

GLENN COUNTY
Planning & Community Development Services Agency

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Mardy Thomas, Director

STAFF REPORT

MEETING DATE: July 20, 2022
TO: Glenn County Planning Commission
FROM: Andy Popper, Senior Planner
SUBJECT: Conditional Use Permit 2021-001, Freon Free

Attachments:

1. Mitigated Negative Declaration and Initial Study
2. Mitigation Measures and Conditions of Approval
3. Request for Review and Application
4. Comments
5. Notice

1 PROJECT SUMMARY

Freon Free (Matt & Tricia Bascom) has applied for Conditional Use Permit 2021-001, in order to operate a recycling facility, for the recycling of Fire Extinguishers and Propane Bottles. The General Plan land use designation is “General Agriculture” and the zoning designation is “AE-20” (Exclusive Agriculture Zone). The proposed recycling facility is a permitted use with an approved conditional use permit within the “AE-20” zone; *Glenn County Code §15.330.040. P. Storage (storage for resale) of inflammable fluid or gas fuels in a quantity greater than five hundred gallons in any container less than two and one-half feet below the surface of the ground.* Detailed project information is included in the Mitigated Negative Declaration and Initial Study attached to this report.

Location:

The project is located at 6378 County Road 5, approximately 3-miles northwest of the City of Orland; located on the north side of County Road 5, east of County Road H, south of County Road 3, and west of Interstate 5, in the unincorporated area of Glenn County, California. 39 47 24.61 N (Latitude), 122 12 39.44 W (Longitude). The project site comprises the following Assessor’s Parcel Number (APN): 044-100-002 (8.58± acres).

1.1 RECOMMENDATIONS

Environmental Determination:

That the Planning Commission find that Conditional Use Permit 2021-001 will not have a significant adverse effect on the environment because the codified county standards, Conditions of Approval, and Mitigation Measures shall reduce potential significant impacts to a less than significant level. Therefore, a Mitigated Negative Declaration shall be granted with the Findings listed in the Staff Report.

Conditional Use Permit:

That the Planning Commission approve Conditional Use Permit 2021-001 with the Findings as presented in the Staff Report and the Mitigation Measures and Conditions of Approval as attached.

2 ANALYSIS

This proposal will not have a significant adverse effect on the environment because the codified Federal, State, and County standards, Conditions of Approval, and Mitigation Measures will reduce potential significant impacts to a less than significant level.

This portion of Glenn County is primarily an agricultural area. The proposed project will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity with the proposed mitigation measures and conditions of approval.

2.1 ENVIRONMENTAL DETERMINATION

A copy of the proposed Mitigated Negative Declaration and Initial Study is attached. The Initial Study is a detailed discussion of the project and a discussion of the project’s potential environmental impacts as required by the California Environmental Quality Act (CEQA).

The Initial Study concludes that this project will result in no Potentially Significant Impacts to the environment with implementation of appropriate mitigation measures, conditions of approval and applicable Federal, State, and local laws and regulations. Therefore, a Mitigated Negative Declaration has been prepared for adoption by the Planning Commission.

2.2 GLENN COUNTY UNIFIED DEVELOPMENT CODE (TITLE 15)

2.2.1 “AE-20” EXCLUSIVE AGRICULTURE ZONE (Glenn County Code Chapter 15.330)

Uses Permitted with a Conditional Use Permit (Glenn County Code §15.330.040):

Glenn County Code §15.330.040(P): *Storage (storage for resale) of inflammable fluid or gas fuels in a quantity greater than five hundred gallons in any container less than two and one-half feet below the surface of the ground; the recycling facility is permitted if a conditional use permit has first been secured.*

Maximum Building Height (Glenn County Code §15.330.060):

No new structures are being proposed. Any future development shall meet height requirement for the Exclusive Agriculture Zone.

Minimum Distance Between Structures (Glenn County Code §15.330.070):

No new structures are being proposed. Any future development shall meet the Minimum Distance Between Structures requirement for the Exclusive Agriculture Zone.

Minimum Yard Requirements (Glenn County Code §15.330.080):

No new structures are being proposed. Any future development shall meet minimum yard requirement for the Exclusive Agriculture Zone.

2.2.2 Performance Standards (Glenn County Code Chapter 15.560)

The performance standards contained in the following subsections are only those applicable to the proposed project. They shall not be construed as an exhaustive list of project requirements. State and federal laws are also applicable and may require additional compliance measures.

Air Quality (Glenn County Code §15.560.040)

All uses shall comply with applicable local, state, and federal laws and regulations regarding contaminants and pollutants. This requirement includes, but is not limited to, emissions of suspended particles, carbon monoxide, hydrocarbons, odors, toxic or obnoxious gases and fumes. The Glenn County Air Pollution Control District (GCAPCD) is responsible for the planning and maintenance/attainment of these standards at the local level. GCAPCD was provided a request for comment. Based on the comments the following Conditions of Approval have been established, which were based on county requirements. Air quality impacts are further discussed in the Initial Study.

Condition of Approval:

Freon Free currently handles hazardous materials including wastes that are dangerous if mismanaged. Pursuant to State regulations, they are required to electronically report Hazardous Material Business Plans (HMBP) information annually into the California Environmental Reporting System (CERS). An updated submittal is past due and must be completed.

Condition of Approval:

Freon Free must be in compliance with applicable CUPA regulations.

Liquid, Solid and Hazardous Waste (Glenn County Code §15.560.090)

- A. *All uses are prohibited from discharging liquid, solid, toxic or hazardous wastes onto or into the ground and into streams, lakes or rivers. Discharge into a public or private waste disposal system in compliance with applicable local, state and federal laws and regulations is permitted.*

- E. *The disposal or dumping of solid wastes accessory to any use including, but not limited to, slag, paper and fiber wastes or other industrial wastes shall be in compliance with applicable local, state and federal laws and regulations. The applicant shall operate the proposal in a manner that meet this requirement. Central Valley Regional Water Quality Control Board was provided application documentation. Freon Free does not sell goods that could be defined as hazardous materials. As seen in the Conditions of Approval, the applicants must first secure a hazardous materials business plan.*

2.2.4 GENERAL PROVISIONS

Flood Zone Designation:

The project site is located within Flood Zone “X” according to Flood Insurance Rate Map (FIRM) No. 06021C0165D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone.

3 COMMENTS

Request for Review requesting comments on the proposal was sent on January 16, 2021. The following agencies submitted comments regarding this proposal. Based on their response’s mitigation measures and conditions of approval have been formulated for the project. All comment letters are attached to this report for review

Central Valley Regional Water Quality Control Board:

Central Valley Regional Water Quality Control Board was provided the application information, which made the following comments:

On 16 November 1990, the USEPA promulgated storm water regulations (40 CFR Parts 122, 123 & 124) which require specific categories of industrial facilities discharging storm water to obtain NPDES permits and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology

(BCT) to reduce or eliminate industrial storm water pollution. These requirements apply to many industrial facilities including those involved in the recycling of materials but are limited to those recycling facilities with a Standard Industrial Classification (SIC) 5015 or 5093. Industrial operations with a 5015 or 5093 SIC code must be covered by the General Permit for Discharges of Storm Water Associated with Industrial Activities.

State Water Resources Control Board – Division of Drinking Water

State Water Resources Control Board – Division of Drinking Water was provided the application information and had no comments regarding the proposal.

Glenn County Public Works Agency:

Glenn County Public Works was provided the application information, and they responded with the following comments; that prior to any work being done in the County Right-of-Way an Encroachment Permit shall be applied for and received from the Glenn County Public Works Agency. That the applicant shall construct off-street parking in accordance with the requirements of title 15.610 of the Glenn County Code. Said parking areas shall be designed to accommodate all employees and customers. Based on their comments the following Conditions of Approval have been established:

Conditions of Approval:

Freon Free must be in compliance with applicable USEPA promulgated storm water regulations, (40 CFR Parts 122, 123 and 124).

Conditions of Approval (Glenn County Public Works Agency):

That no off-site parking associated with this development shall be allowed on County Road 5.

Condition of Approval (Glenn County Public Works Agency):

That both driveway entrances shall be paved in accordance with Glenn County Standards S-19 for Private Driveway.

Environmental Health

Glenn County Environmental Health was provided the application information, based on Environmental Health comments the following Conditions of Approval have been established:

Condition of Approval (Glenn County Environmental Health):

The proposed gas cylinder recycling operation will have three employees working daily at the site. This will require a potable water supply, toilet rooms and washing facilities that meet all applicable codes and regulations.

Pacific Gas and Electric Company:

Pacific Gas and Electric (PG&E) was provided the application information and submitted a letter regarding the proposal.

Glenn County Building Division:

As part of the building permit process for future structures on the project site, the Glenn County Building Division will ensure that the foundations of all new structures are adequately designed for the shrink/swell characteristics of expansive soils and no significant impacts to life or property are expected. An engineer will be required to design

the footings for all future structures to address this soil condition. California Building Code compliance reduces potential impacts from expansive soils to less than significant. Glenn County Building Department was provided the application information and the following Conditions of Approval were established.

Condition of Approval (Glenn County Building Division)

All future construction shall require a building permit issued by the Glenn County Building Division.

Condition of Approval (Glenn County Building Division)

All setbacks to the property lines for existing and proposed structures shall be maintained according to the 2019 California Building Code, Table 602.

Condition of Approval (Glenn County Building Division)

All future construction shall comply with the Glenn County Flood Plain Management Ordinance.

Condition of Approval (Glenn County Building Division)

All existing structures shall comply with original permitted use, any change of use shall be approved through the permitting process to assure code compliance.

4 OTHER REQUIREMENTS

There is a ten (10) calendar day appeal period following Planning Commission action on this conditional use permit (Glenn County Code §15.050.020). An appeal made to the Glenn County Board of Supervisors must be made in accordance with Section 15.050.020 of the Glenn County Code and the Board of Supervisors will hear the appeal as prescribed. The decision of the Board of Supervisors may then be challenged in court.

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

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

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

5 FINDINGS FOR MITIGATED NEGATIVE DECLARATION

An Initial Study has been prepared by the Glenn County Planning & Community Development Services Agency. Based on this study, it is determined that the proposed project will not have a significant effect on the environment. The following Findings are made based on the Initial Study to support a Mitigated Negative Declaration:

Finding 1 (Aesthetics)

The project will not have a significant impact on aesthetics. The adopted standards for lighting and construction will minimize impacts from future development. The project is compatible with existing uses in the area. Impacts are considered less than significant.

Finding 2 (Agricultural and Forest Resources)

The project will not have a significant impact on agriculture or forest resources. The proposed project will not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. The project site is zoned "AE-20" Exclusive Agriculture (Chapter 15.330 Glenn County Code). The project does not involve construction or conversion of forestland and no trees will be removed. Agricultural activities within the vicinity will not be adversely impacted by this project. No significant change in the current use of the land will result, therefore impacts are considered less than significant.

Finding 3 (Air Quality)

The project will not have a significant impact on air quality. The project will not violate air quality standards or contribute substantially to an existing air quality violation. Additionally, the project will not adversely impact sensitive receptors nor would it create objectionable odors. Impacts are considered less than significant.

Finding 4 (Biological Resources)

The project will not have a significant impact on biological resources. There are no identified sensitive habitats or natural communities within the project site; therefore, the project will have a less than significant impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Finding 5 (Cultural Resources)

The project will not have significant impact on cultural resources. State laws are in place in case of accidental discoveries made during future ground disturbing activities. Impacts are considered less than significant with mitigation measures incorporated.

Mitigation Measure CR-1 (Cultural Resources)

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- *If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.*
- *If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either:
 - 1) *is not eligible for the NRHP or CRHR; or*
 - 2) *that the treatment measures have been completed to their satisfaction.**
- *If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify Glenn Butte County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.*

Finding 6 (Energy)

The project will not have a significant impact on energy. The project will comply with California Green Building Standards as well as California Energy Code. The project will not conflict or obstruct with state or local plans for renewable or efficient energy.

Finding 7 (Geology and Soils)

The project will not have a significant impact on geology and soils because geologic hazards in the area are minimal and the building codes will require new construction to meet standards for soil conditions. Impacts are considered less than significant.

Finding 8 (Greenhouse Gas Emissions)

The project will not have a significant impact on global climate change as a result of greenhouse gas emissions. The project is not in conflict with existing guidelines or standards. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project will not create significant changes in GHG emissions. Impacts are considered less than significant.

Finding 9 (Hazards and Hazardous Materials)

Hazards and hazardous materials will not have a significant impact on the environment as a result of the proposed project. The project will not interfere with an adopted emergency response plan nor expose people to risk of loss, injury, or death. The project does not propose the use of hazardous materials either directly or indirectly. Impacts are considered less than significant.

Finding 10 (Hydrology/Water Quality)

The project will not have a significant impact on hydrology and water quality because the project will not significantly alter the drainage pattern of the area. The project will not significantly interfere with groundwater recharge in the area. The project will not substantially deplete groundwater supplies or expose people or structures to a significant risk of loss, injury, or death involving flooding. The project will not violate water quality standards or waste discharge requirements. Impacts are considered less than significant.

Finding 11 (Land Use and Planning)

The project will not have a significant impact on land use and planning because the project would not physically divide an established community. The project is consistent with the Glenn County General Plan land use designation of "General Agriculture" as well as Title 15 of Glenn County Code. The project will not conflict with an existing habitat conservation plan or natural community conservation plan. No impacts are anticipated.

Finding 12 (Mineral Resources)

The project will not have a significant impact on mineral resources; according to the California Department of Conservation Mineral Lands Classification Map, the property does not contain Concrete-Grade Mineral Aggregates. Impacts are considered less than significant.

Finding 13 (Noise)

The project will not have a significant impact on people residing or working in the area from excessive noise levels. The proposed project will not substantially increase noise levels in the area or expose people in the area to excessive noise levels. Any future noise generating activities are required to meet the established standards prescribed by the County Code. The project site is not directly within an airport land use plan and not in the vicinity of a private airstrip which would expose people in the area to unacceptable noise levels. Impacts are considered less than significant.

Finding 14 (Population and Housing)

The project will not have a significant impact on population and housing because the project will not displace people or housing. The project does not induce population growth. Impacts are considered less than significant.

Finding 15 (Public Services)

The project will not have a significant impact on public services. The services of fire protection, police protection, schools, parks, and other public facilities are sufficient to accommodate the proposed project. Existing requirements for taxes and developmental impact fees are implemented to offset impacts.

Finding 16 (Recreation)

The project will not have a significant impact on recreation because it would not substantially increase the use of existing recreational facilities nor does the project include such facilities. No impacts are anticipated.

Finding 17 (Transportation)

The project will not have a significant impact on transportation/circulation because it will not significantly increase traffic volumes on existing roads. The project will not change air traffic patterns. There is adequate access to the project site. Public roads will provide adequate emergency access to the project site. Alternative transportation plans will not be impacted. Impacts are considered less than significant.

Finding 18 (Tribal Cultural Resources)

The project will not have a significant impact on Tribal Cultural Resources with mitigation measures incorporated. Native Tribes were sent project documentation; additionally, the Northeast Information Center of the California Historical Resources Information System states that there are no prehistoric or historic resources in the project area. It is concluded this proposal will not have a significant impact with mitigation measures incorporated.

Mitigation Measure TCR -1 (Tribal Cultural Resources)

In the event that any prehistoric or historic subsurface cultural (including Tribal) resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) and corresponding tribal representative to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report and tribal representative, will be determined by the Glenn County Planning & Community Development Services Agency. Work may proceed on other parts of the project site while mitigation for historical resources, unique archaeological resources, and/or tribal resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, tribal representative, and documented according to current professional standards.

Finding 19 (Utilities and Service Systems)

The project will not have a significant impact on utilities and service systems. The project will not require or result in new or expanded municipal facilities that could cause significant environmental effects. Onsite water supplies and future development is required to meet local, state, federal and utility company standards. Impacts are considered less than significant.

Finding 20 (Wildfire)

The project will not have a significant impact on wildfires. The project will not impair an adopted emergency response plan or emergency evacuation plan. The project will not exacerbate wildfire risk, and no new infrastructure is being proposed. The site is relatively flat and there will be no change in drainage. Impacts are considered less than significant.

Finding 21 (Mandatory Findings of Significance)

There is no substantial evidence in light of the whole record that the project may have a significant impact on the environment either cumulatively or individually. Impacts are considered less than significant.

5.2 FINDINGS FOR CONDITIONAL USE PERMIT

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

Finding 1

That the proposed use at the particular location is necessary or desirable in providing a service or facility, which will contribute to the general well-being of the public. The use is desirable because it provides services to the community and recycling.

Finding 2

That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working on the vicinity, or injurious to property or improvements in the vicinity. This project will not be subjected to hazardous conditions due to adverse geologic conditions, proximity to airports, fire hazards, or topography. The majority of site has been previously developed; there are no new structures being proposed. Impacts from hazards resulting from the project are further discussed in the Initial Study. The analysis in the Initial Study concludes that this project will not be detrimental to the health, safety, or general welfare of persons or property in the vicinity of the project.

Finding 3

That the site for the proposed use is adequate in size and shape to accommodate said use and to accommodate all of the yards, setbacks, walls or fences, and other features required herein or by the Planning Commission. The site is adequate in size and shape to accommodate this proposal. Approximately 2.25-acres of the 8.58-acre site is developed; the proposed operations are proposed to be conducted on the previously developed portion of the project site. The remaining (~6.33-acres) will remain agriculture. The parcel is adequate in size and shape to accommodate the proposed project. There is adequate space for on-site parking and unloading/loading.

Finding 4

That granting the permit will not adversely affect the General Plan or any area plan of the County because the proposed project conforms to the General Plan and County Code. The proposed project is consistent with the Land Use Designation of "General Agriculture" and the zoning of "AE-20" (Exclusive Agriculture Zone). The proposed recycling facility is a permitted uses within AE-20 zoning with a Conditional Use Permit under Glenn County Code §15.330.040 (P). The proposed project will meet the land use and zoning requirements of the General Plan and the Zoning Code.

6 SAMPLE MOTIONS:

Environmental Determination:

That the Planning Commission, find that Conditional Use Permit 2021-001, will not have a significant adverse effect on the environment because the codified county standards, Conditions of Approval, and Mitigation Measures will reduce potential significant impacts to a less than significant level. Therefore, a Mitigated Negative Declaration shall be granted with the Findings listed in the Staff Report.

Conditional Use Permit:

Also, that the Planning Commission approve Conditional Use Permit 2021-001 with the Findings as presented in the Staff Report with the corresponding Mitigation Measures and Conditions of Approval.

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

MITIGATION MONITORING PROGRAM AND CONDITIONS OF APPROVAL

Conditional Use Permit 2021-001, Bascom:

Pursuant to the approval of the Glenn County Planning Commission, Freon Free is hereby granted Conditional Use Permit 2021-001. Conditional Use Permit 2021-001 is hereby granted subject to the Conditions of Approval set forth herein. Pending final approval by the Glenn County Planning Commission the applicant shall file a signed copy of these Conditions of Approval with the Glenn County Planning & Community Development Services Agency.

Project Description:

Freon Free (Matt & Tricia Bascom) has applied for Conditional Use Permit 2021-001 – Recycling Facility. The proposed includes the permitting of an existing recycling facility, for the recycling of Fire Extinguishers and Propane Bottles. The General Plan land use designation is “Intensive Agriculture” and the zoning designation is “AE-20” (Exclusive Agriculture Zone). The proposed tank recycling facility is a permitted use with an approved conditional use permit within the “AE-20” zone. Glenn County Code §15.330.040 (P). Detailed project information is included in the Mitigated Negative Declaration and Initial Study attached to this report.

Location:

The project is located at 6378 County Road 5, approximately 3-miles northwest of the City of Orland; located on the north side of County Road 5, east of County Road H, south of County Road 3, and west of Interstate 5, in the unincorporated area of Glenn County, California. 39 47 24.61 N (Latitude), 122 12 39.44 W (Longitude). The project site comprises the following Assessor’s Parcel Number (APN): 044-100-002 (8.58± acres).

ON GOING:

Condition of Approval 1: (Glenn County Planning Division):

By signing these Conditions of Approval, the applicant, operator, and/or landowner are hereby notified that the proposed use is to occur within an area zoned for Agricultural purposes. Agriculture areas may be subject to inconveniences or discomforts arising from such operations, including but not limited to noise, odors, fumes, dust, the operation of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure and the application by spraying or otherwise of chemical fertilizers, soil amendments and pesticides. Furthermore, the existing and potential future Agriculture uses are not considered as a nuisance when conducted within an Agriculture Zone.

Condition of Approval 2: (Glenn County Building Division)

All future construction shall require a building permit issued by the Glenn County Building Division.

Condition of Approval 3: (Glenn County Building Division)

Prior to Use Permit becoming effective the proposal must be in compliance with Glenn County Certified Unified Program Agency (CUPA) and CA Department of Toxic Substance Control. Written letters provided by Glenn County Certified Unified Program Agency (CUPA) and CA Department of Toxic Substance Control shall be provided to Glenn County Planning Division.

Condition of Approval 4: (Glenn County Building Division)

All setbacks to the property lines for existing and proposed structures shall be maintained according to the 2019 California Building Code, Table 602.

Condition of Approval 5: (Glenn County Building Department)

All future construction shall comply with the Glenn County Flood Plain Management Ordinance as applicable.

Condition of Approval 6: (Glenn County Building Department)

All existing structures shall comply with original permitted use, any change of use shall be approved through the permitting process to assure code compliance.

Condition of Approval 7: (CUPA):

A Hazardous Material Business Plan (HMBP) is required to be updated annually with current information into the California Environmental Reporting System. A copy shall be submitted to Glenn County Planning and CUPA.

Condition of Approval 8: (CUPA):

Operations shall be in compliance with CUPA and Department of Toxic Substances Control regulations and requirements at all times. If either regulatory agency determines the facility is out of compliance the use permit may be revoked in accordance with Glenn County Code §15.090.110 (Revocation/Modification).

Condition of Approval 9: (Glenn County Environmental Health):

The operation as proposed will require a potable water supply, toilet rooms and washing facilities that meet all applicable Environmental Health codes and regulations. Within 6-months of approval, the applicant shall coordinate a review with Glenn County Environmental Health.

Condition of Approval 10: (Glenn County Public Works):

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

Condition of Approval 11: (Glenn County Public Works):

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

Condition of Approval 12: (Glenn County Public Works):

That no off-site parking associated with this development shall be allowed on County Road 5

Condition of Approval 13: (Glenn County Public Works):

That both driveway entrances shall be paved in accordance with Glenn County Standard S-19 for Private Driveway.

DURING CONSTRUCTION/EXCAVATION ACTIVITIES

Condition of Approval 14: (Mitigation Measure CR-1 (Cultural Resources):

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either:
 - 1) is not eligible for the NRHP or CRHR; or
 - 2) that the treatment measures have been completed to their satisfaction.

- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify Glenn Butte County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Timing/Implementation:

During Construction/Excavation Activities

Enforcement/Monitoring:

Glenn County Planning & Community Development Services Agency

Condition of Approval 15: (Mitigation Measure TCR -1 (Tribal Cultural Recourses):

In the event that any prehistoric or historic subsurface cultural (including Tribal) resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) and corresponding tribal representative to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report and tribal representative, will be determined by the Glenn County Planning & Community Development Services Agency. Work may proceed on other parts of the project site while mitigation for historical resources, unique archaeological resources, and/or tribal resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, tribal representative, and documented according to current professional standards.

