located on some of the existing buildings. No new exterior lighting is proposed with this project as business

hours occur during daylight times only. According to the applicant, the site drains northwesterly towards the on-site peach orchard and then to the Gilsizer Slough. Water is provided to the site by an existing domestic well and agricultural well located on the north side of the residence. No additional wells are proposed with this project. The property has an existing septic system/leach field south of the existing residence that it serves. No additional on-site sewage systems are proposed for this project.

9. Surrounding land uses and setting: The 17± acre project site is located in a rural area on the north side of Oswald Road, approximately 1,650 feet west of State Highway 99. South Walton Avenue is located approximately 230 feet west of the project site. The Gilsizer Slough is located along the northwest property line of the project site. The terrain is relatively flat with gentle/shallow slopes. The area predominately consists of agricultural crops and rural residential uses. The project site is zoned RAN (Ranchette) and General Planned RAN (Ranchette). All adjacent parcels are zoned AG (Agriculture) and General Planned AG-20 except for eight parcels located to the west and northwest zoned R-1-A (Single Family Residential-Agricultural Combining) and General Planned ER (Estate Residential). The parcels that are zoned R-1-A are developed with residences. A walnut orchard is located to the north, a peach orchard and residences are located to the east, and a walnut orchard and residence are located to the south.

North: rural residential, walnut orchard; South: Oswald Road, rural residential, walnut orchards; East: rural residential, peach orchard; West: rural residential, walnut orchard.

10. Other public agencies whose approval is required: None

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? The County initiated Assembly Bill 52 (AB 52) consultation through distribution of letters to the Native American tribes provided by the Native American Heritage Commission (NAHC). No request for consultation were received from Native American tribes during the review period.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:


The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|
| <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 and Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION

On the basis of this initial evaluation:

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



Casey Murray, Senior Planner

4-13-2023

Date



Neal Hay, Director of Development Services
Environmental Control Officer

4/13/2023.

Date

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

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

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

Responses:

a) **Less than significant impact.** This project will not have a substantial adverse effect on a scenic vista. The General Plan does not inventory any scenic vista on the subject property and there are no scenic vistas proximate to the project site. The General Plan Technical Background Report identifies geographic features such as the Sutter Buttes, Feather River, Sacramento River, and Bear River as scenic resources within the County, which contribute to the County's character. This project is not located within the Sutter Buttes Overlay Zone and is not located in the immediate vicinity of the Bear River, Feather River, or Sacramento River. The Feather River lies approximately 1.8 miles east of the project site. As a result, this project will not substantially alter any scenic vista and a less than significant impact is anticipated.

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

c) **Less than significant impact.** The proposed project is located in a nonurbanized area and will not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

The surrounding area is largely rural in nature. The area predominately consists of agricultural crops and rural residential uses. The project site is zoned RAN (Ranchette) and General Planned RAN (Ranchette). All adjacent parcels are zoned AG (Agriculture) and General Planned AG-20 except for eight parcels located to the west and northwest zoned R-1-A (Single Family Residential-Agricultural Combining) and General Planned ER (Estate Residential). The parcels that are zoned R-1-A are developed with residences. A walnut orchard is located to the

north, a peach orchard and residences are located to the east, and a walnut orchard and residence are located to the south.

The dog kennel facility is enclosed by perimeter fencing and existing buildings. Existing landscaping generally consists of densely planted oleander and eucalyptus trees along Oswald Road with ornamental trees and grass within the facility. The dog kennel facility is not visible from Oswald Road due to existing landscaping and buildings. No construction is proposed with this project as all dog kennel facilities are existing.

Due to the existing site and area conditions, this project is not anticipated to substantially degrade the existing visual character or quality of the site or its surroundings and a less than significant impact is anticipated.

d) **Less than significant impact.** This project will not create a new source of substantial light or glare which will adversely affect day or nighttime views in the area. The area of the project has low to moderate levels of ambient lighting predominately from vehicle headlights on Oswald Road and agricultural and rural residential uses. Wall mounted lights are located on some of the existing buildings. No new exterior lighting is proposed with this project as business hours occur during daylight times only. As a result, it is not anticipated that this project will create a new source of substantial light or glare in this area. A less than significant impact is anticipated.

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

(County of Sutter, Zoning Code. 2022)

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

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

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

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

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

Responses:

a) **No impact.** This project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to a non-agricultural use. As shown on the 2018 Sutter County Important Farmland map, the portion of the property used for the commercial dog kennel is designated as "Other Land." No construction is proposed with this project as all dog kennel facilities are existing. As a result, the proposed project will not convert farmland to a non-agricultural use. No impacts are anticipated.

b) **Less than significant impact.** This project will not conflict with existing zoning for agricultural uses or a Williamson Act contract. The project site and all adjacent properties are not encumbered by a Williamson Act contract. The surrounding area is largely rural in nature. The area predominately consists of agricultural crops and rural residential uses. The project site is zoned RAN (Ranchette) and General Planned RAN (Ranchette). All adjacent parcels are zoned AG (Agriculture) and General Planned AG-20 except for eight parcels located to the west and northwest zoned R-1-A (Single Family Residential-Agricultural Combining) and General Planned ER (Estate Residential). The parcels that are zoned R-1-A are developed with residences. A walnut orchard is located to the north, a peach orchard and residences are located to the east, and a walnut orchard and residence are located to the south.

The proposed commercial dog kennel is allowed in the AG District with approval of a use permit. This project does not propose sensitive uses such as a new residence, school, daycare center, playground, or medical facility that may be sensitive to adjacent agricultural land. Conflicts between the proposed project and adjacent agricultural land is not anticipated. Letters in support of this project have been received from adjacent property owners, including owners with property immediately adjacent to the dog kennel facility. A less than significant impact is anticipated.

c) **No impact.** This project does not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)), because the project site and surrounding area does not

contain forest land. The project site is not zoned for forest land or timberland nor is it adjacent to land that is zoned for forest land or timberland. This project is located in the Sacramento Valley, a non-forested region. No impact is anticipated.

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

e) **Less than significant impact.** This project will not involve other changes to the existing environment which could result in the conversion of farmland to a non-agricultural use or conversion of forest land to a non-forest use. This project will not result in the conversion of farmland to a non-agricultural use. This project does not include land being converted from forest land to non-forest use and no forest land is located in the vicinity. Agricultural uses in the vicinity will continue as they historically have. Staff does not anticipate that this project will result in the conversion of other agricultural lands to non-agricultural use. Therefore, a less than significant impact is anticipated.

(California Dept. of Conservation, Farmland Mapping and Monitoring Program. 2018)

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

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

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

Responses:

a-c) **Less than significant impact.** This project will not conflict with any air quality plan or result in a net increase of any criteria pollutant, nor expose sensitive receptors to substantial pollutant concentrations.

The proposed project is located within the Northern Sacramento Valley Air Basin (NSVAB) and the jurisdiction of the Feather River Air Quality Management District (FRAQMD). Air quality

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

According to the FRAQMD 2010 Indirect Source Review Guidelines, Significant Impact Thresholds are triggered by the construction of 130 new single-family residences, 225,000 square feet of new light industrial space, 350,000 square feet of new warehouse space, or 130,000 gross square feet of new office space. No construction is proposed with this project as all dog kennel facilities are existing. This project will not trigger this threshold of significance and as such, will have a less than significant impact upon air quality.

d) **Less than significant impact.** This project will not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Waste generated from the dogs at this facility is disposed of by an infiltrator system on site. The infiltrator system consists of two 500-gallon poly-tanks with a screened inlet and is pumped 2-3 times a year. Waste is removed from the individual kennels two times per day and disposed of. Fly control is provided throughout the facility. Disinfectant and deodorizer are used to reduce odors such that they won't be detectable beyond the property lines.

A site visit was completed by staff on July 20, 2021. This site visit included a tour of the entire dog kennel facility. No objectionable odors were noted during the site visit. Letters in support of this project have been received from adjacent property owners, including owners with property immediately adjacent to the dog kennel facility. No odor complaints have been received. The project area is not a densely populated area and consists predominately of orchards and rural residential uses. Therefore, a less than significant impact is anticipated.

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

IV. BIOLOGICAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less than significant impact.** This project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). The California Natural Diversity Database (CNDDDB) is a positive-sighting database managed by CDFW. According to the CNDDDB, there are no candidate, sensitive, or special status species identified as potentially occurring on-site or in the immediate area. This project was circulated to CDFW for review, and they did not provide any comments. In addition, the following records were searched, and no special status species have been identified within the project site:

- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper
- California Native Plant Society (CNPS) Electronic Inventory

No construction is proposed with this project as all dog kennel facilities are existing. There are no waterways in the project vicinity that may provide connectivity for listed species. The uses occurring in the area are not conducive for wildlife to locate within the project site and none have been inventoried. Therefore, a less than significant impact is anticipated.

b) **Less than significant impact.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. There are no streams or rivers in the immediate vicinity. No riparian habitat or other sensitive natural community is known to exist on-site or near the property. Therefore, a less than significant impact is anticipated.

c) **Less than significant impact.** This project will not 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 because there are no known wetlands located within the project site or vicinity. In addition, no wetlands are located at

the project site according to the National Wetlands Inventory of the U.S. Fish and Wildlife Service. A less than significant impact is anticipated.

d) **Less than significant impact.** This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of a native wildlife nursery site because the area is predominately developed agriculturally with orchards. The project is not anticipated to significantly interfere with wildlife movement due to the fact that the site is bound by Oswald Road to the south. No construction is proposed with this project as all dog kennel facilities are existing. The property is not located near any rivers or streams. A less than significant impact is anticipated.

e) **No impact.** This project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Sutter County has not adopted a tree preservation ordinance; however, General Plan Policy ER 3.7 is in place to preserve native oak trees when possible through the review of discretionary development projects and activities. The applicant has indicated that there is an oak tree at the north end of the property, which is proposed to remain. The oak tree is not located in the area of the property used by the commercial dog kennel. No impact is anticipated.

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

(County of Sutter, General Plan Technical Background Report. 2008)
 (California Department of Fish and Wildlife, California Natural Diversity Database)
 (U.S. Fish and Wildlife Service, National Wetlands Inventory, 2022)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES.				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input 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 dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a-b) **Less than significant impact.** The proposed project will not cause a substantial adverse change in the significance of a historical resource or archaeological resource pursuant to §15064.5. In Section 4.6 of the General Plan Technical Background Report, Figure 4.6-1 does

not list the property as being a historic site. There are no unique features or historical resources located on the project site and the property is not located near a cemetery. The project site is not located within the vicinity of the Bear River, Sacramento River, or Feather River. There is no evidence on the project site indicating that historical or archaeological resources exist. No construction is proposed with this project as all dog kennel facilities are existing. Furthermore, the property has been extensively disturbed to varying depths due to agricultural operations, current activities, and existing development. Therefore, no significant impacts to historical or archaeological resources are anticipated with this project.

c) **Less than significant impact.** This project is not expected to disturb any human remains, including those interred outside of dedicated cemeteries. There are no unique features or historical resources located on the project site and the property is not located near a cemetery. No construction is proposed with this project as all dog kennel facilities are existing. California Health and Safety Code §7050.5 states that when human remains are discovered, no further site disturbance can occur until the County Coroner has made the necessary findings as to the origin of the remains and their disposition pursuant to Public Resources Code Section 5097.98. If the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours.

Public Resources Code §5097.98 states that whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, it shall immediately notify the most likely descendent from the deceased Native American. The descendants may inspect the site and recommend to the property owner a means for treating or disposing the human remains. If the Commission cannot identify a descendent, or the descendent identified fails to make a recommendation, or the landowner rejects the recommendation of the descendent, the landowner shall rebury the human remains on the property in a location not subject to further disturbance. As a result, a less than significant impact is anticipated.

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY.				
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

a-b) **Less than significant impact.** The proposed project will not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation or conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This project is proposed to legitimize an existing commercial dog kennel facility. No construction is proposed with this project as all dog

kennel facilities are existing. Ground mounted solar arrays exist, which offset operational energy needs at the site. Overall, the operation of this project will not require the creation of a new source of energy generation. Project operation will have a nominal effect on local and regional energy supplies. It is expected that operation of this project will not be any more inefficient, wasteful, or unnecessary than other similar projects of this nature. This project does not require and will not utilize a substantial amount of energy due to proposed activities. As a result, a less than significant impact is anticipated.

