



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

[www.townofparadise.com](http://www.townofparadise.com)

**Planning Commission Staff:**

Susan Hartman, Community Development Director

**Planning Commission Members:**

Shannon Costa, Chair

James Clarkson, Vice Chair

Kim Morris, Commissioner

Stephanie Neumann, Commissioner

Anita Towslee, Commissioner

## PLANNING COMMISSION AGENDA

**6:00 PM – March 17, 2020**

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Hartman, at 872-6291 ext. 114 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

### ROLL CALL

### 1. APPROVAL OF MINUTES

- 1a. Approval of February 18, 2020 Regular meeting minutes.

### 2. COMMUNICATION

- 2a. Recent Council Actions  
2b. Staff Comments

### 3. PUBLIC COMMUNICATION

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Commission meeting.

#### \* \* \* PUBLIC HEARING PROCEDURE \* \* \*

- |                                   |                                |
|-----------------------------------|--------------------------------|
| A. Staff comments                 | C. Close hearing to the public |
| B. Open the hearing to the public | D. Commission discussion       |
| 1. Project applicant              | E. Motion                      |
| 2. Parties for the project        | F. Vote                        |
| 3. Parties against the project    |                                |
| 4. Rebuttals                      |                                |

NOTE: Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for a maximum of five minutes unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

### 4. CONTINUED PUBLIC HEARING - None

### 5. PUBLIC HEARING

5a. Please be prepared to discuss the proposed temporary (9-10 months) “**Log Storage & Processing Yard**” with staff, other Commissioners and the attending public during the required noticed public hearing. At the conclusion of the public hearing, staff’s recommendation is for the Planning Commission to render town approval and issuance of a Temporary Use Permit for the project application based on and subject to the findings and conditions embodied within the **attached Temporary Use Permit document**. If deemed necessary by a majority consensus of Planning Commissioners present, staff will be prepared to discuss and make possible changes or additions to the text of the attached and proposed Temporary Use Permit document prior to Planning Commission proposed project decision action. (ROLL CALL VOTE)

5b. Item to be determined subject to CEQA Guidelines Section 15270

**FALLON SITE PLAN REVIEW PERMIT (PL19-00208) APPLICATION**  
Planning Commission consideration of a Site Plan Review permit to sanction the legal establishment and “three-phased” development and service operations by “Friends United in Rescue” of a cat kennel facility. Project property is a 19.43-acre parcel zoned Agricultural Residential, 3-acre minimum (“AR-3”) located at 5050 Edgewood Lane, Paradise, AP No. 055-240-013. (ROLL CALL VOTE)

### 6. OTHER BUSINESS

### 7. COMMITTEE ACTIVITIES

## 8. COMMISSION MEMBERS

8a. Identification of future agenda items (All Commissioners/Staff)

## 9. ADJOURNMENT

|  |     |
|--|-----|
| STATE OF CALIFORNIA )<br>COUNTY OF BUTTE )   | SS. |
| I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date: |     |
| <hr/>  |     |
| TOWN/ASSISTANT TOWN CLERK SIGNATURE  |     |

Due to COVID 19, there will be limited seating at the Planning Commission meeting being held on Tuesday, March 17, 2020 in the Council Chambers and hallway. There is expected to be a lot of participation and discussion for the items on the Planning Commission agenda so, Social distancing is recommended to keep the citizens safe.

For safety measures, the meeting will be Livestreamed at <https://livestream.com/townofparadise/events/9037700> . Please consider emailing in your questions and/or concerns prior to the meeting which would allow you to stay home and see the responses at the meeting. If there is a large group planning to attend, please consider appointing one representative to participate in the meeting.

We encourage people, who are not feeling well or who are sick, to please not attend the meeting. Additionally, if you are at risk, please take advantage of the other ways to participate in the meeting.

The Town of Paradise is making every effort to keep our citizens and staff safe while still welcoming participation in a different format during this uncertain time. Thank you.

Email for questions, concerns and comments:  
[dvolenski@townofparadise.com](mailto:dvolenski@townofparadise.com)



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## P L A N N I N G C O M M I S S I O N M I N U T E S

**February 18, 2020**

**6:00 PM**

**CALL TO ORDER** by Chair Costa at 6:00 p.m. who led the Pledge of Allegiance to the Flag of the United States of America.

**PLANNING COMMISSIONERS PRESENT:** Kim Morris, Anita Towslee and Shannon Costa, Chair.

**PLANNING COMMISSIONERS ABSENT:** James Clarkson and Stephanie Neumann.

### 1. APPROVAL OF MINUTES

- 1a. **MOTION by Morris, seconded by Costa**, approved December 19, 2019 Special Meeting minutes. Roll call vote was unanimous with Clarkson and Neumann absent and not voting.

### 2. COMMUNICATION

- a. Recent Council Actions –Community Development Director Hartman apprised commissioners of previous council action. Which include a revision to the Interim Housing ordinance; hookups are now required for occupied recreational vehicles.

### 3. PUBLIC COMMUNICATION - None

### 4. CONTINUED PUBLIC HEARING - None

### 5. PUBLIC HEARING

- 5a. Community Development Director Hartman gave an overview on the proposed changes to Town zoning regulations in order to be consistent with state law. During 2019 the State of California (via the State legislature and the Governor) enacted new housing legislation **in effect January 1, 2020**, that requires all local municipal and county governments to provide for the creation of accessory dwelling units in areas zoned to allow single-family and/or multiple-family residential use. [Government Code Section 65852.2]

Public Hearing was opened at 6:18 p.m.

Public Hearing was closed at 6:18 p.m.

**MOTION by Morris, seconded by Towslee**, approved Resolution No. 20-01, A resolution that, if adopted, would recommend Town Council adoption of proposed zoning regulations text amendments in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by



Town Council, the amendments would: 1) alter and/or add the definition of the terms “Accessory dwelling”, “Agricultural building”, “Secondary dwelling” and “Single-family residence”; 2) add site development regulations addressing secondary dwelling(s) in areas zoned to allow single-family or multiple-family residential use in order to comply with state laws regarding accessory dwelling units; and 3) amend secondary dwelling off-street parking requirements. Roll call vote was unanimous with Clarkson and Neumann absent and not voting.

**6. OTHER BUSINESS - None**

**7. COMMITTEE ACTIVITIES - None**

**8. COMMISSION MEMBERS**

**a. Identification of future agenda items (All Commissioners/Staff)**

Community Development Director Hartman gave an overview of potential future items: Use Permit for a Cat Kennel on Edgewood, Two Temporary Use Permits for Tree processing facilities, Housing Element and General Plan Updates.

**9. ADJOURNMENT**

Chair Costa adjourned the meeting at 6:22 p.m.

Date Approved:

By: \_\_\_\_\_  
Shannon Costa, Chair

Attest:

\_\_\_\_\_  
Ursula Smith, Deputy Clerk

## M E M O R A N D U M

AGENDA NO. 5(a)

**TO:** Paradise Planning Commission

**FROM:** Susan Hartman, Community Development/Planning Director

**SUBJECT:** Public Hearing – **Anderson Brothers Corporation Temporary Use Permit (PL19-0383) Application** to allow a proposed temporary “Log Storage & Processing Yard” land use facility/operation

**DATE:** March 10, 2020

### BRIEF PROJECT DESCRIPTION:

Pursuant to Paradise Municipal Code Chapter 17.32 [Temporary Use Regulations] and the provisions of Section 8 of Town Urgency Ordinance #590 relating to the removal of fire damaged debris from private property following the Camp Fire, the project applicant is proposing to establish a temporary (9-10 months) “Log Storage & Processing Yard” land use facility/operation associated with the post Camp Fire restoration activities. Temporary uses include contractor’s offices, construction storage yard, temporary buildings, construction equipment and vehicle parking and services, wood storage and processing facility. The land use will include delivery of wood materials from private properties and the Private Hazard Tree Program (**not to include the Government Hazard Tree Removal Program materials**), onsite storage/processing and shipment of wood materials from the site. The project properties combine to encompass a 41.3-acre area with portions zoned Community Commercial, Agricultural Residential 1-acre minimum, and Rural Residential 2/3-acre minimum located adjoining and primarily due south of 4716 thru 4724 Skyway, Paradise, AP Nos. 051-240-011, 012 & 051-230-047, 054, & 055.

### TOWN OF PARADISE URGENCY ORDINANCE #590 PROVISIONS:

Per Section 8 of Urgency Ordinance #590: a) the maximum potential number of Temporary Log Storage Yards that may be established in the incorporated area of the Town of Paradise is capped at five (5) sites; b) a Temporary Log Storage Yard shall only be allowed subject to town approval and issuance of a temporary use permit for land areas within the Industrial Services zone, Community Commercial zone, Community Facility and Community Services zones, Agricultural Residential zones, Rural Residential zones and the Multiple Family Residential zone; and c) all Temporary Log Storage Yards shall comply with, at minimum, nineteen (19) standards that include, but are not limited to addressing the following subjects: application requirements, detailed and to scale site plan required, siting criteria, minimum project site land area size of five (5) acres, approved access, on-site roads, property line setbacks and defensible space requirements, biological resources assessment and protection, Paradise Fire Department/Cal-

Fire standards, Butte County Environmental Health standards, Town Public Works Department standards, water quality and erosion control requirements, air quality and dust control requirements and plans, storage or processing of fire debris prohibited, noise standards, outdoor lighting, project site reclamation/restoration, project performance guarantee, electricity and electrical equipment, and additional requirements.

Additionally, the provisions of Section 8 of the Urgency Ordinance require and/or stipulate: a) at least ten days (10) **prior to** the intended town issuance of a temporary use permit, the Paradise Community Development Department must provide a mailed notice to property owners within 1,200 feet of the proposed project property line boundaries; b) the temporary use permit shall be issued without a formal hearing, as is the procedure for all temporary use permits, unless one is requested by either the applicant or other affected persons ; c) if a hearing is requested, it shall be scheduled for the next available Planning Commission meeting and the Planning Commission shall hear the request; d) the Planning Commission may impose project conditions and requirements in addition to the standards set forth in the Urgency Ordinance, or may deny the temporary use permit, to mitigate impacts to uses on surrounding properties; and e) unless appealed to the Town Council within ten (10) calendar days of the Planning Commission action, the decision of the Planning Commission shall become final.

#### **DISCUSSION:**

Planning staff, and the Town Attorney have determined, that the proposed temporary land use project, particularly as recommended to be conditioned, is statutorily exempt from environmental review pursuant to Public Resources Code Section 21080(b)(3) and Section 15269 (Emergency Project) of the California Environmental Quality Act Guidelines.

The Temporary Use Permit project application that was submitted and resubmitted with additional project details after initially being deemed “incomplete” for processing has been thoroughly evaluated by town staff and staff of various local and state agencies [ex. Cal-Fire, PID, Butte County Air Quality Management District, State Fish & Wildlife, Butte County Public Health, Environmental Health Division, Town Engineer, etc.]. Collectively, and based upon all project evaluations received, the town staff has determined the proposed temporary (9-10 months) **“Log Storage & Processing Yard”** project application 1) includes all the required application requirements of Town Urgency Ordinance #590; 2) addresses all the applicable required project standards of the Urgency Ordinance; and as recommended to be conditioned appears to be eligible for Town approval and issuance of the Temporary Use Permit.

Town planning staff generated a “Notice of Pending Temporary Use Permit Issuance” [**copy attached**] for the project application and mailed it ten days prior to the intended permit issuance date to property owners within 1,200 feet of the project property line boundaries. Subsequently, the Community Development Director received written requests for a formal project hearing from some of the potentially affected property owners. Thus, in accordance with the provisions

of Section 8 of Town Urgency Ordinance #590, this matter has been scheduled for public hearing by the Planning Commission.

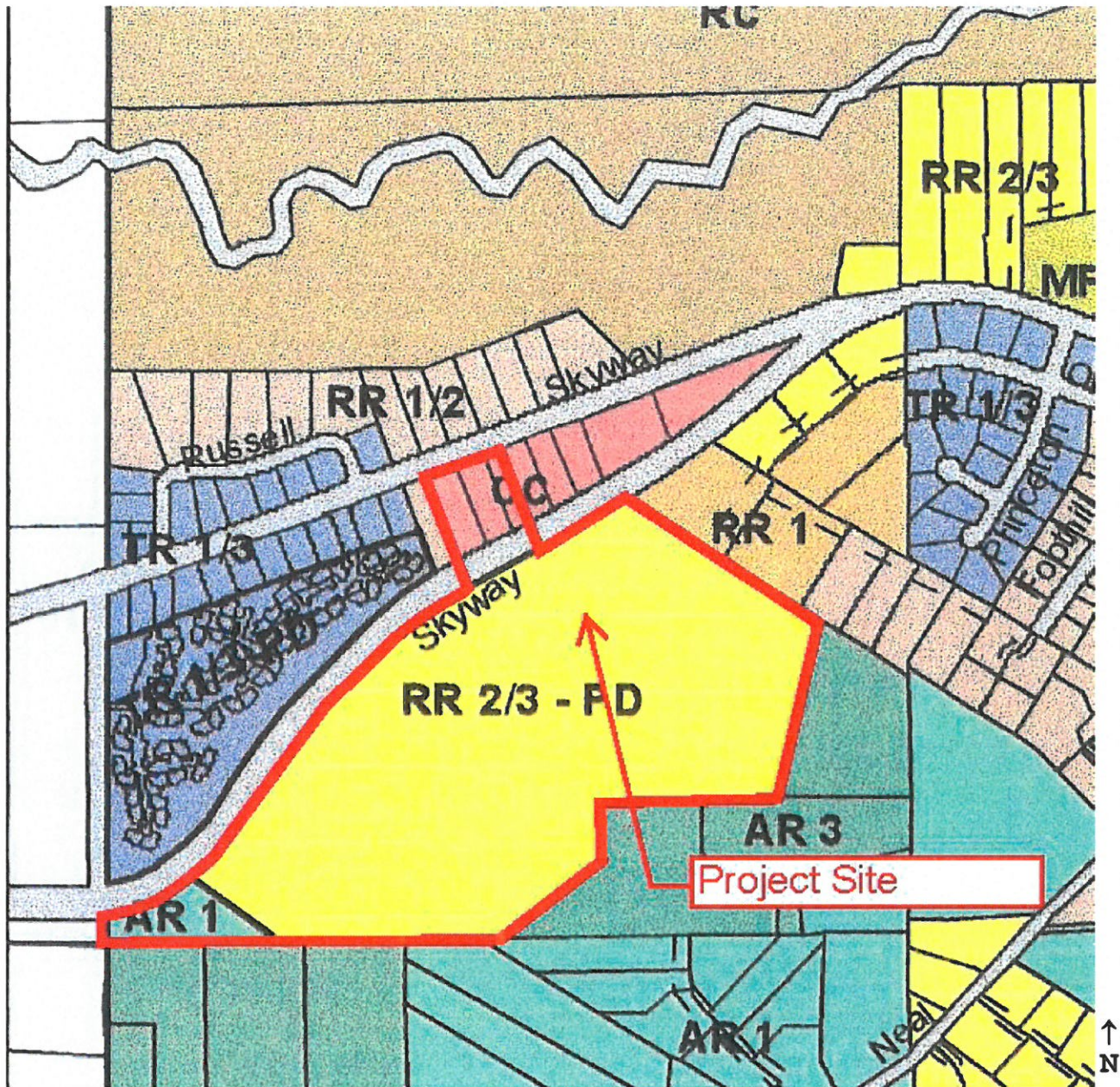
**COMMISSION ACTION REQUESTED:**

Please be prepared to discuss the proposed temporary (9-10 months) **“Log Storage & Processing Yard”** with staff, other Commissioners and the attending public during the required noticed public hearing. At the conclusion of the public hearing, staff’s recommendation is for the Planning Commission to render town approval and issuance of a Temporary Use Permit for the project application based on and subject to the findings and conditions embodied within the **attached Temporary Use Permit document**. If deemed necessary by a majority consensus of Planning Commissioners present, staff will be prepared to discuss and make possible changes or additions to the text of the attached and proposed Temporary Use Permit document prior to Planning Commission proposed project decision action.

**LIST OF ATTACHMENTS: TEMPORARY USE PERMIT[PL19-00383] APPLICATION**

1. Project site vicinity map.
2. Copy of published and mailed notice of the **March 17, 2020** public hearing.
3. Mailing list of property owners and agencies notified of the Planning Commission public hearing.
4. Copy of mailed “Notice of Pending Temporary Use Permit Issuance”.
5. Copy of Notice of Exemption dated February 24, 2020.
6. E-mail comments received from Butte County Environmental Health Program Manager, Doug Danz, dated March 6, 2020.
7. E-mail comments received from Dept of Fish & Wildlife Senior Environmental Scientist, Kelsey Vella, dated February 19, 2020.
8. Comments received from Town Engineer, Marc Mattox, dated February 18, 2020.
9. Comments received from Onsite Sanitary Official, Bob Larson, dated February 18, 2020.
10. Comments received from Police Chief, Eric Reinbold, dated February 10, 2020.
11. Comments received from Fire Chief, John Messina, dated February 10, 2020.
12. Comments received from Fire Prevention Inspector II, Chris Rainey, dated January 9, 2020.
13. Comments received from Butte County Air Quality Management District Senior Air Quality Planner, Jason Mandly, dated January 6, 2020.
14. Written comments received from the public.
15. Application materials for the Anderson Brothers Corporation temporary “Log Storage & Processing Yard” project.
16. Biological Resource Assessment completed by Galloway Enterprises, January 2020.
17. Copy of proposed conditionally approved Temporary Use Permit document for the Anderson **“Log Storage & Processing Yard”** temporary land use project.





**APPLICANT:** Dave Anderson

**OWNER:** Anderson Brothers Corp.

Due South of 4716-4724 Skyway

**PROJECT DESCRIPTION:**

Proposed temporary (9-10 months) "Log Storage & Processing Yard" land use on community commercial, agricultural residential, and rural residential zoned properties. The site is to be served with temporary portable restrooms, etc.

**ZONING:** RR 2/3, AR-1, & C-C

**GENERAL PLAN:** RR, AR, TC

**FILE NO.** PL19-00383

**ASSESSOR PARCEL NOS.** 051-230-047, 054, 055 & 051-240-011, 012

**MEETING DATE:** March 17, 2020



## NOTICE OF PUBLIC HEARING: PARADISE PLANNING COMMISSION

**NOTICE IS HEREBY GIVEN** by the Planning Commission that a public hearing will be held on **Tuesday, March 17, 2020 at 6:00 p.m.** in the Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following project:

- a. Item to be determined exempt from environmental review subject to CEQA Guidelines Section 15269

**ANDERSON BROTHERS CORP. TEMPORARY USE PERMIT (PL19-00383) APPLICATION:** Planning Commission consideration of a proposed temporary (9-10 months) "Log Storage & Processing Yard" land use facility/operation associated with the post Camp Fire restoration activities. Temporary uses include contractor's offices, construction storage yard, temporary buildings, construction equipment and vehicle parking and services, wood storage and processing facility. Land use will include delivery of wood materials from private properties and the Private Hazard Tree Program **(not to include the Government Hazard Tree Removal Program materials)**, onsite storage/processing and shipment of wood materials from the site. Project properties combine to encompass a 41.3-acre area zoned Community Commercial, Agricultural Residential 1-acre minimum, and Rural Residential 2/3-acre minimum located at, and adjacent to, 4716-4724 Skyway, Paradise, AP Nos. 051-240-011, 012 & 051-230-047, 054, & 055.

The project file is available for public inspection at the Development Services Department, Town of Paradise, Town Hall. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6291 x114.