Timing/Implementation:

During Construction/Excavation Activities

Enforcement/Monitoring:

Glenn County Planning & Community Development Services Agency

WITHIN 6-MONTHS OF APPROVAL

Condition of Approval 16: (Glen County Planning Department):

Within 6-months of approval, a fire inspection shall be required in addition to an annual fire inspection by a licensed (and approved by Glenn County Building Official) 3rd party inspector.

Condition of Approval 17: (Glenn County Planning Department):

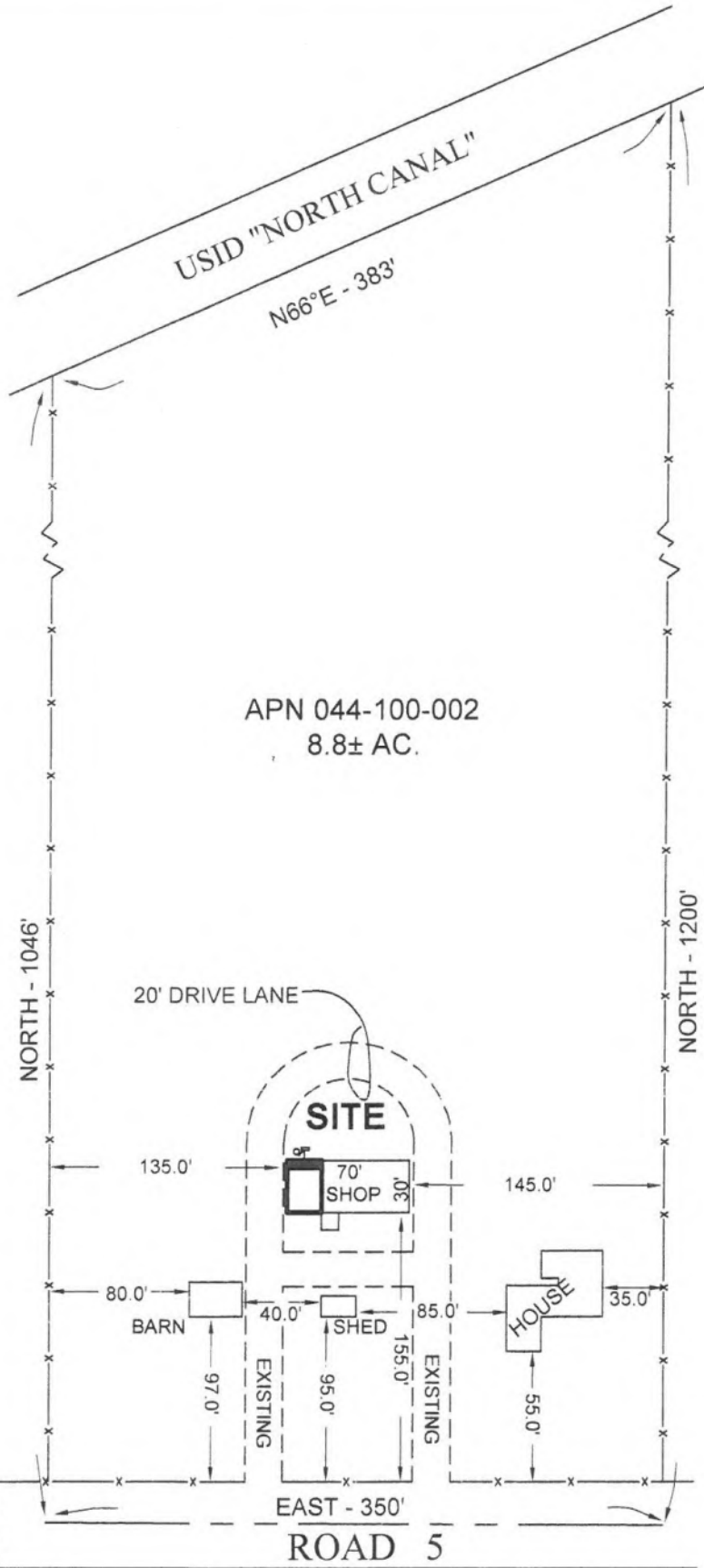
All fire inspections reports shall be provided to Glenn County Planning Department. Conditional Use Permit may be revoked if not in compliance with Fire Standards.

Acknowledgment:

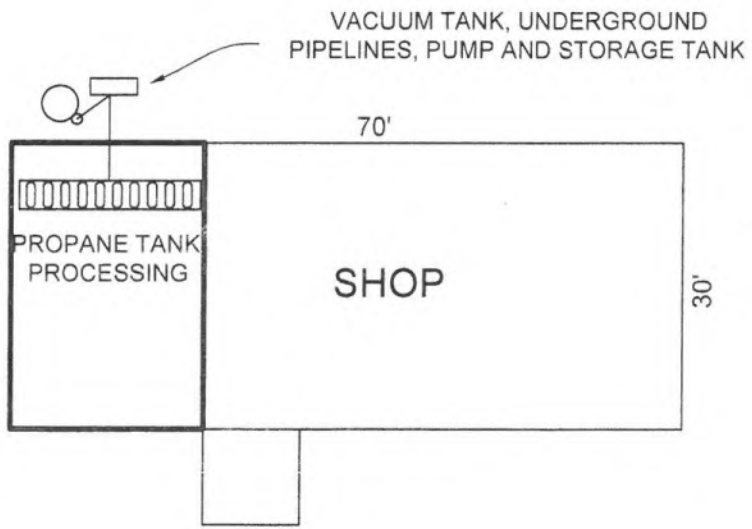
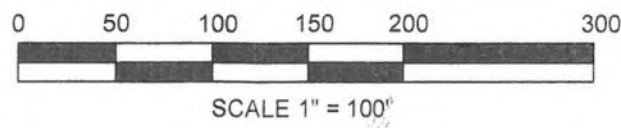
I hereby declare under penalty of perjury that I have read the foregoing conditions, which are in fact the conditions that were imposed upon the granting of the Conditional Use Permit, and that I agree to abide fully by said conditions. Additionally, I have read the Staff Report and I am aware of codified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

Signed: _____ Date: _____

Matthew Bascom, Landowner/Applicant/Operator



APN 044-100-002
8.8± AC.



SITE DETAIL
SCALE 1" = 20'

MATTHEW BASCOM, applicant
P.O. Box 154
Orland, California 95963

SITE ADDRESS
6378 ROAD 5
ORLAND, CA. 95963

SITE PLAN APN 044-100-002

BEING A PORTION OF LOT 75, AS SHOWN ON THE MAP "REVISED MAP OF THE LEMON HOME COLONY AND TOWN OF MALTON", SITUATE IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF GLENN, STATE OF CALIFORNIA.

AUGUST 2019

SCALE 1" = 100'

MATTHEW BASCOM, applicant-owner
Official Records Document 98-0326



PREPARED BY:

Thomas E. Harris

THOMAS E. HARRIS
LAND SURVEYOR
908 6TH STREET, ORLAND, CA. 95963

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MITIGATED NEGATIVE DECLARATION

Meeting Date: July 20, 2022

Project Title: Conditional Use Permit 2021-001
Recycling Facility

Lead Agency: Glenn County Planning & Community Development Services
225 North Tehama Street
Willows, California 95988

Contact Person: Andy Popper, Senior Planner
(530) 934-6540
apopper@countyofglenn.net

Project Location: The project is located at 6378 County Road 5, approximately 3-miles northwest of the City of Orland; located on the north side of County Road 5, east of County Road H, south of County Road 3, and west of Interstate 5, in the unincorporated area of Glenn County, California.

Assessor Parcel Number: 044-100-002 (8.58 ± acres)

Applicant: Freon Free
6378 County Road 5
Orland, CA 95963

Landowner: Matt & Tricia Bascom
6378 County Road 5
Orland, CA 95963

General Plan: “General Agriculture”

Zoning: “AE-20” Exclusive Agriculture (17-acre minimum parcel size).

Project Summary: Freon Free has applied for a conditional use permit to operate a recycling facility, for the recycling of Fire Extinguishers and Propane Bottles. The project is further described below.

Surrounding Land Uses and Setting:

The site is bounded by agricultural and rural residential uses on all sides. Surrounding land uses and setting is further described below.

Other Public Agencies Who’s Approval is Required (e.g. permits, financing approval, or participation agreement.):

Other agencies may require permits that were not specifically listed or have yet to be recognized through the Initial Study and Glenn County permitting process. It is the responsibility of the applicant/agent to recognize and acquire any/all necessary permit approvals.

FINDINGS FOR MITIGATED NEGATIVE DECLARATION

An Initial Study has been prepared by the Glenn County Planning & Community Development Services Agency. Based on this study, it is determined that the proposed project will not have a significant effect on the environment. The following Findings are made based on the Initial Study to support a Mitigated Negative Declaration:

Finding 1 (Aesthetics)

The project will not have a significant impact on aesthetics. The adopted standards for lighting and construction will minimize impacts from future development. The project is compatible with existing uses in the area. Impacts are considered less than significant.

Finding 2 (Agricultural and Forest Resources)

The project will not have a significant impact on agriculture or forest resources. The proposed project will not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. The project site is zoned "AE-20" Exclusive Agriculture (Chapter 15.330 Glenn County Code). The project does not involve construction or conversion of forestland and no trees will be removed. Agricultural activities within the vicinity will not be adversely impacted by this project. No significant change in the current use of the land will result, therefore impacts are considered less than significant.

Finding 3 (Air Quality)

The project will not have a significant impact on air quality. The project will not violate air quality standards or contribute substantially to an existing air quality violation. Additionally, the project will not adversely impact sensitive receptors nor would it create objectionable odors. Impacts are considered less than significant.

Finding 4 (Biological Resources)

The project will not have a significant impact on biological resources. There are no identified sensitive habitats or natural communities within the project site; therefore, the project will have a less than significant impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Finding 5 (Cultural Resources)

The project will not have significant impact on cultural resources. State laws are in place in case of accidental discoveries made during future ground disturbing activities. Impacts are considered less than significant with mitigation measures incorporated.

Mitigation Measure CR-1 (Cultural Resources)

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- *If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.*
- *If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either:
 - 1) *is not eligible for the NRHP or CRHR; or*
 - 2) *that the treatment measures have been completed to their satisfaction.**
- *If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify Glenn Butte County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.*

Finding 6 (Energy)

The project will not have a significant impact on energy. The project will comply with California Green Building Standards as well as California Energy Code. The project will not conflict or obstruct with state or local plans for renewable or efficient energy.

Finding 7 (Geology and Soils)

The project will not have a significant impact on geology and soils because geologic hazards in the area are minimal and the building codes will require new construction to meet standards for soil conditions. Impacts are considered less than significant.

Finding 8 (Greenhouse Gas Emissions)

The project will not have a significant impact on global climate change as a result of greenhouse gas emissions. The project is not in conflict with existing guidelines or standards. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project will not create significant changes in GHG emissions. Impacts are considered less than significant.

Finding 9 (Hazards and Hazardous Materials)

Hazards and hazardous materials will not have a significant impact on the environment as a result of the proposed project. The project will not interfere with an adopted emergency response plan nor expose people to risk of loss, injury, or death. The project does not propose the use of hazardous materials either directly or indirectly. Impacts are considered less than significant.

Finding 10 (Hydrology/Water Quality)

The project will not have a significant impact on hydrology and water quality because the project will not significantly alter the drainage pattern of the area. The project will not significantly interfere with groundwater recharge in the area. The project will not substantially deplete groundwater supplies or expose people or structures to a significant risk of loss, injury, or death involving flooding. The project will not violate water quality standards or waste discharge requirements. Impacts are considered less than significant.

Finding 11 (Land Use and Planning)

The project will not have a significant impact on land use and planning because the project would not physically divide an established community. The project is consistent with the Glenn County General Plan land use designation of "General Agriculture" as well as Title 15 of Glenn County Code. The project will not conflict with an existing habitat conservation plan or natural community conservation plan. No impacts are anticipated.

Finding 12 (Mineral Resources)

The project will not have a significant impact on mineral resources; according to the California Department of Conservation Mineral Lands Classification Map, the property does not contain Concrete-Grade Mineral Aggregates. Impacts are considered less than significant.

Finding 13 (Noise)

The project will not have a significant impact on people residing or working in the area from excessive noise levels. The proposed project will not substantially increase noise levels in the area or expose people in the area to excessive noise levels. Any future noise generating activities are required to meet the established standards prescribed by the County Code. The project site is not directly within an airport land use plan and not in the vicinity of a private airstrip which would expose people in the area to unacceptable noise levels. Impacts are considered less than significant.

Finding 14 (Population and Housing)

The project will not have a significant impact on population and housing because the project will not displace people or housing. The project does not induce population growth. Impacts are considered less than significant.

Finding 15 (Public Services)

The project will not have a significant impact on public services. The services of fire protection, police protection, schools, parks, and other public facilities are sufficient to accommodate the proposed project. Existing requirements for taxes and developmental impact fees are implemented to offset impacts.

Finding 16 (Recreation)

The project will not have a significant impact on recreation because it would not substantially increase the use of existing recreational facilities nor does the project include such facilities. No impacts are anticipated.

Finding 17 (Transportation)

The project will not have a significant impact on transportation/circulation because it will not significantly increase traffic volumes on existing roads. The project will not change air traffic patterns. There is adequate access to the project site. Public roads will provide adequate emergency access to the project site. Alternative transportation plans will not be impacted. Impacts are considered less than significant.

Finding 18 (Tribal Cultural Resources)

The project will not have a significant impact on Tribal Cultural Resources with mitigation measures incorporated. Native Tribes were sent project documentation; additionally, the Northeast Information Center of the California Historical Resources Information System states that there are no prehistoric or historic resources in the project area. It is concluded this proposal will not have a significant impact with mitigation measures incorporated.

Mitigation Measure TCR -1 (Tribal Cultural Resources)

In the event that any prehistoric or historic subsurface cultural (including Tribal) resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) and corresponding tribal representative to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report and tribal representative, will be determined by the Glenn County Planning & Community Development Services Agency. Work may proceed on other parts of the project site while mitigation for historical resources, unique archaeological resources, and/or tribal resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, tribal representative, and documented according to current professional standards.

Finding 19 (Utilities and Service Systems)

The project will not have a significant impact on utilities and service systems. The project will not require or result in new or expanded municipal facilities that could cause significant environmental effects. Onsite water supplies and future development is required to meet local, state, federal and utility company standards. Impacts are considered less than significant.

Finding 20 (Wildfire)

The project will not have a significant impact on wildfires. The project will not impair an adopted emergency response plan or emergency evacuation plan. The project will not exacerbate wildfire risk, and no new infrastructure is being proposed. The site is relatively flat and there will be no change in drainage. Impacts are considered less than significant.

Finding 21 (Mandatory Findings of Significance)

There is no substantial evidence in light of the whole record that the project may have a significant impact on the environment either cumulatively or individually. Impacts are considered less than significant.

CHAPTER 1 INTRODUCTION

1.1 INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study has been prepared by the County of Glenn to evaluate the potential impacts on the environment that could result from the implementation of the proposed project and to identify, if necessary, any mitigation measures that will reduce, offset, minimize, avoid, or otherwise compensate for significant environmental impacts.

This Initial Study has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), encoded in Sections 21000 *et seq.* of the Public Resources Code (PRC) with Guidelines for Implementation codified in the California Code of Regulations (CCR), Title 14, Chapter 3, Sections 15000 *et seq.*

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment [CEQA Guidelines §15063(a)]. If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) must be prepared, in accordance with CEQA Guidelines §15064(a). However, if the lead agency determines that there is no substantial evidence that the project may have a significant effect on the environment, a Negative Declaration may be prepared [CEQA Guidelines §15064(f)(3)]. The lead agency prepares a written statement describing the reasons a proposed project would not have a significant effect on the environment and, therefore, why an EIR need not be prepared. This document conforms to the content requirements under CEQA Guidelines §15071.

Alternatively, a Mitigated Negative Declaration may be prepared if the Initial Study identifies a potentially significant effect for which the project's proponent, before public release of a proposed Mitigated Negative Declaration, has made or agrees to make project revisions that mitigate the effects [CEQA Guidelines §15064(f)(2)].

Approval of the proposed project requires discretionary action by the County. According to CEQA Guidelines, a discretionary action or project must be reviewed by the lead agency, to determine its potential effects on the environment. Prior to preparation of the Initial Study, a Request for Review, which included a copy of the application and project description, was sent out by the County of Glenn to responsible and trustee state agencies, and local agencies and organizations to identify issues to be addressed in the Initial Study. Comments received were considered during the preparation of the Initial Study.

1.2 LEAD AGENCY

The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines §15051(b)(1), "the lead agency will normally be an agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose."

The lead agency for the proposed project is Glenn County Planning & Community Development Services Agency. The contact person for the lead agency to whom all inquiries and comments on this environmental document should be addressed is:

Andy Popper, Senior Planner
Glenn County Planning & Community Development Services Agency
225 North Tehama Street, Willows, CA 95988
(530) 934-6540

1.3 SUMMARY OF FINDINGS

Chapter 3 of this document contains the Environmental (Initial Study) Checklist that identifies the potential environmental impacts (by environmental issue) and a brief discussion of each impact resulting from implementation of the proposed project.

In accordance with §15064(f) of the CEQA Guidelines, a Mitigated Negative Declaration (MND) shall be prepared if the proposed project will not have a significant effect on the environment after the inclusion of mitigation measures in the project. Based on the available project information and the environmental analysis presented in this document, there is no substantial evidence that, after the incorporation of mitigation measures, that the proposed project would have a significant effect on the environment. It is proposed that a MND be adopted in accordance with the CEQA Guidelines.

CHAPTER 2 PROJECT DESCRIPTION

2.1 PROJECT DESCRIPTION

This Initial Study has been prepared for Conditional Use Permit 2021-001 – Recycling Facility. The proposed includes the permitting of an existing recycling facility, for the recycling of Fire Extinguishers and Propane Bottles.

Freon Free has proposed that they will operate with three employees. The facility is not for public activities; no customers will come on site. Existing structures and equipment will be utilized for recycling; including one 2,100 square foot shop. No new structures are proposed.

2.2 Location

The project is located at 6378 County Road 5, approximately 3-miles northwest of the City of Orland; located on the north side of County Road 5, east of County Road H, south of County Road 3, and west of Interstate 5, in the unincorporated area of Glenn County, California. 39 47 24.61 N (Latitude), 122 12 39.44 W (Longitude). The project site comprises the following Assessor’s Parcel Number (APN): 044-100-002 (8.58± acres).

2.3 Surrounding Land Uses and Setting

The majority of the project site is being utilized for agriculture (pasture); this will not change as a result of this proposal. Approximately 2.25-acres of the 8.58-acre site is developed; the proposed operations are proposed to be conducted on the previously developed portion of the project site. The remaining (6.3-acres) will remain agriculture.

Topography at the project site and surrounding areas relatively flat with an elevation of approximately 280 Feet Above Sea Level;¹ based on the topography of the site the site drains east towards Interstate 5. The estimates slope ranges from approximately 0% to 1%.

Table 1 identifies the existing uses, General Plan designation and Zoning designations for the project site and neighboring properties. All surrounding parcels are zoned for Agriculture and designated General Agriculture in the general plan.

Table 1: Existing Uses and Land Use Designations			
	Existing Uses	General Plan	Zoning Designations
Project Site	Recycling Facility/Agriculture/ Residential	General Agriculture	AE-20
North	Agriculture/Residential	General Agriculture	AE-20
East	Agriculture/Residential	General Agriculture	AE-20
South	Agriculture/Residential	General Agriculture	AE-20
West	Agriculture/Residential	General Agriculture	AE-20

¹ ERSI, Terrain: Elevation Tinted Hillshade,
<https://elevation.arcgis.com/arcgis/rest/services/WorldElevation/Terrain/ImageServer>

CHAPTER 3 ENVIRONMENTAL CHECKLIST

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment.

A significant impact is considered a substantial adverse effect, one that exceeds some critical and accepted threshold for negative environmental effects. CEQA defines a significant effect on the environment as "...a substantial, or potentially substantial, adverse (i.e., negative) change in any of the physical conditions within the area directly or indirectly caused by the Project, including effects on land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic "significance" (CEQA Guidelines, §15382). As recommended in the CEQA Guidelines, impacts are also identified as "potentially significant" prior to mitigation.

Mitigation Measures are measures to mitigate, avoid, or substantially lessen impacts identified as significant or potentially significant. According to CEQA, the term "mitigation measures" refers to those items that are in addition to standard conditions, uniform codes, or project features that may also reduce potential impacts.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

A. Popper

Signature

Andy Popper, Senior Planner

07-05-2022

Date

I. AESTHETICS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Would the project have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. A scenic vista can be defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. There is no designated scenic vista on or adjacent to the proposal. This proposal will not have a visual impact on the area; therefore, there will be a less than significant on scenic vistas.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. Scenic resources are defined as those landscape patterns and features that are visually or aesthetically pleasing and that, therefore, contribute affirmatively to the definition of a distinct community or region. Scenic areas, open spaces, rural landscapes, vistas, country roads, and other factors interact to produce a net visual benefit upon individuals or communities. Those visual resources that uniquely contribute to that public benefit are scenic resources under CEQA.

The proposed project would not remove scenic resources such as buildings (historic or otherwise), rock outcroppings, or trees. There are no unique scenic resources or structures located at the project site.

The roadways in Glenn County are not listed as Eligible or as Officially Designated Scenic Highways according to the California Department of Transportation.² The project as proposed will not damage scenic resources in the area. Therefore, impacts would be less than significant.

c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings?

Less Than Significant Impact. Visual character is descriptive and non-evaluative, which means it is based on defined attributes that are neither good nor bad in and of themselves. It is the objective composition of the visible landscape within a viewshed. It is the viewer's perception of the visual environment and varies based on exposure, sensitivity, and expectation of the viewers.

The project will not substantially degrade the existing visual character or quality of the site or its surroundings. The existing visual character of the specific project location will not change as the proposal will utilize existing structures. Therefore, it is concluded that there will be a less than significant impact on the existing visual character or quality of the site and its surroundings as a result of this project.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. The proposal is not anticipated to produce glare, which may adversely affect day or nighttime views in the area. Therefore, the glare at the project location would not substantially alter the existing characteristics of the area.

Installation of future lighting will be required to conform to the Glenn County Code. Glenn County Code §15.560.080 (Glare and Heat) states the following: *All exterior lighting accessory to any use shall be hooded, shielded or opaque. No unobstructed beam of light shall be directed beyond any exterior lot line.* New exterior lighting will be required to be hooded to reduce glare and retain light to limited areas. Additionally, the light shall not be directed beyond the property lines. Lighting is not proposed at this time; therefore; it is concluded that there will be a less than significant impact.

² California Department of Transportation. *Officially Designated State Scenic Highways.*
<http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm>.

II. AGRICULTURE AND FOREST RESOURCES

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

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Less than Significant Impact. The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (FMMP), tracks and categories land with respect to agricultural resources. Farmland is classified according to its ability to support crops or livestock. Land is designated as one of the following and each has a specific definition: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-Up Land, and Other Land.

The FMMP maps for each county are generally updated every two years; the 2018 map for Glenn County is the latest published version. The designation of Prime Farmland or Farmland of Statewide Importance covers the majority of the valley portion of Glenn County. The 2018 FMMP map designates the site as 'Farmland of Statewide Importance'

California Department of Conservation defines 'Farmland of Statewide Importance as *"Irrigated land similar to Prime Farmland that has a good combination of physical and chemical characteristics for the production of agricultural crops. This land has minor shortcomings, such as greater slopes or less ability to store soil moisture than Prime Farmland. Land must have been used for production of irrigated crops at some time during the four years prior to the mapping date."*

The project site is designated Farmland of Statewide Importance; however, Existing structures will be utilized for the recycling facility; no new structures are proposed. Approximately 2.25 acres of the 8.58-acre site is developed; the proposed operations are proposed to be conducted on the previously developed portion of the project site. The remaining (6.33 acres) will remain agriculture. No agriculture land will be removed from production as a result of this proposal. It is concluded there will be a less than significant impact.