VII. GEOLOGY AND SOILS.

Would the project:

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

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

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

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

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

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

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

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

Responses:

a) **Less than significant impact.** This project will not directly or indirectly cause potential substantial adverse effects from rupture of a known earthquake fault, strong seismic ground

shaking, seismic-related ground failure, including liquefaction, or landslides because the subject property is not located in an Alquist-Priolo Earthquake Fault Zone and will not exacerbate existing seismic hazards in the region. Figure 5.1-1 in the General Plan Technical Background Report does not identify any active earthquake faults in Sutter County as defined by the California Mining and Geology Board. The faults identified in Sutter County include the Quaternary Faults, located in the northern section of the County within the Sutter Buttes, and the Pre-Quaternary Fault, located in the southeastern corner of the County, just east of where Highway 70 enters the County (Figure 5.1-1 of the General Plan Technical Background Report). Both faults are listed as non-active faults but have the potential for seismic activity. The project site is relatively level with no significant slope. Therefore, the potential for earthquakes, liquefaction, or landslides is unlikely and a less than significant impact is anticipated.

b) **Less than significant impact.** This project will not result in substantial soil erosion or the loss of topsoil. According to the USDA Soil Conservation Service Soil Survey of the County, on-site soils consist of Garretson variant loam, 0 to 2 percent slopes and Liveoak sandy clay loam, 0 to 2 percent slopes. These soils are unlikely to cause erosion because runoff is very slow with only a slight hazard of water erosion. The General Plan Technical Background Report indicates that soils with a 0 to 9 percent slope have slight erodibility. The project site is relatively level and has been graded in the past to accommodate the existing structures and agricultural use. Severe erosion typically occurs on moderate slopes of sand and steep slopes of clay subjected to concentrated water runoff. These conditions do not exist at the site. No construction is proposed with this project as all dog kennel facilities are existing, and therefore no topsoil will be affected by the proposed project. Thus, a less than significant impact is anticipated.

c) **Less than significant impact.** This project is not located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. As stated above in b), soils at the site have a 0 to 2 percent slope with only a slight hazard of water erosion. The General Plan Technical Background Report indicates that soils with a 0 to 9 percent slope have slight erodibility. In addition, the project is not located in the Sutter Buttes, the only area identified by the General Plan Technical Background Report as having landslide potential. A less than significant impact is anticipated.

d) **Less than significant impact.** This project is not located on expansive soil creating substantial direct or indirect risks to life or property. The soil types on the project site, as stated above in b), have a low to moderate shrink-swell potential. No construction is proposed with this project as all dog kennel facilities are existing. A less than significant impact is anticipated.

e) **Less than significant impact.** This project does not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Properties in the area of the project rely on the use of on-site septic tanks and leach field systems for the disposal of wastewater, as there is no sewer system available in the area. The property has an existing septic system/leach field south of the existing residence that it serves. No additional on-site sewage systems are proposed for this project. Waste generated from the dogs at this facility is disposed of by an infiltrator system on site. The infiltrator system consists of two 500-gallon poly-tanks with a screened inlet and is pumped 2-3 times a year. Waste is removed from the individual kennels two times per day and disposed of. The Development Services Environmental Health Division reviewed this project and had no comments. Any new or expanded septic systems will require evaluation and approval by the Environmental Health Division to ensure compliance with wastewater

standards. With compliance with all Environmental Health Division regulations, a less than significant impact is anticipated.

f) **Less than significant impact.** The proposed project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. There are no known unique paleontological resources or unique geologic features located in the vicinity of the project. The property has been extensively disturbed to varying depths due to agricultural uses and existing development. A less than significant impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)
 (USDA Soil Conservation Service, Sutter County Soil Survey. 1988)

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

Responses:

a) **Less than significant impact.** This project will not generate additional greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The Sutter County Climate Action Plan (CAP) was prepared and adopted in 2010 as part of the General Plan to ensure compliance with AB 32, also known as the Global Warming Solutions Act. Sutter County’s CAP includes a GHG inventory, an emission reduction target, and reduction measures to reach the target. The CAP also includes screening tables used to assign points for GHG mitigation measures. Projects that achieve 100 points or more do not need to quantify GHG emissions and are assumed to have a less than significant impact.

Sutter County’s screening tables apply to all project sizes. Small projects with little or no proposed development and minor levels of GHG emissions typically cannot achieve the 100-point threshold and therefore must quantify GHG emission impacts using other methods, an approach that consumes time and resources with no substantive contribution to achieving the CAP reduction target.

Since the adoption of the CAP, further analysis to determine if a project can be too small to provide the level of GHG emissions reductions expected from the screening tables or alternative emissions analysis methods has been performed. In that study, emissions were estimated for each project within the Governor’s Office of Planning and Research (OPR) database. The analysis found that 90 percent of carbon dioxide equivalent (CO₂e) emissions are from CEQA projects that exceed 3,000 metric tons CO₂e per year. Both cumulatively and individually, projects that generate less than 3,000 metric tons CO₂e per year have a negligible contribution to overall emissions.

Sutter County has concluded that projects generating less than 3,000 metric tons of CO₂e per year are not required to be evaluated using Sutter County's screening tables (Greenhouse Gas Pre-Screening Measures for Sutter County, 2016). Such projects require no further GHG emissions analysis and are assumed to have a less than significant impact.

This project proposes the permitting of an existing commercial dog kennel. This use type is pre-screened out as per the Greenhouse Gas Pre-Screening Measures because it has been determined not to exceed 3,000 metric tons of CO₂e per year. As a result, no mitigation measures are necessary, and a less than significant impact is anticipated.

b) Less than significant impact. This project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project is within the boundaries of the Feather River Air Quality Management District (FRAQMD), which has not individually adopted any plans or regulations for reducing greenhouse gas emissions. However, FRAQMD adopted a document on August 7, 2015, through the Northern Sacramento Valley Planning Area and in collaboration with Butte County AQMD, Colusa County Air Pollution Control District (APCD), Glenn County APCD, Shasta County AQMD, and Tehama County APCD, titled the 2015 Triennial Air Quality Attainment Plan. This document provides thresholds given by some of the AQMDs and APCDs, and the thresholds given by FRAQMD from 2010, which are described and analyzed in the Air Quality impact section, still apply to Sutter County. In addition, the County has adopted a Climate Action Plan (CAP) that details methods to reduce greenhouse gas emissions. This project will not conflict with the CAP because it was determined to be exempt from its requirements as discussed in Section a) above so a less than significant impact is anticipated.

(County of Sutter, General Plan Technical Background Report. 2008)
 (County of Sutter, General Plan 2030 Climate Action Plan. 2011)
 (County of Sutter, Greenhouse Gas Pre-Screening Measures for Sutter County. June 28, 2016.)
 (Sacramento Valley Air Quality Engineering and Enforcement Professionals (SVAQEPP), Northern Sacramento Valley Planning Area 2015 Triennial Air Quality Attainment Plan. 2015)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

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?

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

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

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

c) **No impact.** This project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There are no existing or proposed schools within the vicinity of the project site. The closest existing school is Barry Elementary School located at the northeast corner of State Highway 99 and Barry Road, approximately 0.4 miles from the project site; therefore, no impact is anticipated.

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

e) **Less than significant impact.** This project is not located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport; therefore, this project will not result in a safety hazard or excessive noise for people residing or working in the project area. The nearest public airport is the Sutter County Airport,

which is located approximately 3.5 miles northeast of the project site. Due to the project's distance from these facilities, a less than significant impact is anticipated.

f) **Less than significant impact.** This project will not impact the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan because the project site has adequate frontage on Oswald Road, which is of sufficient size to not impede necessary emergency responses. This 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. A less than significant impact is anticipated.

g) **Less than significant impact.** This project will not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. The General Plan indicates the Sutter Buttes and the "river bottoms," or those areas along the Sacramento, Feather, and Bear Rivers within the levee system, are susceptible to wildfires since much of the areas inside the levees are left in a natural state, thereby allowing combustible fuels to accumulate over long periods of time. The area has existing fire protection services. Since this property is not located in the Sutter Buttes or "river bottom" areas, a significant risk of loss, injury, or death associated with wildland fires as a result of the proposed project is not anticipated and is considered less than significant.

(County of Sutter, General Plan Technical Background Report. 2008)
 (California Department of Toxic Substances Control, Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). 2022)

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:				
i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a) **Less than significant impact.** This project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The property has an existing septic system/leach field south of the existing residence that it serves. No additional on-site sewage systems are proposed for this project. Waste generated from the dogs at this facility is disposed of by an infiltrator system on site. The infiltrator system consists of two 500-gallon poly-tanks with a screened inlet and is pumped 2-3 times a year. Waste is removed from the individual kennels two times per day and disposed of. The Development Services Environmental Health Division reviewed this project and had no comments. Any new or expanded septic systems will require evaluation and approval by the Environmental Health Division to ensure compliance with wastewater standards. This project is not expected to violate water quality standards or waste discharge requirements. With compliance with all Environmental Health Division regulations, a less than significant impact is anticipated.

b) **Less than significant impact.** This project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The General Plan Technical Background Report indicates the property is provided with groundwater by the Sutter Subbasin. Water levels in the Sutter Subbasin have remained approximately 10 feet below ground surface and California's Groundwater Bulletin 118 prepared by the California Department of Water Resources indicates municipal and irrigation wells withdraw groundwater at a rate of 500-2000 gallons per minute.

The project site is not located in an area that is served by a public water provider. Water is provided to the site by an existing domestic well and agricultural well located on the north side of the residence. No additional wells are proposed as part of this project; however, any future wells established on the property will be required to obtain permits from the Environmental Health Division.

This project is not anticipated to substantially increase the amount of water used on-site beyond what is currently used. Water is currently utilized for the peach orchard, landscaping, residence, and existing commercial kennel facility. Water use for the proposed project is minimal and will not adversely affect groundwater recharge or groundwater supplies. The site has minimal

impervious area which allows stormwater runoff to infiltrate within the project site. As a result, a less than significant impact is anticipated.

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

There are no streams or rivers on or in the immediate vicinity of the project site that could be altered by this project. The property is not located in an area served by a public stormwater drainage system. The Development Services Engineering Division has reviewed this proposed project with regard to drainage and had no comments. No construction is proposed with this project as all dog kennel facilities are existing; therefore, this project is not expected to substantially alter the existing drainage pattern of the site or area. No additional impervious surfaces are proposed with this project. According to the applicant, the site drains northwesterly towards the peach orchard and then to the Gilsizer Slough.

The project site is located within Flood Zone “A” according to Flood Insurance Rate Map (FIRM) No. 0603940600E, dated December 1, 2008, issued by the Federal Emergency Management Agency (FEMA). Flood Zone “A” is one of the Special Flood Hazard Areas (SFHAs) and consists of areas subject to inundation by the 1-percent-annual-chance flood event. The site is also located within a Local Flood Hazard Area (LFHA). Sutter County adopted a new LFHA map for the Yuba City Basin Area effective as of October 4, 2021. The Base Flood Elevation (BFE) was set at 47.7 feet (NAVD) for this area. If a new building was proposed with this project, it would be required to be elevated approximately six feet in order to be one foot above the BFE; however, no building construction is proposed. A less than significant impact is anticipated.

d) **Less than significant impact.** This project will not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. The proposed project to permit the existing commercial dog kennel facility is not anticipated to risk the release of pollutants due to project inundation in a flood hazard area. No construction is proposed with this project as all dog kennel facilities are existing. There is no anticipated impact to this project site resulting from tsunamis and seiches because the land is not located adjacent to or near any water bodies of sufficient size to create such situations. A less than significant impact is anticipated.

e) **No Impact.** This project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. There are no currently adopted water quality control plans or sustainable groundwater management plans for the subject area. No impact is anticipated.

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

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. LAND USE AND PLANNING.

Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Responses:

a) **No impact.** This project will not physically divide an established community because the project is located outside the Live Oak and Yuba City spheres of influence and the County's recognized rural communities. This project is located south of Yuba City in a predominantly agricultural area. This project will not result in a physical barrier that will divide a community so no impact is anticipated.

b) **Less than significant impact.** This project will not conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect because this project involves the necessary entitlements to allow for this project. The commercial dog kennel facility is permitted in the AG (Agriculture) District subject to use permit approval. The requirements to establish such a facility are being followed. The County has not adopted any land use plan, policy, or regulation for the purpose of avoiding or mitigating a specific environmental effect that affects this project. A less than significant impact is anticipated.

(County of Sutter, General Plan 2030. 2011)

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

(County of Sutter, Zoning Code. 2022)

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. MINERAL RESOURCES.

Would the project:

- | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Responses:

a-b) **No impact.** This project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or the loss of availability of a

locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. The General Plan and State of California Division of Mines and Geology Special Publication 132 do not list the site as having any substantial mineral deposits of a significant or substantial nature, nor is the site located in the vicinity of any existing surface mines. No impact is anticipated.

(California Department of Conservation, Division of Mines and Geology, Special Report 132: Mineral Land Classification: Portland Cement Concrete-Grade Aggregate in the Yuba City-Marysville Production-Consumption Region. 1988)
 (County of Sutter, General Plan Technical Background Report. 2008)

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

Responses:

a) **Less than significant impact.** This project will not result in a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies. This project will also not result in excessive groundborne vibration or groundborne noise levels. The Sutter County General Plan Noise Element provides a basis for local policies to control and abate environmental noise and to protect the citizens of Sutter County from excessive noise exposure. The Sutter County Noise Ordinance (Article 21.5 of the Zoning Code) establishes standards and procedures to protect the health and safety of County residents from the harmful effects of exposure to excessive, unnecessary, or offensive noise. The proposed project is required to operate business in a manner that complies with the noise ordinance.

To determine noise impacts from the proposed project, the project applicant hired Saxelby Acoustics, LLC, to prepare an environmental noise assessment. A copy of this assessment is included as Attachment 6 to this initial study. The noise assessment describes characteristics of noise, the existing noise setting, and the regulatory context, and it presents an analysis of

potential noise impacts from project operation activities. Impacts were evaluated based on Sutter County General Plan and Zoning Code noise standards.

As stated in the noise assessment, the primary noise source associated with the project is barking dogs. Nearby sensitive receptors include single-family residential uses on agricultural parcels east of the project site.

Noise measurements were conducted both on site and at the outdoor activity area of the nearest sensitive receptor to determine noise levels generated by the existing dog kennel. Measurements were conducted during feeding times, which were reported by the owner to be representative of the loudest period of activity on the project site. During the measurement period, noise levels due to dogs barking were recorded to be up to 76 dBA L_{max} (maximum value) at LT-1, 62 dBA L_{max} at LT-2, and 50 dBA L_{max} at ST-1 (nearest sensitive receptor). It was observed that noise emanating from the project at the nearest sensitive receptors was nearly inaudible in comparison to traffic noise. Long-term measurements were collected at locations LT-1 and LT-2 to determine average noise levels generated by the project.

As shown in Figure 3 and Figure 4 of the noise assessment, the project is predicted to generate noise levels of up to 27 dBA L_{eq} (average value) and 50 dBA L_{max} (maximum value) at the outdoor activity areas of the sensitive receptors. These levels comply with the Sutter County adjusted noise level standards of 50/40 dBA L_{eq} (daytime/nighttime) and 65/60 dBA L_{max} (daytime/nighttime) with no additional noise control measures.

The assessment concluded that the dog kennel currently complies with the County's noise level standards at the outdoor activity areas of the nearest sensitive receptors with no additional noise control measures required.