SUSAN HARTMAN  
Planning Director



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6626 Skyway  
Paradise, CA 95969

Paradise Ridge Chamber of  
Commerce  
6161 Clark Road Ste. 1  
Paradise, CA 95969

Paradise Board of Realtors  
6178 Center Street  
Paradise, CA 95969

Butte County Planning  
Courier

Paradise Cemetery District  
980 Elliott Road  
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.  
629 Entler Ave., Suite 15  
Chico, CA 95928

Butte Environmental Council  
313 Walnut St., Ste. 140  
Chico, CA 95928

Pacific Gas & Electric  
Laird Oelrichs, Land Agent  
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051-450-043-000  
MARJAMA FAMILY PARTNERS LP  
6013 MORGAN PL  
LOOMIS CA 95650

051-450-044-000  
MARJAMA FAMILY PARTNERS LP  
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LOOMIS CA 95650

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MARJAMA FAMILY PARTNERS LP  
6013 MORGAN PL  
LOOMIS CA 95650

051-450-099-000

055-020-006-000  
PERKINS TODD A & CAROL LYNN  
P O BOX 1129  
DURHAM CA 95938

055-020-099-000  
EBELING ROBERT W & ANNWILLIS D JT  
PO BOX 1662  
PARADISE CA 95967

055-030-002-000  
MOUNT WILLIAM R  
P O BOX 1291  
PARADISE CA 95967

055-030-003-000  
KOPSA RODNEY R REVOCABLE TRUST  
C/O KOPSA RODNEY R TRUSTEE  
1765 SPARKS DR  
PARADISE CA 95969

055-030-004-000  
PETERSON FAMILY TRUST  
C/O PETERSON CARL H & MARY T  
3793 NEAL ROAD  
PARADISE CA 95969

055-030-019-000  
KONRAD FRANK & Z ROSA JT  
12957 HOMERIDGE LN  
CHINO HILLS CA 91709

055-030-022-000  
KONRAD FRANK ETAL  
HYPES THERESIA  
12957 HOMERIDGE LN  
CHINO HILLS CA 91709

055-030-023-000  
KONRAD FRANK & ROSA TRUST  
C/O KONRAD FRANK & ROSA TRUSTEES  
12957 HOMERIDGE LN  
CHINO HILLS CA 91709

055-030-026-000  
MOUNT WILLIAM R  
PO BOX 1291  
PARADISE CA 95967

055-030-041-000  
NEGLE TIMOTHY JOHN  
136 COAST RANGE LN  
PARADISE CA 95969

055-030-043-000  
SWITZER CHARLES D & DENISE M  
145 JADE LN  
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18 TUSCAN DR  
PARADISE CA 95969

055-540-060-000  
BLUE OAK TERRACE OWNERS ASSN  
NICK HERRERA  
18 TUSCAN DR  
PARADISE CA 95969

051-260-004-000  
NONNEMAN TOM E & PATRICIA A FAMILY  
TRUST C/O NONNEMAN TOM E & PATRICIA  
A TRUSTEES  
14 PATRICK CT  
OROVILLE CA 95965  
051-230-004-000  
MURPHY MARGARET  
11886 LAKE WILDWOOD DR  
PENN VALLEY CA 95946

051-230-043-000  
LEONARD TRUST  
C/O LEONARD OSCAR I & IDA D TRUSTEES  
3900 KITE WAY  
ANTIOCH CA 94509

051-260-014-000  
COON JAMES ALLEN & DEENA MARIE  
HAYES  
205 HAGENRIDGE RD  
CHICO CA 95973

051-260-032-000  
CONACHY BEVERLY FAMILY TRUST  
C/O CONACHY BEVERLY & CONACY  
MICHAEL TRUSTEES  
770 ROSE LN  
HEALDSBURG CA 95448

051-230-005-000  
ALDRED FRED M & DEBRA D  
1692 MANGROVE #157  
CHICO CA 95926

051-230-011-000  
DIDUCA BENEDICT C  
20 DECLARATION DR #200  
CHICO CA 95973

055-030-055-000  
KASZA ELIZABETH J & BUSTAMANTE  
RUDY N  
146 JAY BIRD LN  
PARADISE CA 95969

055-540-034-000  
CAMUSI WILLIAM PAUL III  
PO BOX 3199  
CHICO CA 95927

055-540-099-000  
BLUE OAK TERRACE OWNERS ASSN  
C/O FRANK NICHOLS  
3408 WHITE OAK DRIVE  
COTTONWOOD CA 96022

051-240-024-000  
MOORE STEVEN & JEANINE  
6265 PINE NEEDLE LN  
PLACERVILLE CA 95667

051-230-010-000  
BRIGGS FAMILY TRUST  
C/O BRIGGS JERIMIAH A & DEBORAH M  
TRUSTEES  
1975 BRUCE RD #142  
CHICO CA 95928  
051-240-026-000  
GREENWELL LAURIE L  
854 COIT TOWER WAY  
CHICO CA 95928

051-260-020-000  
HOLLAND LARRY & MICHELE  
PO BOX 5050  
CHICO CA 95927

055-540-036-000  
LEDFORD FAMILY TRUST  
C/O LEDFORD AL & ELVINA TRUSTEES  
1836 BROADWAY ST  
CHICO CA 95928

051-230-007-000  
MILEY GREGG E  
22049 HATCHER DR  
COTTONWOOD CA 96022

051-230-012-000  
BOCKUS TRINITY  
11 B WILLIAMSBURG LN  
CHICO CA 95926

055-030-056-000  
BUSTAMANTE RUDY & KASZA  
ELIZABETH  
441 SUNBURST DR  
PARADISE CA 95969

055-540-035-000  
LEDFORD FAMILY TRUST  
C/O LEDFORD ALRED L & ELVINA TRUSTEES  
1836 BROADWAY ST  
CHICO CA 95928

051-230-042-000  
HOWARD FAMILY TRUST  
C/O HOWARD RICHARD B & JOHNSON  
SHARON F CO-TRS  
1891 BOARDWALK DR  
MARYSVILLE CA 95901  
051-260-011-000  
MADSEN AAGE & HARRIET G JT  
20 SKIPPER CT  
OROVILLE CA 95966

051-230-020-000  
MELINE SHARON L TRUST  
C/O MELINE SHARON TRUSTEE  
123 HENSHAW AVE SPC 503  
CHICO CA 95973

051-250-083-000  
LOVE BENJAMIN S & KIMBERLY D  
1849 MANGROVE AVE  
CHICO CA 95926

051-260-029-000  
GUERRA LEONARDO M & KIMBERLY  
5888 COLORADO RD  
MARIPOSA CA 95338

051-230-009-000  
JONES SONDRRA M LIVING TRUST  
C/O JONES SONDRRA M TRUSTEE  
3562 LONG DR  
MINDEN NV 89423

051-230-008-000  
BEAN ROBERT LOUIS  
10 A WILLIAMSBURG LN  
CHICO CA 95926

051-230-015-000  
SWAGERTY HELEN & TODD  
1626 QUAIL CIR  
ROSEVILLE CA 95661





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4851 KOKOMO DR APT 6212  
SACRAMENTO CA 95835

051-230-023-000  
EQUITY TRUST COMPANY CUSTODIAN  
FBO JERRY M RYCHTER  
1030 HOLBEN AVE  
CHICO CA 95926

051-230-026-000  
MCDANIEL JAMES W & BONNY E  
701 E LASSEN SPC 232  
CHICO CA 95973

051-230-030-000  
BOUDRO-BAKER REVOCABLE TRUST  
C/O BOUDRO-BAKER DONNA ANN TRUSTEE  
791 COUNTY RD F  
WILLOWS CA 95988

051-230-039-000  
SMITH WILLIAM  
11 PREMIER CT  
CHICO CA 95928

051-230-053-000  
AIREHART BRIAN & RACHELLE  
4709 SKYWAY  
PARADISE CA 95969

051-240-025-000  
PERIAT VIRGINIA J  
2770 SIERRA LADERA LN  
CHICO CA 95928

051-250-140-000  
BROWN REVOCABLE TRUST  
C/O BROWN DAVID W & MARY ALICE  
1320 BUTTE AVE  
OROVILLE CA 95965

051-260-010-000  
HARRIS MICHELE Z LIVING TRUST  
C/O HARRIS MICHELE Z & BRATTHAUER  
LISA TRUSTEES  
198 CALLAHAN LN  
WINDSOR CA 95492

051-230-017-000  
CRONISTER JOHN D  
4615 SKYWAY  
PARADISE CA 95969

051-230-021-000  
ORTIZ JOHN CHARLES  
3006 TOP HAND CT  
CHICO CA 95973

051-230-024-000  
HEARD WALTER ARTIS  
430 OAKVALE AVE  
OROVILLE CA 95966

051-230-027-000  
THOMAS GARY D  
P O BOX 7884  
CHICO CA 95927

051-230-031-000  
CORRON MARGARET K  
2586 E 20TH ST  
CHICO CA 95928

051-230-050-000  
BEAN ROBERT L  
10 A WILLIAMSBURG  
CHICO CA 95926

051-230-060-000  
YODER DEBORAH ANN  
C/O HONEYMAN MAYA  
38 REGAL WAY  
OROVILLE CA 95966

051-240-028-000  
COSTELLO TRUST  
C/O COSTELLO JOHN & GAIL TRUSTEES  
1110 ARBUTUS AVE  
CHICO CA 95926

051-260-005-000  
HOLNBACH FORREST W & CAROL  
WINSTEAD  
PO BOX 2020  
PARADISE CA 95967

051-260-012-000  
THOMAS AL & PATRICIA BURKE  
7 HEARTWOOD CT  
CHICO CA 95928

051-230-018-000  
MAXEY MARC EUGENE & MARIAN  
WINIFRED  
725 HOLLISTER DR  
WOODLAND CA 95695

051-230-022-000  
GARDNER RICHARD PATRICK  
3310 19TH ST #303  
SAN FRANCISCO CA 94110

051-230-025-000  
RICKARDS FAMILY TRUST  
C/O RICKARDS JAMES S & WENDY  
6013 MORGAN PL  
LOOMIS CA 95650

051-230-029-000  
ETCHISON KEVIN R & PATRICIA A  
PO BOX 6322  
CHICO CA 95926

051-230-034-000  
PAYNE COLBY & BRITTANY E  
235 W LASSEN AVE #2  
CHICO CA 95973

051-230-052-000  
BELLEFEUILLE REVOCABLE INT VIV TRUST  
ETAL C/O BELLEFEUILLE PAUL & MARY  
TRUSTEES  
496 ENTLER AVE  
CHICO CA 95928  
051-240-023-000  
PARKER CONNIE  
2762 WHITE AVE  
CHICO CA 95973

051-250-138-000  
BEDSAUL KENNETH L & KAREN A  
5520 JANINE WAY  
CORNING CA 96021

051-260-008-000  
ALLDREDGE FAMILY TRUST  
C/O ALLDREDGE KATHLEEN A TRUSTEE  
2327 SHENANDOAH DR  
ANDERSON CA 96007

051-260-015-000  
ROBISON FAMILY TRUST  
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5178 ROYAL OAKS DR  
OROVILLE CA 95966

051-250-104-000  
GREITZER LAURI  
389 CONNORS CT STE C  
CHICO CA 95926

055-020-002-000  
LEE LINDA M & EARL RICHARD  
PO BOX 1535  
MAGALIA CA 95954

055-030-015-000  
LOWE JAMES & KORISSA FAMILY TRUST  
C/O LOWE JAMES E & KORISSA J  
7020 COUNTY RD 15  
ORLAND CA 95963

055-030-040-000  
BURCKHARDT STEPHEN G &  
KATHERINE E  
9496 LOTT RD  
DURHAM CA 95938

055-030-048-000  
NYSTROM MONTE D & ROSELIE L  
3555 SHADOWTREE LN  
CHICO CA 95928

055-030-052-000  
HAPP WILLIAM R  
10205 PINGREE RD  
GRASS VALLEY CA 95949

051-230-040-000  
AMY FAMILY TRUST  
AMY IVAN C & SANDRA J TRUSTEES  
PO BOX 142  
VINA CA 96092

051-260-021-000  
STOKMANIS REVOCABLE INTER VIVOS  
TRUST C/O STOKMANIS ERIC & KATHY  
PO BOX 270895  
SUSANVILLE CA 96127

051-260-018-000  
MANGOLD ISAIAH & SUTHERLAND-  
MANGOLD LAURA  
12534 WILDER RD  
RED BLUFF CA 96080

051-260-031-000  
DURAN FAMILY TRUST  
C/O DURAN TONYA LEE TRUSTEE  
30 PORCHLIGHT CT  
CHICO CA 95973

055-540-017-000  
HERRERA RENALDO N & ADESSA M  
12465 INTERMOUNTAIN RD  
REDDING CA 96003

055-020-003-000  
DIETZ DENNIS J  
P O BOX 7864  
CHICO CA 95927

055-030-034-000  
HADDEN JENNY MAY & TRAVIS G  
100 LAKE VIEW DR #98  
RED BLUFF CA 96080

055-030-044-000  
LEERHUBER ROBERT A REVOCABLE  
TRUST ETAL  
167 STONINGTON WAY  
FOLSOM CA 95630

055-030-049-000  
CHAVEZ JOSEPH & JENNIFER  
670 CRIMSON CT  
CHICO CA 95973

055-030-053-000  
HAPP JAMIE L  
340 MESA VERDE CT  
CHICO CA 95973

051-230-054-000  
ANDERSON BROTHERS CORPORATION  
13636 ANDERSON BROTHERS DR  
CHICO CA 95973

051-250-014-000  
CORBETT SAMUEL L & NANCY A  
12748 ROUGH AND READY RD  
ROUGH AND READY CA 95975

051-260-019-000  
MANGOLD FAMILY TRUST  
C/O MANGOLD ISSAC & ELIZABETH  
12534 WILDER RD  
RED BLUFF CA 96080

051-250-092-000  
RAINEY MARIE E TRUST ESTATE  
C/O HODGES LOUISE M SUCC TRUSTEE  
5786 S RUTH DR  
FORT MOHAVE AZ 86426

051-260-009-000  
GEE TRAVIS T  
102 CORNWALL PL  
CHICO CA 95973

055-020-083-000  
DENOFRIO MICHAEL W & ALLISON I  
PO BOX 1041  
CHICO CA 95927

055-030-035-000  
COCKRELL JASON WAYNE & STEPHANIE  
58 COBBLESTONE DR APT A  
CHICO CA 95928

055-030-045-000  
ALLEMANDI FAMILY TRUST  
C/O ALLEMANDI STEVEN J & JANELLE  
GENGE TRUSTEES  
920 CHELAN DR  
SUNNYVALE CA 94087  
055-030-050-000  
HARTLEY REV I V TRUST  
925 COIT TOWER WAY  
CHICO CA 95928

055-540-019-000  
PLANTS FAMILY TRUST  
C/O PLANTS RONALD B & DENISE M  
TRUSTEES  
3474 PADRE LN  
CHICO CA 95973  
051-230-055-000  
ANDERSON BROTHERS CORPORATION  
13636 ANDERSON BROTHERS DR  
CHICO CA 95973

051-230-038-000  
PRICE DENNIS D & MAYRA J  
5 DORSET CT  
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MAGEE RICHARD & KAREN JR FAMILY  
TRUST  
5930 CAMINO LN APT 12  
PARADISE CA 95969

051-250-103-000  
MAZZOCCO BERT F  
331 SPYGLASS DR  
RIO VISTA CA 94571

055-030-051-000  
VERMILLION LARRY D  
727 PEBBLE CREEK ST  
SUTHERLIN OR 97479

051-260-046-000  
BOLIN JOSIAH  
6475 DANIKA CT  
PARADISE CA 95969

055-020-022-000  
TURNBOW THOMAS L  
14799 EAGLERIDGE DR  
FOREST RANCH CA 95942

051-260-007-000  
PAZ LUIS C GALLEGOS & GALLEGOS  
YESENIA ETAL  
GALLEGOS SEBASTIAN FLORES  
1290 NOTRE DAME BLVD 26  
CHICO CA 95928  
051-230-049-000  
BEAN ROBERT L  
10 WILLIAMSBURG LN  
CHICO CA 95973

051-240-017-000  
FIORE MARY L REVOCABLE INT VIV TRUST  
C/O FIORE MARY L & J ELIZABETH  
TRUSTEES  
PO BOX 1326  
GRIDLEY CA 95948

051-230-044-000  
GREENE AARON & STEPHANIE  
5021 RUSSELL DR  
PARADISE CA 95969

**TOWN OF PARADISE  
NOTICE OF PENDING TEMPORARY USE PERMIT ISSUANCE**

**NOTICE IS HEREBY GIVEN** by the Community Development Director, pursuant to item “D” of Section 8 of Town of Paradise Urgency Ordinance #590 regarding the following matter:

- a. **PL19-00383 Anderson Brothers Corp. Temporary Use Permit:** Proposed temporary (9-10 months) “Log Storage & Processing Yard” land use facility/operation associated with the post Camp Fire restoration activities. Temporary uses include contractor’s offices, construction storage yard, temporary buildings, construction equipment and vehicle parking and services, wood storage and processing facility. Temporary access points via the Skyway and site internally will be constructed to appropriate public safety standards. Land use will include delivery of wood materials from private properties and the Private Hazard Tree Program (**not to include the Government Hazard Tree Removal Program materials**), onsite storage/processing and shipment of wood materials from the site. [Note: Project applicant contact: David Anderson, phone: (530) 894-5432, or email: [andersonj2@sbcglobal.net](mailto:andersonj2@sbcglobal.net) ]. The Town of Paradise intends to issue a conditionally approved temporary use permit for this proposed land use without a formal hearing not later than **March 10, 2020**, unless a hearing is requested by either the project applicant or other affected person(s).

Intended applicable standards and requirements as conditions of project approval includes, but is not limited to the following:

- (1) Extensive property line and defensible space setbacks; temporary log storage yard site(s) located on relatively flat site areas already disturbed and in a manner to decrease impacts to surrounding properties; detailed public road access and on-site roads, driveways and aisles constructed and maintained as approved by the Town Public Works Dept.; avoidance and setback from wetlands and any endangered/protected plants and animal species.
- (2) Adherence and compliance with all applicable Paradise Fire Department/Cal-Fire standards; Butte County Public Health, Environmental Health Division standards; Town Public Works and State Water Quality Control Board standards related to perimeter stormwater control, water quality and erosion control; Butte County Air Quality Management District regulations (Air Quality and Dust control); Noise; Quiet hours shall be maintained from 7:00 p.m. to 7:00 a.m. seven days a week; a prohibition of storage or processing of fire debris from the Camp Fire Consolidated Debris Removal Program.
- (3) Project’s approved “Material Handling & Fire Prevention Plan” shall be established and implemented satisfactory to Town of Paradise Fire Department/Cal-Fire.
- (4) Satisfactory approval and implementation of Project’s “Site Reclamation/Restoration Plan” by the Town Community Development Director.
- (5) Submittal to the Town of Paradise of a “project performance guarantee” in the amount of \$2,000/acre of land disturbed in order to guarantee the proper completion

of any approved work and to ensure that site reclamation is completed to the satisfaction of Town officials.

- (6) Compliance with all applicable "Temporary Log Storage Yard Standards" of Town Urgency Ordinance #590; and any other additional project requirements stipulated by other reviewing agencies.

If Town approved and issued the proposed temporary land use would be in effect between March 17, 2020 and December 31, 2020.

For further information please contact the Development Services Department at (530) 872-6291, extension 114.

SUSAN HARTMAN  
Community Development Director

# NOTICE OF EXEMPTION

**TO:** File – [PL19-00383]; AP No. 051-230-047, -054, -055; 051-240-011, & -012

**FROM:** Town of Paradise, Community Development Department,  
Planning Division, 5555 Skyway, Paradise CA 95969

**PROJECT TITLE:** Anderson Brothers Corp. Temporary Use Permit

**PROJECT APPLICANT:** Anderson Brothers Corp.

**PROJECT LOCATION:** Due South/Abutting 4716 thru 4724 Skyway, Paradise, CA.

**PROJECT DESCRIPTION:** Proposed temporary (9-10 months) “Log Storage & Processing Yard” associated with the post Camp fire restoration activities. Site to be serviced via a temporary contractor’s office, portable restrooms, log storage and processing equipment, etc.

**APPROVING PUBLIC  
AGENCY:** Town of Paradise

**PERSON OR AGENCY  
CARRYING OUT PROJECT:** Anderson Brothers Corp. [Applicant & Owners]

**EXEMPT STATUS:** ☐ General Rule Exemption (Section 15061)  
☐ Ministerial (Section 15268)  
☒ Emergency Project (Section 15269)  
☐ Categorical Exemption  
Section \_\_\_\_\_; Class \_\_\_\_\_

**REASON FOR EXEMPTION:** Part of project (hazard tree removal) to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor.

**CONTACT PERSON:** Susan Hartman, Planning Director  
(530) 872-6291

**SIGNATURE:**

  
\_\_\_\_\_  
Planning Director

Date: February 24, 2020



## McGreehan, Al

---

**From:** Hartman, Susan  
**Sent:** Monday, March 09, 2020 7:28 AM  
**To:** McGreehan, Al  
**Subject:** FW: Revised log storage yard - Skyway

BCEH comments for Anderson's log storage.



Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)

Town of Paradise  
Community Development Dept

MAR 06 2020  
RECEIVED

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**From:** Home <Andersondj2@sbcglobal.net>  
**Sent:** Saturday, March 7, 2020 8:47 AM  
**To:** Danz, Doug <DDanz@buttecounty.net>  
**Cc:** Hartman, Susan <shartman@townofparadise.com>; Haas, Kim <KHaas@buttecounty.net>; Jones, Darren <DWJones@buttecounty.net>  
**Subject:** Re: Revised log storage yard - Skyway

Hi Doug,

I will try and answer your questions but please call me Monday if we need to talk more. 591-7474.

I am thinking you are questioning how we are going to fuel our equipment on site without having fuel stored on site. We have Mobil fuel tanks in our service trucks and fuel our equipment from these trucks which are not left onsite. We have done this for years on all our construction sites. We would be handling this site the same way as one of our construction sites.