- b) **Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. As the site is zoned for Exclusive Agriculture the project site is not subject to an agricultural contract under the Williamson Act. It is concluded that there will be no impact on existing zoning for agricultural use or a Williamson Act contract.

- c) **Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

No Impact. The proposed project will not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. The project site is not zoned for forestland or timberland nor is it adjacent to land that is zoned for forestland or timberland. The “FA” Foothill Agricultural/Forestry Zone and “TPZ” Timberland Preserve Zone (Chapters 15.320 and 15.450 of the Glenn County Code) are meant to protect timber and forest lands. Areas zoned “FA” and “TPZ” are located within the Mendocino National Forest in the western part of Glenn County. The project site is zoned Exclusive Agriculture. It is concluded that the project will have no impact.

- d) **Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

No Impact. Forest land is defined in Public Resources Code section 12220(g) as *land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.* This project will not result in the loss of forestland as the project site does not contain forestland. Therefore, there will be no impact as a result of this project.

- e) **Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

Less Than Significant Impact. This project will not involve a change of agricultural-related uses on surrounding parcels. The proposal will not conflict with agriculture operations. There will be no changes in the existing environment that would result in the conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. The proposal has historically been used for agriculture; agriculture operations will continue on the majority (6.33 acres) of the project site (8.58 acres). It is concluded there will be a less than significant impact as a result of this project.

III. AIR QUALITY

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

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in a cumulatively considerable net increase of a 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"/>

The Air Quality section addresses the impacts of the proposed project on ambient air quality and the exposure of people, especially sensitive individuals, to unhealthy pollutant concentrations. Examples of criteria pollutants (according to California Ambient Air Quality Standards) include ozone (O₃), carbon monoxide (CO), sulfur oxides (SO_x) and nitrogen dioxide (NO₂)³.

Geographic areas are classified under the federal and California Clean Air Act (CAA) as in either attainment or nonattainment for each criteria pollutant based on whether the Ambient Air Quality Standards have been achieved. The CAA requires air districts which have been designated as a nonattainment area for California Ambient Air Quality Standards for ozone, carbon monoxide, sulfur dioxide, or nitrogen dioxide to prepare and submit a plan for attaining and maintaining the standards. Glenn County is within the Northern Sacramento Valley Planning Area air district.

The California Clean Air Act of 1988 also requires that districts review their progress made toward attaining the CAAQS every three years. The 2018 Triennial Air Quality Attainment Plan is the latest Air Quality Attainment Plan that has been prepared for the Northern Sacramento Valley Planning Area.

The 2018 plan assesses the progress made in implementing the previous triennial update completed in 2015 and proposes modifications to the strategies necessary to attain the CAAQS by the earliest practicable date. The 2018 plan includes the following:

1. Assessment of progress towards achieving the control measure commitments in the previous Triennial Plan.

³ Northern Sacramento Valley Planning Area 2018 Triennial Air Quality Attainment PLAN
<http://airquality.org/SVBAPCC/Documents/2018%20Triennial%20Report.pdf>

2. Summary of the last three years of ozone data to demonstrate improvement of air quality.
3. Comparison of the expected versus actual emission reductions for each measure committed to in the previous Triennial Plan.
4. Updated control measure commitments and growth rates of population, industry, and vehicle related emissions.

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. Air quality standards are set at both the federal and state levels. The Glenn County Air Pollution Control District (GCAPCD) is responsible for the planning and maintenance/attainment of these standards at the local level. The GCAPCD sets operational rules and limitations for businesses that emit significant amounts of criteria pollutants. The GCAPCD is supervised by the U.S. Environmental Protection Agency. Under the federal Clean Air Act, local air quality districts must produce and implement plans for cleaning up any pollutant that exceeds federal standards.

Local air districts are not able to enact rules that restrict "mobile sources" including cars, trucks, locomotives, and other vehicles. Only "stationary sources" of air pollution fall under their control. Mobile sources are regulated by the California Air Resources Board.

The proposal will not conflict with or obstruct implementation of an applicable air quality plan. The Air Quality section of the Glenn County General Plan establishes mitigation measures designed to reduce particulate matter (PM) and ozone precursors in the ambient air as a result of emissions from sources that attract or generate motor vehicle activity.

Glenn County has been designated as an attainment area for ozone; additionally, there have been no exceedances of the maximum ozone values for 1- hour or 8-hour standard since 2010.

This proposal is not anticipated to increase population nor is it anticipated to significantly increase Vehicle Miles Traveled. The facility is not for retail, occasional (semiannual) deliveries and returns will come on site.

Vehicle Miles Traveled nor population are anticipated to significantly increase; both of which are major contributors to pollutants. The proposed recycling facility will not conflict with or obstruct the implementation of the Air Quality Attainment Plan. It is concluded there will be a less than significant impact.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact.
See Section III a)

Each project with emissions falling under regulatory standards must individually comply with the GCAPCD regulations. When adopting the General Plan in 1993, the Glenn County Board of Supervisors adopted a Statement of Overriding Considerations finding that the unavoidable impact to air quality could be overridden because any project would represent a cumulative impact and that the General Plan employed all feasible mitigations. In addition, each project would be required to utilize the best available control technology to mitigate impacts to air quality.

Glenn County has been designated as an attainment area for ozone; additionally, there have been no exceedances of the maximum ozone values for 1- hour or 8-hour standard since 2010. An “Attainment” area is defined as a geographic area that meets or exhibits values lower than the level of a criteria air pollutant allowed by the federal standards; a “Nonattainment” area is defined as a geographic area in which the level of a criteria air pollutant is higher than the level allowed by the federal standards.

There is not an anticipated to be a significant increase in Vehicle Miles Traveled (VMT) as a result of this project. Northern Sacramento Valley Planning Area 2018 Triennial Air Quality Attainment Plan estimated Glenn County would have VMT/1000 people of approximately 988 by 2020.

This project is not anticipated to significantly increase VMT due to the low number of people coming on site (semiannual deliveries). It is also not anticipated to increase population. Both VMT and population growth are major contributors to pollutants; additionally, Glenn County is designated as an Attainment Area it is concluded that the impact from the proposal is less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Neither California statutes nor regulations define “sensitive receptors” but this term normally refers to locations where uses and/or activities result in increased exposure of persons more sensitive to the unhealthy effects of emissions (such as children and the elderly). Examples of sensitive receptors include schools, hospitals, churches, recreation areas and residential areas.

The proposed project is in an area zoned for agriculture uses. Land use within the vicinity of the project site is primarily agriculture uses. There are no schools, churches, hospitals, recreation areas, or other public facilities within the vicinity of the project site.

All uses at the site are still required to comply with applicable local, state and federal laws and regulations regarding contaminants and pollutants (Glenn County Code §15.560.040). These requirements include, but are not limited to, emissions of suspended particles, carbon monoxide, hydrocarbons, odors, toxic or obnoxious gases and fumes. As there are no sensitive receptors in the vicinity, impacts are anticipated to be less than significant.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Odors are generally labeled as a nuisance and not a health risk to a community. It is a violation for odor to cause a nuisance according to GCAPCD, which has jurisdiction over odor complaints and can issue Notices of Violation according to state and local nuisance regulations if warranted. "Nuisance" includes anything which is injurious to human health, indecent or offensive to the senses, interferes with the comfortable enjoyment of life or property, affects at the same time an entire community, neighborhood, household or any considerable number of persons although the extent of annoyance or damage inflicted upon an individual may be unequal, and which occurs as a result of the storage, removal, transport, processing or disposal of solid waste.

The project site vicinity consists primarily of agriculture uses. It is anticipated that this project will not generate objectionable odors, which will affect a substantial number of people. Potential receptors in agricultural areas are subject to Glenn County's Right to Farm Ordinance and should expect inconveniences caused by odors associated with existing standard agricultural operations or practices. Homeowners must sign and acknowledge this ordinance prior to the construction of a home in or adjacent to an agricultural zone.

All land uses are required to comply with applicable local, state and federal laws and regulations regarding contaminants and pollutants (Glenn County Code §15.560.040). These requirements include, but are not limited to, emissions of suspended particles, carbon monoxide, hydrocarbons, odors, toxic or obnoxious gases and fumes. GCAPCD will regulate future uses that may generate objectionable odors through the enforcement of applicable law.

As the recycling facility will be handling potentially hazardous materials such as propane tanks the possibility exists that emissions will be released. To reduce the impact to less than significant, the following Conditions of Approval have been established.

Condition of Approval (Air Quality):

Freon Free currently handles hazardous materials including wastes that are dangerous if mismanaged. Pursuant to State regulations, they are required to electronically report Hazardous Material Business Plans (HMBP) information annually into the California Environmental Reporting System (CERS). An updated submittal is past due and must be completed.

Conditions of Approval (Air Quality):

Freon Free must be in compliance with applicable CUPA regulations. Approval of the application by the CUPA is contingent on the findings from an upcoming joint HMBP and Hazardous Waste inspection with the Department of Toxic Substances Control (DTSC), tentatively scheduled for the end of September.

Due to the established Conditions of Approval and existing county requirements the project has a less than significant impact related to the use hazardous materials onsite.

IV. BIOLOGICAL RESOURCES

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Background

Special-Status Species

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern, and CDFW special-status invertebrates are all considered special-status species. Although CDFW Species of Special Concern generally have no special legal status, they are given special consideration under the California Environmental Quality Act (CEQA). In addition to regulations for special-status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918. Under this

legislation, destroying active nests, eggs, and young is illegal. Plant species on the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (Inventory) with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Rank 3 and Rank 4 species are afforded little or no protection under CEQA.

Waters of the United States

The U.S. Army Corps of Engineers (Corps) regulates “Waters of the United States” under Section 404 of the Clean Water Act. Waters of the U.S. are defined in the Code of Federal Regulations (CFR) as waters susceptible to use in commerce, including interstate waters and wetlands, all other waters (intrastate waterbodies, including wetlands), and their tributaries (33 CFR 328.3). Potential wetland areas, according to the three criteria used to delineate wetlands as defined in the *Corps of Engineers Wetlands Delineation Manual*⁴, are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. Areas that are inundated at a sufficient depth and for a sufficient duration to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as “other waters” and are often characterized by an ordinary high-water mark. Other waters, for example, generally include lakes, rivers, and streams. The placement of fill material into Waters of the U.S generally requires an individual or nationwide permit from the Corps under Section 404 of the Clean Water Act.

Waters of the State

The term “Waters of the State” is defined by the Porter-Cologne Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” The Regional Water Quality Control Board (RWQCB) protects all waters in its regulatory scope and has special responsibility for wetlands, riparian areas, and headwaters. These waterbodies have high resource value, are vulnerable to filling, and are not systematically protected by other programs. RWQCB jurisdiction includes “isolated” wetlands and waters that may not be regulated by the Corps under Section 404. Waters of the State are regulated by the RWQCB under the State Water Quality Certification Program, which regulates discharges of fill and dredged material under Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Control Act. Projects that require a Corps permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State, are required to comply with the terms of the Water Quality Certification determination. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the RWQCB has the option to regulate the dredge and fill activities under its state authority in the form of Waste Discharge Requirements.

Streams, Lakes, and Riparian Habitat

Streams and lakes, as habitat for fish and wildlife species, are subject to jurisdiction by CDFW under Sections 1600-1616 of California Fish and Game Code. Alterations to or work within or adjacent to streambeds or lakes generally require a 1602 Lake and Streambed Alteration Agreement. The term “stream”, which includes creeks and rivers, is defined in the California Code of Regulations (CCR) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life [including] watercourses having a surface or subsurface flow that

⁴ Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Department of the Army, Waterways Experiment Station, Vicksburg, Mississippi 39180-0631.

supports or has supported riparian_vegetation” (14 CCR 1.72). In addition, the term “stream” can include ephemeral streams, dry_washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other_means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent_terrestrial wildlife.⁵ “Riparian” is defined as “on, or pertaining to, the banks of a stream.” Riparian vegetation is defined as “vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself”.⁶ Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from CDFW.

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

Less Than Significant Impact.

Site Conditions and Surrounding Land Uses/Setting:

The site has previously been developed and is currently vacant. Past uses include a previous manufactured home sales lot and prior to home sales it was a gas station. Topography at the project site and surrounding areas relatively flat with an elevation of approximately 280 feet above sea level;⁷ based on the topography of the site the site drains west towards Walker Creek. The estimates slope ranges from approximately 0% to 1%.

The California Natural Diversity Database (CNDDDB) is a positive-sighting database managed by the California Department of Fish and Wildlife (CDFW). According to the CNDDDB, no sensitive species have been documented within the project site; once sensitive species (Swainson Hawks) has been documented within 5-miles of the site including:

The project site is not within an area of special biological importance as shown on Figure 3-14 of Volume I of the General Plan⁸. Many of the plant and wildlife species occur in specialized habitats, such as riparian, wetlands, marshes, ponds, and other aquatic habitats. As discussed below in the next sections, the project site does not contain and is not considered, associated with, or located within the vicinity of any riparian habitat, wetlands, or other sensitive natural community.

In addition, the following records were searched, and no special status species have been identified within the project site or surrounding area:

⁵ California Department of Fish and Game. 1994. *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600-1607, California Fish and Game Code*. Environmental Services Division, Sacramento, CA.

⁶ California Department of Fish and Game. 1994. *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600-1607, California Fish and Game Code*. Environmental Services Division, Sacramento, CA.

⁷ ERSI, Terrain: Elevation Tinted Hillshade,
<https://elevation.arcgis.com/arcgis/rest/services/WorldElevation/Terrain/ImageServer>

⁸ Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume I, Policy Plan*, Figure 3-14.

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

No endangered plant species exist within the project site. The project does not include activities that would adversely affect fisheries because the site is not located within any major watercourses.

No special status or endangered species have been documented within or around the project site. As previously discussed, the site has been significantly disturbed by landfill operations. As such, it is concluded that the project will have a less than significant impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Less Than Significant Impact. According to the Glenn County General Plan, riparian communities formerly occupied extensive stands within Glenn County; however, current riparian communities are principally located along the Sacramento River, Willow Creek, and Walker Creek.⁹

The project site is not located in the vicinity of any of the twelve important biological areas defined in Table 2-5 of Volume III of the General Plan. These important biological areas are primarily located within the riparian zones of the Sacramento River. The project site is located within an area of special biological importance as shown on Figure 3-14 of Volume I of the General Plan. Although, the property is, roughly, 4,200 feet from Stoney Creek, the site does not encompass any riparian habitat or other sensitive habitat. It is concluded that there would be a less than significant impact on riparian habitat or other sensitive natural community.

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

Less Than Significant Impact. According to the Confined Animal Facilities Element of the Glenn County General Plan, wetlands comprise approximately 4,278 acres of Glenn County, and include marshes, ponds, fringes of small lakes, sloughs, and swamps. The largest wetland assemblages occur within the Sacramento River floodplain, including the managed wetlands of the Sacramento

⁹ Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 2.4.1, Vegetation.

National Wildlife Refuge. Wetlands may also be found in areas with suitable soil and hydrologic conditions.¹⁰

Since the 1970s, the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency have used the following definition for wetlands for regulatory purposes: “*Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.*”

According to the National Wetlands Inventory of the U.S. Fish and Wildlife Service¹¹, no wetlands exist at the project site; a Riverine is located south of the project site; additionally, Freshwater Emergent Wetlands; Freshwater Forested/Shrub Wetland and Riverine’s make up the Sacramento River to the east of the project site. According to the California Central Valley Wetlands and Riparian GIS data sets of the California Department of Fish and Wildlife¹², the project site is not designated as a protected wetland site. It is concluded there will be a less than significant impact.

- d) **Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Less Than Significant Impact. According to the Glenn County General Plan, there is a large expanse of deer range located in the western portion of the County next to the Mendocino National Forest.¹³ Major migration corridors are located in the western part of the County. Based on the project site’s location in the eastern portion of the County, there will be a less than significant impact on migration corridors.

Glenn County is located within the Pacific Flyway; a migratory corridor for birds moving between their winter and summer ranges. Winter waterfowl habitat is located within and surrounding the Sacramento National Wildlife Refuge, which is located in the southern part of the County. Many of these birds are protected by the Migratory Bird Treaty Act, which prohibits killing, possessing, or trading in migratory birds except in accordance with regulations prescribed by the United States Secretary of the Interior. The project would have no impact on migratory waterfowl and other birds migrating through the region because the project does not include features that would impede migration or which would draw migratory fowl to the area.

¹⁰ Quad Knopf. May 2005. *Confined Animal Facilities Element of the Glenn County General Plan*, Section 2.4, Biological Resources.

¹¹ United States Fish and Wildlife Service. *National Wetlands Inventory*: <http://www.fws.gov/nwi>.

¹² California Department of Fish and Wildlife. 2014. *California Central Valley Wetlands and Riparian GIS Data Sets*: <http://www.dfg.ca.gov/biogeodata/wetlands/>.

¹³ Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 2.4.2, Wildlife.

The project activities would not alter or destroy migratory wildlife corridors. The project site does not contain native wildlife nursery habitat. The project would not significantly impede migratory wildlife corridors. The proposed project would have a less than significant impact upon the movement of any native resident or migratory wildlife species.

e) **Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

No Impact. The proposed project would not create a conflict with local policies or ordinances protecting biological resources because there are none within the area of the project. Therefore, it is concluded that there will be no impact.

f) **Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No Impact. The proposed project would not create a conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan because no plans have been adopted for this specific area. Therefore, it is concluded that there will be no impact.

V. CULTURAL RESOURCES

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Cultural resources include prehistoric and historic period archeological sites; historical features, such as rock walls, cemeteries, water ditches and flumes, and architectural features. Cultural resources consist of any human-made site, object (i.e., artifact), or feature that defines and illuminates the past.

- a) **Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**
- b) **Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**
- c) **Would the project disturb any human remains, including those interred outside of formal cemeteries?**

a), b) and c) Less Than Significant Impact with Mitigations Incorporated The proposed is for a conditional use permit to operate an existing recycling facility, for the recycling of Fire Extinguishers, and Propane Tanks. An existing 2,100 square feet structure will be utilized for the recycling facility. Approximately 2.25 acres of the 8.58-acre site is developed; the proposed operation are proposed to be conducted on the previously developed portion of the project site. The remaining (6.33 acres) will remain agriculture. The site has routinely been graded for agriculture uses and for the construction of existing structures. There is no evidence to suggest the presence of any human remains or burial sites located on or near the project site. The project site contains no known paleontological resources or unique geologic sites.

Future development would be required to comply with the required procedures of conduct following the accidental discovery of human remains as mandated in the Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA).

Section 7050.5 of the California Health and Safety Code states that if human remains are found during construction activities, all operations are to cease until the County coroner has determined that the remains are not subject to the provisions of law concerning investigation of the circumstances in the manner provided in Section 5097.98 of the Public Resources Code. The potential exists to possibly uncover previously unidentified

resources; therefore, it is concluded that there is a less than significant impact with mitigation measure incorporated.

Mitigation Measure CR-1 (Cultural Resources)

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either:
 - 3) is not eligible for the NRHP or CRHR; or
 - 4) that the treatment measures have been completed to their satisfaction.
- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify Glenn Butte County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Timing/Implementation:

During Construction/Excavation Activities

Enforcement/Monitoring:

Glenn County Planning & Community Development Services Agency

VI. ENERGY

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

- a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Less Than Significant Impact. The proposal will not result in a significant impact due to wasteful, inefficient or unnecessary consumption. The project must comply with California Green Building Standards as well as California Energy Code. All future development shall comply with California Green Building Standards as well as California Energy Code. Impacts are anticipated to be less than significant.

- b) **Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Less Than Significant Impact. This proposal will not conflict with any state or local renewable energy plan or efficiently. This proposal is required to conform with Glenn County Energy Element. Construction of this project would be required to comply with the updated Title 24 of the California Code of Regulations established by the Energy Commission regarding emergency conservation standards.

VII. GEOLOGY AND SOILS

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Geologic Setting

The soils in the immediate vicinity of the recycling facility, including the area of the wastewater ponds, are composed of Cortina very gravelly sandy loam. The Cortina series consists of excessively drained soils on recent gravelly alluvium from schistose, sedimentary, and metavolcanic rocks. These soils are characteristically gravelly or very gravelly and coarse textured or moderately coarse textured. They are shallow to moderately deep over channel sand and gravel. These soils typically have a light brownish-gray or grayish-brown surface layer that is slightly acid. The soil depth to sand and gravel is more than 36 inches. Permeability is very rapid and the available moisture-holding capacity is 3 to 5 inches. Cortina series soils generally occupy narrow areas that are small or medium in size. Cortina soils are of limited agricultural value due to low water retention capacities. In this area, the Cortina series overlays the Stony Creek alluvial fan.

- a) **Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**
 - ii) **Strong seismic ground shaking?**

Less Than Significant Impact.

Fault rupture occurs when an active fault displaces in two separate directions during an earthquake. Concern about the growing number of structures located on or near active and potentially active faults led the State of California to enact the Alquist-Priolo Geologic Hazard Zone Act of 1972. The Act was revised in 1975 and renamed the Alquist-Priolo Special Studies Zone Act. Sudden surface rupture from severe earthquakes can cause extensive property damage, but even the slow movement known as “fault creep” can cause displacement that results in offset or disfiguring of curbs, streets, and buildings.

According to the Glenn County General Plan, Glenn County is in a relatively inactive seismic area. There are no Alquist-Priolo Special Studies Zones within the County. During the past 100 years, the County has experienced only minor earthquakes within its boundaries and secondary impacts from earthquakes centered out of the area. Projections of future impacts are low to moderate.¹⁴ Glenn County is in a Seismic Design Category “D” according to the California Building Code (CBC). This category requires that special precautions be taken, in accordance with the CBC, during construction to avoid or minimize earthquake damage. All construction in the County is required to meet the standard set by the CBC for this area.

¹⁴ Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 3.3.1, Seismicity.

According to the Glenn County General Plan, the highest historic intensity rating for an earthquake affecting Glenn County is VII as measured by the Modified Mercalli Intensity Scale.¹⁵ The California Building Code (CBC) establishes standards for structures to survive earthquakes of an intensity of VII with little or no damage. Seismic risk categories are based, in part, on the distribution of earthquakes and the Modified Mercalli Intensity Scale rating of known earthquakes.

The United States Geologic Survey (USGS) and California Geologic Survey (CGS) produced a Seismic Shaking Hazards in California map (revised April 2003), which depicts the peak ground acceleration (pga) percentage that has a 10% potential of occurring in the next fifty years.¹⁶ Glenn County, as well as areas on the west side of the central valley, are rated as 10%–30% on a scale of 0%–100%. Additionally, no earthquake greater than a magnitude 5.5 has occurred in Glenn County in over 200 years.¹⁷

The seismic history of Glenn County shows the area to be generally stable. Glenn County's stability can be correlated with its location away from tectonic plate boundary convergence/divergence and its location away from major active faults with high slip rates. Adherence to the California Building Code will prevent potential impacts on future construction. Given this data, seismic related activities such as rupture of known earthquake faults and strong seismic ground shaking would have a less than significant impact on people and structures in the area of the project.

iii) Seismic-related ground failure, including liquefaction?

(Also see VII a) i-ii)

Less Than Significant Impact. Liquefaction is defined as the transformation of a granular material from a solid state into a liquefied state because of increased pore water pressure. Ground shaking resulting from an earthquake can provide the mechanism for liquefaction.