A site visit was completed by staff on July 20, 2021. This site visit included a tour of the entire dog kennel facility. No objectionable noise levels were noted during the site visit. Letters in support of this project have been received from adjacent property owners, including owners with property immediately adjacent to the dog kennel facility. No noise complaints have been received. The project area is not a densely populated area and consists predominately of orchards and rural residential uses. This project is not anticipated to significantly increase noise beyond the conditions which already exist in this area; therefore, a less than significant impact is anticipated.

b) **No impact.** This project will not result in excessive groundborne vibration or groundborne noise levels. General Plan Policy N 1.7 requires new development to minimize impacts of continuous vibration on adjacent uses during demolition and construction. No construction or demolition is proposed with this project as all dog kennel facilities are existing; therefore, no impacts are anticipated.

c) **Less than significant impact.** This project is not located within the vicinity of a private airstrip, public airport, or public use airport; therefore, it will not result in excessive noise levels for people residing or working in the project area. The nearest public airport is the Sutter County Airport, which is located approximately 3.5 miles northeast of the project site. The closest private airstrip is located over four miles west of the project site. Due to the project's distance from these facilities, a less than significant impact is anticipated.

(County of Sutter, General Plan 2030. 2011)

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

(County of Sutter, Zoning Code. 2022)
 (Saxelby Acoustics, Environmental Noise Assessment. 2023)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<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"/>

Responses:

a) **Less than significant impact.** This project will not induce substantial unplanned population growth in an area, directly or indirectly. According to the applicant, one part time employee works at the site as well as the property owners and their family. It is anticipated that these employees come from the local area; therefore, they will not create a direct increase in population. No new residential use is proposed with this project. As a result, the amount of population growth in the area will be negligible and a less than significant impact is anticipated.

b) **No impact.** This project will not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere. The proposed project will not expand beyond the property boundaries and will not displace any housing or people. A single residence resides on the project site, which will remain. No residences are proposed as part of this project. No impact is anticipated.

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Responses:

i) **Less than significant impact.** This project location is provided fire protection by Sutter County and is located in County Service Area (CSA) F. The nearest fire station is Oswald-Tudor (Station 8), located at 1280 Barry Road, which is at the southeast corner of State Highway 99 and Barry Road and approximately 0.4 miles northeast of the project site. Response time will not be affected by the proposed project. Existing County roads will provide adequate transportation routes to reach the project site in the event of a fire. No new buildings are proposed with this project and the construction of new fire facilities will not be required as a result of this project. No comments were provided by Fire Services indicating this project will result in a significant impact. As a result, a less than significant impact is anticipated.

ii) **Less than significant impact.** This project will not have a significant impact on police protection. Law enforcement for unincorporated portions of Sutter County is provided by the Sutter County Sheriff's Department and traffic investigation services by the California Highway Patrol. Response time will not be affected by the proposed project. Existing State Highways or County roads will provide adequate transportation routes to reach the project site in the event of an emergency. The Sheriff's Department has reviewed this project and had no comments. No new buildings are proposed with this project and the construction of new sheriff facilities will not be required as a result of this project. A less than significant impact is anticipated.

iii) **Less than significant impact.** This project will not have a significant impact on schools because this project will not generate additional demand for school services. No new buildings or residences are proposed with this project. No comments were provided by the Yuba City Unified School District indicating this project will result in a significant impact. A less than significant impact is anticipated.

iv) **Less than significant impact.** This project will not have a significant impact upon parks because it will not generate a need for additional park land or create an additional impact upon existing parks in the region. This project will not have a significant impact on parks countywide. This project will not result in any new residences which require park services; therefore, a less than significant impact is anticipated.

v) **Less than significant impact.** This project is not anticipated to impact other public facilities because the project will not result in the need for additional or new public facilities. No new buildings are proposed with this project. A less than significant impact is anticipated.

(County of Sutter, Zoning Code. 2022)

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

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"/>

Responses:

a-b) **No impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated nor will the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. This project will not result in new residential development. There are no existing neighborhood or regional parks in the project vicinity and this project does not propose recreational facilities or require the expansion of existing recreational facilities; therefore, no impacts are anticipated.

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

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"/>

Responses:

a) **Less than significant impact.** This project will not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. This property is located in a rural area. The project area is not served by mass transit

or bicycle paths. Given the rural location, personal vehicles will be the most likely form of transportation.

The project site has adequate frontage on Oswald Road, which is a County maintained road. Oswald Road runs in a straight west-east direction along the frontage of the project site. Entrance to the facility is provided by an existing 20-foot-wide driveway with access gate. The gate at the driveway is setback approximately 55 feet from the edge of the roadway, which allows vehicles to completely exit the roadway before reaching the gate. Emergency access to the site is available via an existing farm road with an ungated entrance on Oswald Road west of the gated driveway.

Oswald Road between Walton Avenue and State Highway 99 is classified as an Urban Collector by the Sutter County General Plan. The General Plan Technical Background Report completed in 2008 lists an Average Daily Traffic (ADT) count of 2,150 and a Level of Service (LOS) A for this section of Oswald Road.

Visitation from the general public is limited to three hours per day from 10:00 am to 1:00 pm, by appointment only and closed on holidays. Only one family at a time is allowed on-site at a time. The facility is run by the property owners and their family along with one part time employee. The applicant estimates that they receive 100 visitors per year, with only one customer at a time. This results in approximately 100 trips per year, approximately eight trips per month, and less than one trip per day. The applicant states that one part time employee works three days per week. In addition, a veterinarian visits the site once per month and a septic pumper comes to the site two times per year. The total daily automobile traffic associated with this project under the requested use permit is estimated to be less than five trips per day.

According to Table 3.2-6 of the Technical Background Report, an ADT range of 7,000 – 10,600 is necessary for a rural two-lane roadway to be classified as LOS C. The additional amount of traffic generated by this project is minimal, as a minimum of 7,000 daily vehicle trips is required for Oswald Road to be classified as LOS C. This project will not generate an increase in traffic levels resulting in a change to the LOS for Oswald Road. This increase in traffic is not considered significant in relation to the existing traffic volumes or road capacities and will not reduce the existing LOS of Oswald Road. The General Plan has a policy (Policy M 2.5) to maintain roads at an LOS D or better during peak hour, and LOS C or better at all other times; therefore, this project is consistent with this policy. No impacts have been identified by the Development Services Engineering Division or Fire Services. Based on the information provided above, a less than significant impact is anticipated.

b) Less than significant impact. This project will not conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b). This section of CEQA states that vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project. This section also states VMT exceeding an applicable threshold of significance may indicate a significant impact.

CEQA Guidelines Section 15064.3 defines VMT as the “amount and distance of automobile travel attributable to a project.” OPR's Technical Advisory further clarifies that “the term ‘automobile’ refers to on-road passenger vehicles, specifically cars and light trucks.”

Senate Bill (SB) 743 governs the application of new CEQA guidelines for addressing transportation impacts based on VMT. Because Sutter County has not yet adopted guidelines or policies for dealing with VMT, guidance from OPR's Technical Advisory was employed to

evaluate VMT impacts. Screening criteria can be used to quickly identify whether sufficient evidence exists to presume a project will have a less than significant VMT impact without conducting a detailed study. Projects meeting at least one of the criteria below can be presumed to have a less than significant VMT impact, absent substantial evidence that the project will lead to a significant impact. Of these screening criteria, "small projects" applies to the proposed project.

- Small projects (i.e., < 110 daily trips)
- Projects near transit stations
- Affordable residential development
- Local-serving retail
- Projects in low VMT areas

Projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.

Visitation from the general public is limited to three hours per day from 10:00 am to 1:00 pm, by appointment only and closed on holidays. Only one family at a time is allowed on-site at a time. The facility is run by the property owners and their family along with one part time employee. The applicant estimates that they receive 100 visitors per year, with only one customer at a time. This results in approximately 100 trips per year, approximately eight trips per month, and less than one trip per day. The applicant states that one part time employee works three days per week. In addition, a veterinarian visits the site once per month and a septic pumper comes to the site two times per year. The total daily automobile traffic associated with this project under the requested use permit is estimated to be less than five trips per day. As the forecast is less than the 110 daily trip threshold, the project's VMT impacts can be presumed to be less than significant.

c-d) **Less than significant impact.** This project will not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) nor will it result in inadequate emergency access. The project site has adequate frontage on Oswald Road, which is a County maintained road. Oswald Road runs in a straight west-east direction along the frontage of the project site. Entrance to the facility is provided by an existing 20-foot-wide driveway with access gate. The gate at the driveway is setback approximately 55 feet from the edge of the roadway, which allows vehicles to completely exit the roadway before reaching the gate. Emergency access to the site is available via an existing farm road with an ungated entrance on Oswald Road west of the gated driveway. No impacts have been identified by the Development Services Engineering Division or Fire Services indicating an increased hazard will result. This project will be required to comply with all County roadway safety, emergency access, and design standards, and any associated General Plan policies. A less than significant impact is anticipated.

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

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

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

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

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

Responses:

i-ii) **Less than significant impact.** In September of 2014, the California Legislature passed Assembly Bill (AB) 52, which added provisions to the Public Resources Code regarding the evaluation of impacts on tribal cultural resources under CEQA, and consultation requirements with California Native American tribes. The County initiated AB 52 consultation through distribution of letters to the Native American tribes provided by the Native American Heritage Commission (NAHC). No requests for consultation were received from any of the Native American tribes during the review period. The Enterprise Rancheria Estom Yumeka Maidu tribe stated they have no records of any cultural resources in the area of the project.

The southeast corner of the 17-acre project site is predominately developed with structures and is utilized by the existing commercial dog kennel. The remainder of the site predominately consists of a peach orchard. A review of aerial photographs indicates the developed portion of the property has been developed since at least 1998. The site has been extensively disturbed due to existing agricultural operations and site development. The project site is not located within the vicinity of the Bear River, Sacramento River, or Feather River. There is no evidence on the project site indicating that tribal cultural resources exist. No construction is proposed with this project as all dog kennel facilities are existing. A less than significant impact to tribal cultural resources as a result of this project is anticipated.

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

Would the project:

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

Responses:

a) **Less than significant impact.** This project will not 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. This project will require no new water service. Water is provided by an existing private well. Wastewater treatment is provided by an existing septic system. Storm water drains toward the existing on-site orchard. This project was reviewed by the Pacific Gas and Electric Company (PG&E) and they did not provide any comments. Any additional utility needs would tie into existing utilities being provided to the area. A less than significant impact is anticipated.

b) **Less than significant impact.** This project will have sufficient water supplies available to serve the project and reasonably foreseeable future development. The proposed project is not located in an area that is served by a public water provider. Water is provided by an on-site well that is assumed to be sufficient to serve this project. A less than significant impact is anticipated.

c) **No impact.** This project will not result in a determination by a wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. This project is not located in an area that is served by a wastewater treatment provider. Individual on-site sewage disposal systems are currently the only method of providing sewage disposal for the project area.

Therefore, a demand will not be placed on a local sanitary sewer system and no impact is anticipated.

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

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE.				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Responses:

a-d) **No impact.** The subject property is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, no impacts are anticipated.

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

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

Responses:

a) **Less than significant impact.** No environmental effects were identified in the initial study which indicate this project will have the ability to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

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

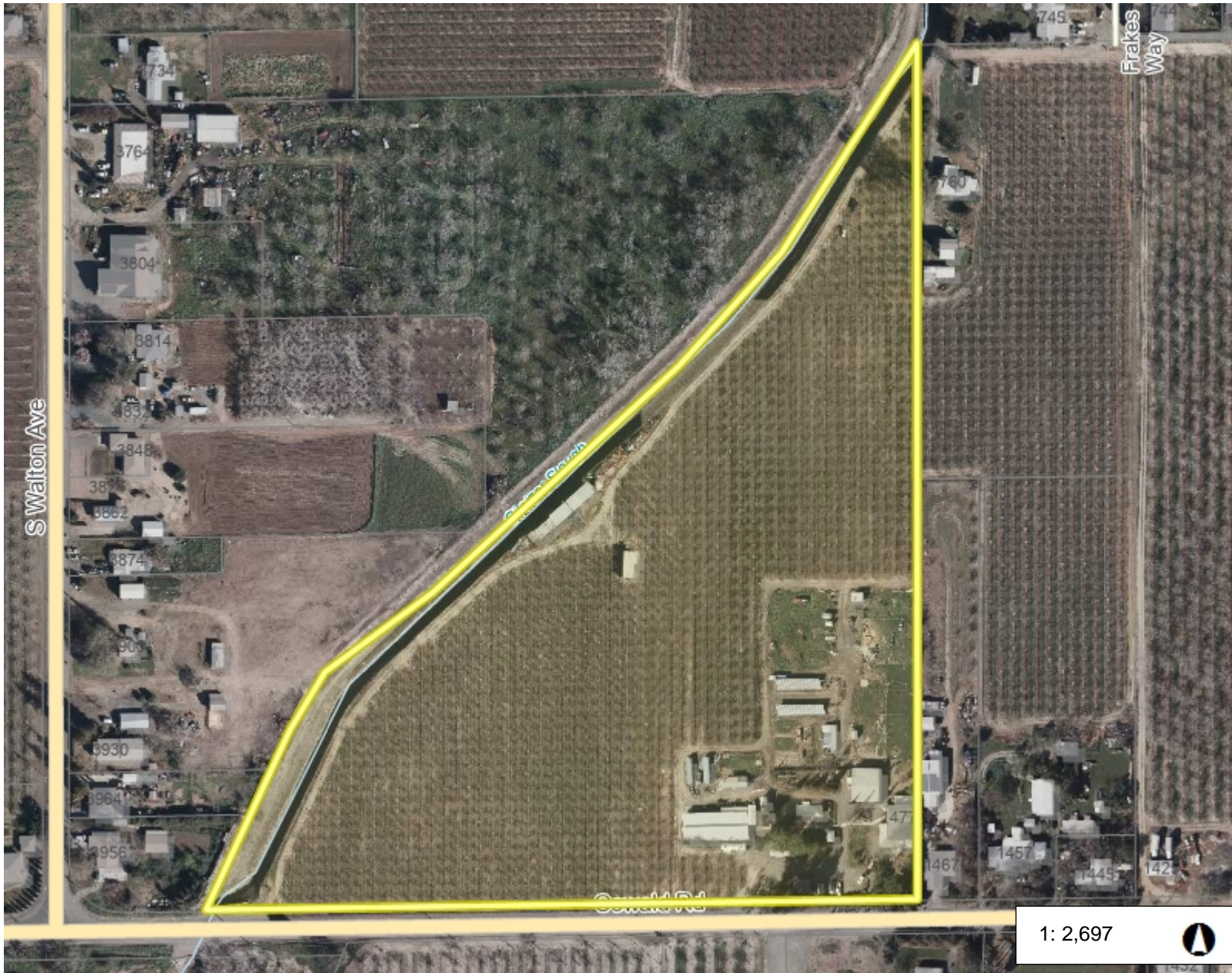
c) **Less than significant impact.** No environmental effects which will cause substantial adverse effects on human beings either directly or indirectly were identified in the initial study.