As far as storing wood chips on site I think they could be hauled off within 7 days of their processing schedule if deemed necessary.

I do have a question about this state law you are referring to. All sites in the county and town would be forced to these time limits except possibly ones inside of a state or federally deemed disaster area such as the camp fire. According to the governor's office the local agency's can do what they deem necessary to expedite the clean up of debris. Would this include burned trees?

Could the county and town extend the days Chips could be stored on a site inside the camp fire area?

We have addressed fire prevention measures in our plan as per cal fire requirements as far as I know.

Please let me know your thoughts on this. Thanks

Sent from my iPhone

On Mar 6, 2020, at 4:22 PM, Danz, Doug <[DDanz@buttecounty.net](mailto:DDanz@buttecounty.net)> wrote:

Susan,

In the project description provided by the Town there is a statement that "Wood reduction processes would be limited to chipping and grinding operations....." Therefore we recognize chipping and grinding will be occurring.

The conditions that Kim Haas provided to ToP yesterday for the other Chip and Grind proposed facilities are applicable, and then there may be more depending on the volumes of product being processed and stored. Kim Haas has those volumes and she will be conferring on this point with you and the applicant early next week.

Essentially, it appears that the applicant will be storing much wood chip product on site, which as per the aforementioned conditions and State Code, storage over 48 hours is prohibited. ( as per the aforementioned conditions there is a reference to an exemption in State code that may be allowed under certain conditions, but I don't believe that exemption is over 7 days max.)

One of the essential points of this email is that the applicant will be required to obtain a solid waste facility permit from the BCEH Division in order to store or process chips from chip and grind activities.

We recognize that the proposed standards and requirements pertaining to the Temporary Use Permit Issuance include; "(2) Adherence and compliance with all applicable Paradise Fire Department/Cal-Fire standards; Butte County Public Health, Environmental Health Division standards;"

Also, as requested, we do not recognize that the applicant addressed the request to "Describe if any storage of hazardous materials will be kept onsite including fuel in tank storage."

We are encouraging the applicant to contact us asap so we can work over details and requirements. The potential storage of wood chips over 48 hours seems to be the largest issue pertaining to obtaining full permit and compliance status with Butte Co Environmental Health.

Thank you.

**Doug Danz**

Butte County Public Health

[ddanz@buttecounty.net](mailto:ddanz@buttecounty.net)

<http://www.buttecounty.net/publichealth/>

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**From:** Hartman, Susan <[shartman@townofparadise.com](mailto:shartman@townofparadise.com)>

**Sent:** Wednesday, February 19, 2020 6:54 AM

**To:** Danz, Doug <[DDanz@buttecounty.net](mailto:DDanz@buttecounty.net)>

**Subject:** FW: Revised log storage yard - Skyway

**ATTENTION:** This message originated from outside Butte County. Please exercise judgment before opening attachments, clicking on links, or replying.

Just following up to see if Dave provided enough information about their processes for BCEH to determine if he's subject to any additional licensing/inspections.

<image001.jpg> Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)

---

**From:** Hartman, Susan  
**Sent:** Monday, February 10, 2020 8:40 AM  
**To:** Danz, Doug <[DDanz@buttecounty.net](mailto:DDanz@buttecounty.net)>  
**Subject:** Revised log storage yard - Skyway

Doug,

Attached is the revised and resubmitted application for the temporary log storage yard on lower Skyway for Dave Anderson. The first attachment contains the detailed project description (where they address hazardous materials and wood reduction processes), reclamation plan, fire prevention plan, and revised site plan. The second attachment is the biological report, if you're interested.

<image001.jpg> Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)

## Hartman, Susan

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**From:** Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>  
**Sent:** Wednesday, February 19, 2020 3:09 PM  
**To:** Hartman, Susan  
**Subject:** RE: Tree Processing Facility Use Permit - Town of Paradise

Hi Susan,

Thank you for submitting the revised documents for review. CDFW doesn't have any concerns with the scope of work as it relates to fish and wildlife resources.

Thank you!

Kelsey Vella  
916-932-3015

---

**From:** Hartman, Susan <shartman@townofparadise.com>  
**Sent:** Monday, February 10, 2020 8:45 AM  
**To:** Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>  
**Subject:** RE: Tree Processing Facility Use Permit - Town of Paradise

Town of Paradise  
Community Development  
FEB 19 2020  
RECEIVED

Kelsey,

Attached is the revised and resubmitted application for the temporary log storage yard on lower Skyway for Dave Anderson. The first attachment contains the detailed project description, reclamation plan, fire prevention plan, and revised site plan. The second attachment is the biological report. I just wanted to run these resubmittals by you to see if they change anything regarding your organizations involvement in the project.



Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)

---

**From:** Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>  
**Sent:** Thursday, January 2, 2020 10:14 AM  
**To:** Hartman, Susan <shartman@townofparadise.com>  
**Cc:** Jacks, Sandra@Wildlife <Sandra.Jacks@wildlife.ca.gov>; Garcia, Jennifer@Wildlife <Jennifer.Garcia@wildlife.ca.gov>  
**Subject:** Tree Processing Facility Use Permit - Town of Paradise

Good morning Susan,

Kursten Sheridan forwarded your email regarding the proposed tree processing facility on Skyway Road in Paradise to our Timberland Conservation Program for review. Thank you for reaching out to the California Department of Fish and Wildlife (CDFW)! I've taken a look at the attached documents and CDFW doesn't have any concerns with the current scope of work as it relates to fish and wildlife resources.

Thank you for your time,

Kelsey Vella  
Senior Environmental Scientist (Specialist)  
California Department of Fish and Wildlife  
1701 Nimbus Road  
Rancho Cordova, CA 95670  
916-932-3015  
Please note my phone number has changed

**TOWN OF PARADISE  
DEVELOPMENT SERVICES DEPARTMENT**

**DEVELOPMENT REVIEW REQUEST**

TO: Fire, Eng. Onsite, Police, PID, BCEH, BCAQMD, Fish & Game

FROM: Susan Hartman, Planning Director *SH*

REQUEST: Review and Comment

DESCRIPTION OF PROJECT: **Revised:** Proposed temporary (9-10 months) "Log Storage & Processing Yard" land use on community commercial, agricultural residential, and rural residential zoned properties. The site is to be served with temporary portable restrooms, etc.

LOCATION: Due South of 4716-4724 Skyway, Paradise

AP NOS.: 051-230-047, -054, -055; 051-240-11 & -12

APPLICANT: Anderson Brothers Corp. [Applicant & Owner]

CONTACT PHONE: (530) 894-5432

RETURN DATE REQUESTED: **February 18, 2020**

DATE DISTRIBUTED: February 10, 2020

\*\*\*\*\*  
DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☒ YES      ☐ YES, WITH CONDITIONS      ☐ NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

*[Handwritten signature]*

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

Town of Paradise  
Community Development Dept

FEB 18 2020

RECEIVED



**TOWN OF PARADISE  
DEVELOPMENT SERVICES DEPARTMENT**

**DEVELOPMENT REVIEW REQUEST**

**TO:** Fire, Eng., Onsite, Police, PID, BCEH, BCAQMD, Fish & Game

**FROM:** Susan Hartman, Planning Director *SH*

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**CONTACT PHONE:** (530) 894-5432

**RETURN DATE REQUESTED:** **February 18, 2020**

**DATE DISTRIBUTED:** February 10, 2020

\*\*\*\*\*  
**DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?**

☒ YES      ☐ YES, WITH CONDITIONS      ☐ NO (EXPLAIN BELOW)

**COMMENTS AND/OR RECOMMENDED CONDITIONS:**

No Conditions

BC 2/18/2020

**NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.**

**PLEASE MAKE A COPY FOR YOUR RECORDS.**

**TOWN OF PARADISE  
DEVELOPMENT SERVICES DEPARTMENT**

**DEVELOPMENT REVIEW REQUEST**

TO: Fire, Eng., Onsite, Police PID, BCEH, BCAQMD, Fish & Game

FROM: Susan Hartman, Planning Director *SH*

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AP NOS.: 051-230-047, -054, -055; 051-240-11 & -12

APPLICANT: Anderson Brothers Corp. [Applicant & Owner]

CONTACT PHONE: (530) 894-5432

RETURN DATE REQUESTED: **February 18, 2020**

DATE DISTRIBUTED: **February 10, 2020**

Town of Paradise  
Community Development Dept

FEB 10 2020

RECEIVED

\*\*\*\*\*

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

X YES      YES, WITH CONDITIONS      NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

Discussed TRAFFIC PLAN w/ Dave Anderson 2/10/2020. PD OKAY w/ PLAN AS PRESENTED. DAVE ANDERSON + PD WILL EVALUATE PLAN ONCE PRODUCTION BEGINS + IF NEEDED ADJUSTMENTS WILL BE MADE.

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

*Eric Reinbold*  
Chief of Police

*Received*  
*Feb. 10<sup>th</sup>*  
*2020*

## Hartman, Susan

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**From:** Messina, John@CALFIRE <john.messina@fire.ca.gov>  
**Sent:** Monday, February 10, 2020 3:51 PM  
**To:** Hartman, Susan  
**Subject:** Re: Revised Log Storage Yard - Skyway

Looks pretty good to me!

**John Messina**

Assistant Chief - North Division  
Butte County Fire/Town of Paradise Fire  
CALFIRE - BTU  
Cell# 530 329-9891  
Office# 530 538-7111

Town of Paradise  
Community Development Dept

FEB 10 2020

RECEIVED

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**From:** Hartman, Susan <shartman@townofparadise.com>  
**Sent:** Monday, February 10, 2020 8:34 AM  
**To:** Messina, John@CALFIRE <john.messina@fire.ca.gov>  
**Subject:** Revised Log Storage Yard - Skyway

**Warning:** this message is from an external user and should be treated with caution.  
Chief,

Attached is the revised and resubmitted application for the temporary log storage yard on lower Skyway for Dave Anderson. The first attachment contains the detailed project description, reclamation plan, fire prevention plan, and revised site plan. The second attachment is the biological report, if you're interested.



Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)



# Town of Paradise

## PARADISE FIRE & RESCUE

767 Birch Street, Paradise, CA 95969  
www.townofparadise.com  
(530) 872-6264



### Development Review

Project Name: Anderson Brothers Corp. Temp Use Permit

Location: Due South of 4716-4724 Skyway, Paradise

APN: 051-230-047-000, 051-230-054-000, 051-230-055-000, 051-240-011-000 & 051-240-012-000

Applicant: Anderson Brothers Corp. [Applicant & Owner]

Project No. PL19-00383

Date of Plan Review: January 9, 2020

Review conducted by: Chris Rainey, Fire Prevention Inspector

The scope of project: Proposed temporary (9-10 months) "Log Storage & Processing Yard" land use on community commercial, agricultural residential, and rural residential zoned properties. The site is to be served with temporary portable restrooms, etc.

Development review was performed and the following comments were generated:

#### General:

1. Obtain a Wood Products permit from Town of Paradise Fire Prevention Department.
2. Fire flow from a water source must be within a maximum of 400' by an approved path of travel. The proposed site is beyond the distance of any street hydrants and to continue would require the installation of additional on site hydrants or other approved type of water supply.
3. Cold decks, logs only, shall not exceed 500 feet in length, 300 feet in width and 20 feet in height. Cold decks shall be separated from adjacent cold decks or other exposures, including vegetation, by not less than 100 feet.
4. Where storage pile configurations could change because of changes in product operations and processing, the access plan shall be submitted for approval when required by the fire code official.
5. Portable fire extinguishers with a minimum rating of 4-A:60-B:C shall be provided on all vehicles and equipment operating on piles and at all processing equipment.
6. All piles must be 100 feet from vegetation.

Storage and Processing of Wood Chips:

1. Storage sites shall be level and on solid ground, elevated soil lifts or other all-weather surface. Sites shall be thoroughly cleaned before transferring wood products to the site.
2. Piles shall not exceed 25 feet in height, 150 feet in width and 250 feet in length.
3. Piles shall be separated from adjacent piles by approved fire apparatus access roads with a minimum unobstructed width of twenty (20) feet wide and a minimum 13'6" vertical clearance.
4. All piles must be 100 feet from vegetation.
5. Static piles shall be monitored by an approved means to measure temperatures within the static piles. Internal pile temperatures shall be monitored and recorded weekly. Such records shall be maintained. An operational plan indicating procedures and schedules for the inspection, monitoring and restricting of excessive internal temperatures in static piles shall be submitted to the fire code official for review and approval.
6. Portable fire extinguishers with a minimum rating of 4-A:60-B:C shall be provided on all vehicles and equipment operating on piles and at all processing equipment.
7. Approved material handling equipment shall be available for moving wood chips, hogged material, wood fines and raw product during fire-fighting operations.
8. The owner or operator shall develop a plan for monitoring, controlling and extinguishing spot fires and submit the plan to the fire code official for review and approval.

Thank you,  
Chris Rainey  
Fire Prevention Inspector  
Town of Paradise  
530-872-6291 x304

629 Entler Avenue, Suite 15  
Chico, CA 95928

(530) 332-9400  
(530) 332-9417 Fax



W. JAMES WAGONER  
Air Pollution Control Officer

STEPHEN ERTLE  
Assistant Air Pollution Control Officer

January 6, 2020

Susan Hartman, Planning Director  
Town of Paradise  
5555 Skyway  
Paradise, CA 95969

Town of Paradise  
Community Development Dept

JAN 06 2020

RECEIVED

Re: Development Review Request: Project Number PL19-00383

Dear Ms. Hartman,

The Butte County Air Quality Management District (District) appreciates the opportunity to comment on the Development Review Request for the project listed above. Based on the information reviewed, the District has the following comments:

1. The proposed project would be subject to District Rule 205—Fugitive Dust Emissions. Requirements include implementing dust control mitigations for operations and active/inactive work areas to prevent visible dust from being airborne off property and implementing track-out control.
2. Portable equipment and engines (rated at 50 HP or greater) may operate at the location for up to 12 consecutive months or seasonally not to exceed 3 months in each of two consecutive years. Authorization may be by registration in the State Portable Equipment Registration Program (PERP) or the local District portable program or, if under the Emergency Declaration, by filing a Form 40 with the State PERP. Operation beyond 12 months and stationary sources require an air quality permit from the District.
3. We understand there will be no burning of vegetative wastes at the site. Any waste burning is subject to the conditions of the CalEPA letter dated November 26, 2019.

If you have any questions or comments, please contact the District at (530) 332-9400.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Mandly", written over a faint circular stamp.

Jason Mandly  
Senior Air Quality Planner

March 1, 2020

Susan Hartman, Community Development Director  
Town of Paradise  
5555 Skyway  
Paradise, CA 95969

Town of Paradise  
Community Development Dept

MAR 04 2020

RECEIVED

Re: PL19-00383: Log Storage and Processing Yard

Dear Ms. Hartman;

We strongly object to the proposed use of this property on Skyway as a log storage and processing yard for the following reasons:

1. Our property is located at the end of Jade Lane, directly across from this piece of property on Skyway. Due to the fire we have an unobstructed view of this property and there is nothing to mitigate the sound of the heavy equipment needed for this proposed use. We had to endure the sunrise to sunset (and many times later) noise and dust for months when this property was cleared last year and we do not want to relive that experience.
2. Skyway is the main route between the Paradise/Magalia area and Chico. The proposed use of this property on Skyway would create a dangerous traffic hazard. Due to the number and size of the vehicles and equipment needed to transport logs and process them would require a lane closure that would create a noise and safety situation that is unacceptable.
3. Last year the owner of this Skyway property proposed that it be used as a debris processing and crushing plant. The Town Council denied that request as an inappropriate use of the property. A log storage and processing yard is no less an inappropriate use of this property!
4. A log storage and processing yard does not belong in a residential area of the Town. There are many, many areas in the Town limits and in the county that would be more appropriate for this operation where there are fewer or no homes. The people of Paradise have endured enough as a result of the Camp Fire and should not be subjected to more noise, dust, traffic danger and inconvenience.

The owner of this Skyway property seems determined to have his way in how this property is used and has absolutely no regard for the people who live in the area. He cleared the property and operated heavy equipment with no regard for the noise and dust generated. He wanted to put a debris processing and crushing site on the property with no regard for public safety, traffic hazards and quality of life for those of us still living in the area.



The goal for all of us in Paradise is to see the Town rebuild and prosper again. There are many residents that are rebuilding along Neal Road. There are many lots for sale along Neal Road. Does the Town of Paradise really expect residents to want to rebuild their homes where they can see and hear and suffer the inconveniences of a log processing lot on Skyway? Does the Town of Paradise really expect people to want to purchase property along Neal Road where they can see and hear and suffer the inconveniences of a log processing lot on Skyway if they build there?

This property on Skyway was not compatible for a debris processing and crushing plant and it is not compatible for a log storage and processing lot! We understand that the removal and processing of dead and dying timber in Paradise is a necessity and a storage and processing lot for that purpose is required. This property on Skyway is not the proper location for such an operation.

Please deny this use permit and show that the Town of Paradise cares for and has consideration for its property owners and residents in the immediate area and all of the people who use the Skyway.



Charles D. Switzer  
145 Jade Lane  
Paradise, CA 95969  
872-2310



Denise M. Switzer  
145 Jade Lane  
Paradise, CA 95969  
872-2310

## Hartman, Susan

---

**From:** Nick Herrera <nickherrer@aol.com>  
**Sent:** Friday, March 6, 2020 11:25 PM  
**To:** Hartman, Susan  
**Subject:** Wood processing proposal

Hi Susan

We are on the east coast and will not be able to address the Town Counsel. Can you please forward the message below to the counsel members?

Thanks Nick

Hello counsel members

I am asking for you to consider rejecting the proposal for the Skyway wood storage and processing plant which is proposed on the March agenda. I oppose the proposal for the following reasons:

First, the project proposes a health and safety risk to the residents and motorists in the area. This type of industrial operation would produce sound, air, soil, water, and visual pollution. The Skyway location is directly adjacent to not only my home, which survived the camp fire, but also to one of the only subdivisions that was not completely destroyed by the fire. Out of 28 pre existing, Blue Oak Terrace has 22 homes which are still currently occupied.

Also near by, some of the cross roads condominiums are still in tact as well as some homes which existed and are being rebuilt on and near Neil Rd, just to name a few areas.

Next, this property is designated in the Town's general plan as "Scenic Highway Corridor". It is along one of the towns three existing gateways. This particular gateway connects Chico to Paradise. The other two gateways, Clark and Neal, already have industrial sites. It is imperative to entice the rebuilding of our residential areas so the commercial can eventually return and the Town can self sustain again. Having industrial sites at every gateway will no doubt deter quality growth of the Town.

Additionally, the proposed site does not have the proper ingress or egress, deceleration or acceleration lanes off the high speed traffic. The operation will have slow heavy trucks entering and exiting the Skyway causing a hazard to all motorists. There are plenty of suitable sites in already designated industrial areas of the Town for this type of operation.

Next, With the storage of the already dried out wood, this would undoubtedly provide a concentration of fire fuel.

Moreover, the developer seems to have little regard for the problems and hazards created by his projects. He bought the property for a very low cost because of its destination. It was previously rezoned from RR 2/3 to RR 2/3-PD. That rezoning expired because the subdivision map expired with no action. After the camp fire, he took the opportunity to completely strip the land of both burnt and living trees and bushes without permits. This action took no consideration for the environment causing air, water, and noise pollution. He had inadequate erosion control and took no measures to control dust and debris from the clearing and tub grinding.

To my knowledge there is not PID water service or a well at either locations to provide dust control or Fire Protection.

Additionally, he had previously planned to process concrete and metal on that site. Many expressed their concerns and luckily that was stopped. If you go down Neal Rd past the dump you can see a concrete processing operation. There are still mountains of contaminated concrete piled high. The developer also started a wood processing operation between the Skyway's, that was all done without permits. As previously mentioned, the wood processing causes a large amount of debris. The last time I looked, he still had not cleaned up the mess from that small un-permitted wood processing operation. I would hate to see the residual from an abandoned large wood processing operation.

I know he is asking for a temporary use permit, but many times extensions are granted and things can become permanent.

Finally, I am aware that when he previously proposed a plan to process concrete at this site, he offered the Town a portion of his profits. I hope this is not the case again trying to sway a vote in his favor.

I believe it is the will of the Town to enhance our community and not degrade it with a unsightly industrial projects at the entrance of our Town. The developer is very capable of providing residential housing. He has built out several subdivisions. If he wants to enhance our Town, his talents would be very beneficial providing housing that can repopulate.

For all the above reasons, I am strongly oppose placing this project in the Skyway area. A more suitable location to place this operation would be an industrial area. Thank you for your consideration.