Due to the lack of seismic activity in Glenn County, it is unlikely that liquefaction or other ground failure of this type would occur. Liquefaction generally occurs in low-lying areas with saturated soils and its effects are commonly observed near water bodies. Soils with a loose structure, such as sand, are more susceptible to liquefaction when saturated.

¹⁵ Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Section 4.1.4, Earthquakes.

¹⁶ United States Geological Survey and California Geologic Survey. *Seismic Shaking Hazards in California*. <http://www.consrv.ca.gov/cgs/rghm/psha/Pages/pgs.aspx>.

¹⁷ California Department of Conservation, California Geologic Survey. *Map 49, California Earthquakes, 1800-2000*. <http://www.consrv.ca.gov/CGS/rghm/quakes/Pages/index.aspx>.

Depending on the level of saturation, soils at the site may be subject to liquefaction during strong shaking in a seismic event. However; since 1800, there have been no recorded earthquakes in Glenn County above a magnitude 5.5. The Earthquake Shaking Potential for California map published by the California Geologic Survey in 2008 indicates that Glenn County is in an area that only will experience lower levels of ground shaking.¹⁸ Additionally, the reported depths to groundwater at the project site is greater than 90 feet below the surface

The California Geologic Survey does not list Glenn County as an area where seismic activity affects soil stability. It is concluded that there is a less than significant impact.

iv) Landslides?

(See Section VII. a) i)

No Impact. Landslides include phenomena that involve the downslope displacement and movement of material, either triggered by static (gravity) or dynamic (earthquake) forces. Areas susceptible to landslides are typically characterized by steep, unstable slopes in weak soil or bedrock units. The highest potential for landslides exists in the western portion of the County. Figure 4-2 of Volume II of the General Plan depicts the project site as being in an area of least landslide potential.¹⁹ Due to the topography and the relative strength of the soil and rock units located on the project site, the site is not susceptible to slope failures and landslides. Therefore, it is concluded that there will be no impact.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Soil erosion occurs through either water or wind action. Erosion by water includes sheet, rill, ephemeral gully, classical gully, and streambank erosion. The project site has been graded in the past. Severe erosion typically occurs on moderate slopes of sand and steep slopes of clay subjected to concentrated water runoff. These topographic conditions do not exist at the site.

Disruption of soils from grading and leveling on the sites is not expected to create significant soil erosion. The project would therefore not result in substantial soil erosion or the loss of topsoil. It is concluded that there will be a less than significant impact.

¹⁸ United States Geological Survey and California Geological Survey. 2008. *Earthquake Shaking Potential for California*. http://www.consrv.ca.gov/cgs/information/publications/ms/Documents/MS48_revised.pdf.

¹⁹ Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Figure 4-2.

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

Less Than Significant Impact. This proposal will have a less than significant impact on soil involving unstable soils that may result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. Soils and the geology of the project site are generally stable because of the area's seismic stability and low relief (see Section VI. a) i) above).

On or Off-Site Landslide

Landslide potential in the County generally correlates with relief. Landslides are not a threat because the site is not located in an area with a great amount of relief. Figure 4-2 of Volume II of the General Plan shows that the project area is in an area of least landslide potential.²⁰

Lateral Spreading

There is a low probability for lateral spreading to occur because of the area's seismic stability. All future construction is required to meet the standards set by the California Building Code, which will reduce impacts from lateral spreading.

Subsidence

Land subsidence is a gradual settling or sudden sinking of the Earth's surface owing to subsurface movement of earth materials. The principal causes of subsidence are aquifer-system compaction, drainage of organic soils, underground mining, hydro compaction, natural compaction, sinkholes, and thawing permafrost.²¹

According to the Glenn County General Plan, potential subsidence areas occur in the eastern portion of the County where extensive groundwater withdrawals have occurred.²² Extraction of natural gas reservoirs located in these same areas can also contribute to local subsidence of the land surface.

Glenn County is being monitored for subsidence through 58 monitoring stations. There have been cases of Subsidence within Glenn County; however, there have been no cases of subsidence at the project site²³. All future construction is required to meet the standards set by the California Building Code, which will reduce impacts from subsidence.

²⁰ Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Figure 4-2.

²¹ U.S. Geological Survey. December 2000. *Land Subsidence in the United States*, USGS Fact Sheet -165-00. <http://water.usgs.gov/ogw/pubs/fs00165/>.

²² Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Section 4.1.3, Subsidence.

²³ CA. Department of Water Resources. February 2015. Glenn County GPS Subsidence

Liquefaction/Collapse

Liquefaction occurs when loosely packed sandy or silty materials saturated with water are shaken hard enough to lose strength and stiffness. Liquefied soils behave like a liquid and are responsible for damage during an earthquake, causing pipes to leak, roads and airport runways to buckle, and building foundations to be damaged. There is a low probability for liquefaction and ground collapse to occur because of the area's seismic stability. Future construction in compliance with the California Building Code will reduce impacts from liquefaction and collapse.

There is no record of any incidents of unstable geologic units in the project area. Based on the information provided above, it is concluded that there will be a less than significant impact.

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

Less Than Significant Impact. Expansive soils are those that shrink or swell with the change in moisture content. The volume of change is influenced by the quantity of moisture, by the kind and amount of clay in the soil, and by the original porosity of the soil.

According to Figure 4-5 of Volume II of the Glenn County General Plan, most of Glenn County has high expansive soils.²⁴ Soils containing a high clay content often exhibit a relatively high potential to expand when saturated, and contract when dried out. This shrink/swell movement can adversely affect building foundations, often causing them to crack or shift, with resulting damage to the buildings they support.

There would be no substantial risks to life or property from this project because all future development will require compliance with the California Building Code (CBC) to avoid potential unstable earth conditions or changes in geologic substructures. As part of the building permit process for future structures on the project site, the Glenn County Building Division will ensure that the foundations of all new structures are adequately designed for the shrink/swell characteristics of expansive soils and no significant impacts to life or property are expected. An engineer will be required to design the footings for all future structures to address this soil condition. California Building Code compliance reduces potential impacts from expansive soils to less than significant. Glenn County Building Department was provided the application information and the following Conditions of Approval were established.

Condition of Approval (Glenn County Building Division)

All setbacks to the property lines for existing and proposed structures shall be maintained according to the 2019 California Building Code, Table 602.

²⁴ Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Figure 4-5.

Condition of Approval (Glenn County Building Division)

All future construction shall comply with the Glenn County Flood Plain Management Ordinance.

Condition of Approval (Glenn County Building Division)

All existing structures shall comply with original permitted use, any change of use shall be approved through the permitting process to assure code compliance.

The application is deemed complete in terms of Glenn County Building Division requirements; therefore, it is concluded that there is a less than significant impact.

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

1. **Less Than Significant Impact.** Compliance with Glenn County Environmental Health standards would ensure that any septic systems are properly operating, and any expansion of the system is designed with respect to on-site soil capabilities for the safe treatment and disposal of wastewater and the protection of groundwater quality. Additionally, the proposed gas cylinder recycling operation will have three employees working daily at the site. This will require a potable water supply, toilet rooms and washing facilities that meet all applicable codes and regulations. Therefore, this impact would be less than significant.

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

Less Than Significant Impact. The project site contains no known paleontological resources or unique geologic sites. It is concluded there will be a less than significant impact.

VIII. GREENHOUSE GAS EMISSIONS

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

Legislative/Regulatory

The Governor of California signed Executive Order S-3-05 (EO), in June 2005, which established statewide reduction targets for greenhouse gases. The EO states that emissions shall be reduced to 2000 levels by 2010, to 1990 levels by 2020, and by 2050 reduced to 80 percent of the 1990 levels. Assembly Bill 32, the California Global Warming Solutions Act, 2006 (AB 32), was signed into law in September 2006. AB 32 finds that global warming poses a serious threat to the economic wellbeing, public health, natural resources, and the California environment. It establishes a state goal of reducing greenhouse gas emissions to 1990 levels by the year 2020, which would be a 25 percent reduction from forecasted emission levels.

Senate Bill 97 (SB 97) was approved by the Governor of California in August 2007. SB 97 requires the Governor’s Office of Planning and Research (OPR) to prepare, develop, and transmit guidelines to the Resources Agency for the feasible mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions, as required by CEQA. In April 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). The Natural Resources Agency (Resources Agency) conducted formal rulemaking prior to certifying and adopting the amendments, as required by Senate Bill 97. The Resources Agency adopted the proposed amendments, and transmitted the amendments to the Office of Administrative Law on December 31, 2009. The Office of Administrative Law reviewed the Adopted Amendments and the Natural Resources Agency’s rulemaking file. The Adopted Amendments were filed with the Secretary of State, and became effective March 18, 2010.

These CEQA Guidelines amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in draft CEQA documents. The greenhouse gas guidelines fit within the existing CEQA framework by amending existing Guidelines to reference climate change.

Greenhouse gases (GHGs), as defined by the Health and Safety code, include but are not limited to water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃), and chlorofluorocarbons (CFCs) (Health and Safety Code §38500 et seq.).

These gases all act as effective global insulators, reflecting back to earth visible light and infrared radiation.

GHGs are present in the atmosphere naturally, released by natural sources, or formed from secondary reactions taking place in the atmosphere. In the last 200 years, substantial quantities of GHGs have been released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, enhancing the natural greenhouse effect, which is believed to be causing global warming. While manmade GHGs include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), some (like CFCs) are completely new to the atmosphere.

Natural sources of carbon dioxide (CO₂) include respiration (breathing) of animals and plants and evaporation from the oceans. Together, these natural sources release about 150 billion tons of CO₂ each year, far outweighing the seven billion tons of manmade emissions from fossil fuel burning, waste incineration, deforestation, and cement manufacture. Nevertheless, natural removal processes such as photosynthesis by land and ocean-dwelling plant species cannot keep pace with this extra input of manmade CO₂, and consequently the gas is building up in the atmosphere.

Methane (CH₄) is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Manmade sources include the mining and burning of fossil fuels, digestive processes in ruminant animals such as cattle, rice paddies, and the burying of waste in landfills. Total annual emissions of CH₄ are about 500 million tons, with manmade emissions accounting for the majority. The major removal process of atmospheric methane – chemical breakdown in the atmosphere – cannot keep pace with source emissions, and CH₄ concentrations in the atmosphere are increasing.²⁵

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. A project cannot generate enough GHG emissions to influence global climate change on its own. A project participates in potential climate change by its incremental contribution (positive or negative) of GHG emissions that, when combined with the cumulative increase of all other natural and anthropogenic sources of GHGs, impact global climate change. Therefore, global climate change is a type of cumulative impact and a project's participation in this cumulative impact is through its incremental contribution of GHG emissions.

Energy efficiency standards have been updated, and new technology has allowed construction to be more energy efficient. Future construction would be required to comply with the updated Title 24 of the California Code of Regulations established by the Energy Commission regarding emergency conservation standards.

This part of the County is used primarily for agriculture and contains very limited residential use. There is not anticipated to be a significant increase in Vehicle Miles

²⁵ State of California. September 2006. *Assembly Bill 32 California Global Warming Solutions Act of 2006*, http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf

Traveled (VMT) as a result of this proposal; the proposal has the potential to reduce VMT. The proposal would serve multiple communities within Glenn County. Currently Glenn County customers would have to travel to Chico (16-miles for project site) or Red Bluff (45-miles for project site) for some of the services. Based on the analysis provided above, it is concluded that the proposed project would have a less than significant impact on emissions of GHG's and climate change.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. See discussion in section VII a) above. AB 32 is the State of California's primary GHG emissions regulation. The project would not conflict with the state's ability to achieve the reduction targets under AB 32. Impacts are anticipated to be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The California Health and Safety Code defines a Hazardous Material as “any material that because of its quantity, concentration, or physical or chemical characteristics poses a significant present or potential hazard to human health and safety or the environment if released into the workplace or environment”. Thus, hazardous material is a broad term for all substances that may be hazardous (there is no single list) and includes hazardous substances and hazardous wastes. Substances that are flammable, corrosive, reactive oxidizers, radioactive, combustible, or toxic are considered hazardous. Examples include: oil, fuels, paints, thinners, cleaning solvents, compressed gasses (acetylene, carbon dioxide, oxygen, nitrogen, etc.), radioactive materials, and pesticides.

The Glenn County Air Pollution Control District (GCAPCD) is the Administering Agency and the Certified Unified Program Agency (CUPA) for Glenn County with responsibility for regulating hazardous materials handlers, hazardous waste generators, underground storage tank facilities, above ground storage tanks, and stationary sources handling regulated substances.

The project site is subject to Glenn County Code §15.560.070 for fire and explosion hazards. This section states: *All uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment.*

The transport, use, and storage of hazardous materials during construction would be subject to and therefore conducted in accordance with all applicable state and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and the California Code of Regulations, Title 8 and Title 22.

Glenn County GCAPCD was supplied with the proposals Notice of Early Consultation & Request for Review; for Conditions of Approval see section III. Air Quality.

Freon Free does not sell goods that could be defined as hazardous materials. As seen in previously established Conditions of Approval, the applicants must first secure a hazardous materials business plan, refer to Staff Report for details.

Due to the previously established Conditions of Approval and existing county requirements the project has a less than significant impact related to the use hazardous materials onsite.

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact

Uses involving the storage and handling of hazardous materials are monitored by the Glenn County Air Pollution Control District (GCAPCD), which is the Certified Unified Program Agency (CUPA) for Glenn County.

According to the GCAPCD, businesses that handle hazardous materials are required by law to provide an immediate verbal report of any release or threatened release of hazardous materials. Local, state, and federal regulations for use and handling of hazardous materials will reduce impacts to the public and the environment. Glenn County GCAPCD replied to the Request for Review as shown in comments. According to GCAPCD a Hazardous Materials Business Plan is required for any facility that store hazardous materials greater than 55 gallons, 500 Pounds or 200 cubic feet or facilities that generate any amount of hazardous waste.

Freon Free does not currently sell goods that could be defined as hazardous materials. As a Condition of Approval, the applicants must first secure a hazardous materials business plan. Due to the Conditions of Approval and existing county requirements the project has a less than significant impact related to the use hazardous materials onsite.

- c) **Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

No Impact. Project operations will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. The project is not located within one-quarter mile of a school. Due to lack of hazardous emissions and no schools being located within one-quarter mile it is concluded that there will be No Impact as a result of this project.

- d) **Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No Impact. The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to California Government Code §65962.5. According to the database of cleanup sites provided through the California Department of Toxic Substance Control (DTSC), there are no cleanup sites within the vicinity of the project.²⁶ Therefore, it is concluded that there will be no impact.

²⁶ California Department of Toxic Substance Control. *Envirostor: Cleanup Sites and Hazardous Waste Permitted Facilities*. <http://www.envirostor.dtsc.ca.gov/public/>.

- 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 for people residing or working in the project area?**

No Impact. The project site is approximately 5.85-miles southeast of the Orland Airport (Haigh Field).²⁷ This airport is the closest public use airport in the vicinity of the project site. The project would not result in a safety hazard for people residing or working in the project area because it is located outside of the overflight zone. Therefore, it is concluded that there is no impact.

- f) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less Than Significant Impact. The project would not interfere with an adopted emergency response or evacuation plan. All roads in the area would remain open. The project site has adequate access to County Road 5 through frontage. The project will not interfere with adjacent roadways that may be used for emergency response or evacuation. The project will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

Designated emergency evacuation routes in the event of flood or dam failure are listed in Section 3.7 of Volume II of the Glenn County General Plan.²⁸ The proposed project does not pose a unique or unusual use or activity that would impair the effective and efficient implementation of an adopted emergency response or evacuation plan. The project will not obstruct or compromise the safety of emergency response vehicles or aircraft and their ability to effectively respond in an emergency. It is concluded this project will have a less than significant impact.

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

Less Than Significant Impact. The proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. The project site is not within Cal Fire's State Responsibility Area; the site is within Orland Rural Fire Protection District. According to Figure 3-2 of Volume II of the Glenn County General Plan, the project site is not within fire hazard severity zone. The most severe wildland fires occur in the western portion of the County within the Mendocino National Forest. It is concluded that there will be a Less than Significant Impact on the project from wildland fires.

²⁷ Glenn County Airport Land Use Commission. February 27, 1991. *Comprehensive Airport Land Use Plan: Orland-Haigh Field Airport*. http://gcppwa.net/documents/Orland_Airport_Land_Use_Plan-1991.pdf.

²⁸ Quad Consultants. June 15, 1993. *Glenn County General Plan, Volume II, Issues*, Public Safety Issue Paper, Section 3.7, Emergency Response Plan.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	i) result in a substantial erosion or siltation on- or off-site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. It is anticipated that the proposed project will not violate water quality standards or waste discharge requirements set forth by the Central Valley Regional Water Quality Control Board. The proposed project is not in an area of integrated sewer systems, the proposal will require a permit for onsite wastewater treatment systems issued by Glenn County Environmental Health. It is concluded that there will be a less than significant impact as a result of this project.

- b) **Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

No Impact. The proposed project would not substantially decrease groundwater supplies or interfere with groundwater recharge. No increases in existing groundwater use are planned.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

- i) **result in a substantial erosion or siltation on- or off-site;**
- ii) **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**
- iii) **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or**

Less Than Significant Impact.

Based on the approximate project site topography the project site is flat with slopes from approximately 0% - 1%; with an elevation of approximately 280 feet Above Sea Level. The site currently drains to the east towards the Sacramento River.

All future construction is required to conform to the Glenn County Code, which includes Glenn County Code Section 15.700 (Leveling of Land-Drainage Changes). As is the case under current land use designations and zoning, future development would be required to adhere to standard practices designed to prevent erosion and siltation, such as slope protection and dust control. Any future drainage changes shall meet the requirements of Chapter 15.650 of the County Code.

Central Valley Regional Water Quality Control Boards was provided project documentation during the Request for Review process, Central Valley Regional Water Quality Control Boards has no comments regarding the proposal it is concluded there will be a less than significant impact.

iv) impede or redirect flood flows?

Less Than Significant Impact. This project will not impede or redirect flood flows. The project site is located within Flood Zone “X” according to Flood Insurance Rate Map (FIRM) No. 06021C0165D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone. All future construction and improvements of the project will be required to comply with the Glenn County Flood Plain Management Ordinance (Chapter 15.540 of the Glenn County Code). The project will not have a significant impact in impeding or redirecting flood flows.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are potentially hazardous when the wave action created in lakes or swimming pools is strong enough to threaten life and property. Tsunamis are large ocean waves generated by major seismic events and mudflows are landslide events in which a mass of saturated soil flows downhill as a very thick liquid. There would be no impact on the project site from inundation by seiche or tsunami because the project area is not located near large bodies of water that would pose a seiche or tsunami hazard.

The project site is located within Flood Zone “X” according to Flood Insurance Rate Map (FIRM) No. 06021C0165D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact

The proposal will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The proposed project will not substantially degrade water quality. No source of pollution affecting water quality would be generated with approval of this project. Construction activities resulting in a land disturbance of greater than one acre must be permitted by Central Valley Regional Water Quality Control Board. The proposed project would not substantially decrease groundwater supplies or interfere with groundwater recharge as no significant increases in groundwater use are planned.

No modifications to the sites septic system are proposed; any future expansion of a septic system or a new system could degrade water quality. However, compliance with Glenn County Environmental Health standards would ensure the safe treatment and disposal of wastewater and the protection of groundwater quality.

Central Valley Regional Water Quality Control Board:

Central Valley Regional Water Quality Control Board was provided the application information, which made the following comments;

On 16 November 1990, the USEPA promulgated storm water regulations (40 CFR Parts 122, 123 & 124) which require specific categories of industrial facilities discharging storm water to obtain NPDES permits and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate industrial storm water pollution. These requirements apply to many industrial facilities including those involved in the recycling of materials but are limited to those recycling facilities with a Standard Industrial Classification (SIC) 5015 or 5093. Industrial operations with a 5015 or 5093 SIC code must be covered by the General Permit for Discharges of Storm Water Associated with Industrial Activities.

Conditions of Approval:

Freon Free must be in compliance with applicable USEPA promulgated storm water regulations, (40 CFR Parts 122, 123 and 124).

Due to the previously established Conditions of Approval and existing county requirements the project has a less than significant impact related to the use hazardous materials onsite.

XI. LAND USE AND PLANNING

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Would the project physically divide an established community?

No Impact. The proposed project is not of the scale or nature that could physically divide an established community. The project would not block a public street, trail, or other access route or result in a physical barrier that would divide a community. Upon development, the proposed uses would be fully integrated into their surrounding areas. It is concluded that there will be no impact as a result of this project.

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?

No Impact. The General Plan land use designation is “General Agriculture” and the zoning designation is “AE-20” (Intensive Agriculture 17-acre minimum parcel size). This project is consistent with and will not conflict with the “AE-20” zoning designation (Glenn County Code Chapter 15.330). The proposed recycling facility is a permitted uses only if a conditional use permit has first been secured (Glenn County Code §15.330.040. P). *Storage (storage for resale) of inflammable fluid or gas fuels in a quantity greater than five hundred gallons in any container less than two and one-half feet below the surface of the ground.* The project is consistent with the General Plan land use goals and policies and no significant land use impacts will occur. It is concluded that there will be no impact on land use.

XII. MINERAL RESOURCES

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The purpose of the Mineral Resources section is to identify and evaluate the potential for the project to adversely affect the availability of known mineral resources. The mineral resources of concern include metals, industrial minerals (e.g., aggregate, sand and gravel), oil and gas, and geothermal resources that would be of value to the region and residents of the State of California. Notable mineral resources in Glenn County include natural gas and construction grade aggregate material. In addition, published reports indicate past attempts to exploit deposits of chromite, molybdenite and copper. Primary areas for gravel extraction occur along Stony Creek and the Sacramento River, although there are other pockets of gravel scattered throughout the County.

Several gas fields contribute to a significant quantity of natural gas production in Glenn County. Of these, the Malton-Black Butte field located on the border with Tehama County in eastern Glenn County, and the Willows-Beehive Bend field located in southeastern Glenn County account for nearly 80 percent of total gas production in the County. No oil or geothermal resources have been discovered in the County. Mining in Glenn County was primarily related to the extraction of strategic minerals during World Wars I and II. The extraction of chrome and manganese essentially ended in the late 1940s with the loss of government demand and subsidies.²⁹

- a) **Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b) **Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Less Than Significant Impact. According to the California Department of Conservation, none of the project site is located within a Mineral Resource Zone, which are areas that have a high likelihood of containing significant aggregate deposits. None of the project areas are located on active mine sites. There is no other evidence that any of the project areas have mineral resources that may add value to the region and residents of the state, or are important mineral resource recovery sites. Therefore, no significant impacts to mineral resources are anticipated.

²⁹ Quad Consultants. January 22, 1993. *Glenn County General Plan, Volume III, Environmental Setting Technical Paper*, Section 2.5, Mineral and Energy Resources.

XIII. NOISE

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

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less Than Significant Impact. No new construction is being proposed. If any future construction is proposed and approved, there may be periodic increases in noise during future construction activities. Construction-related noises between the hours of 7 A.M. and 7:00 P.M. are exempt from the local noise standards per Glenn County Code §15.560.100(F)(5). Construction-related noise levels at other times are regulated by Glenn County Code §15.560.100.

The Glenn County General Plan Noise Element provides a basis for local policies to control and abate environmental noise, and to protect the citizens of Glenn County from excessive noise exposure. The County also enforces its Noise Ordinance (Chapter 15.560.100) in the County Code. This ordinance contains noise level standards for residential and non-residential land uses. Section 6.10 of the Glenn County General Plan supplies noise/land use compatibility guidelines and noise level standards. The tank recycling facility will not result in a substantial temporary or permanent increase in ambient noise levels in the project vicinity. It is concluded there will be less than significant impact.