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Attachments:

1. Aerial Photo Exhibit
2. Zoning Exhibit
3. Site Plans
4. General Plan Amendment Exhibit
5. Rezoning Exhibit
6. Saxelby Acoustics, Environmental Noise Assessment, February 14, 2023



Legend

- Addresses
- Building Footprints
- Railroads
- Road Centerlines
 - 1
 - 3
 - 4
 - 5
 - <all other values>
- Levees
- Open Waterways
 - Irrigation Canal
 - Creek
 - Drainage Ditch
 - River
 - State Drain
 - Ditch (reclass)
 - Natural Waterway (reclass)
 - <all other values>
- Tax Parcels
- County Boundary
- Incorporated Cities 2022 (.25')
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

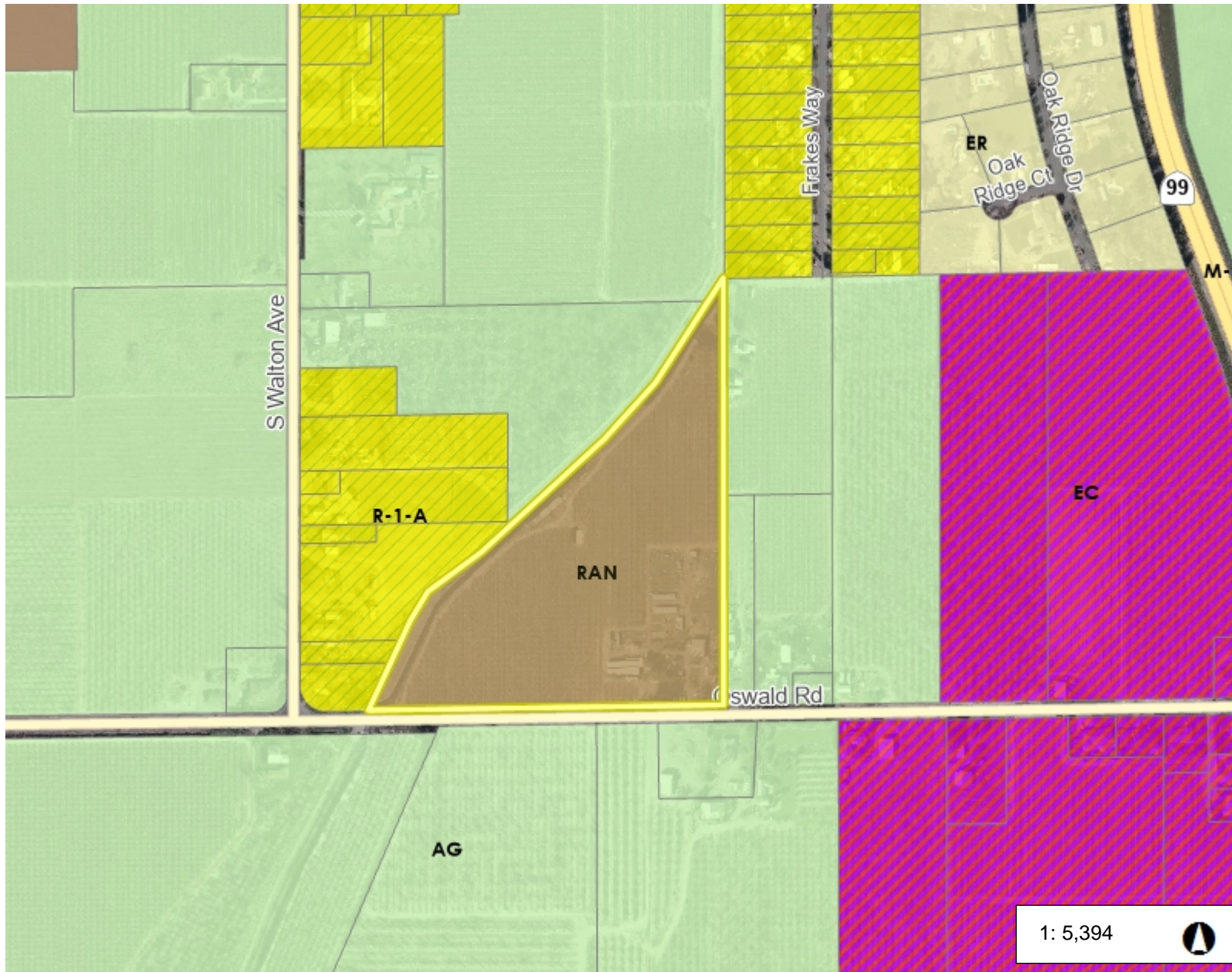
449.5 0 224.76 449.5 Feet

NAD_1983_StatePlane_California_II_FIPS_0402_Feet
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION





Legend

- Road Centerlines**
- 1
 - 3
 - 4
 - 5
 - <all other values>
- Tax Parcels**
- Zoning**
- AG
 - AG-PD
 - AG-SB
 - C-M
 - C-M-PD
 - CC
 - CM-PD
 - E1
 - E1-FP
 - E2
 - EC
 - ER
 - ER-PD
 - FPARC
 - GC
 - GC-PD
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 - IDB
 - LDR
 - M-1
 - M-1-PD
 - M-2
 - M-2-PD
 - MDR
 - MU-PD



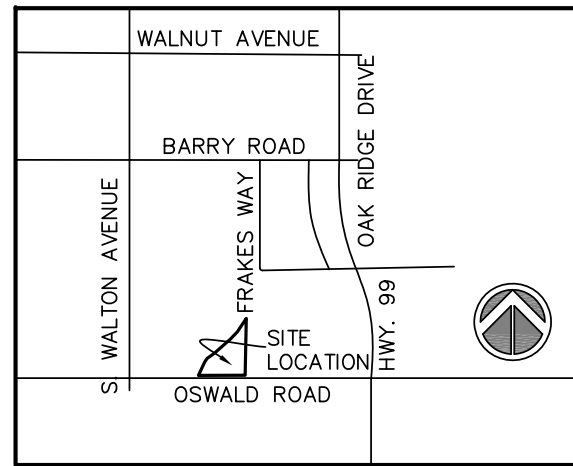
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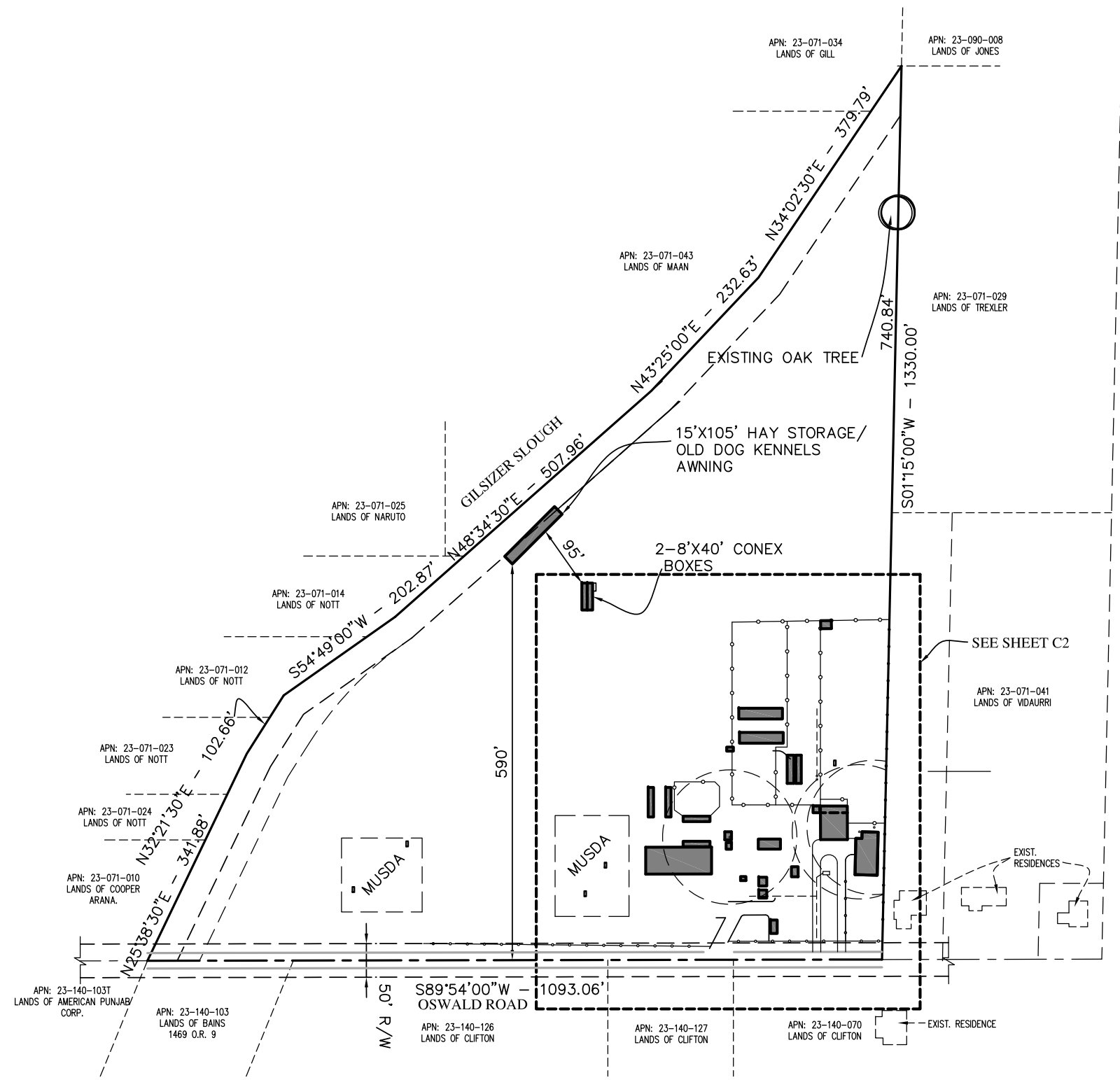
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

REVISIONS	
A	



VICINITY MAP



1"=200'
 SITE PLAN

PROPOSED USE PERMIT SITE PLAN FOR:
RON AND MARY ANNE STERLING
 1477 OSWALD ROAD, YUBA CITY CA, 95993
 APN:23-071-009

LAUGHLIN and SPENCE
 CIVIL ENGINEERS & SURVEYORS
 1000 Live Oak Boulevard
 Yuba City, California 95901
 (530) 671-1008
 fax: (530) 671-0822

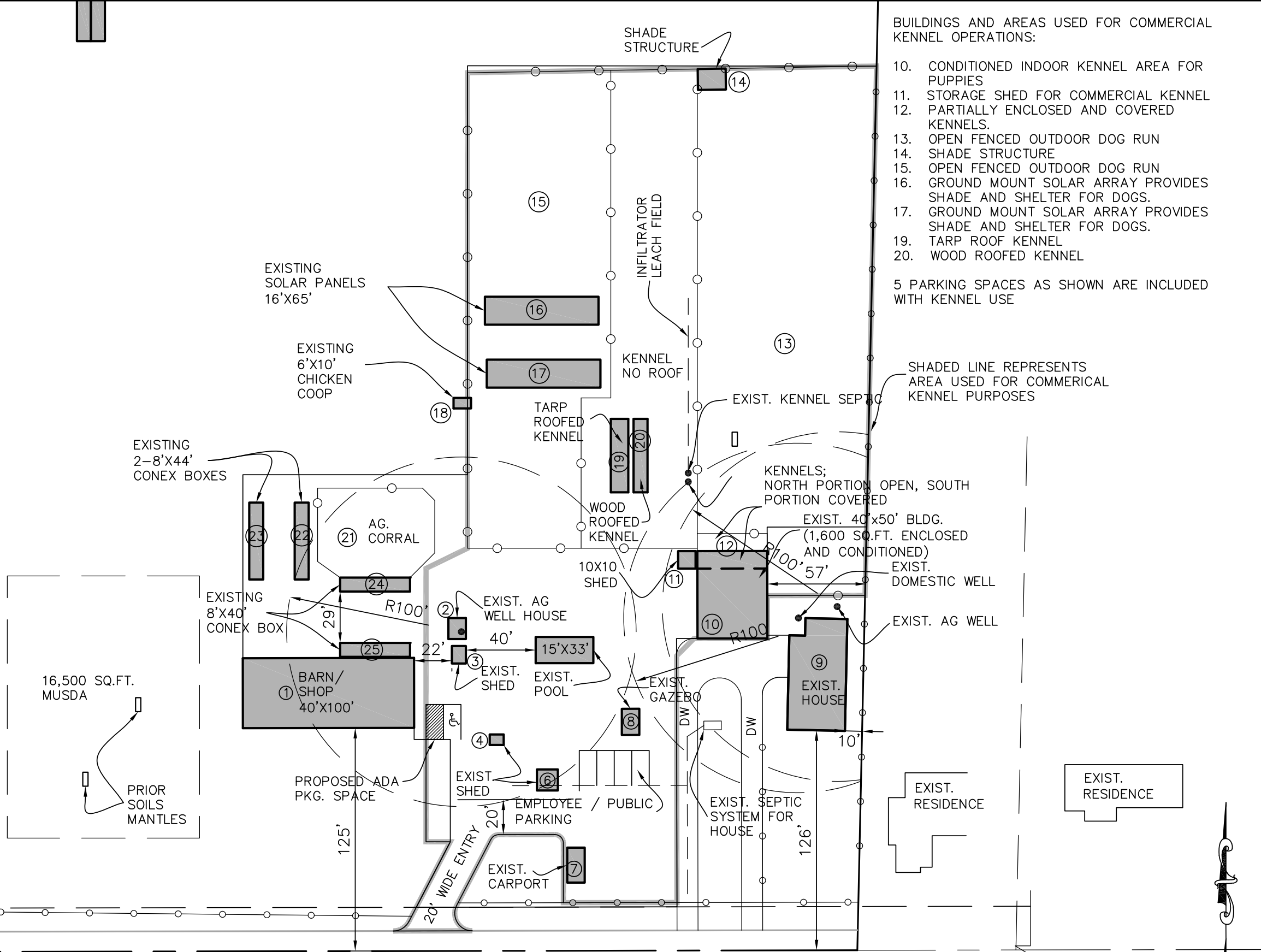


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 Page 1 OF 2

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S89°54'00"W - 1093.06'