## Hartman, Susan

---

**From:** Robert Matthews <robertmatthews1@gmail.com>  
**Sent:** Wednesday, March 4, 2020 10:48 AM  
**To:** Hartman, Susan  
**Subject:** Logging Mill Neal and Skyway

I understand there is a meeting on March 17 regarding a permit issued for a saw and logging operation. As I now live 500 miles from Paradise I will not be able to attend. Thus I am sending you this email in my stead.

I am currently rebuilding my house at 5410 Hickory Way. The home is around 70% completed and should be done by June. I have just been informed that some sort of a storage, logging operation is planned in my neighborhood. I have spent a great deal of time and money to get my new house where it is. I would not have done this if I knew that a logging and truck operation was being permitted so close to where my house is. Large diesel logging trucks and saws that cut up logs make an enormous amount of noise. Not only is there noise pollution but there would be an extreme amount of air pollution from the trucks and from cutting up burned and toxic logs.

At the bottom of this email is a link that shows you a small example of what kind of noise just a relatively small saw makes at a sawmill. You might want to look at it and do some searches for other examples.

This area of Paradise has quite a few new houses being built and more on the way. How many prospective home builders will change their minds once they realize that this kind of operation will be permitted in their neighborhoods? If I had known you were permitting this, I would not have started the rebuilding process. I would have taken the money and moved elsewhere. I strongly encourage the commissioners to consider this neighborhood and this location and that they do not allow this to proceed.

Sincerely

Robert Matthews  
5410 Hickory Way  
805-657-5510

<https://www.youtube.com/watch?v=hW6QhC-3LSM>  
Saw mill operation link

--  
Robert Matthews  
226 W Ojai Ave.  
Suite 101 #513  
Ojai CA 93023  
805-657-5510

March 2, 2020

Town of Paradise  
5555 Skyway  
Paradise, CA 95969

To:

Town Manager, Lauren Gill  
Development Services Department, Susan Hartman  
Mayor, Greg Bolin  
Vice Mayor, Michael Zuccolillo  
Council Member, Melissa Schuster  
Council Member, Jody Jones  
Council Member, Steve Crowder

From:

Pam & Bill Hartley  
136 Jade Lane  
Paradise, CA 95969

RE: PL19-00383 Anderson Brothers Corp. Temporary Use Permit – “Log Storage & Processing Yard”

---

We are requesting a formal hearing on the Use Permit for the proposed “Log Storage & Processing Yard” on Skyway. We are requesting the hearing to express our deep concerns for this project as follows.

- The proposed site of the “Log Storage & Processing Yard” off Skyway as you enter the Town of Paradise is an inappropriate use of the land for safety, traffic and environmental reasons.
- The property is zoned RR, which is Rural Residential. It is not zoned for commercial or industrial use.
- Allowing this type of Use Permit would set a precedence for use of land that is not zoned for commercial or industrial use.
- This project would cause dangerous environmental impacts to the entire area and neighborhood for the wetlands, erosion, water quality, noise, dust and fire hazard.
- Even though this project is supposed to be “temporary” there are no assurances that if the project is not completed on time that an extension would be granted and set precedence for land to be used in violation of the zoned usage and detriment to the environment.
- The property owner, Dan Anderson, has already demonstrated that he is an irresponsible and neglectful property owner because over the years he failed to clear the large overgrown brush, weeds, and dead trees that helped ignite our neighborhood. And then after the fire, he clear cut and graded the property without proper permits causing environmental impacts, toxic dust and

noise at all hours. With this type of behavior, why would Mr. Anderson adhere to any standards and requirements of this Use Permit?

- Since Mr. Anderson has already disturbed the area without proper environmental studies and permits, we are concerned about the environmental impact to the creek that runs through our property. We would like an environmental study be started to determine the environmental impacts to the land and water.
- Our property value has decreased because of the clear cutting and grading Mr. Anderson has already completed. Having a "Log Storage & Processing Yard" in our backyard would decrease our value and desirability of our neighborhood substantially.
- There are other more suitable areas in Paradise that are zoned properly for commercial and industrial use that can be used for log storage and processing that would not impact the environment, traffic and our neighborhood.
- This is the "Gateway" to our community and an eye-sore log storage and processing yard is not the image of Paradise that we want to project to our residence and visitors. This is not the proper use of this land, temporary or not.

We are calling for a public hearing on this issue.

Sincerely,

Pam & Bill Hartley

[pamhartley@sbcglobal.net](mailto:pamhartley@sbcglobal.net)

[hartleybill@sbcglobal.net](mailto:hartleybill@sbcglobal.net)

# TEMPORARY LOG STORAGE YARD

APN's 051-230-047, 054, 055, 051-240-011 & 012

## PROJECT DESCRIPTION:

The project is related to restoration activities for the Town of Paradise due to the Camp Fire. Proposed temporary uses include contractor's offices, including temporary buildings, construction storage yards, construction equipment and vehicle parking and services, wood storage and processing facility. Temporary access points to the site will be constructed. Use will include delivery of wood materials, onsite processing and shipment of wood materials from the site.

## PROJECT OPERATION DESCRIPTION:

Operations at the site are proposed to not exceed seven days per week, from 7:00 am to 7:00 pm. Truck traffic volumes are not expected to exceed 25 per hour or 285 per day or 2,000 per week. Vehicles expected at the site include pickups, pickups with trailers and commercial trucks. 80% of vehicles are expected to be heavy vehicles. Wood products will be delivered and removed from the site utilizing pickup, pickups with trailers and commercial trucks. Ingress and egress at the site would be via the Skyway as shown on the Plot Plan. Internal circulation routes for trucks would be as shown on the Plot Plan. Portable site lighting would be provided at active ingress and egress locations at the site. Six foot tall portable chain link fencing would be provided along the Skyway adjacent to the site and at ingress and egress points.

No hazardous materials would be stored at the site, including tank storage of fuel. The public would not have access to the any of the job trailers.

Wood reduction processes would be limited to chipping and grinding operations in the locations shown on the Plot Plan. No chemically induced decomposition would occur.

## ENVIRONMENTAL CONDITIONS:

The entire site was burned during the Camp Fire. As part of the already completed site cleanup, all trees and remaining vegetation have been removed from the site. The site has been cleared and grubbed and wood chips installed. An ephemeral stream exists on the easterly portion of APN 051-240-012. A drainage swale exists on the southern portion of APN 051-240-012. A 100-foot undisturbed buffer has been maintained along these features and would be maintained during the log storage and processing process. There are no other known environmental features at the site.

## EROSION CONTROL:

All parcels proposed with the Use Permit are approximately 41 acres which will require a SWPPP and a NOI to be filed with the State Water Quality Control Board. A SWPPP was prepared for all of these parcels as part of the fire debris cleanup process that occurred in 2019. The parcels have been stabilized and a NOT has been approved for this SWPPP, however if the proposed Use Permit is approved the prior SWPPP would be utilized again. We are



providing a copy of the prior SWPPP for review. A NOI can be submitted to the state within a week of receiving notice for the currently proposed Use Permit.

**AIR QUALITY AND DUST CONTROL PLAN:**

Fugitive dust emissions will be controlled by regular watering, installing gravel or wood chips over soil surfaces or by other dust preventative measures. Watering, with complete coverage, will occur at least twice daily, preferably in the late morning and near the end of the work day. A water truck will be at the site at all times.

# **TEMPORARY LOG STORAGE YARD**

**APN's 051-230-047, 054, 055, 051-240-011 & 012**

## **SITE RECLAMATION PLAN**

Prior to the proposed log storage yard, the site consisted of undeveloped parcels with burned vegetation and trees due to the Camp Fire. The site is proposed for use as a temporary log storage yard during the tree removal process in the continuing effort of cleanup from the fire.

Reclamation of the site would involve removal of all vehicles, equipment, trailers and associated tools and items used at the storage yard. As portions of the site are removed from activity, and at the conclusion of all activities at the site, BMP's would be installed on all disturbed areas as erosion and sediment control and to stabilize the site. It is anticipated that fiber rolls, silt fence and wood chips with native vegetation seeding would be utilized as BMP's at the site. The site shall be stabilized to the satisfaction of the Community Development Director.

# SKYWAY SITE

## MATERIAL HANDLING AND FIRE PREVENTION PLAN

### GENERAL

This Material Handling and Fire Prevention Plan (Plan) is for the log storage and wood processing site located in the Town of Paradise, California along the Skyway at assessor parcel numbers: 051-230-047, 054, 055, 051-240-011 and 012. The site consists of multiple parcels. Three of the parcels are adjacent to each other, are located between the westbound and eastbound lanes of the Skyway and together consist of about 1.7 gross acres. The remaining parcels are adjacent to each other, are located on the south side of the eastbound portion of the Skyway and together consist of about 30.1 gross acres. Use of this site is temporary and will be a part of the ongoing cleanup efforts in the Town from the Camp Fire. Materials expected to be at the site include: cut trees, wood debris, wood chips and associated wood products.

Proposed site facilities consist of: log pile areas, incidental lot related material pile areas, wood chip area, staging and laydown areas, access roads, temporary job trailers, portable restroom facilities. Water is provided to both areas by Paradise Irrigation District (PID). The 1.7 acre area is served by two 3/4-inch water services. The 30.1 acre area is served by a 6-inch water pipe. The PID water services will be utilized for the site operations, dust control and fire suppression. A 12,000 gallon overhead water storage tank will be provided on the 30.1 acre site to provide additional water capacity and supply to the sites.

A sealed box of tools will be at the site and stored in the job trailer location. The toolbox shall contain a minimum of: one backpack pump-type fire extinguisher filled with water, two axes, two McLeod fire tools and a sufficient number of shovels so that each employee at the operation can be equipped to fight a fire. Additionally, one or more serviceable chainsaw of 3-1/2 horsepower or greater with a cutting bar 20-inches in length or longer shall be immediately available within the operating area.

***When a fire starts, a telephone call must be made to 911 immediately to inform that there is a fire.***

All cutting activities shall comply with Chapter 35 from the California Fire Code. Regular inspection of the facility by trained fire personnel shall be allowed and facilitated by the facility operator. Smoking may only occur in designated locations shown on the site plan.

### MATERIAL MONITORING

#### **Log Piles**

Log piles shall be checked for temperature once a week at intervals of 100 feet along the crown of the pile. If a temperature is found to exceed 140 degrees in a pile, temperature monitoring shall increase to twice a week at a spacing of 50 feet until the material is removed or the temperature is found to be below 140 degrees for one week. If temperatures increase to above 160 degrees the pile shall immediately be opened up to allow the heat to dissipate. Water shall be applied as needed to aid in reducing temperatures. The monitoring locations, recorded temperatures and date and time of each test shall be written on a summary sheet and kept at the site at all times.

#### **Incidental Log Related Materials**

The piles of incidental materials shall be checked for temperature once a week at intervals not exceeding 100 feet along the crown of the pile. If a temperature is found to exceed 140 degrees in a pile, temperature monitoring shall increase to twice a week at a maximum spacing of 50 feet until the material is removed or the temperature is found to be below 140 degrees for one week. If temperatures increase

to above 160 degrees the pile shall be opened up immediately to allow heat to dissipate. Water shall be applied as needed to aid in reducing temperatures. The monitoring locations, recorded temperatures and date and time of each test shall be written on a summary sheet and kept at the site at all times.

## **Wood Chips**

Wood chip piles shall be checked for temperature one a week at intervals of 100 feet along the crown of the pile. If a temperature is found to exceed 140 degrees in a pile, temperature monitoring will increase to twice a week at a spacing of 50 feet until the material is removed or the temperature is found to be below 140 degrees for one week. If temperatures increase to above 160 degrees the pile shall be opened up immediately to allow the heat to dissipate. Water shall be applied as needed to aid in reducing temperatures. The monitoring locations, recorded temperatures and date and time of each test shall be written on a summary sheet and kept at the site at all times.

## **EQUIPMENT**

The following equipment will be at the site at all times and available for firefighting:

At least one loader equivalent to a Caterpillar (CAT) 930 or larger. At least one excavator equivalent to a CAT 314 or larger. At least one water truck with a 3,800 gallon tank or larger. The water truck shall be equipped with a nozzle to allow spraying of materials or fires and a connection point for a hose along with at least 100 feet of hose. All vehicles and equipment operating on piles or processing material shall include a portable fire extinguisher with a minimum rating of 4-A:60-B:C.

A 12,000 gallon overhead water storage tank will be provided on the 30.1 acre site to provide additional water capacity and supply to the sites and equipment. Water will be supplied to the tank from an existing 6-inch pipe supplying PID water.

Temperatures within piles shall be monitored with a manual probe that shall be calibrated at least every three months.

## **FIRE PREVENTION**

Materials shall be limited to the pile areas shown on the site plan. The dimensions of each area shall be limited as specified on the site plan and the Town's Use Permit requirements. Access roads will be provided around all piles and all piles shall include the separation as required by the site plan and Use Permit. These requirements are to provide adequate access in the event of a fire.

The temperature of piles shall be monitored. Once thresholds are reached, adjustments will be made to the monitoring and action will occur to reduce the temperature of piles.

The onsite water storage tank will provide watering and firefighting capabilities to the site. A toolbox containing firefighting items will be located at the project trailers.

At least 1 loader, 1 excavator and a water truck shall be in working order and at the site at all times. At least 100 feet of hose will be available to connect to the onsite water storage tank or water truck.

## **FIRE IDENTIFICATION AND NOTIFICATION**

***In the event of a fire during normal business hours, onsite personnel must call 911 immediately to inform that there is a fire.***

The onsite manager shall be notified immediately and onsite personnel will use available firefighting equipment and tools to begin battling the fire. They will continue to fight the fire in a safe manner until the

fire agency arrives, at which point they will provide assistance to the fire agency as directed by the agency.

Within 2 hours of a fire event the following agencies shall be notified:

Butte County Air Quality Management District (BCAQMD) - 530-332-9400  
Butte County Environmental Health Department (BCEH) - 530-552-3880

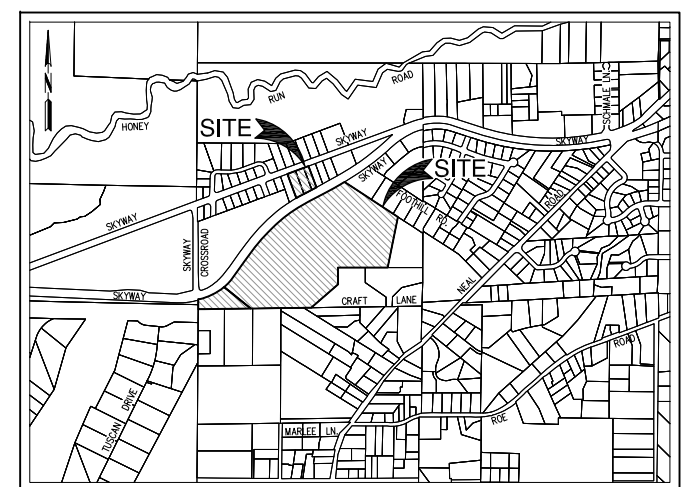
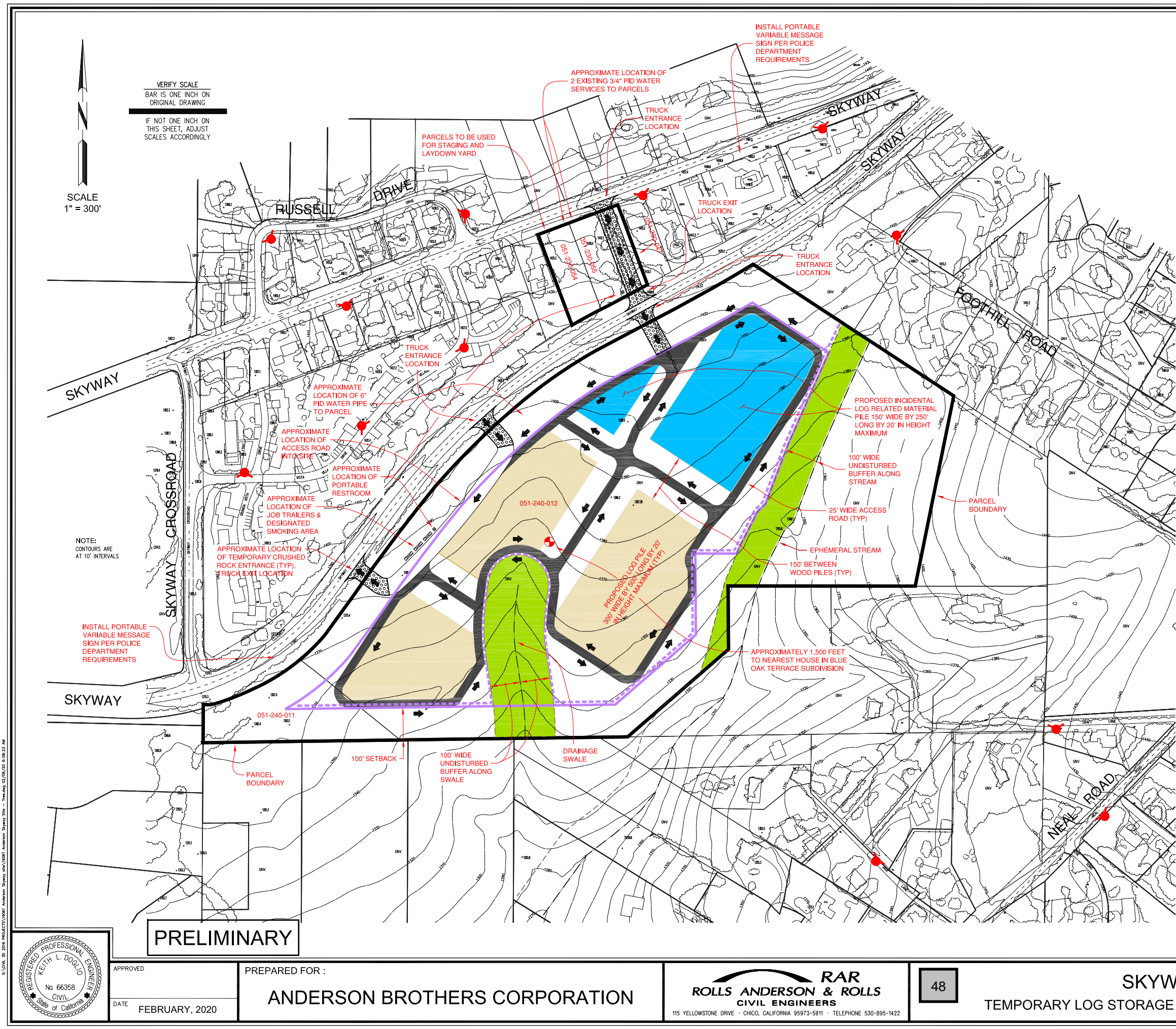
## **EMERGENCY RESPONSE PROCEDURES**

The following procedures should be taken depending on the fire situation:

***If smoke or flames can be seen coming from materials or any feature on or near the site the onsite personnel must call 911 immediately to inform them of the smoke or fire.***

The onsite manager shall be notified immediately. A roll-call of onsite personnel shall occur to account for all people at the site. Any person in direct or indirect danger shall be assisted and relocated to a safe location. Onsite personnel shall utilize available firefighting equipment and tools to begin battling the fire. They shall continue to fight the fire in a safe manner until the fire is extinguished or the fire agency arrives. They shall provide assistance as directed by the fire agency.

Firefighting shall always occur from a safe position and consist of the following methods, or combination of methods, as appropriate for the situation: cooling the combustible material or fuel source, smothering the combustible material or fuel source and dilution of the combustible material.