- b) **Generation of excessive ground-borne vibration or ground-borne noise levels??**

Less Than Significant Impact. The proposed project would not generate excessive ground-borne vibrations. Vibrations are regulated by Glenn County Code §15.560.130, which states that no use shall generate ground vibrations which are perceptible without instruments beyond the lot line. Ground vibration caused by motor vehicles, aircraft, temporary construction work or agricultural equipment are exempt from the vibration performance standard as stated under Glenn County Code §15.560.130. Potential construction work in the future would not cause significant ground-borne vibration. Since the duration of impact would be brief and would occur during less sensitive daytime hours (i.e., between 7:00 a.m. and 7:00 p.m.), the impact from construction-related ground-borne vibration and ground-borne noise is considered less than significant.

- c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. There are no private airports or private airstrips located within the vicinity of the project site. According to topographic maps and aerial photos, the project site is not located within the vicinity of a private airstrip. Additionally, the project site is located outside of airport land use planning boundaries and is approximately 5.85 miles southeast of the Orland Airport (Haigh Field).³⁰ This airport is the closest public use airport to project site. The project site is outside of the noise contour based on the Community Noise Equivalent Level (CNEL) as defined in the Willows Glenn County Airport Master Plan. It is concluded that there will be a less than significant impact as a result of this project.

³⁰ Glenn County Airport Land Use Commission. June 30, 1990. *Comprehensive Airport Land Use Plan Willows Glenn County Airport*. http://gcppwa.net/documents/Willows_Airport_Land_Use_Plan-1990.pdf

XIV. POPULATION AND HOUSING

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Population impacts are often associated with substantial increases in population from a project. Housing impacts may result directly from the construction of new housing units or indirectly from changes in housing demand associated with new non-residential development, such as office, manufacturing, and industrial uses that increase employment in an area.

- a) **Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

No Impact. The proposed project would not induce substantial population growth directly or indirectly. In accordance with Glenn County General Plan §3.0.2 (Intensive Agriculture), the proposed project will not violate the population density standard of 12 persons per square mile (640 acres). New businesses and/or the extension of public roads that may lead to significant population growth are considered less than significant. The proposed project would not induce substantial population growth directly or indirectly. Therefore, it is concluded that there will be no impact on population growth.

- b) **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No Impact. The proposal would not displace existing housing or people within the area of the project. Construction of replacement housing would not be necessary with this proposal. Therefore, it is concluded that there will be no impact.

XV. PUBLIC SERVICES

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

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

See Section XIX a)

Less Than Significant Impact. The project site is within Orland Rural Protection District. Orland Rural Fire Protection District were provided application documentation, no comments were received. Response time is not anticipated to be affected by the proposed project. Compliance with state laws will reduce impacts from fire. Therefore, it is concluded that the impact from the proposal is less than significant.

ii) Police protection?

Less Than Significant Impact. Law enforcement for unincorporated portions of Glenn County, including the project site, is provided by the Glenn County Sheriff's Department. There is a sheriff's office located in the City of Willows and

substations located in the City of Orland and Hamilton City. The California Highway Patrol is responsible for patrolling all interstate and state highways. Transportation routes to the project site are adequate for law enforcement to reach the area in the event of an emergency. The project site has adequate access to State Route 45 through frontage. Response time would not be affected by the proposed project. This project is not anticipated to require the staffing of additional peace officers or the purchase of additional equipment to support law enforcement activities. The project will not generate substantial additional population in the area and therefore would not require additional police surveillance over existing conditions. Based on this information, it is concluded that the project would have a less than significant impact on police protection.

iii) Schools?

The project will not result in an increase in demand on the public schools' system as the proposal will not increase development. The project site is located within the Orland Unified School District. It is concluded that there is no impact from the project.

iv) Parks?

No Impact. The County provides for maintenance and upkeep of the existing parks within the unincorporated area. The County has no park facilities within the area of the project. The proposed project would have no impact on the County's ability to maintain its parks and no new substantial demands on the current facilities would be generated by this proposal.

v) Other public facilities?

No Impact. The proposed project may have incremental increases on demands for other public services and facilities; however, this would-be a less than significant impact. The project will not generate substantial additional population to the area and therefore will not have a need for public facilities such as libraries, postal service, hospitals, etc. Public agencies have reviewed this proposal for impacts to public services and facilities and a potentially significant impact has not been identified for this proposed project. Therefore, it is concluded that there is no impact to other public facilities.

XVI. RECREATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

No Impact. The project will have no impact on recreation. No new demand will be generated for the use of the existing area parks. The project does not include recreation facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

No Impact. The project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. (See a).

XVII. TRANSPORTATION

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Glenn County Roads Overview:

The major north-south road is Interstate 5 (I-5), which provides major connection between Glenn County and major cities to the north, such as Red Bluff and Redding, and to the south to cities such as Sacramento. East of I-5, State Routes 32 and 162 are the major east-west roads. Route 32 provides a connection through Orland to Chico, the closest of the major urban areas of California to Glenn County residents. To the south State Route 162 provides a similar connection to Oroville. The next major east-west road to the south is Highway 20, which provides a connection to the Yuba City- Marysville area. Highway 45 is the only major north-south road east of I-5. It serves adjoining land uses as well as providing a connection between State Routes 32, 162, and 20.

State Route 162 is the only state route west of I-5. The route originally began at Highway 101 in Mendocino County and continued into Glenn County, but a 70-mile break currently exists (34 miles of which is in Mendocino County and 36 miles in Glenn County). The intermediate mileage is a seasonal road owned and maintained by Mendocino and Glenn Counties. This travel corridor is the only east-west route between I-5 and Highway 101 between State Routes 20 and 36, a distance of approximately 75 miles.

The jurisdictions responsible for public roads within Glenn County include the County of Glenn, the incorporated cities of Orland and Willows, the State of California, and the U.S. Forest Service.

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The project will not conflict with a program, plan, ordinance or policy addressing the circulation system. Project traffic (employee trips, customer trips truck trips) will remain consistent with the sites baseline condition. A request for project review was sent to Glenn County Public Works Agency on August 26, 2021 comments were received. The previously established Conditions of Approval were established based upon their comments.

Condition of Approval

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

Condition of Approval

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

The project is not anticipated to result in a significant increase in traffic from current or future operations. The project will not conflict with any program, plan, ordinance or policy addressing the circulation system including transit, roadway, bicycle and pedestrian facilities. It is concluded the project will not conflict with a program, plan, ordinance or policy addressing the circulation system.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)

§ 15064.3 Determining the Significance of Transportation Impacts

(b) Criteria for Analyzing Transportation Impacts

(1) Land Use Projects. *“Vehicle’s miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transportation stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant impact”.*

Less Than Significant Impact. Section 15064.3 was recently added to the CEQA Guidelines and states that “vehicle miles traveled” (VMT) is the preferred method for evaluating transportation impacts. This project includes continued operation of an existing facility. The project will not result in a substantial increase in vehicle miles traveled by project-related traffic. It is concluded there will not be a significant increase in VMT as a result of this proposal; therefore; there will be a less than significant impact.

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

Less Than Significant Impact. The proposed project would not substantially increase traffic hazards due to geometric design feature or incompatible uses. The project does not include potentially hazardous design features such as sharp curves or dangerous intersections. County Road 5 will provide adequate ingress and egress to the proposed facility. Access to County Road 5 will be provided by two existing driveways. It is concluded that there will be a less than significant impact.

Glenn County Public Works was sent a request for comments due to the site being located within the unincorporated area of Glenn County. On August 26, 2021 Glenn County Public Works comments were received. Glenn County Public Works Agency did not identify any potential safety concerns; per Glenn County Public Works Agency an encroachment permit is required as seen in previously established Conditions of Approval.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact. The project would not result in inadequate emergency access as the site has approximately 200 feet of frontage along County Road 5. County Road 5 will provide adequate ingress and egress to the site. It is concluded that driveways there will be a less than significant impact on emergency access with mitigation measures incorporated.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**
- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

i) and ii) Less than significant with Mitigations Incorporated.

In compliance with CEQA Guideline §15064.5 (Determining the Significance of Impacts to Archaeological and Historical Resources), a request for a records search was submitted to local native tribes and the Northeast Information Center (NEIC), a member of the California Historic Resources Information System (CHRIS), to determine if any cultural places are located within the project site.

No comments were received from local native tribes. A record search for a previous project (TPM2007-006) were sent to the NEIC on July 3, 2007. If any site excavation occurs in the future and any artifacts uncovered, that project would be subject to laws governing the accidental discovery. It is concluded the proposal will have a less than significant impact with mitigations incorporated.

Discovery of Cultural Resources

In accordance with State and Federal Laws if any potentially prehistoric, protohistoric, and/or historic cultural resources are accidentally encountered during future excavation of the site, all work shall cease in the area of the find pending an examination of the site and materials by a qualified archaeologist.

Mitigation Measure TCR -1 (Tribal Cultural Resources)

In the event that any prehistoric or historic subsurface cultural (including Tribal) resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) and corresponding tribal representative to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report and tribal representative, will be determined by the Glenn County Planning & Community Development Services Agency. Work may proceed on other parts of the project site while mitigation for historical resources, unique archaeological resources, and/or tribal resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, tribal representative, and documented according to current professional standards.

Timing/Implementation:

During Construction/Excavation Activities

Enforcement/Monitoring:

Glenn County Planning & Community Development Services Agency

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

(See Section XIX a)

Less Than Significant Impact. The proposed project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. There is no municipal wastewater treatment facility proposed with this project. The project will not require or result in new or expanded municipal facilities that could cause significant environmental effects. The proposal will continue to rely on individual sewage disposal systems for wastewater treatment.

The proposed project would not require or result in the construction of new storm water drainage facilities or the expansion of existing facilities; therefore, no significant environmental damage would result from the construction of such facilities. Current land drainage will not change, any leveling of land or drainage changes must comply with Chapter 15.700 of the Glenn County Code, as well as State and Federal regulations. The project will not require significant alterations to existing electric power, natural gas, or telecommunications facilities. It is concluded there will be a less than significant impact as a result of this project.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. No new water wells are being proposed. New well shall conform to Glenn County Health Department requirements. A new water well at sufficient depth will provide the project with sufficient water supplies. It is concluded the project will have sufficient water supplies available to serve the project and reasonably foreseeable future development.

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

Less Than Significant Impact. There is no municipal wastewater treatment provider for the area. Individual sewage disposal systems are currently the only long-term method of providing sewage disposal for the project area. Any new sewage disposal systems would be required to meet the standards set forth in Chapter 7.010 of the Glenn County Code and by the Glenn County Environmental Health Department. Glenn County Environmental Health Department was supplied with the projects request for review; Glenn County Environmental Health submitted comments on August 5, 2021. It is concluded there will be a less than significant impact.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. Small quantities of solid waste generated by the project are transported to Glenn County landfill. In 2019 Glenn County closed the landfill and is currently utilizing a transfer station. At this time, waste disposal is not anticipated to be a significant issue. The cumulative impacts on the landfill will be minimal and will be offset in the future from increased requirements for sorting, recycling, diversion, and increases in disposal costs.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. In compliance with guidelines set forth by AB 939 (California Integrated Waste Management Act of 1989), the County of Glenn has adopted a Source Reduction and Recycling Element (SRRE) to define goals and objectives for waste reduction, recycling, and diversion. The SRRE defines guidelines to implement these goals and objectives through seven main programs, consisting of Source Reduction, Recycling, Composting, Special Waste Materials, Public Education, Policy Incentives, and Facility Recovery. The proposed project will be required to comply with all federal, state, and local statutes and regulations related to solid waste disposal. As a result, there would be no impact on solid waste regulations.

XX. WILDFIRE

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

a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**

Less Than Significant Impact. The project would not interfere with an adopted emergency response or emergency evacuation plan. All roads in the area would remain open. The project site is located on private property with adequate access to county roads. The project site has adequate access to County Road 5. The project will not interfere with adjacent roadways that may be used for emergency response or evacuation. The project will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out. The proposed project does not pose a unique or unusual use or activity that would impair the effective and efficient implementation of an adopted emergency response or evacuation plan. According to Figure 3-2 of Volume II of the Glenn County General Plan, the project site is not located within a fire hazard severity zone or within Cal Fire's State Responsibility Zone. The most severe wildland fires occur in the western portion of the County within the Mendocino National Forest. The project will not obstruct or compromise the safety of emergency response vehicles or aircraft and their ability to effectively respond in an emergency. Therefore, it is concluded that there is a less than significant impact.

b) **Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Less Than Significant Impact. Based on the approximate project site topography the project site is flat with slopes from approximately 0% - 1%; with an elevation of approximately 280 feet above sea level. The project site has no features that would exacerbate wildfire risk including slope or prevailing winds; therefore, it is concluded there will be a less than significant impact.

c) **Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

This project would not require the installation or maintenance of additional infrastructure that may exacerbate fire risk impacts to the environment. The project does not include new infrastructure or maintenance that may exacerbate fire risks or result in temporary or ongoing impacts to the environment. Orland Rural Fire Department was contacted regarding this proposal and no comments were received. It is concluded there will be no impact.

d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Less Than Significant Impact. The project does not include the construction of any additional structures. Workers will not be exposed to downslope or downstream flood or landslides as a result of runoff, post-fire slope instability, or drainage changes

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Does the project have the potential to 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?**

Less Than Significant Impact. All impacts associated with the project have been identified in this document. Impacts on biological resources and cultural resources were discussed in sections IV and V above. The project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. All uses at the site are subject to applicable codified federal, state, and local laws and regulations. It is concluded that there will be a less than significant impact.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

Less Than Significant Impact. As detailed throughout this document, the proposed project would have a less than significant impact. Total impacts from the project will not be cumulatively considerable. Therefore, impacts are considered less than significant.

- c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less Than Significant Impact. The proposed project would not create significant hazards or health safety concerns. Aspects of this project, which have the potential to have an effect on human beings or the environment, have been discussed in this document. The impacts of the project have been concluded to be less than significant. The project as proposed will not have substantial adverse effects on human beings, either directly or indirectly. It is concluded that there will be a less than significant impact.

REFERENCES

In addition to the resources listed below, Initial Study analysis may also be based on on-site field observations, discussions with the affected agencies, analyses of adopted plans and policies, review of existing studies, and specialized environmental studies. Most resource materials are on file in the office of the Glenn County Planning & Community Development Services, 225 North Tehama Street, Willows, CA 95988, Phone (530) 934-6540.

APPLICANT/ OPERATOR:

Freon Free Inc.
6378 County Road 5
Orland Ca, 95963
Phone: (707) 429-9013
Email: freonfreeworker@aol.com

LANDOWNER:

Mathew Bascom
6378 County Road 5
Orland, Ca, 95963
Phone: (707) 429-9013
Email: freonfreeworker@aol.com

Records of, or consultation with the following:

Orland Rural Fire Protection District
California Department of Fish and Wildlife
California Department of Housing and Community Development (HCD)
California Department of Transportation (Caltrans)
Central Valley Regional Water Quality Control Board (RWQCB)
Colusa Indian Community Council Cachi Dehe Band of Wintun Indians
Glenn County Agricultural Commissioner
Glenn County Assessor
Glenn County Air Pollution Control District/Certified Unified Program Agency
Glenn County Planning and Community Development Services Agency
Glenn County Public Works Agency
Glenn County Sheriff's Office
Grindstone Rancheria of Wintun-Wailaki
Pacific Gas and Electric Company (PG&E)
Paskenta Band of Nomlaki Indians
Orland Fire Protection District
Orland Unit Water Users Association
Mechoopda Indian Tribe of Chico Rancheria
State Water Resources Control Board – Division of Drinking Water
Willows Unified School District

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- California Department of Conservation, Division of Oil, Gas, and Geothermal Resources. 2001. *Oil, Gas, and Geothermal Fields in California*.
- California Department of Conservation. 1997. *Mined Land Classification Map for Concrete-Grade Aggregate Resources Central Glenn County*.
- California Department of Fish and Game. 1994. *A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600-1607, California Fish and Game Code*. Environmental Services Division, Sacramento, CA.
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- California Department of Forestry and Fire Protection. 2007. *Fire Hazard Severity Zones in State Responsible Areas (SRA, Fire and Resource Assessment Program (FRAP))*. http://frap.cdf.ca.gov/webdata/maps/glenn/fhszs_map.11.jpg.
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- Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Department of the Army, Waterways Experiment Station, Vicksburg, Mississippi 39180-0631.
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United States Geological Survey and California Geological Survey. 2008. *Earthquake Shaking Potential for California*. http://www.consrv.ca.gov/cgs/information/publications/ms/Documents/MS48_revised.pdf.

United States Geological Survey and California Geologic Survey. *Seismic Shaking Hazards in California*. <http://www.consrv.ca.gov/cgs/rghm/psha/Pages/pqa.aspx>.

GLENN COUNTY Planning & Community Development Services Agency

225 North Tehama Street
Willows, CA 95988
530.934.6540
www.countyofglenn.net



Donald Rust, Director

NOTICE OF EARLY CONSULTATION & REQUEST FOR REVIEW

COUNTY DEPARTMENTS/DISTRICTS

- Glenn County Agricultural Commissioner
- Glenn County Air Pollution Control District/CUPA
- Glenn County Assessor
- Glenn County Building Inspector
- Glenn County Engineering & Surveying Division
- Glenn County Environmental Health Department
- Glenn County Sheriff's Department
- Glenn County Board of Supervisors
- Glenn County Counsel
- Glenn County Planning Commission
- Glenn LAFCO

FEDERAL AGENCIES

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

OTHER

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

STATE AGENCIES

- Central Valley Flood Protection Board
- Central Valley Regional Water Quality Control Board (RWQCB)
- State Water Resources Control Board – Division of Drinking Water
- Department of Alcoholic Beverage Control (ABC)
- Department of Conservation, Division of Land Resource Protection
- Department of Conservation, Office of Mine Reclamation (OMR)
- Department of Conservation, Division of Oil, Gas, and Geothermal Resources
- Department of Fish and Wildlife
- Department of Food and Agriculture
- California Air Resource Board (CARB)
- California Environmental Protection Agency (CalEPA)
- Department of Public Health
- Department of Toxic Substances Control (DTSC)
- Department of Transportation (Caltrans)
- Department of Water Resources (DWR)
- Office of the State Fire Marshall
- California Department of Resource Recycling and Recovery (CalRecycle)

- Northeast Center of the California Historical Resources Information System
- Grindstone Rancheria of Wintun-Wailaki
- Paskenta Band of Nomlaki Indians
- Mechoopda Indian Tribe of Chico Rancheria
- Colusa Indian Community Council Cachi Dehe Band of Wintun Indians

DATE: July 29, 2021

PROJECT: Conditional Use Permit 2021-001
Recycling Facility

PLANNER: Greg Conant, Assistant Planner; gconant@countyofglenn.net

APPLICANT: Freon Free
6378 County Road 5
Orland, CA 95963

LANDOWNER: Matt & Tricia Bascom
6378 County Road 5
Orland, CA 95963

PROPOSAL: Conditional Use Permit 2021-001
Recycling Facility

Freon Free has applied for a conditional use permit to operate an recycling facility, for the recycling of Fire Extinguishers and Propane Bottles. No new structures are proposed, operations will be conducted through existing structures.

Additional project information/documentation has been included. Please refer to the attached application and plot plan.

LOCATION: The project is located at 6378 County Road 5, approximately 3-miles northwest of the City of Orland; located on the north side of County Road 5, east of County Road H, south of County Road 3, and west of Interstate 5, in the unincorporated area of Glenn County, California.

ZONING: "AE-20" Exclusive Agriculture Zone (17-acre, minimum parcel size)

GENERAL PLAN: "General Agriculture"

APN: 044-100-002 (8.58 ± acres)

FLOOD ZONES: Flood Zone "X" according to Flood Insurance Rate Map (FIRM) No. 06021C0165D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone "X" (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone.

The Glenn County Planning Division is requesting comments on this proposal for determination of completeness, potential constraints, and/or proposed conditions of approval. If comments are not received by **Wednesday, September 1, 2021**, it is assumed that there are no specific comments to be included in the initial analysis of the project. Comments submitted by e-mail are welcomed. Thank you for considering this matter.

AGENCY COMMENTS:

Please consider the following:

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

Date Submitted: _____

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

255 Tehama Street
Willows, CA 95988
(530) 934-6540

planning@countyofglenn.net

APPLICATION FOR CONDITIONAL USE PERMIT

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

1. Applicant(s):

Name: Freon Free Inc

Address: ⁶³⁷⁸~~6378~~ Co. Rd ~~5~~ 5 Orland Ca

Phone: 707 429 9013 E-Mail freonfreeworker@aol.com

2. Property Owner(s):

Name: Matthew Bascom

Address: 6378 Co-Rd. 5 Orland Ca 95963

Phone: 707 4299013 E-Mail freonfreeworker@aol.com

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

Name: Matthew Bascom

Address: Same

Phone: _____ E-Mail _____

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

Name: Patricia Bascom or Matthew Bascom

Mailing Address: 6378 Co. Road 5 Orland Ca 95963

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

Name: Thomas Harris, L.S.

Mailing Address: 908 6th Street, Orland, CA 95963

5. Request or Proposal: Site plan review

6. Address and Location of Project: 6378 Road 5, Orland, CA

7. Current Assessor's Parcel Number(s): 044-100-002

8. Existing Zoning: AE-20

9. Existing Use of Property: Ag and residential

10. Provide any additional information that may be helpful in evaluating your proposal:

The attached site plan shows the location and area of the
current recycling facility. No change in the location is
being proposed.

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

Name: N/A

Mailing Address: N/A

5. Request or Proposal:

Site plan review / use Permit

6. Address and Location of Project: 6378 Co. Rd 5 Orland Ca.

7. Current Assessor's Parcel Number(s): 044-100-002

8. Existing Zoning: AE-20
Zoning Map <http://gis.gcppwa.net/zoning/>

9. Existing Use of Property: Ag and residential, Shop

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

use Permit For current recycling facility.

Case CUP 2021-001

GLENN COUNTY
PLANNING AND PUBLIC WORKS AGENCY
777 North Colusa Street
WILLOWS, CA 95988
(530) 934-6540
FAX (530) 934-6533
www.countyofglenn.net

ENVIRONMENTAL INFORMATION FORM

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

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

1. GENERAL INFORMATION:

1. Name: Freon free
Matt Bascom
Address, City, State, Zip: 6423 Co. Rd 21
Orland Ca 95963
Telephone: 530-228-7110 Fax: 4539
E-mail: bascomtricia@yahoo.com

2. Name: _____
Address, City, State, Zip: N/A
Telephone: _____ Fax: _____
E-mail: _____

3. Address and Location of Project: 6378 Co. Rd. 5
Orland Ca 95963

4. Current Assessor's Parcel Number(s): 044-100-002

5. Existing Zoning: AE-20

6. Existing Use: Ag and residential, Shop

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

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

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

Requesting user permit and Ag zone property for recycling facility.

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

n/a

11. Have any special studies been prepared for the project site that are related to the proposed project including, but not limited to traffic, biology, wetlands delineation, archaeology, etc? no

II. ENVIRONMENTAL SETTING:

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

8 acre Ag. property 1 family home, large shop. The house has a 100 foot well for water source. The fields are irrigated through the summer with the Orland water users. There is currently 15 horse on property.