BUILDINGS AND AREAS USED FOR COMMERCIAL KENNEL OPERATIONS:

- 10. CONDITIONED INDOOR KENNEL AREA FOR PUPPIES
- 11. STORAGE SHED FOR COMMERCIAL KENNEL
- 12. PARTIALLY ENCLOSED AND COVERED KENNELS.
- 13. OPEN FENCED OUTDOOR DOG RUN
- 14. SHADE STRUCTURE
- 15. OPEN FENCED OUTDOOR DOG RUN
- 16. GROUND MOUNT SOLAR ARRAY PROVIDES SHADE AND SHELTER FOR DOGS.
- 17. GROUND MOUNT SOLAR ARRAY PROVIDES SHADE AND SHELTER FOR DOGS.
- 19. TARP ROOF KENNEL
- 20. WOOD ROOFED KENNEL

5 PARKING SPACES AS SHOWN ARE INCLUDED WITH KENNEL USE

SHADED LINE REPRESENTS AREA USED FOR COMMERCIAL KENNEL PURPOSES

KENNELS; NORTH PORTION OPEN, SOUTH PORTION COVERED

EXIST. 40'x50' BLDG. (1,600 SQ.FT. ENCLOSED AND CONDITIONED)

EXIST. DOMESTIC WELL

EXIST. AG WELL

EXIST. RESIDENCE

EXIST. RESIDENCE

REVISIONS	
A	

PROPOSED USE PERMIT SITE PLAN FOR:
RON AND MARY ANNE STERLING
 1477 OSWALD ROAD, YUBA CITY CA, 95993
 APN: 23-071-009

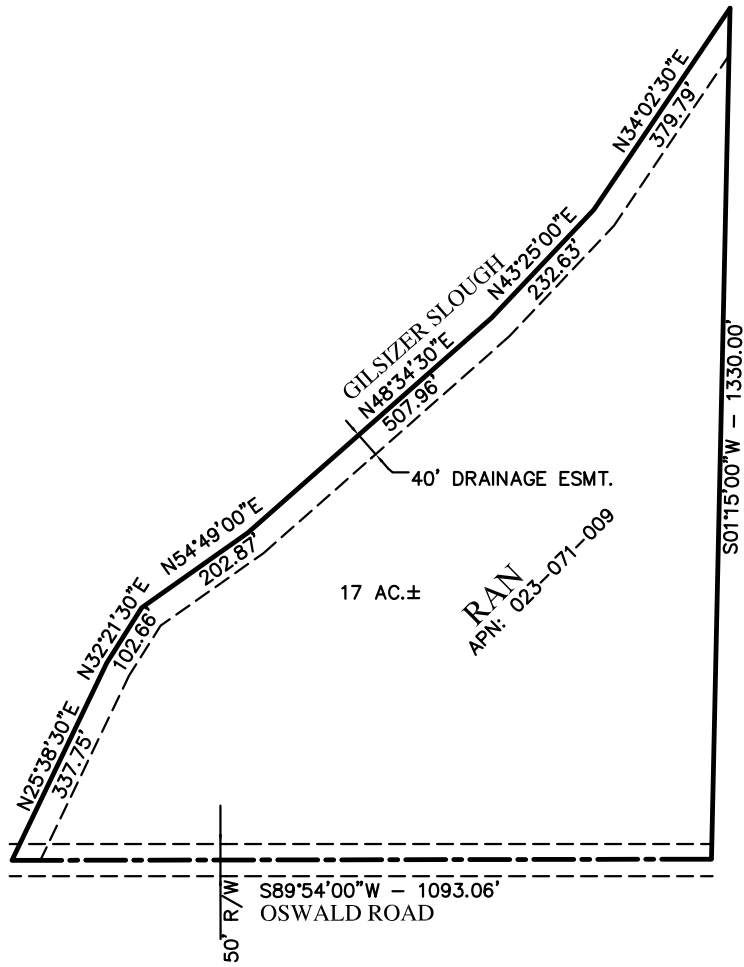
LAUGHLIN and SPENCE
 CIVIL ENGINEERS & SURVEYORS
 1008 Live Oak Boulevard
 Yuba City, California 95901
 (530) 671-1008
 fax (530) 671-0822



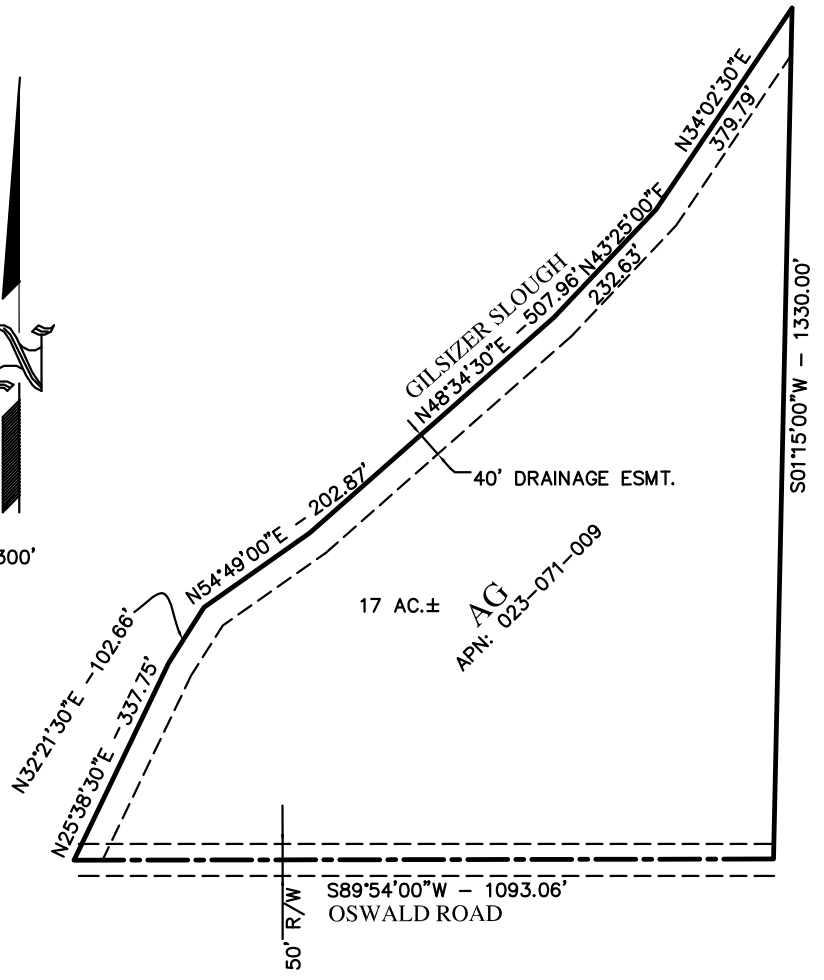
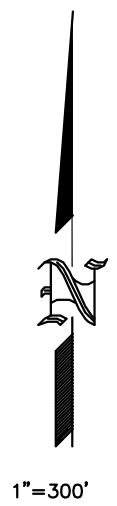
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Page	2 OF 2

ENLARGED SITE PLAN

1"=60'



EXISTING GENERAL PLAN



PROPOSED GENERAL PLAN

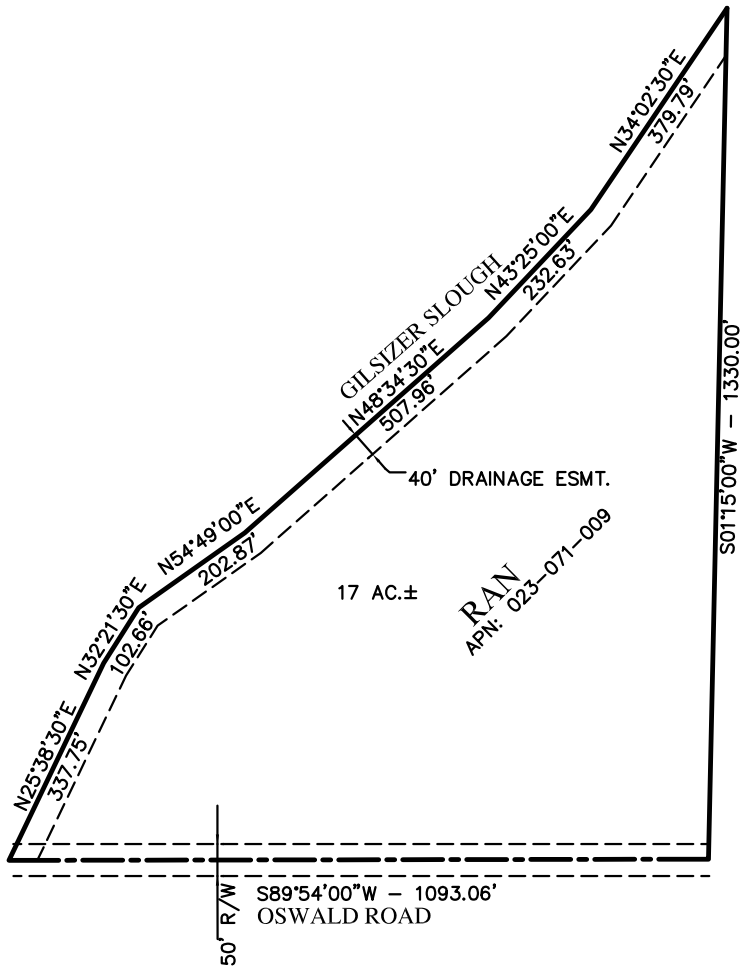
GENERAL PLAN AMENDMENT

FOR

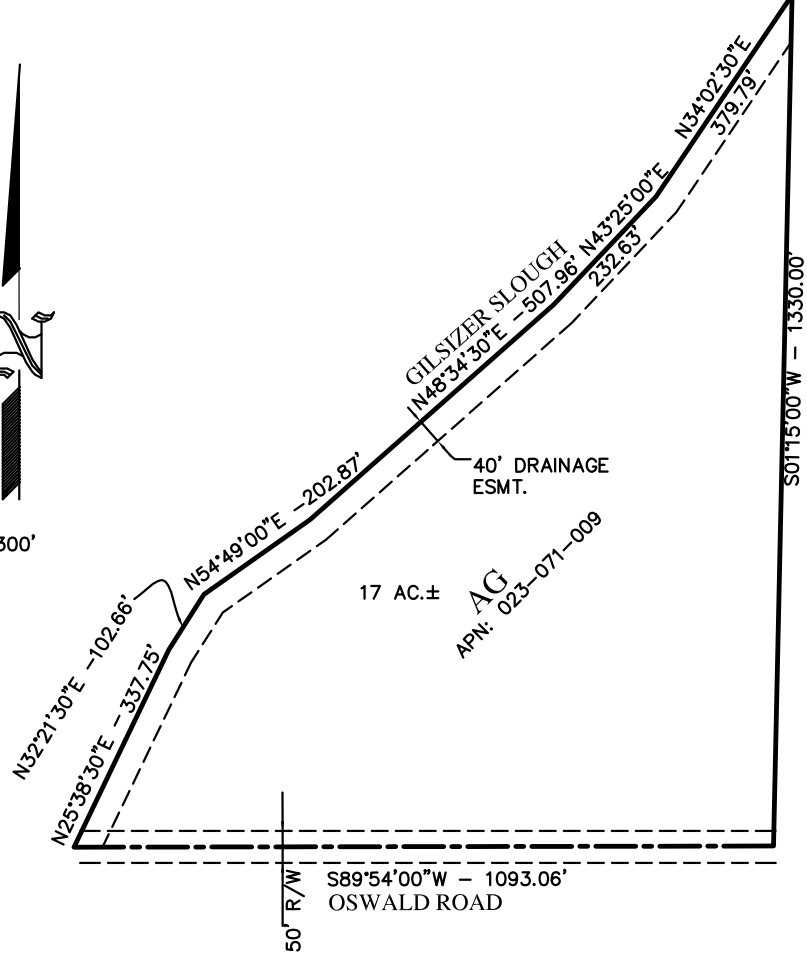
DONALD D. & DEANNA R. MILLER,
 RON & MARY ANNE STERLING

SUTTER COUNTY, CALIFORNIA FEBRUARY, 2020

PREPARED BY:
 LAUGHLIN AND SPENCE
 1008 LIVE OAK BLVD.
 YUBA CITY, CA 95991
 (530) 671-1008
 JOB # 197097
 SHEET 1 OF 1



EXISTING ZONING



PROPOSED ZONING

REZONING

FOR

DONALD D. & DEANNA R. MILLER,
RON & MARY ANNE STERLING

SUTTER COUNTY, CALIFORNIA FEBRUARY, 2020

PREPARED BY:
LAUGHLIN AND SPENCE
1008 LIVE OAK BLVD.
YUBA CITY, CA 95991
(530) 671-1008
JOB # 197097
SHEET 1 OF 1



Environmental Noise Assessment

Sterling Dog Kennel

Sutter County, California

February 14, 2023

Project #230108

Prepared for:

Ron Sterling

1477 Oswald Road
Yuba City, CA 95993

Prepared by:

Saxelby Acoustics LLC

A blue ink signature of Luke Saxelby, written in a cursive style.

Luke Saxelby, INCE Bd. Cert.

Principal Consultant

Board Certified, Institute of Noise Control Engineering (INCE)



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INTRODUCTION

The Sterling Labradors dog kennel is located at 1477 Oswald Road in Sutter County, California. The adult dogs are housed in open-air kennels and puppies are housed in an enclosed building. The primary noise source associated with the project is barking dogs. Nearby sensitive receptors include single-family residential uses on agricultural parcels east of the project site. The purpose of this analysis is to assess the noise generated by the existing facility and to achieve compliance with the applicable Sutter County noise level standards.

Figure 1 shows the project site plan. **Figure 2** shows an aerial photo of the project site and noise measurement locations.