LOCATION MAP  
NO SCALE

OWNER  
ANDERSON BROTHERS CORPORATION  
1545 ELLIOTT ROAD  
PARADISE, CA 95669

| PARCEL INFORMATION |  |                               |         |
|--------------------|--|-------------------------------|---------|
| APN                | ZONING                                     | GENERAL PLAN                  | AREA    |
| 051-230-047        | CC - COMMUNITY COMMERCIAL                  | TC - TOWN COMMERCIAL          | ±0.4 AC |
| 051-230-054        | CC - COMMUNITY COMMERCIAL                  | TC - TOWN COMMERCIAL          | ±0.7 AC |
| 051-230-055        | CC - COMMUNITY COMMERCIAL                  | TC - TOWN COMMERCIAL          | ±0.6 AC |
| 051-240-011        | AR 1 - AGRICULTURAL RESIDENTIAL (1 AC MIN) | AR - AGRICULTURAL RESIDENTIAL | ±1.6 AC |
| 051-240-012        | RR 2/3 - RURAL RESIDENTIAL (2/3 AC MIN)    | RR - RURAL RESIDENTIAL        | ±3.8 AC |

- NOTES
- NO STRUCTURES EXIST ON THE SITES.
  - THERE ARE NO KNOWN SEPTIC SYSTEMS, WELLS OR OTHER IMPROVEMENTS LOCATED AT THE SITES.
  - EXISTING LAND USE IS UNDEVELOPED.
  - ONSITE PARKING AREAS ARE PROPOSED TO BE WITHIN GRAVEL SURFACED AREAS.
  - TEMPORARY STOP SIGNS ARE PROPOSED AT ALL ACCESS POINTS TO THE SKYWAY. NO ADDITIONAL ONSITE SIGNS ARE PROPOSED.
  - THE LOCATION OF EXISTING TREES ARE BASED ON FIELD MEASUREMENTS AND ARE APPROXIMATE.
  - NO TOPOGRAPHIC SURVEYING HAS BEEN PERFORMED. EXISTING INFORMATION IS BASED ON TOWN OF PARADISE AERIAL TOPOGRAPHIC INFORMATION.
  - STORMWATER BEST MANAGEMENT PRACTICES SHALL BE IMPLEMENTED BASED ON THE APPROVED STORMWATER POLLUTION PREVENTION PLAN (SWPPP).
  - TEMPORARY LOG STORAGE YARDS SHALL COMPLY WITH THE STANDARDS CONTAINED WITHIN TOWN ADOPTED URGENCY ORDINANCE NO. 590 INCLUDING BUT NOT LIMITED TO: (1) 100' SETBACK FROM PROPERTY LINES AND 150' SETBACK BETWEEN WOOD PILES; (2) FIRE ENGINES MUST BE ABLE TO MANEUVER THE SITE; (3) CALIFORNIA FIRE CODES AND PUBLIC RESOURCES CODES MUST BE FOLLOWED.
  - LOG PILES SHALL NOT EXCEED 20' IN HEIGHT, 300' IN WIDTH AND 500' IN LENGTH. LOG PILES SHALL BE STABILIZED BY A MEANS APPROVED BY THE FIRE CHIEF OR THEIR DESIGNEE. OTHER PILES MADE OF INCIDENTAL LOG RELATED MATERIALS SHALL NOT EXCEED 20' IN HEIGHT, 150' IN WIDTH AND 250' IN LENGTH. ALL PILES SHALL BE SEPARATED FROM ALL OTHER PILES BY 100'.
  - ALL ONSITE ROADS, DRIVEWAYS AND AISLES SHALL HAVE A MINIMUM OF 6" OF CLASS 2 AGGREGATE BASE, A MINIMUM OF 25' WIDE AND SHALL BE CAPABLE OF SUPPORTING A 75,000 LB LOAD THAT WILL ALLOW FOR INGRESS AND EGRESS OF FIRE APPARATUS TO WITHIN 150' OF ALL PILES AND STRUCTURES AND SHALL HAVE A VERTICAL CLEARANCE OF NO LESS THAN 15'.
  - ALL LOG PILES AND OTHER PILES SHALL BE SETBACK A MINIMUM OF 150' FROM ALL OUTSIDE PROPERTY LINES AND ANY PERMANENT STRUCTURES. THERE SHALL BE AN AREA OF DEFENSIBLE SPACE THAT IS A MINIMUM OF 150' WIDE AROUND THE PERIMETER OF THE TEMPORARY LOG STORAGE AREA THAT SHALL NOT BE GRADED BUT SHALL BE KEPT CLEAR OF GRASS AND VEGETATION TO SUPPORT FIRE PROTECTION BY CLEARING, DISKING, GRUBBING, AND/OR SCRAPING. CAL-FIRE SHALL HAVE DISCRETION TO ADDRESS UNIQUE CIRCUMSTANCES.
  - THE SITE SHALL HAVE A SEALED BOX OF TOOLS THAT SHALL BE LOCATED, WITHIN THE OPERATING AREA, AT A POINT ACCESSIBLE IN THE EVENT OF FIRE. THIS FIRE TOOLBOX SHALL CONTAIN: 1 BACKPACK PUMP-TYPE FIRE EXTINGUISHER FILLED WITH WATER, 2 AXES, 2 MCL600 FIRE TOOLS AND A SUFFICIENT NUMBER OF SHOVELS SO THAT EACH EMPLOYEE AT THE OPERATION CAN BE EQUIPPED TO FIGHT FIRE. IN ADDITION, ONE OR MORE SERVICEABLE CHAINSAWS OF 3-1/2 OR MORE HORSEPOWER WITH A CUTTING BAR 20" IN LENGTH OR LONGER SHALL BE IMMEDIATELY AVAILABLE WITHIN THE OPERATING AREA.

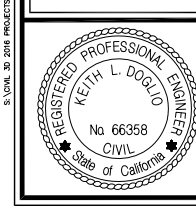
PROPOSED USE

1. USE OF THE PARCELS IS RELATED TO LOG STORAGE AND PROCESSING FOR THE TOWN OF PARADISE DUE TO THE CAMP FIRE. THE SITE WAS ENTIRELY BURNED DURING THE FIRE. ALL FIRE DEBRIS HAS BEEN REMOVED FROM THE SITE AND WOOD CHIPS CURRENTLY COVER THE SITE.

LEGEND

- APPROXIMATE SITE BOUNDARY
- 100' SITE SETBACK
- PROPOSED FIBER ROLL OR SILT FENCE
- UNDISTURBED AREA WITHIN 100' FROM STREAM OR SWALE
- PROPOSED LOG PILE AREA
- PROPOSED INCIDENTAL LOG RELATED MATERIAL PILE
- PROPOSED 25' WIDE ACCESS ROAD
- APPROXIMATE LOCATION OF FIRE HYDRANT (PER TOWN OF PARADISE GIS INFORMATION)
- DIRECTION OF TRUCK TRAFFIC

|             |        |
|-------------|--------|
| DESIGNED    | KLD    |
| DRAWN       | CAD    |
| CHECKED     | PWR    |
| DRAWING NO. | 1 OF 1 |
| JOB NO.     | 19061  |



APPROVED  
DATE FEBRUARY, 2020

PREPARED FOR :  
ANDERSON BROTHERS CORPORATION

RAR  
ROLLS ANDERSON & ROLLS  
CIVIL ENGINEERS  
115 YELLOWSTONE DRIVE • CHICO, CALIFORNIA 95973-5811 • TELEPHONE 530-895-1422

48

SKYWAY SITE  
TEMPORARY LOG STORAGE YARD USE PERMIT - PLOT PLAN



January 31, 2020

Anderson Brothers Corporation  
Attn: Dave Anderson  
1545 Elliot Road  
Paradise, CA 95969

**RE: Preliminary Wetland Assessment of the Skyway Wood Storage Project Site, Paradise, Butte County, CA.**

Mr. Anderson,

On January 29, 2020, Gallaway Enterprises senior botanist, Elena Gregg, conducted a preliminary wetland assessment of US Army Corps of Engineers (Corps) jurisdictional waters of the United States (WOTUS) within the Skyway Wood Storage project (Project) site consisting of five parcels (APN 051-230-047, 051-230-054, 051-230-055, 051-240-011 and 051-240-012) totaling approximately 42-acres located along the southwestern boundary of the Town of Paradise, Butte County, CA. The Project site is located just east of Skyway Crossroad Road and includes land on both sides of the eastbound lanes of Skyway Road (**Exhibit A**). The following summarizes the results of the preliminary wetland assessment.

### **Environmental Setting and Site Conditions**

The Project is located within the Town of Paradise, Butte County, CA. The Project site lies within the Hamlin Canyon United States Geologic Survey (USGS) 7.5' Quadrangle in Section 21, Township 22N, Range 3E.

The site slopes to the south/southwest with a wide, shallow dip in the approximate center of the site and a drainage running north to south along the eastern boundary of the site. Prior to the 2018 Camp Fire, the site was primarily composed of dense chaparral habitat with patches of mixed hardwood conifer woodland dominated by foothill pines (*Pinus sabiniana*), ponderosa pines (*Pinus ponderosa*) and black oaks (*Quercus kelloggii*). A few dirt access roads occurred throughout the Project site. Currently, the Project site is dominated by barren land and disturbed annual grassland habitat with only the eastern edge of the Project site still containing remnant trees and shrubs that had burned in the fire but are now re-sprouting. Much of the site has been masticated, scraped and the mulch spread on the site due to the fire clean-up efforts. Also, a few gravel access roads occur within the Project site. The Project site is bound to the north by Skyway Road, to the west by Bay Tree Drive, to the south by open land and to the east by residential parcels.



## Survey Methods

The Project site was surveyed on-foot by Gallaway Enterprises staff on January 29, 2020 to identify any potentially jurisdictional features. The survey, mapping efforts, and report production were performed according to the valid legal definitions of WOTUS in effect on January 29, 2020. The boundaries of non-tidal, non-wetland waters, when present, were delineated at the ordinary high water mark (OHWM) as defined in 33 Code of Federal Regulations (CFR) 328.3. The OHWM represents the limit of potential Corps jurisdiction over non-tidal waters (e.g., streams and ponds) in the absence of adjacent wetlands (33 CFR 328.04) (Curtis, et. al. 2011). Wetland perimeters based on the *United States Army Corps of Engineers Wetlands Delineation Manual* (1987) and the *Regional Supplement to the Corps of Engineers Wetlands Delineation Manual: Arid West Region* (2008) (Arid West Manual) were recorded and defined, when present, according to their topographic and hydrologic orientation.

## Survey Results

Gallaway Enterprises found evidence of only one jurisdictional drainage feature according to the valid legal definitions of WOTUS in effect on January 29, 2020 (**Exhibit B**). This drainage had a pond feature within its banks that has formed due to the presence of a partial impoundment. Vegetation within this drainage was dominated by seasonal wetland vegetation including nutsedge (*Cyperus eragrostis*), pacific rush (*Juncus effusus*), Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*) and curly dock (*Rumex crispus*) with a few scattered willows (*Salix* sp.). This drainage flows north to southwest near the eastern edge of the Project site and is an unnamed tributary of Hamlin Slough. The wide shallow dip in the approximate center of the Project site contained drainage-like topography with drainage patterns and small areas with minimal scour, but did not exhibit an ordinary high water mark (OHWM) or a bed or bank (see site photos in **Exhibit C** and the location of the photo points in **Exhibit B**). Further, the vegetation present in this drainage-like area was dominated by upland plant species. Therefore, this drainage-like area did not meet the definition or any of the requirements to be considered a Corps jurisdictional feature.

If you have any questions, please do not hesitate to contact me at our office (530) 332-9909.

Sincerely,



Elena Gregg, Botanist  
Gallaway Enterprises

Encl.: Exhibit A. Property Location Map  
Exhibit B. Preliminary Wetland Map  
Exhibit C. Site Photographs

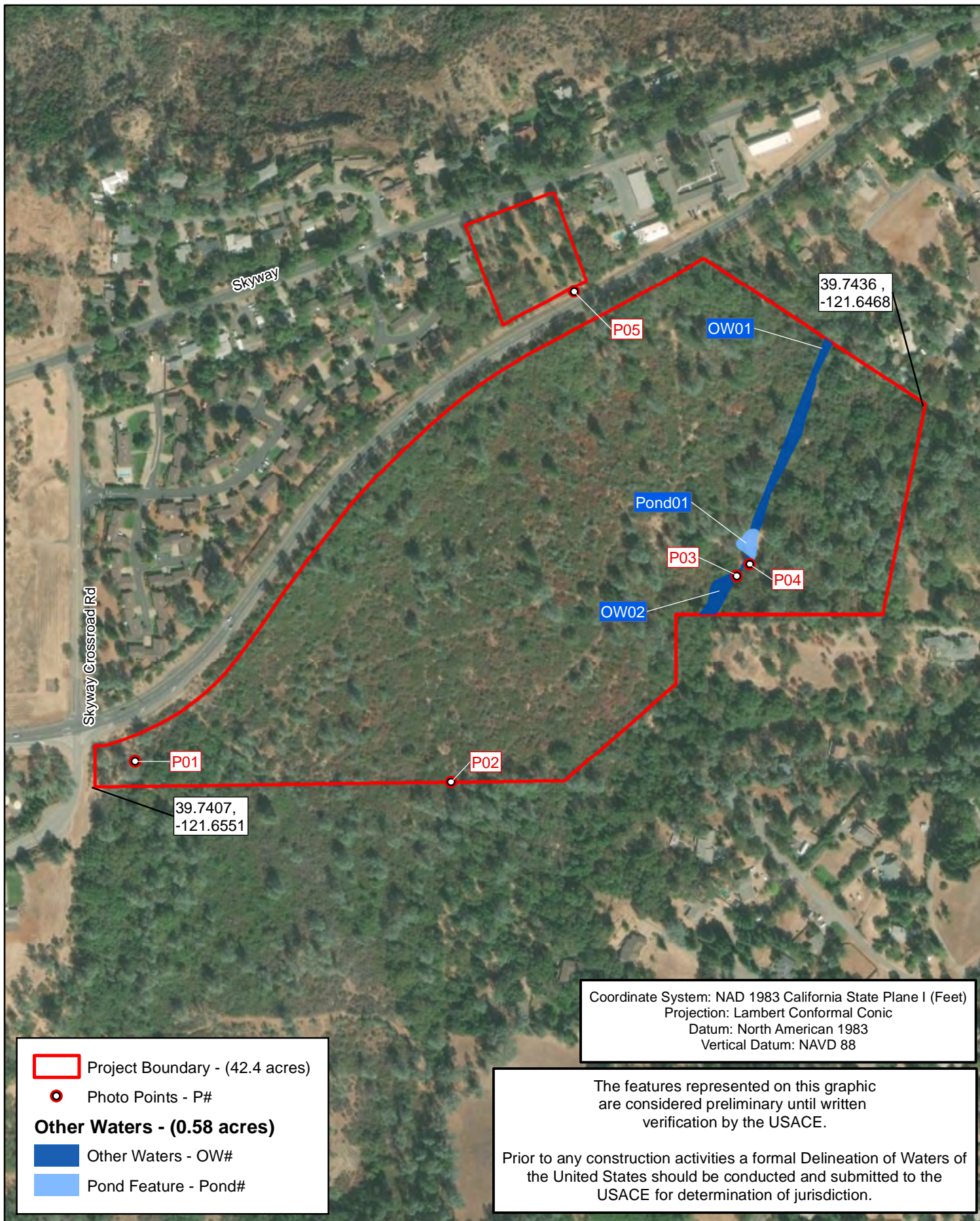
# Exhibit A: Property Location Map







# Exhibit B: Preliminary Wetland Map

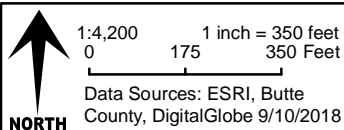


Coordinate System: NAD 1983 California State Plane I (Feet)  
 Projection: Lambert Conformal Conic  
 Datum: North American 1983  
 Vertical Datum: NAVD 88

The features represented on this graphic  
 are considered preliminary until written  
 verification by the USACE.

Prior to any construction activities a formal Delineation of Waters of  
 the United States should be conducted and submitted to the  
 USACE for determination of jurisdiction.

- Project Boundary - (42.4 acres)
- Photo Points - P#
- Other Waters - (0.58 acres)**
- Other Waters - OW#
- Pond Feature - Pond#



## Skyway Wood Storage Anderson

### Preliminary Assessment of Waters of the U.S.

#### Exhibit B

## Exhibit C: Site Photographs



## Site Photographs Taken on January 29, 2020



P01 – Overview of Project site taken just east of Bay Tree Drive looking northeast



P02 – Picture taken on the southern boundary looking north at the non-jurisdictional drainage-like area (note dominance of upland vegetation and lack of OHWM)





P02 – Picture taken on the southern boundary looking south at the non-jurisdictional drainage-like area (note presence of drainage patterns but no OHWM, bed or bank)



P03 – Picture of the drainage in the eastern portion of the Project site looking southwest





P04 – Picture of the ponded area within the drainage looking northeast



P05 – Overview of the portion of the Project site located between the east bound and west bound lanes of Skyway Road looking northwest

# BIOLOGICAL RESOURCE ASSESSMENT

Terrestrial Wildlife and Botanical Resources

## Skyway Wood Storage Project

Town of Paradise, California

January 2020



Prepared for:

**Anderson Brother Corporation**

1545 Elliot Road

Paradise, CA 95969

Contact: Dave Anderson

Prepared by:

**Gallaway Enterprises**

117 Meyers Street, Suite 120

Chico CA 95928

(530) 332-9909

Contact: Kevin Sevier

[www.gallawayenterprises.com](http://www.gallawayenterprises.com)

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# BIOLOGICAL RESOURCE ASSESSMENT

## Skyway Wood Storage Project

### Project Location:

Town of Paradise, California  
Section 21, Township 22N, Range 3E

## INTRODUCTION

### Purpose and Overview

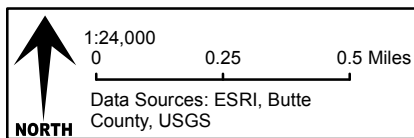
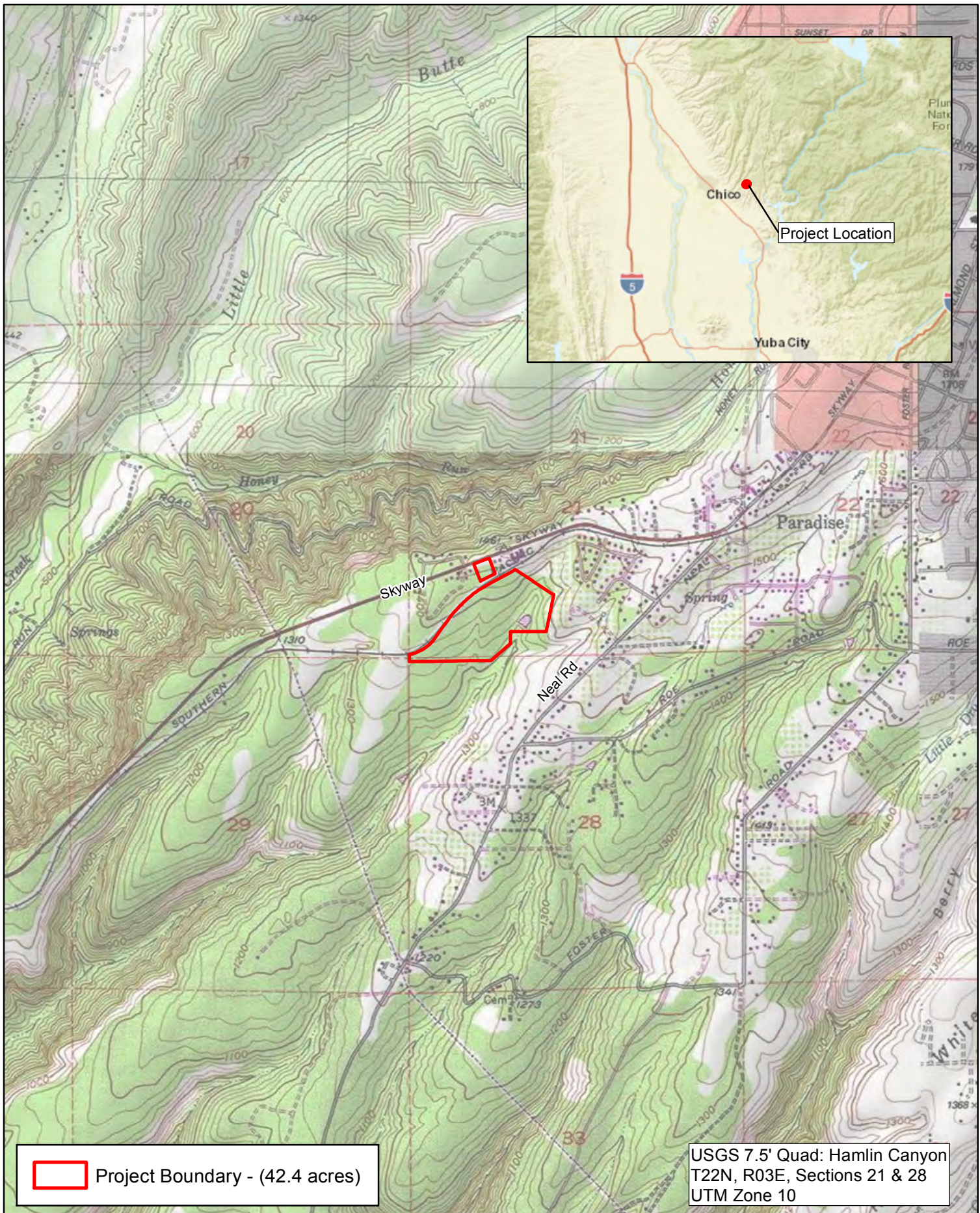
The purpose of this biological resource assessment (BRA) is to document the endangered, threatened, sensitive, and rare species and their habitats that occur or may occur in the biological survey area (BSA) of the Skyway wood storage project (Project) area located along the southwestern boundary of the Town of Paradise, Butte County, California (**Figure 1**). The Project area is located just east of Skyway Crossroad Road and includes land on both sides of the eastbound lanes of Skyway Road. The Project area is approximately 42 acres.