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

North: 1 family home Ag - Almonds

East: 8 Acre 1 family home with horses

South: 1 Family home Ag - Walnut trees

West: 1 Family home Ag - cattle

3. Describe noise characteristics of the surrounding area (include significant noise sources): tractor, large trucks, 4 wheelers, cows horses

III. SPECIFIC ITEMS OF IMPACT:

1. Drainage:

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

The project will not create any runoff

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

no

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

no

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

no

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

no

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

2. Water Supply:

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

domestic well for home,
pasture irrigated through Orland water user.

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

no

3. Liquid Waste Disposal:

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

no liquid waste

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

The project will not produce any septic waste. The current septic system will not be affected.

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

no

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

4. Solid Waste Collection:

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

Waste management -

5. Source of Energy:

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

Propane and electricity

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

no

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

n/a

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

n/a

6. Fire Protection:

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

none

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

none

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

1. Number and sizes of existing and proposed structures: no proposed structures -
1 Shop - 2100 sq ft.

Square footage (structures) 0 (New) S.F.; 2100 sq. ft. (Existing) S.F.

2. Percentage of lot coverage: APPROX. 2100 sq ft of 8 acre parcel

3. Amount of off-street parking provided: 3 spaces

4. Will the project be constructed in phases? If so, please describe each phase briefly: NO

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

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

7. If industrial, indicate type, estimated employment per shift, and loading facilities: Three employees working daily.

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

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

1 - 500 gallon propane tank

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

10. Describe any earthwork (grading) to be done and dust control methods to be used during construction: none
11. Describe any potential noise or vibration sources associated with the project (i.e. compressor, machine noise, heavy equipment). Compressor, tractor
Fork lift
12. Describe source, type, and amount of air pollutant emissions (smoke, odors, steam, gases, water vapor, dust, chemicals) from the project. Describe what methods would be used to reduce emissions: propane odor

V. CERTIFICATION:

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

Date: 9/15/19 Signature: Matt Bascom

For: _____

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

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

DECLARATION UNDER PENALTY OF PERJURY

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

(Additional sheets may be necessary)

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

Applicant(s):

Signed:

Free Free Matt Bascom

Print:

Matt Bascom

Date:

Address: 6378 Co. Rd 5 Orland Ca 95963

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

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

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

Property Owner(s):

Signed:

Matthew Bascom Lucia Bascom

Print:

Matthew and Tricia Bascom

Date:

Address: 6433 Co. Rd 21, Orland Ca 95963



State Certified Appliance Recycler

Matt Bascom and Vince Prody developed this vacuum system for propane evacuation. Matt has 20 years of freon evacuation experience and Vance has 30 yrs of propane experience. We have been recycling in Orland for eight years. Vance used to have his own propane business in Willows, California. His phone number is (916)-798-1190. The idea for this system came from a freon evacuation system. Matt wanted to try the same system for propane but it all had to be enlarged. That is where Vance came in and made sure we used all the right fittings and pipes, to make sure the system was right for propane.

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Processing Propane Tanks

The full propane tank is attached to the manifold for processing.

The Vacuum pump will extract the propane as a liquid and pump it as a vapor to the Vacuum tank. The vapor is pumped in and out of the vacuum tank and ends up in the storage propane tank and becomes a liquid.

The propane will stay in the storage tank until a propane company comes and pumps it out. The propane is now considered recycled and is ready to be used.

PPE NEEDED

- Safety Glasses
- Ear Plugs
- Gloves

STEPS

- 1) Slightly open the 10% relief valve to check if there's any gas in the tank. A second way to check is to open the valve and stick the screwdriver in the spring-loaded valve and see if gas comes out.
- 2) If the tank is empty, then paint an E for empty onto the tank. Then you can cut off the valve using a Sawzall. Put the valve into the clean brass barrel.
- 3) Then place a hole in the tank with a dill or log splitter.
- 4) After removing the valve and putting a hole in the tank, the tank is either put in the metal bin or moved to an empty pile.
- 5) If there is gas in the tank then the tank will go through the evacuation process.

PPE NEEDED

- Safety Glasses
- Ear Plugs
- Gloves

STEPS

- 1) Use a screwdriver to push down the Schrader valve to see if there is any propane in the tank.
- 2) If the tank is empty, place the tank in an empty bin.
- 3) If there is gas in the tank, it must be evacuated. Place full tank in full bin.
- 4) If the neck is bent or the tank is smashed it goes into a separate bin for different processing.

PPE NEEDED

- Safety Glasses or Shield
- Ear Plugs
- Gloves

STEPS

- 1) Turn switch on to the motor.
- 2) Stick a green tank upside down into the hole.
- 3) Press forward peddle until the splitter has cut all the way through the tank.
- 4) Press the back pedal so the two halves fall through the hole.
- 5) Keep repeating the process.

DAILY TRAILER INSPECTION

Are break lights working?	Yes	No
Are signal lights working?	Yes	No
Are hazard lights working?	Yes	No
Are running lights working?	Yes	No
Is hitch safe to use?	Yes	No
Is parking brake working?	Yes	No
Is trailer breakaway safe to use?	Yes	No
Check Tire Pressure	Yes	No

DAILY TRUCK INSPECTION SHEET

Does emergency brake work?	Yes	No
Does steering work?	Yes	No
Windshield cracked?	Yes	No
Windshield wipers work?	Yes	No
Do headlights work?	Yes	No
Do taillights work?	Yes	No
Do hazard lights work?	Yes	No
Do turn signals work?	Yes	No
Do break lights work?	Yes	No
Does horn work?	Yes	No
Do mirrors work?	Yes	No
Checked Tire Pressure (70 PSI)	Yes	No
Checked Oil Level?	Yes	No
Checked Break Fluid?	Yes	No
Checked Steering Fluid?	Yes	No
Is fire extinguisher in truck?	Yes	No
Is first aid kit in truck?	Yes	No
Safety Reflectors?	Yes	No

DAILY FORKLIFT

Checked Oil Level?	Yes	No
Checked Break Fluid?	Yes	No
Checked Hydraulic Fluid?	Yes	No
Does mass go up and down?	Yes	No

There are two main types of fire extinguishers: stored pressure and cartridge-operated. Stored pressure fire extinguishers are the most common type and, of these, the ones that have a dry chemical as the agent are most common. The dry chemical is typically mono ammonium sulfate, sodium, bicarbonate, or potassium bicarbonate—all of which are considered **non-toxic**.

Are there any hazards to be concerned about with fire extinguishers?

The main concerns are:

- Contents are under pressure and may explode when combined with other materials.
- Very old fire extinguishers (pre 1960's) may contain carbon tetrachloride, a known carcinogen.

If you have a very old fire extinguishers and the label says it contains carbon tetrachloride, contact Matt Bascom and set aside for proper disposal.

How to recycle fire extinguishers?

The casing is usually made out of steel or aluminum and can be recycled. When emptying the container for recycling:

- For safety, wear goggles and a particulate mask when discharging extinguisher.
- Discharge outside, away from children or pets and into a waste container.
- Pull the pin on the extinguisher—this unlocks the operating lever.
- Squeeze the lever above the handle to discharge contents.
- After you have finished discharging the extinguisher contents and nothing else comes out, remove the head from the container—
 - Remove any plastic pieces.
 - Tip the metal container upside down and shake the container into a waste container until all the material is out
 - You can now send the empty container to the blue recycle bin if it is steel or the white recycle bin if it is aluminum.
 - You can dispose of the collected agent in the landfill, as it is not considered toxic.

Fire Extinguisher Processing



Steps

- 1) Check the pressure gauge on the fire extinguisher for PSI in tank.
- 2) If the gauge reads PSI stick the end of the hose into a trash bag. Pull the pin out if there is one and press the handle down. Keep pressing the handle down until nothing is coming out at end of hose.
- 3) Once there is no PSI reading on gauge place the tank into a vice.
- 4) Unscrew the top of the fire extinguisher off.
- 5) Using a Sawzall to cut off the top part of the fire extinguisher.
- 6) Remove the tank from the vice and dump powder into the same trash can.
- 7) Use a magnet to test the metal to see if its metal or aluminum.
- 8) After you empty the powder out of the tank, the tank goes into the aluminum or metal barrel.
- 9) The handle can be placed in the trash, aluminum, or dirty aluminum depending on what they are.

Hello Alyssa,

Does this also include the purple k and the other fire extinguishers I texted you pics of?

Sent from Yahoo Mail from iPhone

On Monday, March 15, 2021, 1:41pm PM, Alyssa Cordova
<ACordonva@countyofglenn.net> wrote:

Hi Matt,

Regarding disposal of fire extinguisher agents, you may throw the ABC fire extinguisher dry chemical (mono ammonium phosphate) in the garbage. This answer is based on information I have obtained from similar companies and other CUPA's.

Let me know if you have any questions.

Best,

Alyssa Cordova
Environmental Compliance Specialist II

September 2015

Type C407-10 Internal Valves

WARNING

Failure to follow these instructions or to properly install and maintain this equipment could result in an explosion and/or fire causing property damage and personal injury or death.

Fisher® equipment must be installed, operated and maintained in accordance with federal, state and local codes and manufacturer's instructions. The installation in most states must also comply with NFPA No. 58 and ANSI Standard K61.1.

Only personnel trained in the proper procedures, codes, standards and regulations of the LP-Gas industry shall install and service this equipment.

The internal valve must be closed except during product transfer. A line break downstream of a pump may not actuate the excess flow valve. If any break occurs in the system or if the excess flow valve closes, the system should be shutdown immediately.

Introduction

Scope of the Manual

This manual covers instructions for the Type C407-10 internal valves and the manual, cable or pneumatic actuators for the valve.

Description

The Type C407-10 is intended as a main valve on small capacity pumping systems or in vapor return lines on trucks. It can also be used on in-line installations. Designed for propane, butane or NH₃ at ambient temperatures, the valve can be used on other



P1161

Figure 1. Type C407-10

compressed gases, but the user should check with the factory to make sure the valve is suitable for the particular service.

The following accessories for the Type C407-10 are also covered:

Type P341 – Latch/remote release mechanism that permits remote valve closure. The valve is opened manually. A built in fusible element will release at 212°F / 100°C allowing the valve to close. Factory type number with the Type P341 installed is Type C407M10.

Type P342 – Latch with bi-directional remote release mechanism that permits remote valve closure from two directions. The valve is opened manually. A built in fusible element will release at 212°F / 100°C allowing the valve to close. Factory type number with the Type P342 installed is Type C407MB10.

Type P389 – Pneumatic actuator that allows remote opening and closing of the valve. Factory type number with the Type P389 installed is Type C407A10.

Steps to Sort Green Propane Bottles

- Bring in a full bin of green bottles, into the processing area, to be sorted between empty and full bottles.
- Use the rounded flat tip tool to depress the valve in order to determine if the bottle is empty, there will be no sound, or if it is full, it will hiss.
- Empty bottles go into a bin marked with a large E when bin is full it will go to the empty bin storage area.
- Full bottles are sorted into two groups pristine versus crunched up bottles.
- The good bottles are put on to the manifold that has the push down levers.
- The crunched up bottles are put on the manifold that you need to screw the bottles into place.

Step to Process 5 Gallon and Larger Propane Bottles

- Bring in a full bin of 5 gallon bottles, into the processing area, to be sorted between empty and full bottles.
- Use the rounded flat tip tool to depress the valve in order to determine if the bottle is empty, there will be no sound, or if it is full, it will hiss.
- If bottle is empty, we will unscrew the 10% relief valve and depress the valve again to double check for pressure.
- If still no pressure, we will paint a large E on the bottle.
- We will cut off the brass valves and put them into a large dump bin to be recycled. The bottles will be put into the box 4x4x4 recycled.
- If bottles are full they will be put onto the manifolds with gauges which will tell us when they have negative pressure and then they will be empty.

Starting the Propane Evacuation

- Check the oil in the engine and fill up with gas.
- Turn the red knob to ON and pull to start the motor.
- After the engine has started, open the valves going to the storage tanks and vacuum tank nearest the compressor.
- Then we open the two valves on the vacuum tank.
- Then we open all valves going to the storage tanks.
- Then we go into the processing area and we put the presorted green bottles on to the manifolds.
- Then we put on the 5 gal or larger propane bottles on to the manifolds that have gauges which will tell us when they get negative pressure.
- The 10% relief valve is opened on the 5 gal propane bottles with bad valves are put into a tube which is sealed off and evacuated.
- When the green bottles don't have any ice on them, they are ready to be taken off the manifold.
- We take them off and double check with tool to see if there is any pressure still in the bottles, because sometimes the valves get stuck or don't work the first time, we will put them on again until they get emptied.
- When emptied and tested we through them into the big empty bins with large E on them.



This is the original system we have. It has brass fittings and you have to screw in the cylinders into the brass fitting. The fitting has a piece of metal that pushes the schrader valve open to release the gas. Once you push the red valve up this releases the propane into the system. The liquid turn into a vapor, goes to the vacuum chamber, into the pump and finally to the storage tanks where it turns back into a liquid. The gauge goes into a negative pressure and that shows you the tanks are done. This item is still being used today cause when we receive damaged tanks them seem to fit better on this manifold. We process over 250,000 green propane tanks a year.



Small Green Propane Tanks

This manifold you do not have to screw the tanks in. You stick the tank in the brass valve upside down. Then you pull the lever down and it pushes the tank into the brass valve. You open the red valve and the propane goes through the system.



This is the vacuum tank and its about 1100 gallon tank. It's just to insure we have good vacuum at all times.



This is the vacuum pump. It takes the propane and stores it in the storage tank.



We have two storage tanks that can hold up to 1000 gallons with all new valves.



This is the automatic shut off valve in case of a fire. If it gets up to 250 degrees it will automatically shut off.



This picture shows you the two lines coming off the storage tanks that lead back to the manifold. You can see the schedule 80 pipe for propane. The pipe being under the ground shows it has been taped.



This shows the pipe being taped, the rest of the pipe under ground is taped as well.



The two manifolds are hooked together and the line goes out to the vacuum tank.



The tanks that are 5 gallons or more are checked by opening the valve or using a screw driver to see if there is any propane left in the tank. After the propane is evacuated, all the tanks get an "E" except green propane which are stored in a 4X8 tote that has a "E" written on the box. These totes are stored in the empty processed propane area.



This picture shows where the empty processed propane area is at.



This shows the green propane tanks being stored in 4X8 totes with the "E" on it for empty.



This picture shows the hydraulic metal sheer that is used to cut or put a hole in the green propanes. This machine will be getting updated soon.



You can see the green propane tank in the shear ready to be cut in half or have a hole put into it.



This picture shows the sheer being cut. You can see the hole in it.



When the propane tank has a hole in it or been sheered it drops into this bin. When the bin is full it is then dumped into a trailer where it is hauled to Richfield recycling or American Canyon.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/02/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Easterly Surety & Ins. Svcs. Inc 56 Mayhew Way Walnut Creek, CA 94597 Kevin P. Easterly	925-977-9220	CONTACT NAME: Kevin P. Easterly PHONE (A/C No. Ext): 925-977-9220 E-MAIL ADDRESS:	FAX (A/C No): 925-977-9224
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Freon Free, Inc. Henry Warner P.O. Box 5607 Vacaville, CA 95696	INSURER A : Crum & Forster Specialty Ins		44520
	INSURER B : State Comp. Ins. Fund of Ca		25076
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.


INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			EPK134448 EPK130320	03/07/2021 03/07/2021	03/07/2021 03/07/2021	EACH OCCURRENCE \$ 2,000,000	
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000	
	<input checked="" type="checkbox"/> POLLUTION						MED EXP (Any one person) \$ 5,000	
	<input checked="" type="checkbox"/> MOLD OCCUR						PERSONAL & ADV INJURY \$ 2,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000	
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000	
	OTHER:						\$	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$	
	<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$	
	<input type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$	
							\$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR						EACH OCCURRENCE \$	
	EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$	
	DED <input type="checkbox"/> RETENTION \$						\$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			9163159-2020	07/22/2020	07/22/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT \$ 1,000,000	
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000	
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence of Coverage

CERTIFICATE HOLDER

CANCELLATION

Orland Division 6378 Road 5 Orland, CA 95963	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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From: kimberly.swanson@usecology.com,
To: Freonfreeworker@aol.com,
Subject: Profile Forms/Info on Waste

Date: Tue, Apr 20, 2021 1:09 pm

Attachments: Waste Profile Form (USE).pdf(430K), Waste_Profile_Instructions.sflb.pdf(171K),

Hi Michael,

Please see the attached profile forms.

Pricing for the powder waste: \$110.00/CYB + 13% EIR (Pending the approved profile into Beatty) 3x3

Deheaded Fire Extinguishers: \$110.00/CYB + 13% EIR (Pending the approved profile into Beatty) 3x3

Helium - We cannot accept.

Kimberly Swanson
Senior Customer Support Manager
kimberly.swanson@usecology.com,
p: (208)319-1639
101 S. Capitol Boulevard Boise, ID 83702

Emergency Response: 800.839.3975

Customer Service: 800.590.5220

How is our service? Click here!



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USEcology.com

D. COMPOSITION (use additional form if necessary)

Constituent	Units	TCLP	Totals	Range total ≥ 100%		
				Typical	Min	Max
Mono ammonium Phosphate		<input type="checkbox"/>	<input type="checkbox"/>			
Ammonium Sulfate		<input type="checkbox"/>	<input type="checkbox"/>			
Talcum Powder		<input type="checkbox"/>	<input type="checkbox"/>			
Potassium Bicarbonate		<input type="checkbox"/>	<input type="checkbox"/>			
Potassium Allophanate		<input type="checkbox"/>	<input type="checkbox"/>			
Magnesium Aluminum Silicate		<input type="checkbox"/>	<input type="checkbox"/>			
Sodium Bicarbonate		<input type="checkbox"/>	<input type="checkbox"/>			
Calcium Stearate		<input type="checkbox"/>	<input type="checkbox"/>			
Barium Stearate		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>			

E. CHARACTERISTICS

- | | | | |
|--|--|--|---|
| 1. Oxidizer | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Reactive sulfides _____ ppm | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. Explosive | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Reactive cyanides _____ ppm | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Organic peroxide | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Water/air reactive | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Shock sensitive | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Thermally unstable | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. Tires | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. TSCA regulated PCB waste (control sheet required with shipment) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 6. Pyrophoric | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Medical/infectious waste | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 7. Compressed gas | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Radioactive (If yes, complete Profile Supplement for Radioactive Waste) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 8. Halogenated organics | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Hazardous Secondary Material (HSM) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 17. Possibility of incidental liquids from transportation? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| 18. Is waste/material a solid using the paint filter test? | <input type="checkbox"/> Yes (solid) <input checked="" type="checkbox"/> No (not solid) | | |
| 19. pH: (If solid, what is pH if mixed with water?) | Range _____ to _____ Typical _____ | <input type="checkbox"/> ≤2 <input type="checkbox"/> 2<12.5 <input type="checkbox"/> ≥12.5 | |
| 20. Flash Point: | _____ °F <input type="checkbox"/> <140°F | | |
| 21. Is the waste/material oil bearing from Petroleum Refining, Production or Transportation practices? | <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |

F. GENERATOR'S CERTIFICATION

- Yes No I certify this waste/material may be disposed without further treatment.
- Yes N/A I certify this waste/material meets all requirements of legitimate recycling of hazardous secondary materials under 40 CFR 260.43 and/or I am complying with the conditions for generators using the verified recycler exclusion.

I authorize US Ecology to correct inconsistencies on the waste/material profile form that impact management decisions with my oral or written authorization. US Ecology will require re-submittal of the waste/material profile information if substantial changes are determined necessary. I understand waste/material that does not conform to specifications described in this profile may be rejected by US Ecology unless other contractual arrangements have been agreed to by both parties. I certify, under penalty of law, that I am familiar with this waste/material stream through analysis and/or process knowledge, and that all information provided is true, accurate, representative and complete, that all known or suspected hazards have been disclosed, and that this form was completed in accordance with the instructions provided.

Print Name Matt Bascom	Signature	Title	Date 05/10/21
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EnviroPro Energy Company, LLC
Purchases by Product/Service Detail
 January - December 2019

Date	Transaction Type	Num	Vendor	Memo/Description	Qty	Rate	Amount	Balance	Account
***Cortina1									
09/20/2019	Bill	09.20.2019	Matt Bascom	Picked up 416 Gallons @ .20 a Gallon	416	0.20	83.20	83.20	126000 Inventory Propane
11/06/2019	Bill	58277	Matt Bascom	Picked up 330 Gallons @ .20 a Gallon	330	0.20	66.00	149.20	126000 Inventory Propane
11/22/2019	Bill	58278	Matt Bascom	Picked up 110 Gallons @ .20 a Gallon	110	0.20	22.00	171.20	126000 Inventory Propane
Total for ***Cortina1					<u>856</u>		<u>\$ 171.20</u>		
TOTAL					<u>856</u>		<u>\$ 171.20</u>		

Friday, Jan 17, 2020 02:21:44 PM GMT-8 - Accrual Basis

EnviroPro Energy Company, LLC
Gallons Picked Up
January - December 2020

Date	Transaction Type	Num	Vendor	Memo/Description	Qty	Rate	Amount
02/24/2020	Bill	58279	Matt Bascom	Picked up 384 Gallons @ .20 a Gallon	384	0.20	76.80
06/16/2020	Bill	58280	Matt Bascom	Picked up 775 Gallons @ .20 a Gallon	775	0.20	155.00
09/01/2020	Bill	58281	Matt Bascom	Picked up 545 Gallons @ .20 a Gallon	544	0.20	108.80
12/09/2020	Bill	58283	Matt Bascom	Picked up 800 Gallons @ .20 a Gallon	800	0.20	160.00
Total					2503		\$ 500.60

Wednesday, Jun 09, 2021 09:07:17 AM GMT-7 - Accrual Basis

NATIONS TITLE COMPANY OF CA

2016-2898

Recording Requested By /
Return To:
STEARNS LENDING, LLC
4 HUTTON CENTRE DRIVE, 10TH
FLOOR
SANTA ANA, CA 92707-8788
866-450-7677
ATTN: SHIPPING DEPT/DOC.
CONTROL

Recorded at the request of:
NATIONS TITLE CO
07/07/2016 10:45 AM
Fee \$50.00 Pgs: 13
OFFICIAL RECORDS
Sheryl Thur, Clerk-Recorder
Glenn County, CA

Prepared By:
RICHARD BOUTSADY
STEARNS LENDING, LLC
4 HUTTON CENTRE DRIVE, 10TH
FLOOR
SANTA ANA, CA 92707-8788
866-450-7677

1594887

[Space Above This Line For Recording Data]

DEED OF TRUST

BASCOM
Loan #: 5500388805
MIN: 100183355003888059
MERS Phone: 1-888-679-6377
PIN: 044-100-002

Trustor/Borrower:
MATTHEW BASCOM
6378 COUNTY ROAD 5, ORLAND, CA 95963

Property Address: 6378 COUNTY ROAD 5, ORLAND, CA 95963

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

- (A) "Security Instrument" means this document, which is dated JUNE 30, 2016, together with all Riders to this document.
- (B) "Borrower" is MATTHEW BASCOM AND TRICIA BASCOM, HUSBAND AND WIFE, AS JOINT TENANTS;. Borrower is the trustor under this Security Instrument.
- (C) "Lender" is STEARNS LENDING, LLC. Lender is a LIMITED LIABILITY COMPANY organized and existing under the laws of CALIFORNIA. Lender's address is 4 HUTTON CENTRE DRIVE, 10TH FLOOR, SANTA ANA, CA 92707-8788.
- (D) "Trustee" is NATIONS TITLE COMPANY.
- (E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.
- (F) "Note" means the promissory note signed by Borrower and dated JUNE 30, 2016. The Note states that Borrower owes Lender ONE HUNDRED EIGHTY THOUSAND AND 00/100 Dollars (U.S. \$180,000.00) plus interest. Borrower has



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promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than **JULY 1, 2046**.