ENVIRONMENTAL SETTING

BACKGROUND INFORMATION ON NOISE

Fundamentals of Acoustics

Acoustics is the science of sound. Sound may be thought of as mechanical energy of a vibrating object transmitted by pressure waves through a medium to human (or animal) ears. If the pressure variations occur frequently enough (at least 20 times per second), then they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second or Hertz (Hz).

Noise is a subjective reaction to different types of sounds. Noise is typically defined as (airborne) sound that is loud, unpleasant, unexpected or undesired, and may therefore be classified as a more specific group of sounds. Perceptions of sound and noise are highly subjective from person to person.

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

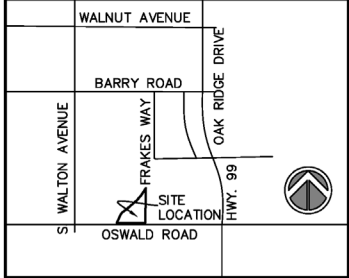
The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by A-weighted sound levels. There is a strong correlation between A-weighted sound levels (expressed as dBA) and the way the human ear perceives sound. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this section are in terms of A-weighted levels, but are expressed as dB, unless otherwise noted.

REVISIONS

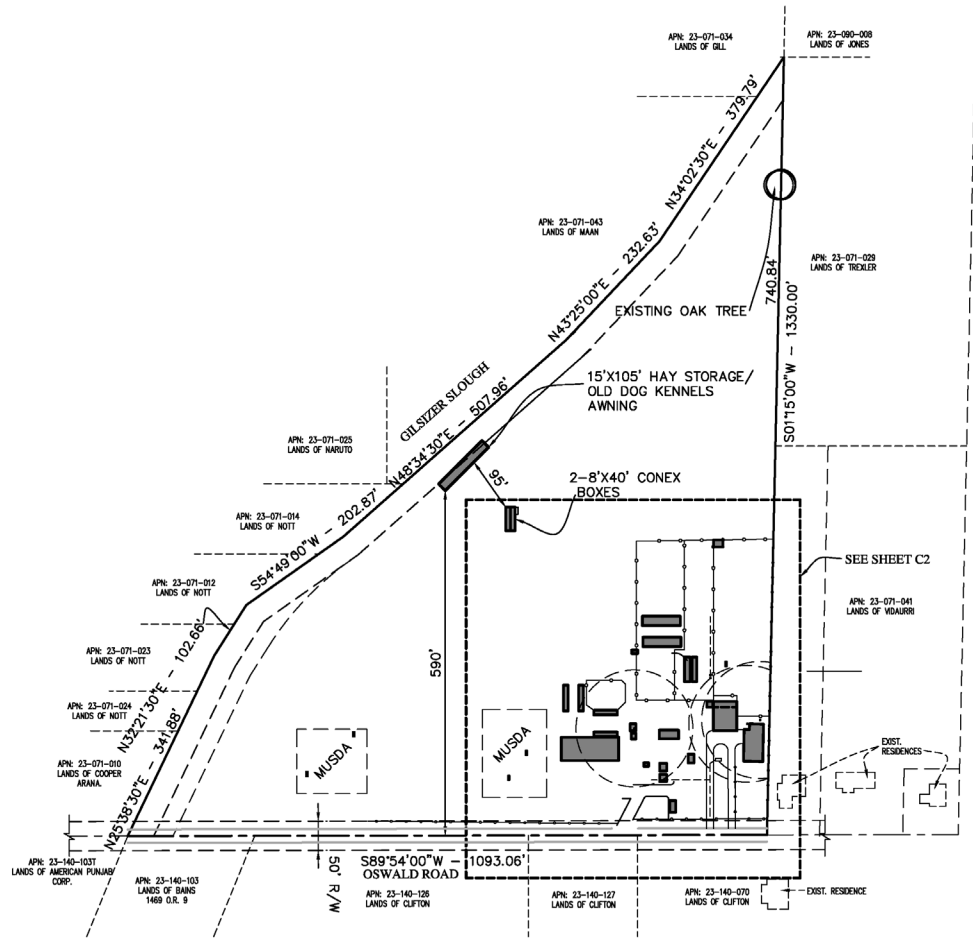
PROPOSED USE PERMIT SITE PLAN FOR:
RON AND MARY ANNE STERLING
 1477 OSWALD ROAD, YUBA CITY CA, 95993
 APN: 23-071-009

LAUGHLIN and SPENCE
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 1000 Van Ness Boulevard, Suite 1000
 San Francisco, California 94109
 (415) 774-2000
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DATE	6-29-21
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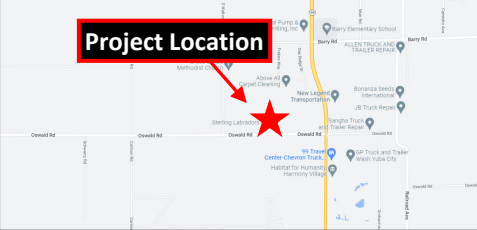


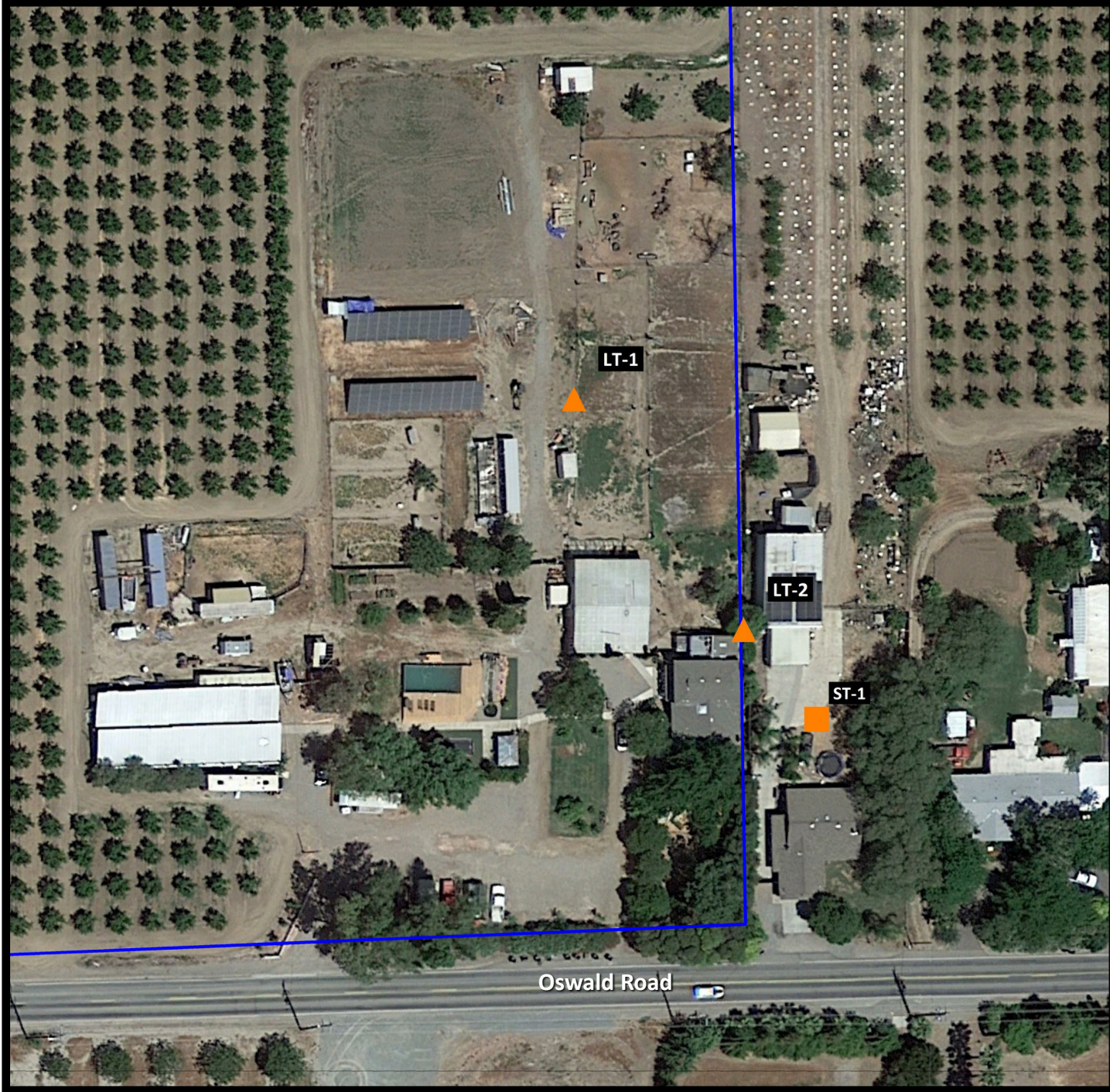
VICINITY MAP



1"=200'
 SITE PLAN

Sterling Dog Kennel
 Sutter County, California
 Figure 1
 Project Site Plan





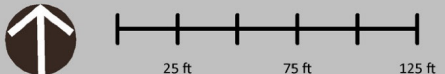
Sterling Dog Kennel

Sutter County, California

Figure 2
Noise Measurement Sites

Legend

- Project Site
- ▲ Noise Measurement - Long Term
- Noise Measurement Site - Short Term



Projection: UTM Zone 10 / WGS84 / meters
Rev. Date: 02/14/2023



The decibel scale is logarithmic, not linear. In other words, two sound levels 10-dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic decibel is A-weighted, an increase of 10-dBA is generally perceived as a doubling in loudness. For example, a 70-dBA sound is half as loud as an 80-dBA sound, and twice as loud as a 60 dBA sound.

Community noise is commonly described in terms of the ambient noise level, which is defined as the all-encompassing noise level associated with a given environment. A common statistical tool is the average, or equivalent, sound level (L_{eq}), which corresponds to a steady-state A weighted sound level containing the same total energy as a time varying signal over a given time period (usually one hour). The L_{eq} is the foundation of the composite noise descriptor, L_{dn} , and shows very good correlation with community response to noise.

The day/night average level (L_{dn}) is based upon the average noise level over a 24-hour day, with a +10-decibel weighing applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, it tends to disguise short-term variations in the noise environment.

Table 1 lists several examples of the noise levels associated with common situations. **Appendix A** provides a summary of acoustical terms used in this report.

TABLE 1: TYPICAL NOISE LEVELS

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	--110--	Rock Band
Jet Fly-over at 300 m (1,000 ft.)	--100--	
Gas Lawn Mower at 1 m (3 ft.)	--90--	
Diesel Truck at 15 m (50 ft.), at 80 km/hr. (50 mph)	--80--	Food Blender at 1 m (3 ft.) Garbage Disposal at 1 m (3 ft.)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 m (100 ft.)	--70--	Vacuum Cleaner at 3 m (10 ft.)
Commercial Area Heavy Traffic at 90 m (300 ft.)	--60--	Normal Speech at 1 m (3 ft.)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing

Source: Caltrans, Technical Noise Supplement, Traffic Noise Analysis Protocol. September, 2013.

Effects of Noise on People

The effects of noise on people can be placed in three categories:

- Subjective effects of annoyance, nuisance, and dissatisfaction
- Interference with activities such as speech, sleep, and learning
- Physiological effects such as hearing loss or sudden startling

Environmental noise typically produces effects in the first two categories. Workers in industrial plants can experience noise in the last category. There is no completely satisfactory way to measure the subjective effects of noise or the corresponding reactions of annoyance and dissatisfaction. A wide variation in individual thresholds of annoyance exists and different tolerances to noise tend to develop based on an individual's past experiences with noise.

Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted: the so-called ambient noise level. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it.

With regard to increases in A-weighted noise level, the following relationships occur:

- Except in carefully controlled laboratory experiments, a change of 1-dBA cannot be perceived;
- Outside of the laboratory, a 3-dBA change is considered a just-perceivable difference;
- A change in level of at least 5-dBA is required before any noticeable change in human response would be expected; and
- A 10-dBA change is subjectively heard as approximately a doubling in loudness, and can cause an adverse response.

Stationary point sources of noise – including stationary mobile sources such as idling vehicles – attenuate (lessen) at a rate of approximately 6-dB per doubling of distance from the source, depending on environmental conditions (i.e. atmospheric conditions and either vegetative or manufactured noise barriers, etc.). Widely distributed noises, such as a large industrial facility spread over many acres, or a street with moving vehicles, would typically attenuate at a lower rate.

EXISTING AMBIENT NOISE LEVELS

The existing noise environment in the project area is defined primarily by traffic on Oswald Road. To quantify the existing ambient noise environment in the project vicinity, Saxelby Acoustics conducted continuous (24-hr.) noise level measurements at two locations on the project site and a short-term noise level measurements at the outdoor activity area of the nearest sensitive receptor. Noise measurement locations are shown on **Figure 2**. A summary of the noise level measurement survey results is provided in **Table 2**. **Appendix B** contains the complete results of the noise monitoring.

The sound level meters were programmed to record the maximum, median, and average noise levels at each site during the survey. The maximum value, denoted L_{max} , represents the highest noise level measured. The average value, denoted L_{eq} , represents the energy average of all of the noise received by the sound level meter microphone during the monitoring period. The median value, denoted L_{50} , represents the sound level exceeded 50 percent of the time during the monitoring period.

Larson Davis Laboratories (LDL) model 820 and 831 precision integrating sound level meters were used for the ambient noise level measurement survey. The meters were calibrated before and after use with a CAL 200 acoustical calibrator to ensure the accuracy of the measurements. The equipment used meets all pertinent specifications of the American National Standards Institute for Type 1 sound level meters (ANSI S1.4).

TABLE 2: SUMMARY OF EXISTING BACKGROUND NOISE MEASUREMENT DATA

Location	Date	L_{dn}	Daytime L_{eq}	Daytime L_{50}	Daytime L_{max}	Nighttime L_{eq}	Nighttime L_{50}	Nighttime L_{max}
LT-1	2/8/2023	55	50	44	70	49	45	65
LT-2	2/8/2023	53	50	45	65	46	44	60
ST-1	2/9/2023	N/A	49	43	65	N/A	N/A	N/A

Notes:

- All values shown in dBA
- Daytime hours: 7:00 a.m. to 10:00 p.m.
- Nighttime Hours: 10:00 p.m. to 7:00 a.m.
- Source: Saxelby Acoustics 2023

REGULATORY CONTEXT

FEDERAL

There are no federal regulations related to noise that apply to the Proposed Project.