The BSA is the area where biological surveys are conducted (**Figure 2**). Gallaway Enterprises conducted biological and botanical habitat assessments in the BSA to evaluate site conditions and potential for biological and botanical species to occur. Other primary references consulted include species lists and information gathered using United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation System (IPaC), California Department of Fish and Wildlife's (CDFW) Natural Diversity Database (CNDDDB), the California Native Plant Society's (CNPS) list of rare and endangered plants, and literature review. The results of the BRA are the findings of habitat assessments and surveys and recommendations for avoidance and minimization measures.

### Project Location and Environmental Setting

The BSA is located within the Town of Paradise, Butte County, CA. The BSA lies within the "Hamlin Canyon" United States Geologic Survey (USGS) 7.5' quadrangle in Section 21, Township 22N, Range 3E; latitude 39.7407, longitude -121.6551. On November 8, 2018, the BSA and the surrounding area were burned in the Camp Fire. Prior to the Camp Fire, the BSA was primarily composed of dense chaparral habitat with patches of mixed hardwood conifer woodland dominated by foothill pines (*Pinus sabiniana*), ponderosa pines (*Pinus ponderosa*) and black oaks (*Quercus kelloggii*). A few dirt access roads occurred throughout the BSA. Currently, the BSA is dominated by barren land and disturbed annual grassland habitat with only the eastern edge of the BSA still containing remnant trees and shrubs that had burned in the fire but are now re-sprouting. Much of the BSA has been masticated, scraped and the mulch spread throughout the site due to the fire clean-up efforts. A few gravel access roads occur within the BSA. The BSA slopes to the south/southwest with a wide, shallow dip in the approximate center of the BSA and a drainage running north to south along the eastern boundary of the BSA. The BSA is bound to the north by Skyway Road, to the west by Bay Tree Drive, to the south by open land and to the east by residential parcels.





Skyway Wood Storage Project  
Regional Location  
Figure 1







The dominate soil type within the BSA is Ultic Haploxeralfs, 15 to 30 percent slopes; gravelly loam, well-drained with a restrictive layer 20 to 60 inches depth. The elevation of the BSA ranges from 1325 feet to 1450 feet. The average annual precipitation for the area is 54.84 inches and the average temperature is 60.4° F (Western Regional Climate Center 2020).

## Project Description

The proposed project consists of a temporary log storage yard intended to receive and process tree debris resulting from tree removal activities in the area.

## METHODS

### References Consulted

Gallaway Enterprises obtained lists of special-status species that occur in the vicinity of the BSA. The CNDDDB Geographic Information System (GIS) database was also consulted and showed special-status species within a 5-mile radius of the BSA (**Figure 3**). Other primary sources of information regarding the occurrence of federally listed threatened, endangered, proposed, and candidate species and their habitats within the BSA used in the preparation of this BRA are:

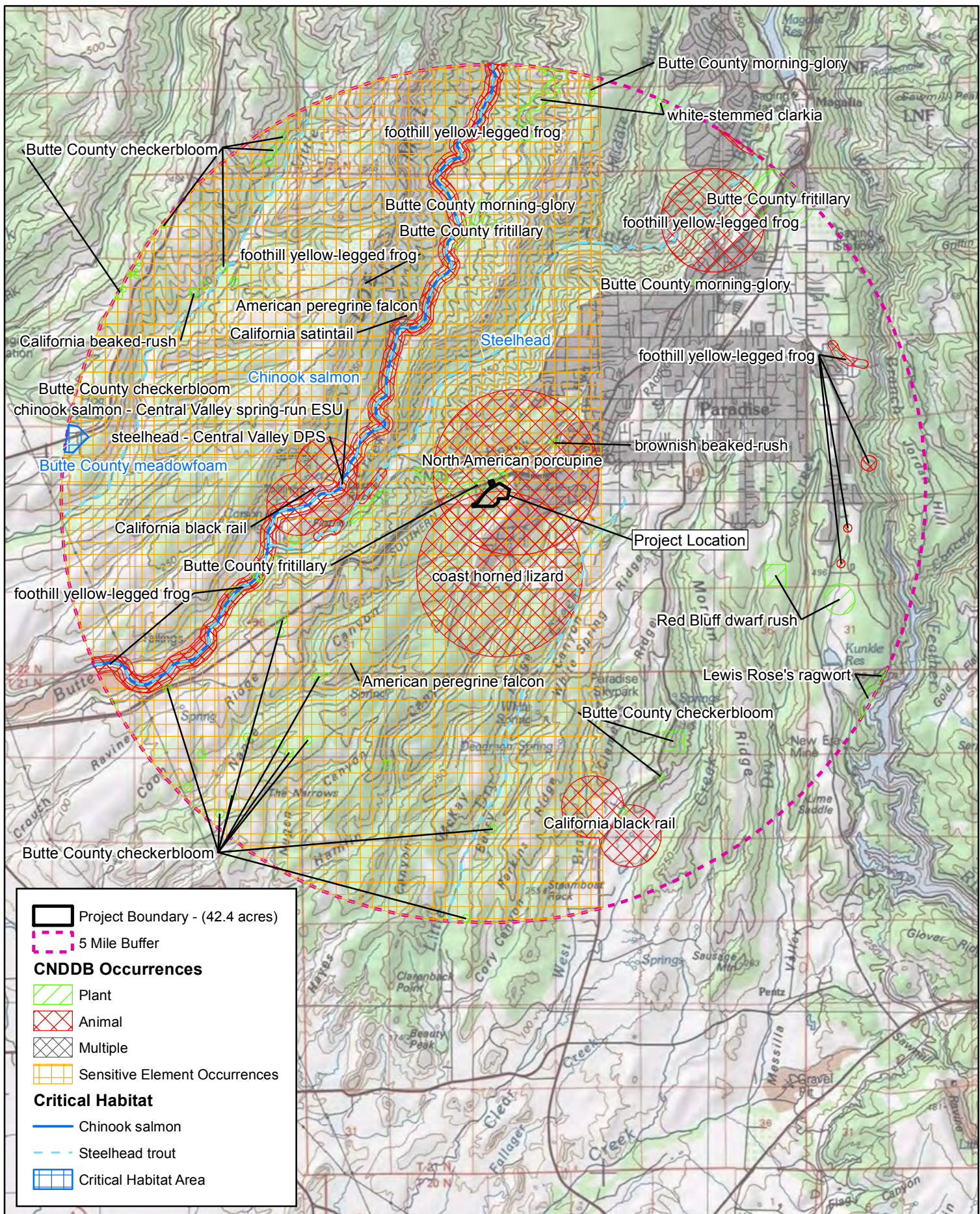
- The USFWS IPaC Official Species List for the Project area, January 30, 2020, Consultation Code 08ESMF00-2020-SLI-0641 (**Appendix A; Species Lists**);
- The results of a species record search of the CDFW CNDDDB RareFind 5 for the 7.5 minute USGS “Paradise East, Paradise West, Cherokee, and Hamlin Canyon” quadrangles (**Appendix A; Species Lists**);
- The review of the CNPS Inventory of Rare and Endangered Vascular Plants of California for the 7.5 minute USGS “Paradise East, Paradise West, Cherokee, and Hamlin Canyon” quadrangles (**Appendix A; Species Lists**);
- USFWS Critical Habitat Portal, January 30, 2020; and
- Results from the habitat assessments conducted by Gallaway Enterprises on January 30, 2020 (**Appendix B; Observed Species List**).

### Special-Status Species

Special-status species that have potential to occur in the BSA are those that fall into one of the following categories:

- Listed as threatened or endangered, or are proposed or candidates for listing under the California Endangered Species Act (CESA, 14 California Code of Regulations 670.5) or the Federal Endangered Species Act (ESA, 50 Code of Federal Regulations 17.12);
- Listed as a Species of Special Concern (SSC) by CDFW or protected under the California Fish and Game Code (CFG) (e.g. Fully Protected species);
- Ranked by the CNPS as 1A, 1B, or 2;
- Protected under the Migratory Bird Treaty Act (MBTA);
- Protected under the Bald and Golden Eagle Protection Act; or





1:95,000  
0 0.5 1 Miles  
Data Sources: ESRI, Butte County, USGS, CNDBB, USFWS

Skyway Wood Storage Project  
CNDBB Occurrences and Critical Habitat  
Figure 3



- Species that are otherwise protected under policies or ordinances at the local or regional level as required by the California Environmental Quality Act (CEQA §15380).

### **Critical Habitat**

The ESA requires that critical habitat be designated for all species listed under the ESA. Critical habitat is designated for areas that provide essential habitat elements that enable a species survival and which are occupied by the species during the species listing under the ESA. Areas outside of the species range of occupancy during the time of its listing can also be determined as critical habitat if the agency decides that the area is essential to the conservation of the species. The USFWS Critical Habitat Portal was accessed on January 29, 2020 to determine if critical habitat occurs within the BSA. Appropriate Federal Registers were also used to confirm the presence or absence of critical habitat.

### **Sensitive Natural Communities**

Sensitive Natural Communities (SNCs) are monitored by CDFW with the goal of preserving these areas of habitat that are rare or ecologically important. Many SNCs are designated as such because they represent a historical landscape and are typically preserved as valued components of California's diverse habitat assemblage.

### **Waters of the United States**

An aquatic resources assessment of the Project site was conducted by Gallaway Enterprises on January 29, 2020.

### **Habitat Assessments**

Habitat assessments were conducted by Gallaway Enterprises staff on January 29, 2020. A wildlife habitat assessment was conducted by Biologist Samantha Morford. Senior Botanist Elena Gregg conducted a botanical habitat assessment within the BSA.

Habitat assessments for botanical and wildlife species were conducted to determine the suitable habitat elements for special-status species within the BSA. The habitat assessments were conducted by walking the entire BSA, where accessible, and recording observed species and specific habitat types and elements. If habitat was observed for special-status species it was then evaluated for quality based on vegetation composition and structure, physical features (e.g. soils, elevation), microclimate, surrounding area, presence of predatory species and available resources (e.g. prey items, nesting substrates), and land use patterns.

## **RESULTS**

### **Habitats**

#### **Annual Grassland**

The BSA currently consists of a mesic of disturbed annual grassland. Within the BSA, annual grassland occurs in undisturbed areas as well as most of the site where the land has been scraped during cleanup activities following the Camp Fire. Some of the dominant plant species observed in the disturbed annual

grassland habitat within the BSA include rye-grass (*Festuca perennis*), hedge mustard (*Sisymbrium officinale*), yellow star thistle (*Centaurea solstitialis*), rose clover (*Trifolium hirtum*), and Scotch broom (*Cytisus scoparius*). At the time of the site visit, live oak (*Quercus wislizeni*) saplings and western redbud (*Cercis occidentalis*) saplings were scattered throughout the annual grassland. A variety of ground nesting avian species, reptiles, and small mammals use grassland habitat for breeding, while many other wildlife species use it primarily for foraging or require other habitat characteristics such as rocky outcroppings, cliffs, caves, or ponds in order to find shelter and cover for escapement. Common species found utilizing this habitat type include western fence lizards (*Sceloporus occidentalis*), common garter snakes (*Thamnophis elegans*), California ground squirrels (*Otospermophilus beecheyi*), jackrabbits (*Lepus californicus*), and a variety of avian species.

### **Barren**

Barren habitat is typified by non-vegetated soil, rock, and gravel. Any habitat with <2% total vegetation cover by herbaceous, desert, or non-wildland species and <10% cover by tree or shrub species is defined this way. The areas within the BSA with bare soil or covered by mulched woody debris is consisted to be barren habitat. Additionally, the gravel access roads also provide barren habitat. The barren habitat type typically provides low quality habitat to wildlife. Some ground-nesting birds, such as killdeer (*Charadrius vociferus*), will nest in gravelly, barren substrate.

### **Riverine**

The riverine habitat within the BSA consists of a heavily vegetated seasonal drainage that flows north to southwest along the eastern edge of the BSA. Vegetation within the riverine habitat was dominated by seasonal wetland vegetation including nutsedge (*Cyperus eragrostis*), pacific rush (*Juncus effusus*), Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*) and curly dock (*Rumex crispus*) with a few scattered willows (*Salix* sp.).

### **Critical Habitat**

There is no designated critical habitat within the BSA.

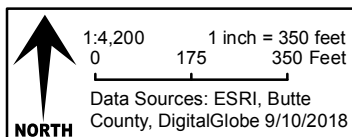
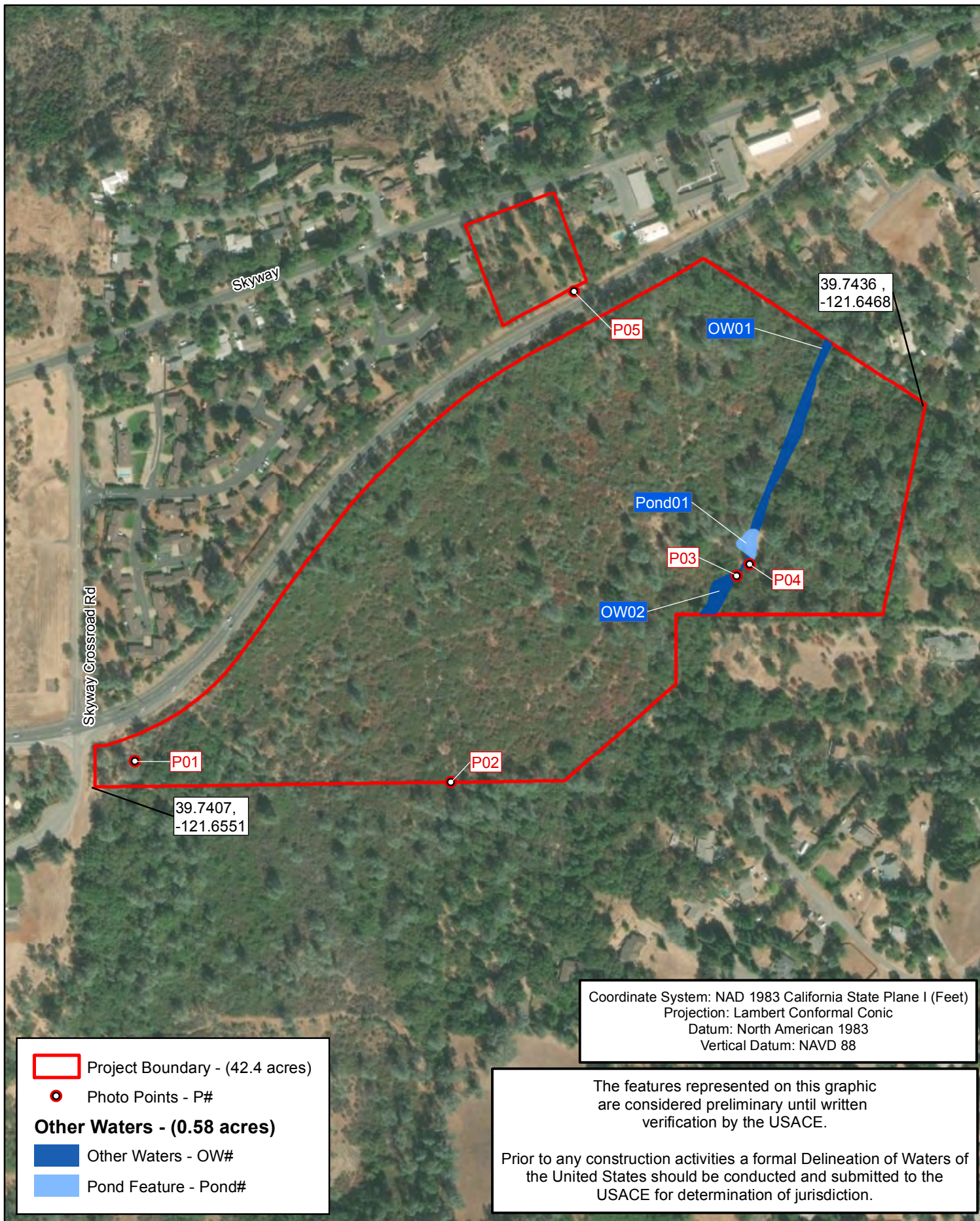
### **Sensitive Natural Communities**

No SNCs occur within the BSA.

### **Waters of the United States**

Gallaway Enterprises found evidence of one potentially jurisdictional drainage within the BSA (**Figure 4**). All features within the report should be considered jurisdictional until verified by the Army Corps of Engineers.





Skyway Wood Storage Project  
 Preliminary Assessment of Waters of the U.S.  
 Figure 4

## Special-Status Species

A summary of special-status species assessed for potential occurrence within the BSA based on the USFWS IPaC and CNDDDB species lists and the CNPS lists of rare and endangered plants within the Paradise East, Paradise West, Cherokee, and Hamlin Canyon USGS 7.5 minute quadrangles, and their potential to occur within the BSA is described in **Table 1**. Potential for occurrence was determined by reviewing database queries from federal and state agencies, performing surveys, and evaluating habitat characteristics.

**Table 1. Special-status species and their potential to occur in the BSA of the Skyway Wood Storage Project, Butte County, CA**

| Common Name<br>(Scientific Name)  | Status<br>Fed/State/C<br>NPS | Associated Habitats  | Potential for Occurrence   |
|---|------------------------------|--|--|
| <b>SENSITIVE NATURAL COMMUNITIES</b>  |                              |  |  |
| <b>Great Valley<br/>Cottonwood Riparian<br/>Forest</b>                              | _/_SNC/_                     | Riparian forest.   | <u>None</u> . There is no designated Great Valley Cottonwood Riparian Forest within the BSA. |
| <b>Northern Basalt Flow<br/>Vernal Pool</b>   | _/_SNC/_                     | Vernal pools.  | <u>None</u> . There is no designated Northern Basalt Flow Vernal Pool within the BSA.        |
| <b>Northern Hardpan<br/>Vernal Pool</b>   | _/_SNC/_                     | Vernal pools.  | <u>None</u> . There is no designated Northern Hardpan Vernal Pool within the BSA.            |
| <b>PLANTS</b>   |                              |  |  |
| <b>Adobe lily</b><br>( <i>Fritillaria pluriflora</i> )                              | _/_1B.2                      | Adobe soils.<br>(Blooming Period [BP]:<br>Feb – Apr)   | <u>None</u> . There are no adobe soils present within the BSA.                               |
| <b>Ahart's buckwheat</b><br>( <i>Eriogonium umbellatum</i><br><i>var. ahartii</i> ) | _/_1B.2                      | Serpentine; on slopes<br>and openings in chaparral,<br>cismontane woodland.<br>(BP: Jun – Sep)               | <u>None</u> . There is no suitable habitat present within the BSA.                           |
| <b>Brownish beaked-rush</b><br>( <i>Rhynchospora</i><br><i>capitellata</i> )        | _/_2B.2                      | Mesic sites in montane<br>coniferous forest,<br>meadows and seeps,<br>marshes and swamps. (BP:<br>Jul – Aug) | <u>None</u> . There is no suitable habitat present within the BSA.                           |



| <b>Common Name</b><br>( <i>Scientific Name</i> )                                    | <b>Status</b><br>Fed/State/C<br>NPS | <b>Associated Habitats</b>   | <b>Potential for Occurrence</b>  |
|---|-------------------------------------|--|--|
| <b>Butte County checkerbloom</b><br>( <i>Sidalcea robusta</i> )                     | _/_/1B.2                            | Small draws and rocky crevices in chaparral, cismontane woodland.<br>(BP: Apr – Jun)   | <u>None</u> . There is no suitable habitat present within the BSA.   |
| <b>Butte County fritillary</b><br>( <i>Fritillaria eastwoodiae</i> )                | _/_/3.2                             | Usually on dry slopes but also found in wet places; soils can be serpentine, red clay, or sandy in chaparral, cismontane woodland, lower montane coniferous forest.<br>(BP: Mar – Jun) | <u>None</u> . A CNDDDB occurrence (#51), recorded in 1978, overlaps with a portion of the BSA. The locational information was recorded as being vague. This area of the BSA was scrapped and masticated during the post fire clean up. There is currently no suitable habitat present. |
| <b>California beaked-rush</b><br>( <i>Rhynchospora californica</i> )                | _/_/1B.1                            | Freshwater seeps and open marshy areas; bogs and fens, lower montane coniferous forest.<br>(BP: May – Jul)   | <u>None</u> . There is no suitable habitat present within the BSA.   |
| <b>California satintail</b><br>( <i>Imperata brevifolia</i> )                       | _/_/2B.1                            | Alkaline seeps and mesic riparian scrub.<br>(BP: Sep – May)  | <u>None</u> . There is no suitable habitat present within the BSA and the species was not observed during the site visit.  |
| <b>Caribou coffeeberry</b><br>( <i>Frangula purshiana</i> ssp. <i>ultramafica</i> ) | _/_/1B.2                            | On serpentinite soils in lower montane coniferous forest, upper montane coniferous forest, chaparral, meadows and seeps.<br>(BP: May – Jun)  | <u>None</u> . There is no suitable habitat present within the BSA. BSA is outside of species known elevational range.  |
| <b>Chaparral sedge</b><br>( <i>Carex xerophila</i> )                                | _/_/1B.2                            | Serpentinite, gabbroic soils in chaparral, cismontane woodland, lower montane coniferous forest.<br>(BP: Mar – Jun)  | <u>None</u> . There is no suitable habitat present within the BSA.   |