(G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- | | | |
|--|---|---|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider | <input type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Balloon Rider | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> Biweekly Payment Rider |
| <input type="checkbox"/> 1-4 Family Rider | <input type="checkbox"/> Other(s) [specify] | |

(J) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(L) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "Escrow Items" means those items that are described in Section 3.

(N) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(O) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. §2601 et seq.) and its implementing regulation, Regulation X (12 C.F.R. Part 1024), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the COUNTY of **GLENN**:

SEE ATTACHED EXHIBIT A

which currently has the address of **6378 COUNTY ROAD 5, ORLAND, CA 95963** ("Property Address"):

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security



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Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges. Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity; or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

If Lender receives a payment from Borrower for a delinquent Periodic Payment which includes a sufficient amount to pay any late charge due, the payment may be applied to the delinquent payment and the late charge. If more than one Periodic Payment is outstanding, Lender may apply any payment received from Borrower to the repayment of the Periodic Payments if, and to the extent that, each payment can be paid in full. To the extent that any excess exists after the payment is applied to the full payment of one or more Periodic Payments, such excess may be applied to any late charges due. Voluntary prepayments shall be applied first to any prepayment charges and then as described in the Note.

Any application of payments, insurance proceeds, or Miscellaneous Proceeds to principal due under the Note shall not extend or postpone the due date, or change the amount, of the Periodic Payments.

3. Funds for Escrow Items. Borrower shall pay to Lender on the day Periodic Payments are due under the Note, until



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the Note is paid in full, a sum (the "Funds") to provide for payment of amounts due for: (a) taxes and assessments and other items which can attain priority over this Security Instrument as a lien or encumbrance on the Property; (b) leasehold payments or ground rents on the Property, if any; (c) premiums for any and all insurance required by Lender under Section 5; and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10. These items are called "Escrow Items." At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow Item. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section. Borrower shall pay Lender the Funds for Escrow Items unless Lender waives Borrower's obligation to pay the Funds for any or all Escrow Items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all Escrow Items at any time. Any such waiver may only be in writing. In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow Items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require. Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9. If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item, Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount. Lender may revoke the waiver as to any or all Escrow Items at any time by a notice given in accordance with Section 15 and, upon such revocation, Borrower shall pay to Lender all Funds, and in such amounts, that are then required under this Section 3.

Lender may, at any time, collect and hold Funds in an amount (a) sufficient to permit Lender to apply the Funds at the time specified under RESPA, and (b) not to exceed the maximum amount a lender can require under RESPA. Lender shall estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with Applicable Law.

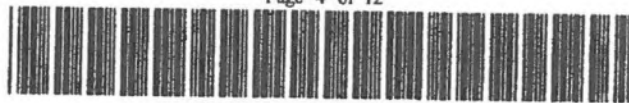
The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentality, or entity (including Lender, if Lender is an institution whose deposits are so insured) or in any Federal Home Loan Bank. Lender shall apply the Funds to pay the Escrow Items no later than the time specified under RESPA. Lender shall not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow Items, unless Lender pays Borrower interest on the Funds and Applicable Law permits Lender to make such a charge. Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Funds, Lender shall not be required to pay Borrower any interest or earnings on the Funds. Borrower and Lender can agree in writing, however, that interest shall be paid on the Funds. Lender shall give to Borrower, without charge, an annual accounting of the Funds as required by RESPA.

If there is a surplus of Funds held in escrow, as defined under RESPA, Lender shall account to Borrower for the excess funds in accordance with RESPA. If there is a shortage of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the shortage in accordance with RESPA, but in no more than 12 monthly payments. If there is a deficiency of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the deficiency in accordance with RESPA, but in no more than 12 monthly payments.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender.

4. Charges; Liens. Borrower shall pay all taxes, assessments, charges, fines, and impositions attributable to the Property which can attain priority over this Security Instrument, leasehold payments or ground rents on the Property, if any, and Community Association Dues, Fees, and Assessments, if any. To the extent that these items are Escrow Items, Borrower shall pay them in the manner provided in Section 3.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender, but only so long as Borrower is performing such agreement; (b) contests the lien in good faith by, or defends against enforcement of the lien in, legal proceedings which in Lender's opinion operate to prevent the enforcement of the lien while those proceedings are pending, but only until such proceedings are concluded; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien which can attain priority over this Security Instrument, Lender may give Borrower a notice identifying the lien. Within 10 days



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of the date on which that notice is given, Borrower shall satisfy the lien or take one or more of the actions set forth above in this Section 4.

Lender may require Borrower to pay a one-time charge for a real estate tax verification and/or reporting service used by Lender in connection with this Loan.

5. Property Insurance. Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage," and any other hazards including, but not limited to, earthquakes and floods, for which Lender requires insurance. This insurance shall be maintained in the amounts (including deductible levels) and for the periods that Lender requires. What Lender requires pursuant to the preceding sentences can change during the term of the Loan. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's right to disapprove Borrower's choice, which right shall not be exercised unreasonably. Lender may require Borrower to pay, in connection with this Loan, either: (a) a one-time charge for flood zone determination, certification and tracking services; or (b) a one-time charge for flood zone determination and certification services and subsequent charges each time remappings or similar changes occur which reasonably might affect such determination or certification. Borrower shall also be responsible for the payment of any fees imposed by the Federal Emergency Management Agency in connection with the review of any flood zone determination resulting from an objection by Borrower.

If Borrower fails to maintain any of the coverages described above, Lender may obtain insurance coverage, at Lender's option and Borrower's expense. Lender is under no obligation to purchase any particular type or amount of coverage. Therefore, such coverage shall cover Lender, but might or might not protect Borrower, Borrower's equity in the Property, or the contents of the Property, against any risk, hazard or liability and might provide greater or lesser coverage than was previously in effect. Borrower acknowledges that the cost of the insurance coverage so obtained might significantly exceed the cost of insurance that Borrower could have obtained. Any amounts disbursed by Lender under this Section 5 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

All insurance policies required by Lender and renewals of such policies shall be subject to Lender's right to disapprove such policies, shall include a standard mortgage clause, and shall name Lender as mortgagee and/or as an additional loss payee and Borrower further agrees to generally assign rights to insurance proceeds to the holder of the Note up to the amount of the outstanding loan balance. Lender shall have the right to hold the policies and renewal certificates. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. If Borrower obtains any form of insurance coverage, not otherwise required by Lender, for damage to, or destruction of, the Property, such policy shall include a standard mortgage clause and shall name Lender as mortgagee and/or as an additional loss payee and Borrower further agrees to generally assign rights to insurance proceeds to the holder of the Note up to the amount of the outstanding loan balance.

In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower. Unless Lender and Borrower otherwise agree in writing, any insurance proceeds, whether or not the underlying insurance was required by Lender, shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such insurance proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such insurance proceeds, Lender shall not be required to pay Borrower any interest or earnings on such proceeds. Fees for public adjusters, or other third parties, retained by Borrower shall not be paid out of the insurance proceeds and shall be the sole obligation of Borrower. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such insurance proceeds shall be applied in the order provided for in Section 2.

If Borrower abandons the Property, Lender may file, negotiate and settle any available insurance claim and related matters. If Borrower does not respond within 30 days to a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may negotiate and settle the claim. The 30-day period will begin when the notice is given. In either event, or if Lender acquires the Property under Section 22 or otherwise, Borrower hereby assigns to Lender (a) Borrower's rights to any insurance proceeds in an amount not to exceed the amounts unpaid under the Note or this Security Instrument, and (b) any



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other of Borrower's rights (other than the right to any refund of unearned premiums paid by Borrower) under all insurance policies covering the Property, insofar as such rights are applicable to the coverage of the Property. Lender may use the insurance proceeds either to repair or restore the Property or to pay amounts unpaid under the Note or this Security Instrument, whether or not then due.

6. Occupancy. Borrower shall occupy, establish, and use the Property as Borrower's principal residence within 60 days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control.

7. Preservation, Maintenance and Protection of the Property; Inspections. Borrower shall not destroy, damage or impair the Property, allow the Property to deteriorate or commit waste on the Property. Whether or not Borrower is residing in the Property, Borrower shall maintain the Property in order to prevent the Property from deteriorating or decreasing in value due to its condition. Unless it is determined pursuant to Section 5 that repair or restoration is not economically feasible, Borrower shall promptly repair the Property if damaged to avoid further deterioration or damage. If insurance or condemnation proceeds are paid in connection with damage to, or the taking of, the Property, Borrower shall be responsible for repairing or restoring the Property only if Lender has released proceeds for such purposes. Lender may disburse proceeds for the repairs and restoration in a single payment or in a series of progress payments as the work is completed. If the insurance or condemnation proceeds are not sufficient to repair or restore the Property, Borrower is not relieved of Borrower's obligation for the completion of such repair or restoration.

Lender or its agent may make reasonable entries upon and inspections of the Property. If it has reasonable cause, Lender may inspect the interior of the improvements on the Property. Lender shall give Borrower notice at the time of or prior to such an interior inspection specifying such reasonable cause.

8. Borrower's Loan Application. Borrower shall be in default if, during the Loan application process, Borrower or any persons or entities acting at the direction of Borrower or with Borrower's knowledge or consent gave materially false, misleading, or inaccurate information or statements to Lender (or failed to provide Lender with material information) in connection with the Loan. Material representations include, but are not limited to, representations concerning Borrower's occupancy of the Property as Borrower's principal residence.

9. Protection of Lender's Interest in the Property and Rights Under this Security Instrument. If (a) Borrower fails to perform the covenants and agreements contained in this Security Instrument, (b) there is a legal proceeding that might significantly affect Lender's interest in the Property and/or rights under this Security Instrument (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture, for enforcement of a lien which may attain priority over this Security Instrument or to enforce laws or regulations), or (c) Borrower has abandoned the Property, then Lender may do and pay for whatever is reasonable or appropriate to protect Lender's interest in the Property and rights under this Security Instrument, including protecting and/or assessing the value of the Property, and securing and/or repairing the Property. Lender's actions can include, but are not limited to: (a) paying any sums secured by a lien which has priority over this Security Instrument; (b) appearing in court; and (c) paying reasonable attorneys' fees to protect its interest in the Property and/or rights under this Security Instrument, including its secured position in a bankruptcy proceeding. Securing the Property includes, but is not limited to, entering the Property to make repairs, change locks, replace or board up doors and windows, drain water from pipes, eliminate building or other code violations or dangerous conditions, and have utilities turned on or off. Although Lender may take action under this Section 9, Lender does not have to do so and is not under any duty or obligation to do so. It is agreed that Lender incurs no liability for not taking any or all actions authorized under this Section 9.

Any amounts disbursed by Lender under this Section 9 shall become additional debt of Borrower secured by this Security Instrument. These amounts shall bear interest at the Note rate from the date of disbursement and shall be payable, with such interest, upon notice from Lender to Borrower requesting payment.

If this Security Instrument is on a leasehold, Borrower shall comply with all the provisions of the lease. Borrower shall not surrender the leasehold estate and interests herein conveyed or terminate or cancel the ground lease. Borrower shall not, without the express written consent of Lender, alter or amend the ground lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

10. Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan, Borrower shall pay the premiums required to maintain the Mortgage Insurance in effect. If, for any reason, the Mortgage Insurance coverage



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required by Lender ceases to be available from the mortgage insurer that previously provided such insurance and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the Mortgage Insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the Mortgage Insurance previously in effect, from an alternate mortgage insurer selected by Lender. If substantially equivalent Mortgage Insurance coverage is not available, Borrower shall continue to pay to Lender the amount of the separately designated payments that were due when the insurance coverage ceased to be in effect. Lender will accept, use and retain these payments as a non-refundable loss reserve in lieu of Mortgage Insurance. Such loss reserve shall be non-refundable, notwithstanding the fact that the Loan is ultimately paid in full, and Lender shall not be required to pay Borrower any interest or earnings on such loss reserve. Lender can no longer require loss reserve payments if Mortgage Insurance coverage (in the amount and for the period that Lender requires) provided by an insurer selected by Lender again becomes available, is obtained, and Lender requires separately designated payments toward the premiums for Mortgage Insurance. If Lender required Mortgage Insurance as a condition of making the Loan and Borrower was required to make separately designated payments toward the premiums for Mortgage Insurance, Borrower shall pay the premiums required to maintain Mortgage Insurance in effect, or to provide a non-refundable loss reserve, until Lender's requirement for Mortgage Insurance ends in accordance with any written agreement between Borrower and Lender providing for such termination or until termination is required by Applicable Law. Nothing in this Section 10 affects Borrower's obligation to pay interest at the rate provided in the Note.

Mortgage Insurance reimburses Lender (or any entity that purchases the Note) for certain losses it may incur if Borrower does not repay the Loan as agreed. Borrower is not a party to the Mortgage Insurance.

Mortgage insurers evaluate their total risk on all such insurance in force from time to time, and may enter into agreements with other parties that share or modify their risk, or reduce losses. These agreements are on terms and conditions that are satisfactory to the mortgage insurer and the other party (or parties) to these agreements. These agreements may require the mortgage insurer to make payments using any source of funds that the mortgage insurer may have available (which may include funds obtained from Mortgage Insurance premiums).

As a result of these agreements, Lender, any purchaser of the Note, another insurer, any reinsurer, any other entity, or any affiliate of any of the foregoing, may receive (directly or indirectly) amounts that derive from (or might be characterized as) a portion of Borrower's payments for Mortgage Insurance, in exchange for sharing or modifying the mortgage insurer's risk, or reducing losses. If such agreement provides that an affiliate of Lender takes a share of the insurer's risk in exchange for a share of the premiums paid to the insurer, the arrangement is often termed "captive reinsurance." Further:

(a) Any such agreements will not affect the amounts that Borrower has agreed to pay for Mortgage Insurance, or any other terms of the Loan. Such agreements will not increase the amount Borrower will owe for Mortgage Insurance, and they will not entitle Borrower to any refund.

(b) Any such agreements will not affect the rights Borrower has - if any - with respect to the Mortgage Insurance under the Homeowners Protection Act of 1998 or any other law. These rights may include the right to receive certain disclosures, to request and obtain cancellation of the Mortgage Insurance, to have the Mortgage Insurance terminated automatically, and/or to receive a refund of any Mortgage Insurance premiums that were unearned at the time of such cancellation or termination.

II. Assignment of Miscellaneous Proceeds; Forfeiture. All Miscellaneous Proceeds are hereby assigned to and shall be paid to Lender.

If the Property is damaged, such Miscellaneous Proceeds shall be applied to restoration or repair of the Property, if the restoration or repair is economically feasible and Lender's security is not lessened. During such repair and restoration period, Lender shall have the right to hold such Miscellaneous Proceeds until Lender has had an opportunity to inspect such Property to ensure the work has been completed to Lender's satisfaction, provided that such inspection shall be undertaken promptly. Lender may pay for the repairs and restoration in a single disbursement or in a series of progress payments as the work is completed. Unless an agreement is made in writing or Applicable Law requires interest to be paid on such Miscellaneous Proceeds, Lender shall not be required to pay Borrower any interest or earnings on such Miscellaneous Proceeds. If the restoration or repair is not economically feasible or Lender's security would be lessened, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower. Such Miscellaneous Proceeds shall be applied in the order provided for in Section 2.



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In the event of a total taking, destruction, or loss in value of the Property, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with the excess, if any, paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the Miscellaneous Proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the partial taking, destruction, or loss in value divided by (b) the fair market value of the Property immediately before the partial taking, destruction, or loss in value. Any balance shall be paid to Borrower.

In the event of a partial taking, destruction, or loss in value of the Property in which the fair market value of the Property immediately before the partial taking, destruction, or loss in value is less than the amount of the sums secured immediately before the partial taking, destruction, or loss in value, unless Borrower and Lender otherwise agree in writing, the Miscellaneous Proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due.

If the Property is abandoned by Borrower, or if, after notice by Lender to Borrower that the Opposing Party (as defined in the next sentence) offers to make an award to settle a claim for damages, Borrower fails to respond to Lender within 30 days after the date the notice is given, Lender is authorized to collect and apply the Miscellaneous Proceeds either to restoration or repair of the Property or to the sums secured by this Security Instrument, whether or not then due. "Opposing Party" means the third party that owes Borrower Miscellaneous Proceeds or the party against whom Borrower has a right of action in regard to Miscellaneous Proceeds.

Borrower shall be in default if any action or proceeding, whether civil or criminal, is begun that, in Lender's judgment, could result in forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. Borrower can cure such a default and, if acceleration has occurred, reinstate as provided in Section 19, by causing the action or proceeding to be dismissed with a ruling that, in Lender's judgment, precludes forfeiture of the Property or other material impairment of Lender's interest in the Property or rights under this Security Instrument. The proceeds of any award or claim for damages that are attributable to the impairment of Lender's interest in the Property are hereby assigned and shall be paid to Lender.

All Miscellaneous Proceeds that are not applied to restoration or repair of the Property shall be applied in the order provided for in Section 2.

12. Borrower Not Released; Forbearance By Lender Not a Waiver. Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to Borrower or any Successor in Interest of Borrower shall not operate to release the liability of Borrower or any Successors in Interest of Borrower. Lender shall not be required to commence proceedings against any Successor in Interest of Borrower or to refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or any Successors in Interest of Borrower. Any forbearance by Lender in exercising any right or remedy including, without limitation, Lender's acceptance of payments from third persons, entities or Successors in Interest of Borrower or in amounts less than the amount then due, shall not be a waiver of or preclude the exercise of any right or remedy.

13. Joint and Several Liability; Co-signers; Successors and Assigns Bound. Borrower covenants and agrees that Borrower's obligations and liability shall be joint and several. However, any Borrower who co-signs this Security Instrument but does not execute the Note (a "co-signer"): (a) is co-signing this Security Instrument only to mortgage, grant and convey the co-signer's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower can agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without the co-signer's consent.

Subject to the provisions of Section 18, any Successor in Interest of Borrower who assumes Borrower's obligations under this Security Instrument in writing, and is approved by Lender, shall obtain all of Borrower's rights and benefits under this Security Instrument. Borrower shall not be released from Borrower's obligations and liability under this Security Instrument unless Lender agrees to such release in writing. The covenants and agreements of this Security Instrument shall bind (except as provided in Section 20) and benefit the successors and assigns of Lender.

14. Loan Charges. Lender may charge Borrower fees for services performed in connection with Borrower's default, for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument, including, but not



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limited to, attorneys' fees, property inspection and valuation fees. In regard to any other fees, the absence of express authority in this Security Instrument to charge a specific fee to Borrower shall not be construed as a prohibition on the charging of such fee. Lender may not charge fees that are expressly prohibited by this Security Instrument or by Applicable Law.

If the Loan is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the Loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge (whether or not a prepayment charge is provided for under the Note). Borrower's acceptance of any such refund made by direct payment to Borrower will constitute a waiver of any right of action Borrower might have arising out of such overcharge.

15. Notices. All notices given by Borrower or Lender in connection with this Security Instrument must be in writing. Any notice to Borrower in connection with this Security Instrument shall be deemed to have been given to Borrower when mailed by first class mail or when actually delivered to Borrower's notice address if sent by other means. Notice to any one Borrower shall constitute notice to all Borrowers unless Applicable Law expressly requires otherwise. The notice address shall be the Property Address unless Borrower has designated a substitute notice address by notice to Lender. Borrower shall promptly notify Lender of Borrower's change of address. If Lender specifies a procedure for reporting Borrower's change of address, then Borrower shall only report a change of address through that specified procedure. There may be only one designated notice address under this Security Instrument at any one time. Any notice to Lender shall be given by delivering it or by mailing it by first class mail to Lender's address stated herein unless Lender has designated another address by notice to Borrower. Any notice in connection with this Security Instrument shall not be deemed to have been given to Lender until actually received by Lender. If any notice required by this Security Instrument is also required under Applicable Law, the Applicable Law requirement will satisfy the corresponding requirement under this Security Instrument.

16. Governing Law; Severability; Rules of Construction. This Security Instrument shall be governed by federal law and the law of the jurisdiction in which the Property is located. All rights and obligations contained in this Security Instrument are subject to any requirements and limitations of Applicable Law. Applicable Law might explicitly or implicitly allow the parties to agree by contract or it might be silent, but such silence shall not be construed as a prohibition against agreement by contract. In the event that any provision or clause of this Security Instrument or the Note conflicts with Applicable Law, such conflict shall not affect other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision.

As used in this Security Instrument: (a) words of the masculine gender shall mean and include corresponding neuter words or words of the feminine gender; (b) words in the singular shall mean and include the plural and vice versa; and (c) the word "may" gives sole discretion without any obligation to take any action.

17. Borrower's Copy. Borrower shall be given one copy of the Note and of this Security Instrument.

18. Transfer of the Property or a Beneficial Interest in Borrower. As used in this Section 18, "Interest in the Property" means any legal or beneficial interest in the Property, including, but not limited to, those beneficial interests transferred in a bond for deed, contract for deed, installment sales contract or escrow agreement, the intent of which is the transfer of title by Borrower at a future date to a purchaser.

If all or any part of the Property or any Interest in the Property is sold or transferred (or if Borrower is not a natural person and a beneficial interest in Borrower is sold or transferred) without Lender's prior written consent, Lender may require immediate payment in full of all sums secured by this Security Instrument. However, this option shall not be exercised by Lender if such exercise is prohibited by Applicable Law.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is given in accordance with Section 15 within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

19. Borrower's Right to Reinstate After Acceleration. If Borrower meets certain conditions, Borrower shall have the right to have enforcement of this Security Instrument discontinued at any time prior to the earliest of: (a) five days before sale of the Property pursuant to any power of sale contained in this Security Instrument; (b) such other period as Applicable



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Law might specify for the termination of Borrower's right to reinstate; or (c) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if no acceleration had occurred; (b) cures any default of any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorneys' fees, property inspection and valuation fees, and other fees incurred for the purpose of protecting Lender's interest in the Property and rights under this Security Instrument; and (d) takes such action as Lender may reasonably require to assure that Lender's interest in the Property and rights under this Security Instrument, and Borrower's obligation to pay the sums secured by this Security Instrument, shall continue unchanged. Lender may require that Borrower pay such reinstatement sums and expenses in one or more of the following forms, as selected by Lender: (a) cash; (b) money order; (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality or entity; or (d) Electronic Funds Transfer. Upon reinstatement by Borrower, this Security Instrument and obligations secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under Section 18.

20. Sale of Note; Change of Loan Servicer; Notice of Grievance. The Note or a partial interest in the Note (together with this Security Instrument) can be sold one or more times without prior notice to Borrower. A sale might result in a change in the entity (known as the "Loan Servicer") that collects Periodic Payments due under the Note and this Security Instrument and performs other mortgage loan servicing obligations under the Note, this Security Instrument, and Applicable Law. There also might be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change which will state the name and address of the new Loan Servicer, the address to which payments should be made and any other information RESPA requires in connection with a notice of transfer of servicing. If the Note is sold and thereafter the Loan is serviced by a Loan Servicer other than the purchaser of the Note, the mortgage loan servicing obligations to Borrower will remain with the Loan Servicer or be transferred to a successor Loan Servicer and are not assumed by the Note purchaser unless otherwise provided by the Note purchaser.