STATE

There are no state regulations related to noise that apply to the Proposed Project.

LOCAL

Sutter County General Plan

N 1-D Adopt a Noise Ordinance that includes the following:

- Exterior and interior noise standards consistent with Table 11-3 (**Table 3**)
- Guidelines and technical requirements for taking noise measurements, evaluating noise impacts, and preparing acoustical studies to determine conformance with provisions of this ordinance.
- Standards for construction equipment and noise emitting construction activities.

The Sutter County General Plan Noise Element establishes acceptable noise levels for residential uses affected by transportation and stationary noise sources. The relevant criteria are reproduced below:

TABLE 3: NOISE LEVEL STANDARDS FOR STATIONARY SOURCES

Noise Level Descriptor	Daytime (7:00 a.m. to 10:00 p.m.)	Nighttime (10:00 p.m. to 7:00 a.m.)
Hourly L_{eq} , dB	55	45
Maximum Level, dB	70	65

Source: Sutter County General Plan Noise Element Table 7
Noise levels are measured at the property line of the noise-sensitive use.

Sutter County Municipal Code

1500-21.5-050 Exterior Noise Standards

The noise standards shown in Table 1500-21.5-1 (**Table 4** below), unless otherwise specified in this Article, shall apply to all noise sensitive exterior areas within Sutter County.

TABLE 4: EXTERIOR NOISE STANDARDS

Noise Level Descriptor	Daytime (7:00 a.m. to 10:00 p.m.)	Nighttime (10:00 p.m. to 7:00 a.m.)
Hourly L_{eq} , dBA	55	45
Maximum Level, dBA	70	65

Source: Table 1500-21.5-1 of Sutter County Municipal Code

- A. *Exterior Noise Violation. It is unlawful for any person at any location within the County to create any noise which causes the noise levels on a noise sensitive receiving property, when measured in the designated exterior noise measurement location, to exceed the noise standards specified in Table 1500-21.5-1.*
 - B. *Impulsive, Simple and Pure Tone Noise. Each of the noise limits specified in Table 1500-21.5-1 shall be reduced by 5 dBA for recurring impulsive noise, simple or pure tone noise, or for noises consisting of speech or music.*
 - C. *Ambient Noise Level. Noise level standards, which are up to five 5 dBA less than those specified in Table 1500-21.5-1 may be imposed, based upon determination of existing low ambient noise levels in the vicinity of the receiving property.*
 - D. *Application. The exterior noise level standard shall be applied to the property line of the receiving property (as measured no more than one foot or as close as practicable inside the property line).*
- (Ord. No. 1661, § 17, 6-11-2019)

Summary of Sutter County Regulatory Context

Noise emanating from the existing dog kennel shall be subject to a -5 dBA penalty due to its impulsive nature. Therefore, noise level standards of 50/40 dBA L_{eq} (daytime/nighttime) and 65/60 dBA L_{max} (daytime/nighttime) shall apply to the outdoor activity areas of the nearby sensitive receptors. The standards shall not apply at agricultural uses.

EVALUATION OF PROJECT OPERATIONAL NOISE ON EXISTING SENSITIVE RECEPTORS

METHODOLOGY

Saxelby Acoustics conducted noise measurements both on site and at the outdoor activity area of the nearest sensitive receptor to determine noise levels generated by the existing dog kennel. **Figure 2** shows the noise measurement locations. Measurements were conducted during feeding times, which were reported by the owner to be representative of the loudest period of activity on the project site. During the measurement period, noise levels due to dogs barking were recorded to be up to 76 dBA L_{max} at LT-1, 62 dBA L_{max} at LT-2, and 50 dBA L_{max} at ST-1 (nearest sensitive receptor). Saxelby Acoustics observed that noise emanating from the project at the nearest sensitive receptors was nearly inaudible in comparison to traffic noise. Long-term measurements were collected at locations LT-1 and LT-2 to determine average noise levels generated by the project.

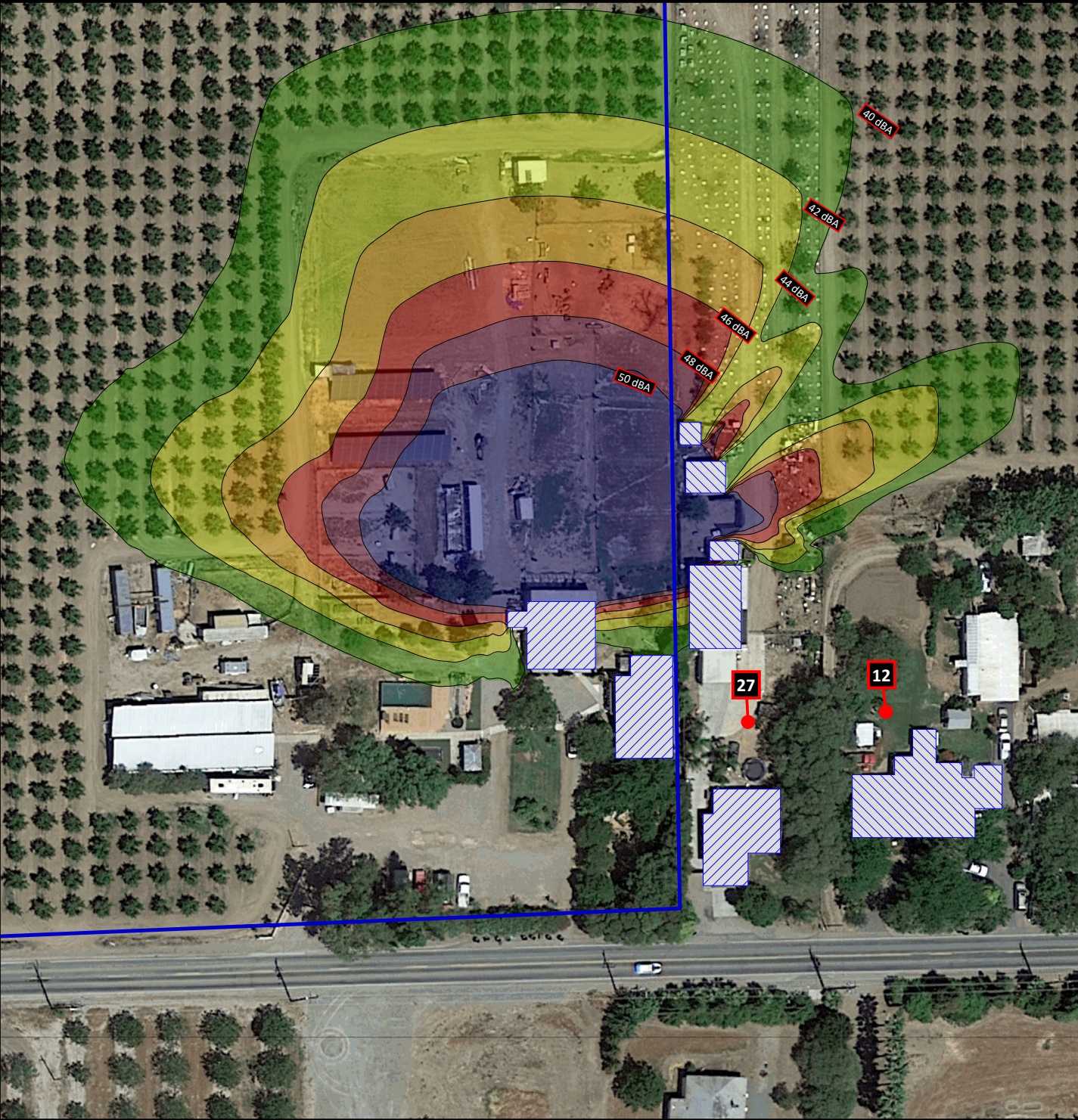
Saxelby Acoustics used the SoundPLAN noise prediction model to plot noise contours generated by the project. Inputs to the model included sound power levels for the kennels, existing and proposed buildings, terrain type, and locations of sensitive receptors. These predictions are made in accordance with International Organization for Standardization (ISO) standard 9613-2:1996 (Acoustics – Attenuation of sound during propagation outdoors). ISO 9613 is the most commonly used method for calculating exterior noise propagation. **Figure 3** shows the average (L_{eq}) noise level contours resulting from operation of the project. **Figure 4** shows the maximum (L_{max}) noise level contours resulting from the project.

Sterling Dog Kennel

Sutter County, California

Figure 3

Average Project Noise Levels
Leq, dB(A)



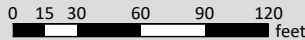
Noise Level, dB(A)

40 <	≤ 42
42 <	≤ 44
44 <	≤ 46
46 <	≤ 48
48 <	≤ 50
50 <	

Legend

- Building
- Project Site

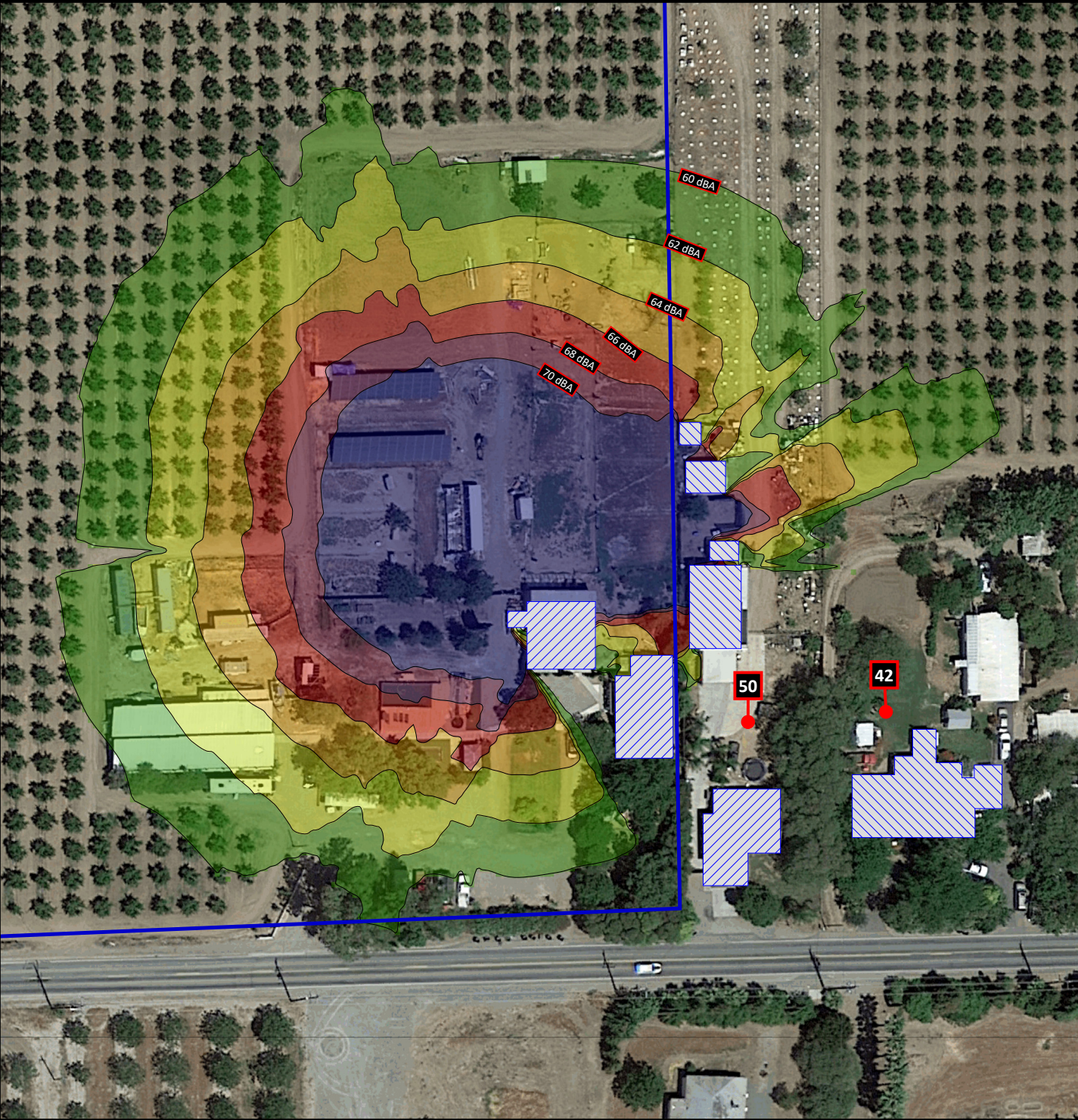
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Sterling Dog Kennel

Sutter County, California

Figure 4
Maximum Project Noise Levels
Lmax, dB(A)



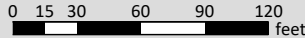
Noise Level, dB(A)

60 <	<= 62
62 <	<= 64
64 <	<= 66
66 <	<= 68
68 <	<= 70
70 <	

Legend

-  Building
-  Project Site

Scale 1:90



RESULTS

As shown on **Figure 3** and **Figure 4**, the proposed project is predicted to generate noise levels of up to 27 dBA L_{eq} and 50 dBA L_{max} at the outdoor activity areas of the sensitive receptors. These levels comply with the Sutter County adjusted noise level standards of 50/40 dBA L_{eq} (daytime/nighttime) and 65/60 dBA L_{max} (daytime/nighttime) with no additional noise control measures.

CONCLUSIONS

The existing Sterling Labradors dog kennel complies with the Sutter County exterior noise level standards with no additional noise control measures required.