| <b>Common Name</b><br>( <i>Scientific Name</i> )  | <b>Status</b><br>Fed/State/C<br>NPS | <b>Associated Habitats</b>   | <b>Potential for Occurrence</b>  |
|---|-------------------------------------|--|--|
| <b>Closed-throated beardtongue</b><br>( <i>Penstemon personatus</i> )                           | _/_/1B.2                            | Usually on north-facing slopes in metavolcanic soils in montane coniferous forest, chaparral.<br>(BP: Jun – Sep)                           | <u>None</u> . There is no suitable habitat present within the BSA.   |
| <b>Colusa layia</b><br>( <i>Layia septentrionalis</i> )   | _/_/1B.2                            | Fields and grassy slopes in sandy or serpentine soil.<br>(BP: Apr- May)  | <u>None</u> . There is no suitable habitat present within the BSA.   |
| <b>Dissected-leaved toothwort</b><br>( <i>Cardamine pachystigma</i> var. <i>dissectifolia</i> ) | _/_/1B.2                            | Serpentine outcrops and gravelly serpentine talus associated with chaparral, lower montane coniferous forest.<br>(BP: Feb – May)           | <u>None</u> . There is no suitable habitat present within the BSA.   |
| <b>Greene's tuctoria</b><br>( <i>Tuctoria greenei</i> )   | FE/SR/1B.1                          | Vernal pools in open grasslands.<br>(BP: May – Jul [Sept])   | <u>None</u> . There is no vernal pool habitat present within the BSA.  |
| <b>Hairy Orcutt grass</b><br>( <i>Orcuttia pilosa</i> )   | FE/SE/1B.1                          | Vernal pools.<br>(BP: May – Sep)   | <u>None</u> . There is no vernal pool habitat present within the BSA. The BSA is outside of the species known elevational range. |
| <b>Hoover's spurge</b><br>( <i>Chamaesyce hooveri</i> )   | FT/_/1B.1                           | Vernal pools on volcanic mudflow or clay substrate.<br>(BP: Jul – Sept [Oct])  | <u>None</u> . There is no vernal pool habitat present within the BSA. The BSA is outside of the species known elevational range. |
| <b>Jepson's onion</b><br>( <i>Allium jepsonii</i> )   | _/_/1B.2                            | On serpentine soils in Sierra foothills, volcanic soil on Table Mountain. On slopes and flats; usually in an open area.<br>(BP: Apr – Aug) | <u>None</u> . There is no suitable habitat present within the BSA.   |

| <b>Common Name</b><br>( <i>Scientific Name</i> )  | <b>Status</b><br>Fed/State/C<br>NPS | <b>Associated Habitats</b>  | <b>Potential for Occurrence</b>                                    |
|---|-------------------------------------|---|--|
| <b>Lewis Rose's ragwort</b><br>( <i>Packera eurycephala</i><br>var. <i>lewisrosei</i> ) | _/_/1B.2                            | Steep slopes and in canyons in serpentine soil, often along or near roads in cismontane woodland, lower montane coniferous forest, chaparral.<br>(BP: Mar – July) | <u>None</u> . There is no suitable habitat present within the BSA. |
| <b>Mildred's clarkia</b><br>( <i>Clarkia mildrediae</i> ssp. <i>mildrediae</i> )        | _/_/1B.3                            | On decomposed granite; sometimes on roadsides in cismontane woodland and lower montane coniferous forest.<br>(BP: May – Aug)                                      | <u>None</u> . There is no suitable habitat present within the BSA. |
| <b>Mosquin's clarkia</b><br>( <i>Clarkia mosquinii</i> )                                | _/_/1B.1                            | Cismontane woodland, lower montane coniferous forest.<br>(BP: May- Jul [Sept])  | <u>None</u> . There is no suitable habitat present within the BSA. |
| <b>Pink creamsacs</b><br>( <i>Castilleja rubicundula</i><br>var. <i>rubicundula</i> )   | _/_/1B.2                            | Seeps and mesic area in serpentine soils.<br>(BP: Apr-Jun)  | <u>None</u> . There is no suitable habitat present within the BSA. |
| <b>Red Bluff dwarf rush</b><br>( <i>Juncus leiospermus</i> var. <i>leiospermus</i> )    | _/_/1B.1                            | Vernal pools and vernal mesic sites.<br>(BP: Mar-Jun)   | <u>None</u> . There is no suitable habitat present within the BSA. |
| <b>Veiny monardella</b><br>( <i>Monardella venosa</i> )                                 | _/_/1B.1                            | Heavy clay soils in cismontane woodland and valley and foothill grassland.<br>(BP: May, Jul)  | <u>None</u> . There is no suitable habitat present within the BSA. |
| <b>White-stemmed clarkia</b><br>( <i>Clarkia gracilis</i> ssp. <i>albicaulis</i> )      | _/_/1B.2                            | Dry, grassy openings in chaparral or foothill woodland. Sometimes on serpentine.<br>(BP: May – Jul)   | <u>None</u> . There is no suitable habitat present within the BSA. |

| <b>Common Name</b><br>( <i>Scientific Name</i> )   | <b>Status</b><br>Fed/State/C<br>NPS | <b>Associated Habitats</b>   | <b>Potential for Occurrence</b>  |
|--|-------------------------------------|--|--|
| <b>Woolly rose mallow</b><br>( <i>Hibiscus lasiocarpus</i> var.<br><i>occidentalis</i> )             | _/_/1B.2                            | Freshwater marshes and<br>swamps, often in rip-rap.<br>(BP: Jun – Sep)   | <u>None</u> . There is no suitable<br>habitat present within the BSA.<br>The BSA is outside of the species<br>known elevational range.   |
| <b>INVERTEBRATES</b>   |                                     |  |  |
| <b>Conservancy fairy<br/>shrimp</b><br>( <i>Branchinecta<br/>conservatio</i> )                       | FE/_/_                              | Moderately turbid, deep,<br>cool-water vernal pool.  | <u>None</u> . There are no vernal pools<br>within the BSA.   |
| <b>Valley Elderberry<br/>Longhorn Beetle</b><br>( <i>Desmocerus californicus<br/>dimorphus</i> )     | FT/_/_                              | Blue elderberry shrubs<br>usually associated with<br>riparian areas.   | <u>None</u> . Two isolated blue<br>elderberry shrubs that were less<br>than one inch in diameter at<br>ground level were observed<br>within the BSA. No exit holes<br>were observed. |
| <b>Vernal pool fairy shrimp</b><br>( <i>Branchinecta lynchi</i> )                                    | FT/_/_                              | Vernal pools and<br>seasonally ponded areas.   | <u>None</u> . There is no suitable vernal<br>habitat within the BSA.   |
| <b>Vernal pool tadpole<br/>shrimp</b><br>( <i>Lepidurus packardii</i> )                              | FE/_/_                              | Vernal pools.  | <u>None</u> . There are no vernal pools<br>within the BSA.   |
| <b>FISH</b>  |                                     |  |  |
| <b>Chinook salmon</b><br><i>Central Valley spring-run</i><br>( <i>Oncorhynchus<br/>tshawytscha</i> ) | FT/ST/_                             | Sacramento River and its<br>tributaries.   | <u>None</u> . There is no suitable<br>aquatic habitat present within<br>the BSA.   |
| <b>Steelhead</b><br><i>Central Valley DPS</i><br>( <i>Oncorhynchus mykiss</i> )                      | FT/_/_                              | Sacramento River and its<br>tributaries.   | <u>None</u> . There is no suitable<br>aquatic habitat present within<br>the BSA.   |
| <b>Delta smelt</b><br>( <i>Hypomesus<br/>transpacificus</i> )  | FT/SE/_                             | Found only from the San<br>Pablo Bay upstream<br>through the Delta in<br>Contra Costa, Sacramento,<br>San Joaquin, Solano, and<br>Yolo Counties. | <u>None</u> . The BSA is not within the<br>range of Delta smelt, nor is there<br>suitable aquatic habitat present.   |

| Common Name<br>(Scientific Name)  | Status<br>Fed/State/C<br>NPS | Associated Habitats  | Potential for Occurrence   |
|---|------------------------------|--|--|
| <b>HERPTILES</b>  |                              |  |  |
| <b>Coast horned lizard</b><br>( <i>Phrynosoma blainvillii</i> )                       | _/SSC/_                      | Most common in open areas with sandy soils and low vegetation. Requires open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects. | <u>None</u> . There is currently no suitable habitat within the BSA. The BSA is void of bushes for cover and the soil is not suitable. CNDDDB occurrence (#666) overlaps with the BSA however, it was recorded in 1933 and was mapped within a mile of accuracy. |
| <b>California red-legged frog</b><br>( <i>Rana draytonii</i> )                        | FT/SSC/_                     | Streams with consistent flow, slow side waters with cobble and boulders for oviposition.   | <u>None</u> . The riverine habitat within the BSA is seasonal and does not provide suitable habitat. The nearest CNDDDB occurrence (#447) is 13.16 miles east of the BSA and was recorded in 2007.   |
| <b>Foothill yellow-legged frog</b><br>Northern Sierra clade<br>( <i>Rana boylei</i> ) | _/ST/_                       | Partly shaded, shallow streams and riffles with rocky substrates in a variety of habitats, commonly found in canyons and narrow streams.   | <u>None</u> . The riverine habitat within the BSA is seasonal and does not provide suitable habitat.   |
| <b>Giant garter snake</b><br>( <i>Thamnophis gigas</i> )                              | FT/ST/_                      | Agricultural wetlands and other wetlands such as irrigation and drainage canals, low gradient streams, marshes ponds, sloughs, small lakes, and their associated uplands.                          | <u>None</u> . The riverine habitat within the BSA is seasonal and does not provide suitable habitat. Additionally, the BSA is outside of the species known elevational range.  |
| <b>Western pond turtle</b><br>( <i>Emys marmorata</i> )                               | _/SSC/_                      | Perennial to intermittent bodies of water with deep pools, locations for haul out, and locations for oviposition.  | <u>None</u> . There is no suitable habitat within or adjacent to the BSA.  |

| <b>Common Name</b><br>( <i>Scientific Name</i> )                               | <b>Status</b><br>Fed/State/C<br>NPS | <b>Associated Habitats</b>   | <b>Potential for Occurrence</b>   |
|--|-------------------------------------|--|---|
| <b>Western spadefoot</b><br>( <i>Spea hammondi</i> )                           | _/SSC/_                             | Occurs primarily in grassland habitats. Vernal pools and seasonal drainages are typically used for breeding and egg-laying.    | <b>Low.</b> There is a ponded area within the seasonal riverine habitat that provides marginal breeding habitat. Additionally, the effects of fire on this species are unknown.   |
| <b>BIRDS</b>   |                                     |  |   |
| <b>American peregrine falcon</b><br>( <i>Falco peregrinus anatum</i> )         | _/FP/_                              | Tall structures or cliffs for nests, large open areas with abundant food source for foraging.                                  | <b>None.</b> There are no suitable cliffs, large power transmission lines, or other such structures that would provide suitable nesting habitat within the BSA, nor are there large, open areas with abundant food sources to provide foraging habitat. |
| <b>Bald eagle</b><br>( <i>Haliaeetus leucocephalus</i> )                       | _/SE, FP/_                          | Coasts, large lakes and river systems, with open forests with large trees and snags.   | <b>None.</b> There is no suitable foraging or nesting habitat within or adjacent to the BSA.  |
| <b>California black rail</b><br>( <i>Laterallus jamaicensis coturniculus</i> ) | _/ST, FP/_                          | Brackish and fresh emergent wetlands with dense vegetation (bulrushes and cattails).   | <b>None.</b> There is no suitable habitat within or adjacent to the BSA.  |
| <b>Tricolored blackbird</b><br>( <i>Agelaius tricolor</i> )                    | _/ST/_                              | Colonial nester in large freshwater marshes. Forages in open habitats such as farm fields, pastures, cattle pens, large lawns. | <b>None.</b> There is no suitable habitat within or adjacent to the BSA.  |

| <b>CODE DESIGNATIONS</b>   |  |
|--|--|
| <b>FE or FT</b> = Federally listed as Endangered or Threatened<br><b>FC</b> = Federal Candidate Species<br><br><b>SE or ST</b> = State listed as Endangered or Threatened<br><b>SC</b> = State Candidate Species<br><b>SR</b> = State Rare Species<br><b>SSC</b> = State Species of Special Concern<br><b>FP</b> = State Fully Protected Species | <b>CNPS California Rare Plant Rank (CRPR):</b><br><b>CRPR 1B</b> = Rare or Endangered in California or elsewhere<br><b>CRPR 2</b> = Rare or Endangered in California, more common elsewhere<br><b>CRPR 3</b> = More information is needed<br><b>CRPR 4</b> = Plants with limited distribution<br><br><b>0.1</b> = Seriously Threatened |



|  |  |
|--|--|
| <b>SNC</b> = CDFW Sensitive Natural Community  | <b>0.2</b> = Fairly Threatened<br><b>0.3</b> = Not very Threatened |
| <p><b>Potential for Occurrence:</b> for plants it is considered the potential to occur during the survey period; for birds and bats it is considered the potential to breed, forage, roost, or over-winter in the BSA during migration. Any bird or bat species could fly over the BSA, but this is not considered a potential occurrence. The categories for the potential for occurrence include:</p> <p><b>None:</b> The species or natural community is known not to occur, and has no potential to occur in the BSA based on sufficient surveys, the lack suitable habitat, and/or the BSA is well outside of the known distribution of the species.</p> <p><b>Low:</b> Potential habitat in the BSA is sub-marginal and/or the species is known to occur in the vicinity of the BSA.</p> <p><b>Moderate:</b> Suitable habitat is present in the BSA and/or the species is known to occur in the vicinity of the BSA. Pre-construction surveys may be required.</p> <p><b>High:</b> Habitat in the BSA is highly suitable for the species and there are reliable records close to the BSA, but the species was not observed. Pre-construction surveys required, with the exception of indicators for foraging habitat.</p> <p><b>Known:</b> Species was detected in the BSA or a recent reliable record exists for the BSA.</p> |  |

The following special-status species have potential to occur within the BSA based on the presence of suitable habitat and/or known records of species occurrence within the vicinity of the BSA.

### **Endangered, Threatened, and Rare Plants**

There were no endangered, threatened, or rare plants observed within the BSA during the botanical habitat assessment conducted on January 29, 2020. Additionally, no suitable habitats for endangered, threatened, or rare plants were observed during the assessment. A complete list of plant species observed within the BSA can be found in **Appendix B**.

### **Endangered, Threatened, and Special-status Wildlife**

A wildlife habitat assessment was conducted within the BSA on January 29, 2020. Suitable habitat was identified for western spadefoot toad and several avian species protected under the MBTA and CFGC. A complete list of wildlife species observed within the BSA can be found in **Appendix B**.

#### ***Western Spadefoot Toad***

The western spadefoot toad (*Spea hammondi*) is a SSC in California. It is an endemic species of the state. The western spadefoot toad ranges from the northern point of the Central Valley south to the western corner of California. They are a stocky, small toad that varies in colors from gray, green and brown and typically have four irregular spots or stripes on their back. Their eyes are described as being golden with vertical pupils. The most distinguishing feature of the toad is a hardened, black spade on the hind foot. The spade is used for burrowing into moist soils. Suitable habitat consists of open grasslands with intermittent streams and vernal pools. Vernal pools are essential for breeding and depositing eggs. Current threats facing the western spadefoot toad are loss of habitat, changes in hydrological regimes and human disturbances.

### **CNDDDB Occurrences**

The nearest CNDDDB occurrence (#485) is approximately eight miles south east of the BSA. This occurrence is estimated to have taken place in the late 1970s.

### **Status of western spadefoot toad occurring in the BSA**

The annual grasslands coupled with the seasonal riverine habitat within the BSA provide marginally suitable habitat for the western spadefoot toad. There is **low** potential for western spadefoot toads to occur within the BSA.

### ***Migratory Birds and Raptors***

Nesting birds are protected under the MBTA (16 USC 703), the CFGC (§3503), and the California Migratory Bird Protection Act (CMBPA, AB 454). The MBTA (16 USC §703) prohibits the killing of migratory birds or the destruction of their occupied nests and eggs except in accordance with regulations prescribed by the USFWS. The bird species covered by the MBTA includes nearly all of those that breed in North America, excluding introduced (i.e. exotic) species (50 Code of Federal Regulations §10.13).

The CFGC (§3503.5) states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks, eagles, and falcons) or Strigiformes (owls) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Take includes the disturbance of an active nest resulting in the abandonment or loss of young. The CFGC (§3503) also states that “it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.”

The CMBPA amends the CFGC (§3513) to mirror the provisions of the MBTA and allow the State of California to enforce the prohibition of take or possession of any migratory nongame bird as designated in the federal MBTA, including incidental take. Activities that involve the removal of vegetation including trees, shrubs, grasses, and forbs or ground disturbance have the potential to affect bird species protected by the MBTA and the CFGC.

### **CNDDDB occurrences**

The majority of migratory birds and raptors protected under the MBTA and CFGC are not recorded on the CNDDDB because they are abundant and widespread.

### **Status of migratory birds and raptors occurring in the BSA**

There is suitable nesting habitat for a variety of avian species within and adjacent to the BSA.

## **REGULATORY FRAMEWORK**

The following describes federal, state, and local environmental laws and policies that may be relevant if the BSA were to be developed or modified.

## **Federal**

### **Federal Endangered Species Act**

The United States Congress passed the ESA in 1973 to protect species that are endangered or threatened with extinction. The ESA is intended to operate in conjunction with the National Environmental Policy Act (NEPA) to help protect the ecosystems upon which endangered and threatened species depend.

Under the ESA, species may be listed as either “endangered” or “threatened.” Endangered means a species is in danger of extinction throughout all or a significant portion of its range. Threatened means a species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range. All species of plants and animals, except non-native species and pest insects, are eligible for listing as endangered or threatened. The USFWS also maintains a list of “candidate” species. Candidate species are species for which there is enough information to warrant proposing them for listing, but that have not yet been proposed. “Proposed” species are those that have been proposed for listing, but have not yet been listed.

The ESA makes it unlawful to “take” a listed animal without a permit. Take is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct.” Through regulations, the term “harm” is defined as “an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.”

### **Migratory Bird Treaty Act**

The MBTA (16 USC §703) prohibits the killing of migratory birds or the destruction of their occupied nests and eggs except in accordance with regulations prescribed by the USFWS. The bird species covered by the MBTA includes nearly all of those that breed in North America, excluding introduced (i.e. exotic) species (50 Code of Federal Regulations §10.13).

### **Clean Water Act, Section 401**

The Clean Water Act (§401) requires water quality certification and authorization for placement of dredged or fill material in wetlands and Other Waters of the United States. In accordance with the Clean Water Act (§401), criteria for allowable discharges into surface waters have been developed by the State Water Resources Control Board, Division of Water Quality. The resulting requirements are used as criteria in granting National Pollutant Discharge Elimination System (NPDES) permits or waivers, which are obtained through the Regional Water Quality Control Board (RWQCB) per the Clean Water Act (§402). Any activity or facility that will discharge waste (such as soils from construction) into surface waters, or from which waste may be discharged, must obtain an NPDES permit or waiver from the RWQCB. The RWQCB evaluates an NPDES permit application to determine whether the proposed discharge is consistent with the adopted water quality objectives of the basin plan.

### **Waters of the United States, Clean Water Act, Section 404**

The US Army Corps of Engineers (Corps) and the U.S. Environmental Protection Agency (EPA) regulate the discharge of dredged or fill material into jurisdictional waters of the United States, under the Clean Water Act (§404). The term “waters of the United States” is an encompassing term that includes “wetlands” and “other waters.” Wetlands have been defined for regulatory purposes as follows: “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (33 CFR 328.3, 40 CFR 230.3). Wetlands generally include swamps, marshes, bogs, and similar areas.” other waters of the United States are seasonal or perennial water bodies, including lakes, stream channels, drainages, ponds, and other surface water features, that exhibit an ordinary high-water mark but lack positive indicators for one or more of the three wetland parameters (i.e., hydrophytic vegetation, hydric soil, and wetland hydrology) (33 CFR 328.4).