Neither Borrower nor Lender may commence, join, or be joined to any judicial action (as either an individual litigant or the member of a class) that arises from the other party's actions pursuant to this Security Instrument or that alleges that the other party has breached any provision of, or any duty owed by reason of, this Security Instrument, until such Borrower or Lender has notified the other party (with such notice given in compliance with the requirements of Section 15) of such alleged breach and afforded the other party hereto a reasonable period after the giving of such notice to take corrective action. If Applicable Law provides a time period which must elapse before certain action can be taken, that time period will be deemed to be reasonable for purposes of this paragraph. The notice of acceleration and opportunity to cure given to Borrower pursuant to Section 22 and the notice of acceleration given to Borrower pursuant to Section 18 shall be deemed to satisfy the notice and opportunity to take corrective action provisions of this Section 20.

21. Hazardous Substances. As used in this Section 21: (a) "Hazardous Substances" are those substances defined as toxic or hazardous substances, pollutants, or wastes by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials; (b) "Environmental Law" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection; (c) "Environmental Cleanup" includes any response action, remedial action, or removal action, as defined in Environmental Law; and (d) an "Environmental Condition" means a condition that can cause, contribute to, or otherwise trigger an Environmental Cleanup.

Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances, or threaten to release any Hazardous Substances, on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property (a) that is in violation of any Environmental Law, (b) which creates an Environmental Condition, or (c) which, due to the presence, use, or release of a Hazardous Substance, creates a condition that adversely affects the value of the Property. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential uses and to maintenance of the Property (including, but not limited to, hazardous substances in consumer products).

Borrower shall promptly give Lender written notice of (a) any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge, (b) any Environmental Condition, including but not limited to, any spilling, leaking, discharge, release or threat of release of any Hazardous Substance, and (c) any condition caused by the presence, use



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or release of a Hazardous Substance which adversely affects the value of the Property. If Borrower learns, or is notified by any governmental or regulatory authority, or any private party, that any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law. Nothing herein shall create any obligation on Lender for an Environmental Cleanup.

NON-UNIFORM COVENANTS. Borrower and Lender further covenant and agree as follows:

22. Acceleration; Remedies. Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under Section 18 unless Applicable Law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the sums secured by this Security Instrument and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to bring a court action to assert the non-existence of a default or any other defense of Borrower to acceleration and sale. If the default is not cured on or before the date specified in the notice, Lender at its option may require immediate payment in full of all sums secured by this Security Instrument without further demand and may invoke the power of sale and any other remedies permitted by Applicable Law. Lender shall be entitled to collect all expenses incurred in pursuing the remedies provided in this Section 22, including, but not limited to, reasonable attorneys' fees and costs of title evidence.

If Lender invokes the power of sale, Lender shall execute or cause Trustee to execute a written notice of the occurrence of an event of default and of Lender's election to cause the Property to be sold. Trustee shall cause this notice to be recorded in each county in which any part of the Property is located. Lender or Trustee shall mail copies of the notice as prescribed by Applicable Law to Borrower and to the other persons prescribed by Applicable Law. Trustee shall give public notice of sale to the persons and in the manner prescribed by Applicable Law. After the time required by Applicable Law, Trustee, without demand on Borrower, shall sell the Property at public auction to the highest bidder at the time and place and under the terms designated in the notice of sale in one or more parcels and in any order Trustee determines. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender or its designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the Property without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made therein. Trustee shall apply the proceeds of the sale in the following order: (a) to all expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees; (b) to all sums secured by this Security Instrument; and (c) any excess to the person or persons legally entitled to it.

23. Reconveyance. Upon payment of all sums secured by this Security Instrument, Lender shall request Trustee to reconvey the Property and shall surrender this Security Instrument and all notes evidencing debt secured by this Security Instrument to Trustee. Trustee shall reconvey the Property without warranty to the person or persons legally entitled to it. Lender may charge such person or persons a reasonable fee for reconveying the Property, but only if the fee is paid to a third party (such as the Trustee) for services rendered and the charging of the fee is permitted under Applicable Law. If the fee charged does not exceed the fee set by Applicable Law, the fee is conclusively presumed to be reasonable.

24. Substitute Trustee. Lender, at its option, may from time to time appoint a successor trustee to any Trustee appointed hereunder by an instrument executed and acknowledged by Lender and recorded in the office of the Recorder of the county in which the Property is located. The instrument shall contain the name of the original Lender, Trustee and Borrower, the book and page where this Security Instrument is recorded and the name and address of the successor trustee. Without conveyance of the Property, the successor trustee shall succeed to all the title, powers and duties conferred upon the Trustee herein and by Applicable Law. This procedure for substitution of trustee shall govern to the exclusion of all other provisions for substitution.

25. Statement of Obligation Fee. Lender may collect a fee not to exceed the maximum amount permitted by Applicable Law for furnishing the statement of obligation as provided by Section 2943 of the Civil Code of California.



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BY SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any Rider executed by Borrower and recorded with it.

The undersigned Borrower requests that a copy of any Notice of Default and any Notice of Sale under this Security Instrument be mailed to the Borrower at the address set forth above.

Matthew Bascom 6-30-16
- BORROWER - MATTHEW BASCOM - DATE -

Tricia Bascom 6/30/16
- BORROWER - TRICIA BASCOM - DATE -

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA

County of GLENN

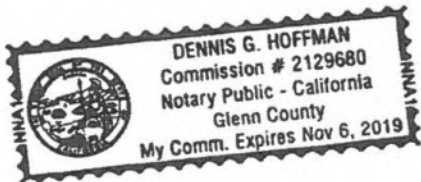
On June 30, 2016 before me, Dennis G Hoffman Notary Public
(here insert name and title of the officer)

personally appeared MATTHEW BASCOM, TRICIA BASCOM, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Dennis G Hoffman (Seal)



MORTGAGE LOAN ORIGINATOR PHILIP CATCHSHAW
NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY IDENTIFICATION NUMBER 233559
MORTGAGE LOAN ORIGATION COMPANY OPTIMUM FIRST, INC.
NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY IDENTIFICATION NUMBER 240415



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EXHIBIT "A"
LEGAL DESCRIPTION

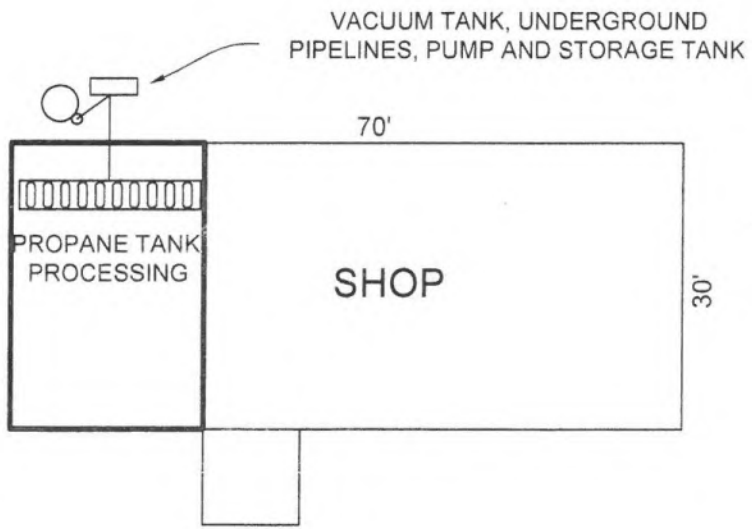
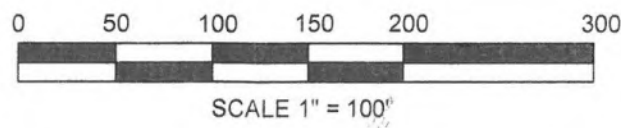
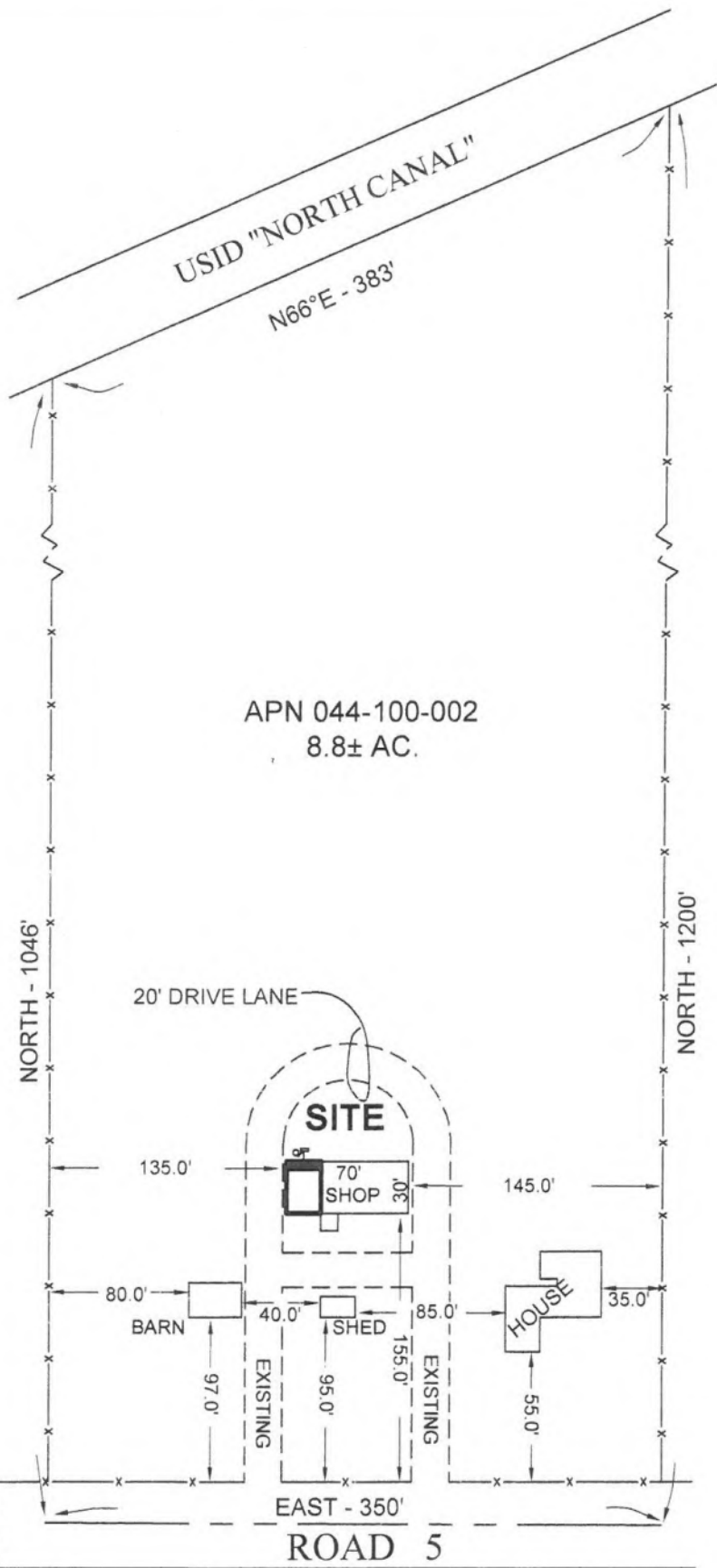
All that certain real property situated in the County of GLENN, State of CALIFORNIA, described as follows:

THE WEST HALF OF BLOCK 75 OF LEMON HOME COLONY, IN THE COUNTY OF GLENN, STATE OF CALIFORNIA, ACCORDING TO THE REVISED MAP OF THE LEMON HOME COLONY AND TOWN OF MALTON, BEING SUBDIVISION NO. 20 OF THE ORLAND IRRIGATION DISTRICT, SECTIONS 3, 4, 5, TOWNSHIP 22 NORTH, RANGE 3 WEST, FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF GLENN, STATE OF CALIFORNIA, ON THE 24TH DAY OF OCTOBER, 1916 AND RECORDED IN BOOK 4 OF MAPS, AT PAGE 11.

EXCEPTING THEREFROM AN UNDIVIDED ONE-HALF INTEREST OF ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES, TOGETHER WITH THE RIGHT TO REMOVE THE SAME, AS RESERVED IN THE DEED FROM FRED KAYSER ET UX., TO CHARLES D. NANCE ET UX., RECORDED MAY 18, 1973 IN BOOK 560, PAGE 119, OFFICIAL RECORDS.

Assessor Parcel No(s): **044-100-002**





SITE DETAIL
SCALE 1" = 20'

MATTHEW BASCOM, applicant
P.O. Box 154
Orland, California 95963

SITE ADDRESS
6378 ROAD 5
ORLAND, CA. 95963

SITE PLAN APN 044-100-002
BEING A PORTION OF LOT 75, AS SHOWN ON THE MAP "REVISED MAP OF THE LEMON HOME COLONY AND TOWN OF MALTON", SITUATE IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF GLENN, STATE OF CALIFORNIA.
AUGUST 2019

SCALE 1" = 100'

MATTHEW BASCOM, applicant-owner
Official Records Document 98-0326



PREPARED BY:
Thomas E. Harris
THOMAS E. HARRIS
LAND SURVEYOR
908 6TH STREET, ORLAND, CA. 95963



COUNTY OF GLENN
Air Pollution Control District

Marcie Skelton, Air Pollution Control Officer/CUPA Director
720 N. Colusa Street ♦ P.O. Box 351 ♦ Willows, CA 95988
(530) 934-6500 ♦ Fax (530) 934-6503
www.countyofglenn.net

September 1, 2021

Glenn County
Planning Division
225 N. Tehama St.
Willows, CA 95988

Attn: Greg Conant, Assistant Planner

RE: Conditional Use Permit (2021-001) – Recycling Facility (Freon Free)

Upon review of the conditional use permit application for Freon Free, the Glenn County Air Pollution Control District/Certified Unified Program Agency (CUPA) provides the following comments/recommendations:

- Freon Free currently handles hazardous materials including wastes that are dangerous if mismanaged. Pursuant to State regulation, they are required to electronically report Hazardous Material Business Plan (HMBP) information annually into the California Environmental Reporting System (CERS). An updated submittal is past due and must be completed.
- Freon Free must be in compliance with applicable CUPA regulations. Approval of the application by the CUPA is contingent on findings from an upcoming joint HMBP and Hazardous Waste inspection with the Department of Toxic Substances Control (DTSC), tentatively scheduled for the end of September.

Thank you for your attention to these matters. If you have any questions, please contact the District at (530) 934-6500.

Alyssa Cordova
Environmental Compliance Specialist
Glenn County Air Pollution Control District
Certified Unified Program Agency

GLENN COUNTY

Planning & Community Development Services Agency

225 N Tehama St.
Willows, CA 95988
530.934.6540 Fax 530.934.6103
www.countyofglenn.net



DONALD RUST, Director

To: Greg Conant, Assistant Planner
Glenn County PCDSA
Planning Division
225 N. Tehama St.
Willows, CA 95988

From: Dean Miller, Building Official
Glenn County PCDSA
Building Division
225 N. Tehama St.
Willows, CA 95988

January 26, 2021

RE: Request for Review: CUP 2021-001, Freon Free

Please consider the following comments from the Glenn County Building Division:

1. All future construction shall require a building permit issued by the Glenn County Building Division.
2. All setbacks to the property lines for existing and proposed structures shall be maintained according to the 2019 California Building Code, Table 602.
3. All future construction shall comply with the Glenn County Flood Plain Management Ordinance.
4. All existing structures shall comply with original permitted use, any change of use shall be approved through the permitting process to assure code compliance.
5. The application is deemed complete in terms of Building Division requirements.

Sincerely,

Dean Miller
Chief Building Official

GLENN COUNTY
Planning & Community Development Services Agency
Environmental Health Department

225 N Tehama St.
Willows, CA 95988
Tel: 530.934.6102 Fax: 530.934.6103
www.countyofglenn.net



DONALD RUST, Director

Date: August 5, 2021

To: Greg Conant, Assistant Planner
Glenn County Planning & Community Development Services Agency (PCDSA)
(Via Email)

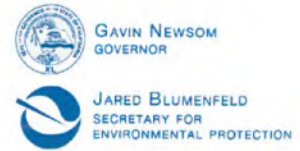
From: Kevin Backus, REHS
Director, Glenn County PCDSA - Environmental Health Department

Re: CUP 2021-001, Freon Free, APN 044-100-002 (Recycling Facility)

We have reviewed the application information for the project noted above and have the following comments/requirements for approval:

1. The proposed gas cylinder recycling operation will have three employees working daily at the site. This will require a potable water supply, toilet rooms and washing facilities that meet all applicable codes and regulations.

Please contact Environmental Health at 530-934-6102 with any questions on this matter.



Central Valley Regional Water Quality Control Board

8 October 2019

John Lanier
Glenn County Planning & Community Development Services Agency
777 N. Colusa Street
Willows, CA 95988

COMMENTS ON CONDITIONAL USE PERMIT 2019-004, FREON FREE, APN 044-100-002, GLENN COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 30 September 2019, we received your request for comments on Conditional Use Permit 2019-004, Freon Free (Project).

The applicant has applied for a conditional use permit to operate an existing gas cylinder recycling operation. There will be three employees working daily at the site. The Project site is located at 6378 County Road 5, Orland, CA 95963.

Based on our review of the information submitted for the proposed project, we have the following comment:

Industrial Storm Water

On 16 November 1990, the USEPA promulgated storm water regulations (40 CFR Parts 122, 123 & 124) which require specific categories of industrial facilities discharging storm water to obtain NPDES permits and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate industrial storm water pollution. These requirements apply to many industrial facilities including those involved in the recycling of materials but are limited to those recycling facilities with a Standard Industrial Classification (SIC) 5015 or 5093. Industrial operations with a 5015 or 5093 SIC code must be covered by a General Permit for *Discharges of Storm Water Associated with Industrial Activities*. Detailed information on the IGP can be found on the State Water Board website [Water Boards Storm Water Multiple Application and Report Tracking System](https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml) (<https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>).

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

364 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

If you have any questions or comments regarding this matter, please contact me at (530) 224-4784 or by email at Jerred.Ferguson@waterboards.ca.gov.



Jerred Ferguson
Environmental Scientist
Storm Water & Water Quality Certification Unit

JTF: db

cc: Matt Bascom, Freon Free, Orland

cc

via email: Nicole Schleeter, U.S. Army Corps of Engineers, Sacramento
Department of Fish and Wildlife, Region 2, Rancho Cordova

Northeast Center of the
California Historical Resources
Information System

BUTTE
GLENN
LASSEN
MODOC
PLUMAS
SHASTA

SIERRA
SISKIYOU
SUTTER
TEHAMA
TRINITY

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

October 15, 2019

Glenn County Planning & Community
Development Services Agency
777 N. Colusa Street
Willows, CA 95988
Attn: Mr. John Lanier

**I.C. File # Y19-11
Project Review**

RE: CUP 2019-004/Freon Free/APN 044-100-002
T22N, R3W, Section 4 MDBM
USGS Kirkwood 7.5' and Corning (1951) 15' quadrangles
8.58 acres (Glenn County)

Dear Mr. Lanier,

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

RESULTS:

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

Historic Resources: According to our records, one site of this type has been recorded within the project area. Site CA-GLE-746H consists of the Lemon Home Colony Canal. No additional sites of this type have been recorded in the 1-mile project vicinity. Unrecorded historic cultural resources may be located in the project area.

The USGS Corning (1951) 15' quad map indicates that the Lemon Home Colony Canal and structures are located within the project area, while the Tehama County line, Calumet School, Gay Creek, Stony Creek, an airway beacon, canal, orchards, roads, and structures are located within the general project vicinity. A copy of the historic Kirkwood (1914) quad map depicting the Lemon Home Colony Canal within the project area is enclosed.

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

Literature Search: The official records and maps for archaeological sites and surveys in Glenn County were reviewed. Also reviewed: **National Register of Historic Places - Listed properties and Determined Eligible Properties** (2012), **California Register of Historical Resources** (2012), **California Points of Historical Interest** (2009), **California Investigation of Historic Resources** (1976), **California Historical Landmarks** (2012), **Gold Districts of California - Bulletin 193** (2005), **Historic Spots in California - Fifth Edition** (2002), **Handbook of North American Indians, Vol. 8, California** (1978), and **Directory of Properties in the Historic Property Data File for Glenn County** (2012).

RECOMMENDATIONS:

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

Therefore, because the project area has not been previously surveyed, we recommend that a professional archaeologist be contacted to conduct a cultural resources survey of the entire project area. The consultant can offer recommendations for avoidance and protection of previously recorded as well as any newly identified resources. In addition, any existing structures should be evaluated for potential historical significance. The project archaeologist will be able to offer recommendations for the preservation of or mitigation of effects on any cultural resources encountered as a result of field survey. A list of qualified consultants is available online at www.chrisinfo.org.

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

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

The fee for this project review is \$75.00 (1 hour of Project Review Time @ \$75.00 per hour). Payment for this project review was received on October 7, 2019 (Check # 1025). Thank you for your dedication preserving Glenn County's and California's irreplaceable cultural heritage, and please feel free to contact us if you have any questions or need any further information or assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Adrienne Springsteen', written in a cursive style.

Adrienne Springsteen
Research Associate

August 2, 2021

Greg Conant
Glenn County
225 North Tehama Street
Willows, CA 95988

Ref: Gas and Electric Transmission and Distribution

Dear Greg,

Thank you for submitting the CUP2021-001 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

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

Below is additional information for your review:

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

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

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

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attachment 2 – Electric Facilities

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

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

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

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

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

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

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

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

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



PUBLIC WORKS AGENCY

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

Airports
Engineering
Flood Control
Roads & Bridges
Solid Waste
Surveyor

Talia Richardson, Interim Director

August 26, 2021

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

Attn: Greg Conant, Assistant Planner

Subject: Conditional Use Permit 2021-001 – Freon Free

Comments

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

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

Conditions

That no off-site parking associated with this development shall be allowed on County Road 5.

That both driveway entrances shall be paved in accordance with Glenn County Standard S-19 for Private Driveway.

Michael Biggs
Engineering Technician III
Glenn County Public Works

**VICINITY NOTICE OF A PUBLIC HEARING AND
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Glenn, State of California, as lead agency, will consider an environmental determination and hold a Public Hearing to consider the proposed project provided in this notice. The Planning Commission may adopt a mitigated negative declaration for the project, which states that the project will not result in a significant adverse effect on the environment. A Public Hearing will be held at the Glenn County Board of Supervisors' Chambers, 2nd Floor Willows Memorial Hall, 525 West Sycamore Street, Willows, California, on Wednesday, July 20, 2022, at 9:00 A.M., or as soon thereafter as the business of the Commission will allow.

PROJECT: Conditional Use Permit 2021-001, Freon Free

APPLICANT/LANDOWNER: Matt & Tricia Bascom

PROJECT DESCRIPTION: Matt Bascom has applied for Conditional Use Permit 2021-001, in order to operate a recycling facility, for the recycling of Fire Extinguishers and Propane Bottles.

LOCATION: The project is located at 6378 County Road 5, approximately 3-miles northwest of the City of Orland; located on the north side of County Road 5, east of County Road H, south of County Road 3, and west of Interstate 5, in the unincorporated area of Glenn County, California.

ASSESSOR PARCEL NUMBER: 044-100-002

ZONING: "AE-20" (Exclusive Agriculture Zone)

GENERAL PLAN: General Agriculture

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

- (A) Mitigated Negative Declaration
- (B) Conditional Use Permit 2021-001, Freon Free

All environmental information and project documentation is available for review at the Planning & Community Development Services Agency office. Contact Andy Popper, Senior Planner at apopper@countyofglenn.net, (530) 934-6540, or at the Glenn County Planning & Community Development Services Agency, 225 North Tehama Street, Willows, CA, 95988. All interested parties may submit comments regarding the proposed mitigated negative declaration and/or the proposed project by Wednesday, July 20, 2022, at 9:00 A.M., or appear and present oral and/or written testimony at the Public Hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in correspondence delivered to the appropriate authority at, or prior to, the public hearing.