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Appendix A: Acoustical Terminology

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
ASTC	Apparent Sound Transmission Class. Similar to STC but includes sound from flanking paths and correct for room reverberation. A larger number means more attenuation. The scale, like the decibel scale for sound, is logarithmic.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
CNEL	Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by +5 dBA and nighttime hours weighted by +10 dBA.
DNL	See definition of Ldn.
IIC	Impact Insulation Class. An integer-number rating of how well a building floor attenuates impact sounds, such as footsteps. A larger number means more attenuation. The scale, like the decibel scale for sound, is logarithmic.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz (Hz).
Ldn	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
Leq	Equivalent or energy-averaged sound level.
Lmax	The highest root-mean-square (RMS) sound level measured over a given period of time.
L(n)	The sound level exceeded a described percentile over a measurement period. For instance, an hourly L50 is the sound level exceeded 50% of the time during the one-hour period.
Loudness	A subjective term for the sensation of the magnitude of sound.
NIC	Noise Isolation Class. A rating of the noise reduction between two spaces. Similar to STC but includes sound from flanking paths and no correction for room reverberation.
NNIC	Normalized Noise Isolation Class. Similar to NIC but includes a correction for room reverberation.
Noise	Unwanted sound.
NRC	Noise Reduction Coefficient. NRC is a single-number rating of the sound-absorption of a material equal to the arithmetic mean of the sound-absorption coefficients in the 250, 500, 1000, and 2,000 Hz octave frequency bands rounded to the nearest multiple of 0.05. It is a representation of the amount of sound energy absorbed upon striking a particular surface. An NRC of 0 indicates perfect reflection; an NRC of 1 indicates perfect absorption.
RT60	The time it takes reverberant sound to decay by 60 dB once the source has been removed.
Sabin	The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 Sabin.
SEL	Sound Exposure Level. SEL is a rating, in decibels, of a discrete event, such as an aircraft flyover or train pass by, that compresses the total sound energy into a one-second event.
SPC	Speech Privacy Class. SPC is a method of rating speech privacy in buildings. It is designed to measure the degree of speech privacy provided by a closed room, indicating the degree to which conversations occurring within are kept private from listeners outside the room.
STC	Sound Transmission Class. STC is an integer rating of how well a building partition attenuates airborne sound. It is widely used to rate interior partitions, ceilings/floors, doors, windows and exterior wall configurations. The STC rating is typically used to rate the sound transmission of a specific building element when tested in laboratory conditions where flanking paths around the assembly don't exist. A larger number means more attenuation. The scale, like the decibel scale for sound, is logarithmic.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.
Impulsive	Sound of short duration, usually less than one second, with an abrupt onset and rapid decay.
Simple Tone	Any sound which can be judged as audible as a single pitch or set of single pitches.

Appendix B: Continuous and Short-Term Ambient Noise Measurement Results



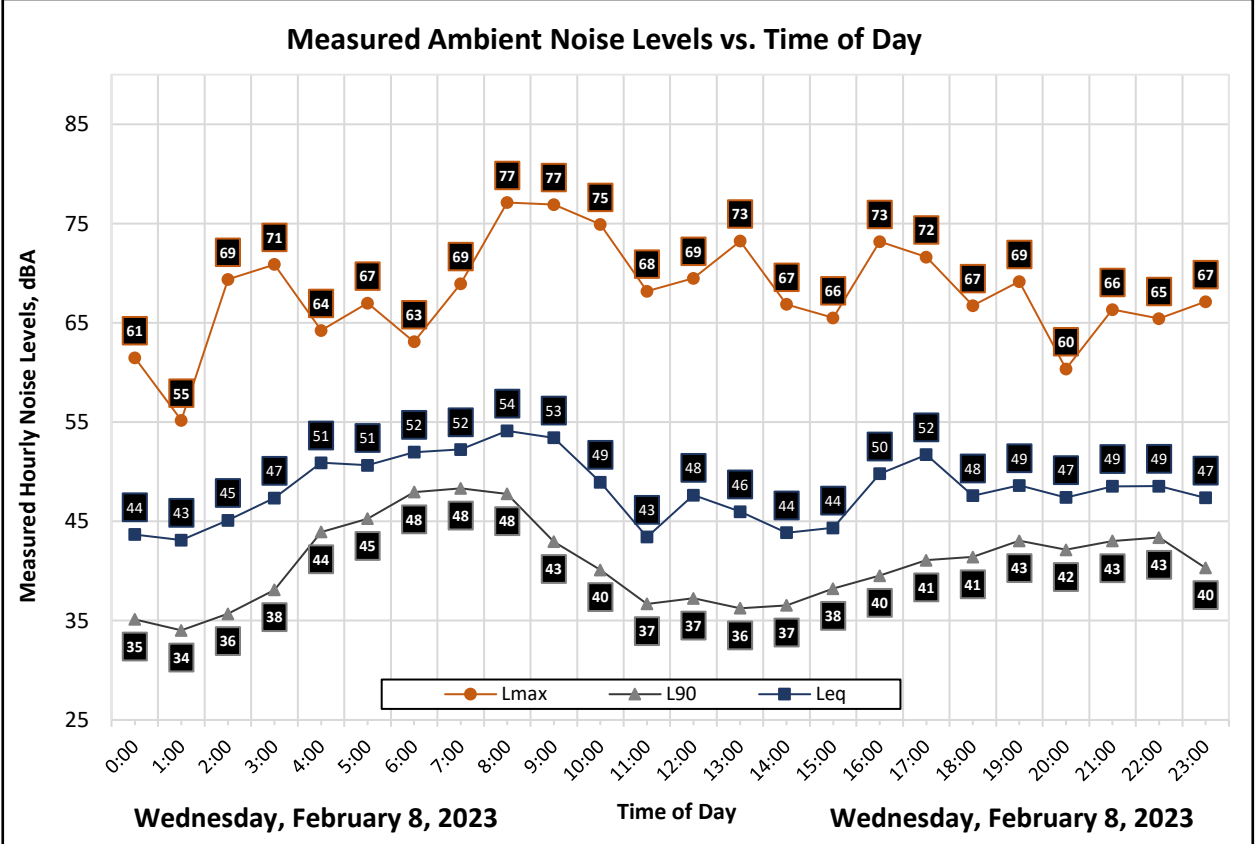
Appendix B1: Continuous Noise Monitoring Results

Date	Time	Measured Level, dBA			
		L _{eq}	L _{max}	L ₅₀	L ₉₀
Wednesday, February 8, 2023	0:00	44	61	41	35
Wednesday, February 8, 2023	1:00	43	55	40	34
Wednesday, February 8, 2023	2:00	45	69	42	36
Wednesday, February 8, 2023	3:00	47	71	44	38
Wednesday, February 8, 2023	4:00	51	64	48	44
Wednesday, February 8, 2023	5:00	51	67	49	45
Wednesday, February 8, 2023	6:00	52	63	51	48
Wednesday, February 8, 2023	7:00	52	69	51	48
Wednesday, February 8, 2023	8:00	54	77	52	48
Wednesday, February 8, 2023	9:00	53	77	46	43
Wednesday, February 8, 2023	10:00	49	75	43	40
Wednesday, February 8, 2023	11:00	43	68	39	37
Wednesday, February 8, 2023	12:00	48	69	40	37
Wednesday, February 8, 2023	13:00	46	73	39	36
Wednesday, February 8, 2023	14:00	44	67	40	37
Wednesday, February 8, 2023	15:00	44	66	41	38
Wednesday, February 8, 2023	16:00	50	73	43	40
Wednesday, February 8, 2023	17:00	52	72	45	41
Wednesday, February 8, 2023	18:00	48	67	45	41
Wednesday, February 8, 2023	19:00	49	69	47	43
Wednesday, February 8, 2023	20:00	47	60	46	42
Wednesday, February 8, 2023	21:00	49	66	47	43
Wednesday, February 8, 2023	22:00	49	65	47	43
Wednesday, February 8, 2023	23:00	47	67	45	40

Statistics	Leq	Lmax	L50	L90
Day Average	50	70	44	41
Night Average	49	65	45	40
Day Low	43	60	39	36
Day High	54	77	52	48
Night Low	43	55	40	34
Night High	52	71	51	48
Ldn	55	Day %		71
CNEL	55	Night %		29

Site: LT-1
 Project: Sterling Dog Kennels
 Location: Northern Project Boundary
 Coordinates: (39.069818°, -121.639679°)

Meter: LDL 820-4
 Calibrator: CAL200



Appendix B2: Continuous Noise Monitoring Results

Site: LT-2

Project: Sterling Dog Kennels

Meter: LDL 820-7

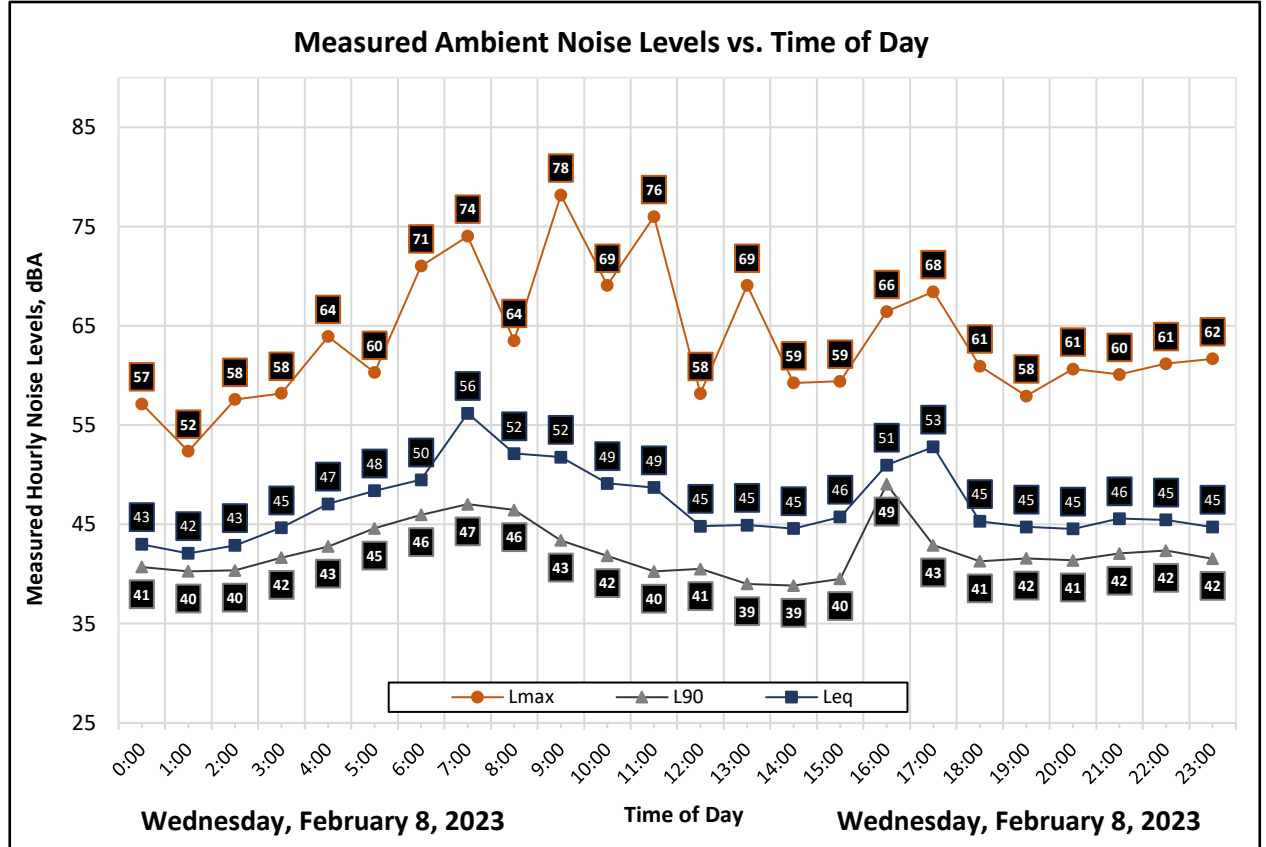
Location: Eastern Project Boundary

Calibrator: CAL200

Coordinates: (39.069472°, -121.639362°)

Date	Time	Measured Level, dBA			
		L _{eq}	L _{max}	L ₅₀	L ₉₀
Wednesday, February 8, 2023	0:00	43	57	42	41
Wednesday, February 8, 2023	1:00	42	52	41	40
Wednesday, February 8, 2023	2:00	43	58	42	40
Wednesday, February 8, 2023	3:00	45	58	43	42
Wednesday, February 8, 2023	4:00	47	64	45	43
Wednesday, February 8, 2023	5:00	48	60	47	45
Wednesday, February 8, 2023	6:00	50	71	48	46
Wednesday, February 8, 2023	7:00	56	74	50	47
Wednesday, February 8, 2023	8:00	52	64	51	46
Wednesday, February 8, 2023	9:00	52	78	46	43
Wednesday, February 8, 2023	10:00	49	69	44	42
Wednesday, February 8, 2023	11:00	49	76	42	40
Wednesday, February 8, 2023	12:00	45	58	42	41
Wednesday, February 8, 2023	13:00	45	69	41	39
Wednesday, February 8, 2023	14:00	45	59	42	39
Wednesday, February 8, 2023	15:00	46	59	43	40
Wednesday, February 8, 2023	16:00	51	66	50	49
Wednesday, February 8, 2023	17:00	53	68	49	43
Wednesday, February 8, 2023	18:00	45	61	43	41
Wednesday, February 8, 2023	19:00	45	58	44	42
Wednesday, February 8, 2023	20:00	45	61	43	41
Wednesday, February 8, 2023	21:00	46	60	44	42
Wednesday, February 8, 2023	22:00	45	61	44	42
Wednesday, February 8, 2023	23:00	45	62	43	42

Statistics	Leq	Lmax	L50	L90
Day Average	50	65	45	42
Night Average	46	60	44	42
Day Low	45	58	41	39
Day High	56	78	51	49
Night Low	42	52	41	40
Night High	50	71	48	46
Ldn	53	Day %		82
CNEL	53	Night %		18



Appendix B3 : Short Term Noise Monitoring Results

Site: ST-1

Project: Sterling Dog Kennel

Location: East of the Project Site

Coordinates: (39.0693366, -121.6392249)

Meter: LDL 831-2

Calibrator: CAL200

Start: 2023-02-09 09:18:34

Stop: 2023-02-09 09:39:05

SLM: Model 831

Serial: 3141

Measurement Results, dBA

Duration: 0:20

L_{eq} : 49

L_{max} : 65

L_{min} : 37

L_{50} : 43

L_{90} : 40

Notes

The primary noise source was traffic from Oswald Road.
Secondary noise sources include animals from neighboring properties and natural noise.