The Corps may issue either individual permits on a case-by-case basis or general permits on a program level. General permits are pre-authorized and are issued to cover similar activities that are expected to cause only minimal adverse environmental effects. Nationwide permits are general permits issued to cover particular fill activities. All nationwide permits have general conditions that must be met for the permits to apply to a particular project, as well as specific conditions that apply to each nationwide permit.

## **State of California**

### **California Endangered Species Act**

The California Endangered Species Act (CESA) is similar to the ESA, but pertains to state-listed endangered and threatened species. The CESA requires state agencies to consult with the CDFW when preparing documents to comply with the California Environmental Quality Act (CEQA). The purpose is to ensure that the actions of the lead agency do not jeopardize the continued existence of a listed species or result in the destruction, or adverse modification of habitat essential to the continued existence of those species. In addition to formal listing under the federal and state endangered species acts, “species of special concern” receive consideration by CDFW. Species of special concern are those whose numbers, reproductive success, or habitat may be threatened.

### **California Fish and Game Code (§3503.5)**

The CFGC (§3503.5) states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks, eagles, and falcons) or Strigiformes (all owls except barn owls) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Take includes the disturbance of an active nest resulting in the abandonment or loss of young. The CFGC (§3503) also states that “it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.”

### **California Migratory Bird Protection Act**

The CMBPA amends the CFGC (§3513) to mirror the provisions of the MBTA and allow the State of California to enforce the prohibition of take or possession of any migratory nongame bird as designated in the federal MBTA, including incidental take.

Activities that involve the removal of vegetation including trees, shrubs, grasses, and forbs or ground disturbance have the potential to affect bird species protected by the MBTA and CFGC. Thus, vegetation removal and ground disturbance in areas with breeding birds should be conducted outside of the breeding season (approximately February 1 – August 31). If vegetation removal or ground-disturbing activities are conducted during the breeding season, then a qualified biologist must determine if there are any nests of bird species protected under the MBTA and CFGC present in the Project area prior to commencement of vegetation removal or ground-disturbing activities. If active nests are located or presumed present, then appropriate avoidance measures (e.g. spatial or temporal buffers) must be implemented.

### **Lake and Streambed Alteration Agreement, CFGC (§1602)**

The CDFW is a trustee agency that has jurisdiction under the CFGC (§1600 et seq.). The CFGC (§1602), requires that a state or local government agency, public utility, or private entity must notify CDFW if a proposed Project will “substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds... except when the department has been notified pursuant to Section 1601.” If an existing fish or wildlife resource may be substantially adversely affected by the activity, CDFW may propose reasonable measures that will allow protection of those resources. If these measures are agreeable to the parties involved, they may enter into an agreement with CDFW identifying the approved activities and associated mitigation measures.

### **Rare and Endangered Plants**

The CNPS maintains a list of plant species native to California with low population numbers, limited distribution, or otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS California Rare Plant Rank (CRPR) plants receive consideration under CEQA review. The CNPS CRPR categorizes plants as follows:

- Rank 1A: Plants presumed extinct in California;
- Rank 1B: Plants rare, threatened, or endangered in California or elsewhere;
- Rank 2A: Plants presumed extirpated or extinct in California, but not elsewhere;
- Rank 2B: Plants rare, threatened, or endangered in California, but more numerous elsewhere;
- Rank 3: Plants about which we need more information; and
- Rank 4: Plants of limited distribution.

The California Native Plant Protection Act (CFGC §1900-1913) prohibits the taking, possessing, or sale within the state of any plants with a state designation of rare, threatened, or endangered as defined by CDFW. An exception to this prohibition allows landowners, under specific circumstances, to take listed

plant species, provided that the owners first notify CDFW and give the agency at least 10 days to retrieve (and presumably replant) the plants before they are destroyed. Fish and Game Code §1913 exempts from the ‘take’ prohibition “the removal of endangered or rare native plants from a canal, lateral channel, building site, or road, or other right of way.”

#### **California Environmental Quality Act Guidelines §15380**

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines §15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled based on the definition in the ESA and the section of the CFGC dealing with rare, threatened, and endangered plants and animals. The CEQA Guidelines (§15380) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (e.g. candidate species, species of concern) would occur. Thus, CEQA provides an agency with the ability to protect a species from a project’s potential impacts until the respective government agencies have an opportunity to designate the species as protected, if warranted.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **Endangered, Threatened, and Rare Plants**

There are no special-status botanical species present within the BSA and no suitable habitat for special-status botanical species was identified within the BSA; therefore, there will be no effects to botanical species and no avoidance and minimization measures are proposed.

### **Endangered, Threatened, and Special-status Wildlife**

The following are the recommended minimization and mitigation measures to further reduce or eliminate Project-associated impacts to special-status wildlife species. These proposed measures may be amended or superseded by the Project-specific permits issued by the regulatory agencies.

#### ***Western Spadefoot Toad***

Due to the low potential for western spadefoot toads to occur in the seasonal riverine habitat within the BSA, if their breeding habitat will be impacted by the Project a protocol-level survey conducted by a qualified biologist for this species is recommended to determine their presence/absence. If western spadefoot toads are determined to be present, consultation with the CDFW will be required.

#### ***Migratory Birds and Raptors***

To avoid impacts to avian species protected under the MBTA and the CFGC the following are recommended avoidance and minimization measures for migratory birds and raptors:

- Project activities including site grubbing and vegetation removal shall be initiated outside of the bird nesting season (February 1 – August 31).
- If Project activities cannot be initiated outside of the bird nesting season, then the following will occur:



- A qualified biologist will conduct a pre-construction survey within 250 feet of the BSA, where accessible, within 7 days prior to the start of Project activities.
- If an active nest (i.e. containing egg[s] or young) is observed within the BSA or in an area adjacent to the BSA where impacts could occur, then a species protection buffer will be established. The species protection buffer will be defined by the qualified biologist based on the species, nest type and tolerance to disturbance. Construction activity shall be prohibited within the buffer zones until the young have fledged or the nest fails as determined by a qualified biologist. Nests shall be monitored by a qualified biologist once per week and a report submitted to the CEQA lead agency weekly.

## **Other Natural Resources**

### ***Waters of the United States***

Gallaway Enterprises mapped one potentially jurisdictional feature within the BSA. Impacts to this feature may require a permit from the Corps and a CWA section 401 water quality certification from the Central Valley RWQCB. The Corps provides final determination by issuance of a jurisdictional determination on the location, extent and type of jurisdictional waters. We recommend that these features be avoided until after a formal delineation of waters of the U.S. is made, and if needed, permits from the Corps and Central Valley RWQCB are obtained.

Additionally, Gallaway Enterprises recommends a physical barrier such as orange environmentally sensitive area (ESA) fencing or silt fence be installed between the riverine habitat and areas of active construction to ensure avoidance is maintained.

### ***Tree Removal***

If any healthy, living trees greater than 31 inches in diameter measured at breast height (dbh) within the BSA are proposed to be removed, tree removal may be subject to the Town of Paradise's municipal code chapter 8.12 (Felling, Removal, Destruction, Damaging and Replacement of Trees) and may require permitting and mitigation. If hazardous trees within the BSA are proposed to be removed, they may be subject to Paradise municipal code chapters 8.59 (Removal of Fire Damaged Debris from Private Property Following the Camp Fire) and/or 8.63 (Mandatory Government Hazard Tree Removal Program).

## REFERENCES

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- Mayer, K.E and Laudenslayer, W.F. 1988. A guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection. Sacramento, California.
- Western Regional Climate Center (WRCC). 2020. Period of Record Monthly Climate Summary for Paradise, California (046685). Website [https://wrcc.dri.edu/Climate/west\\_coop\\_summaries.php](https://wrcc.dri.edu/Climate/west_coop_summaries.php) [accessed 29 January 2020].
- Zeiner, D.C., W.F.Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1990. California's Wildlife. Vol. I-III. California Department of Fish and Game, Sacramento, California.

## LIST OF PREPARERS

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**Cate Reid.** GIS Analyst and Cultural Resource Specialist. M.A. in Anthropology with a specialization in GIS applications and land use studies, California State University, Chico. Mrs. Reid has over 5 years of experience working with GIS while incorporating surveying applications, analysis of datasets, and collection of field data in order to create professional quality graphics and reports.

# Appendix A

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Species Lists



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Sacramento Fish And Wildlife Office  
Federal Building  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825-1846  
Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:

January 29, 2020

Consultation Code: 08ESMF00-2020-SLI-0894

Event Code: 08ESMF00-2020-E-02847

Project Name: Skyway Project

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

#### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

[http://www.nwr.noaa.gov/protected\\_species/species\\_list/species\\_lists.html](http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html)

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.



Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Sacramento Fish And Wildlife Office**

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

## Project Summary

Consultation Code: 08ESMF00-2020-SLI-0894

Event Code: 08ESMF00-2020-E-02847

Project Name: Skyway Project

Project Type: FORESTRY

Project Description: It is proposed that this area be used to pile logs and log related material.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.74269402400006N121.64979399986001W>



Counties: Butte, CA

## Endangered Species Act Species

There is a total of 10 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Reptiles

| NAME  | STATUS     |
|---|------------|
| Giant Garter Snake <i>Thamnophis gigas</i><br>No critical habitat has been designated for this species.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/4482">https://ecos.fws.gov/ecp/species/4482</a> | Threatened |

## Amphibians

| NAME   | STATUS     |
|--|------------|
| California Red-legged Frog <i>Rana draytonii</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/2891">https://ecos.fws.gov/ecp/species/2891</a><br>Species survey guidelines:<br><a href="https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf">https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf</a> | Threatened |

## Fishes

| NAME   | STATUS     |
|--|------------|
| Delta Smelt <i>Hypomesus transpacificus</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/321">https://ecos.fws.gov/ecp/species/321</a> | Threatened |

## Insects

| NAME   | STATUS     |
|--|------------|
| Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/7850">https://ecos.fws.gov/ecp/species/7850</a><br>Habitat assessment guidelines:<br><a href="https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf">https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf</a> | Threatened |

## Crustaceans

| NAME  | STATUS     |
|---|------------|
| Conservancy Fairy Shrimp <i>Branchinecta conservatio</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/8246">https://ecos.fws.gov/ecp/species/8246</a> | Endangered |
| Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/498">https://ecos.fws.gov/ecp/species/498</a>        | Threatened |
| Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/2246">https://ecos.fws.gov/ecp/species/2246</a>    | Endangered |

## Flowering Plants

| NAME   | STATUS     |
|--|------------|
| Greene's Tuctoria <i>Tuctoria greenei</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/1573">https://ecos.fws.gov/ecp/species/1573</a> | Endangered |
| Hairy Orcutt Grass <i>Orcuttia pilosa</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/2262">https://ecos.fws.gov/ecp/species/2262</a> | Endangered |
| Hoover's Spurge <i>Chamaesyce hooveri</i><br>There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.<br>Species profile: <a href="https://ecos.fws.gov/ecp/species/3019">https://ecos.fws.gov/ecp/species/3019</a> | Threatened |

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



\*The database used to provide updates to the Online Inventory is under construction. [View updates and changes made since May 2019 here.](#)

## Plant List

46 matches found. [Click on scientific name for details](#)

### Search Criteria

Found in Quads 3912166, 3912176 3912175 and 3912165;

[Modify Search Criteria](#)
[Export to Excel](#)
[Modify Columns](#)
[Modify Sort](#)
[Display Photos](#)

| Scientific Name  | Common Name                | Family         | Lifeform                   | Blooming Period | CA Rare Plant Rank | State Listing Status | Federal Listing Status | Lowest Elevation | Highest Elevation |
|--|----------------------------|----------------|----------------------------|-----------------|--------------------|----------------------|------------------------|------------------|-------------------|
| <a href="#">Allium jepsonii</a>                          | Jepson's onion             | Alliaceae      | perennial bulbiferous herb | Apr-Aug         | 1B.2               |                      |                        | 300 m            | 1320 m            |
| <a href="#">Allium sanbornii var. sanbornii</a>          | Sanborn's onion            | Alliaceae      | perennial bulbiferous herb | May-Sep         | 4.2                |                      |                        | 260 m            | 1510 m            |
| <a href="#">Arctostaphylos mewukka ssp. truei</a>        | True's manzanita           | Ericaceae      | perennial evergreen shrub  | Feb-Jul         | 4.2                |                      |                        | 425 m            | 1390 m            |
| <a href="#">Astragalus pauperculus</a>                   | depauperate milk-vetch     | Fabaceae       | annual herb                | Mar-Jun         | 4.3                |                      |                        | 60 m             | 1215 m            |
| <a href="#">Brodiaea rosea ssp. vallicola</a>            | valley brodiaea            | Themidaceae    | perennial bulbiferous herb | Apr-May(Jun)    | 4.2                |                      |                        | 10 m             | 335 m             |
| <a href="#">Brodiaea sierrae</a>                         | Sierra foothills brodiaea  | Themidaceae    | perennial bulbiferous herb | May-Aug         | 4.3                |                      |                        | 50 m             | 980 m             |
| <a href="#">Bulbostylis capillaris</a>                   | thread-leaved beakseed     | Cyperaceae     | annual herb                | Jun-Aug         | 4.2                |                      |                        | 395 m            | 2075 m            |
| <a href="#">Calycadenia oppositifolia</a>                | Butte County calycadenia   | Asteraceae     | annual herb                | Apr-Jul         | 4.2                |                      |                        | 90 m             | 945 m             |
| <a href="#">Calystegia atriplicifolia ssp. buttensis</a> | Butte County morning-glory | Convolvulaceae | perennial rhizomatous herb | May-Jul         | 4.2                |                      |                        | 565 m            | 1524              |

|   |                             |               |                                       |              |      |    |        |        |
|---|-----------------------------|---------------|---------------------------------------|--------------|------|----|--------|--------|
| <a href="#"><u>Cardamine pachystigma var. dissectifolia</u></a> | dissected-leaved toothwort  | Brassicaceae  | perennial rhizomatous herb            | Feb-May      | 1B.2 |    | 255 m  | 2100 m |
| <a href="#"><u>Carex xerophila</u></a>                          | chaparral sedge             | Cyperaceae    | perennial herb                        | Mar-Jun      | 1B.2 |    | 440 m  | 770 m  |
| <a href="#"><u>Castilleja rubicundula var. rubicundula</u></a>  | pink creamsacs              | Orobanchaceae | annual herb (hemiparasitic)           | Apr-Jun      | 1B.2 |    | 20 m   | 910 m  |
| <a href="#"><u>Clarkia gracilis ssp. albicaulis</u></a>         | white-stemmed clarkia       | Onagraceae    | annual herb                           | May-Jul      | 1B.2 |    | 245 m  | 1085 m |
| <a href="#"><u>Clarkia mildrediae ssp. lutescens</u></a>        | golden-anthered clarkia     | Onagraceae    | annual herb                           | Jun-Aug      | 4.2  |    | 275 m  | 1750 m |
| <a href="#"><u>Clarkia mildrediae ssp. mildrediae</u></a>       | Mildred's clarkia           | Onagraceae    | annual herb                           | May-Aug      | 1B.3 |    | 245 m  | 1710 m |
| <a href="#"><u>Clarkia mosquinii</u></a>                        | Mosquin's clarkia           | Onagraceae    | annual herb                           | May-Jul(Sep) | 1B.1 |    | 185 m  | 1490 m |
| <a href="#"><u>Claytonia palustris</u></a>                      | marsh claytonia             | Montiaceae    | perennial herb                        | May-Oct      | 4.3  |    | 1000 m | 2500 m |
| <a href="#"><u>Claytonia parviflora ssp. grandiflora</u></a>    | streambank spring beauty    | Montiaceae    | annual herb                           | Feb-May      | 4.2  |    | 250 m  | 1200 m |
| <a href="#"><u>Cypripedium fasciculatum</u></a>                 | clustered lady's-slipper    | Orchidaceae   | perennial rhizomatous herb            | Mar-Aug      | 4.2  |    | 100 m  | 2435 m |
| <a href="#"><u>Erigeron petrophilus var. sierrensis</u></a>     | northern Sierra daisy       | Asteraceae    | perennial rhizomatous herb            | Jun-Oct      | 4.3  |    | 300 m  | 2073 m |
| <a href="#"><u>Eriogonum umbellatum var. ahartii</u></a>        | Ahart's buckwheat           | Polygonaceae  | perennial herb                        | Jun-Sep      | 1B.2 |    | 400 m  | 2000 m |
| <a href="#"><u>Erythranthe glaucescens</u></a>                  | shield-bracted monkeyflower | Phrymaceae    | annual herb                           | Feb-Aug(Sep) | 4.3  |    | 60 m   | 1240 m |
| <a href="#"><u>Erythranthe inconspicua</u></a>                  | small-flowered monkeyflower | Phrymaceae    | annual herb                           | May-Jun      | 4.3  |    | 274 m  | 760 m  |
| <a href="#"><u>Euphorbia hooveri</u></a>                        | Hoover's spurge             | Euphorbiaceae | annual herb                           | Jul-Sep(Oct) | 1B.2 | FT | 25 m   | 250 m  |
| <a href="#"><u>Frangula purshiana ssp. ultramafica</u></a>      | Caribou coffeeberry         | Rhamnaceae    | perennial deciduous shrub             | May-Jul      | 1B.2 |    | 825 m  | 1930 m |
| <a href="#"><u>Fritillaria eastwoodiae</u></a>                  | Butte County fritillary     | Liliaceae     | perennial bulbiferous herb            | Mar-Jun      | 3.2  |    | 50 m   | 1500 m |
| <a href="#"><u>Fritillaria pluriflora</u></a>                   | adobe-lily                  | Liliaceae     | perennial bulbiferous herb            | Feb-Apr      | 1B.2 |    | 60 m   | 705 m  |
| <a href="#"><u>Githopsis pulchella ssp. serpenticola</u></a>    | serpentine bluecup          | Campanulaceae | annual herb                           | May-Jun      | 4.3  |    | 320 m  | 610 m  |
| <a href="#"><u>Hibiscus lasiocarpus var. occidentalis</u></a>   | woolly rose-mallow          | Malvaceae     | perennial rhizomatous herb (emergent) | Jun-Sep      | 1B.2 |    | 0 m    | 120 m  |

|  |                           |               |                            |                  |      |    |    |       |        |
|--|---------------------------|---------------|----------------------------|------------------|------|----|----|-------|--------|
| <u><a href="#">Imperata brevifolia</a></u>                         | California satintail      | Poaceae       | perennial rhizomatous herb | Sep-May          | 2B.1 |    |    | 0 m   | 1215 m |
| <u><a href="#">Juncus leiospermus var. leiospermus</a></u>         | Red Bluff dwarf rush      | Juncaceae     | annual herb                | Mar-Jun          | 1B.1 |    |    | 35 m  | 1250 m |
| <u><a href="#">Layia septentrionalis</a></u>                       | Colusa layia              | Asteraceae    | annual herb                | Apr-May          | 1B.2 |    |    | 100 m | 1095 m |
| <u><a href="#">Lilium humboldtii ssp. humboldtii</a></u>           | Humboldt lily             | Liliaceae     | perennial bulbiferous herb | May-Jul(Aug)     | 4.2  |    |    | 90 m  | 1280 m |
| <u><a href="#">Monardella venosa</a></u>                           | veiny monardella          | Lamiaceae     | annual herb                | May,Jul          | 1B.1 |    |    | 60 m  | 410 m  |
| <u><a href="#">Navarretia heterandra</a></u>                       | Tehama navarretia         | Polemoniaceae | annual herb                | Apr-Jun          | 4.3  |    |    | 30 m  | 1010 m |
| <u><a href="#">Navarretia nigelliformis ssp. nigelliformis</a></u> | adobe navarretia          | Polemoniaceae | annual herb                | Apr-Jun          | 4.2  |    |    | 100 m | 1000 m |
| <u><a href="#">Orcuttia pilosa</a></u>                             | hairy Orcutt grass        | Poaceae       | annual herb                | May-Sep          | 1B.1 | CE | FE | 46 m  | 200 m  |
| <u><a href="#">Packera eurycephala var. lewisroei</a></u>          | Lewis Rose's ragwort      | Asteraceae    | perennial herb             | Mar-Jul(Aug-Sep) | 1B.2 |    |    | 274 m | 1890 m |
| <u><a href="#">Polygonum bidwelliae</a></u>                        | Bidwell's knotweed        | Polygonaceae  | annual herb                | Apr-Jul          | 4.3  |    |    | 60 m  | 1200 m |
| <u><a href="#">Rhynchospora californica</a></u>                    | California beaked-rush    | Cyperaceae    | perennial rhizomatous herb | May-Jul          | 1B.1 |    |    | 45 m  | 1010 m |
| <u><a href="#">Rhynchospora capitellata</a></u>                    | brownish beaked-rush      | Cyperaceae    | perennial herb             | Jul-Aug          | 2B.2 |    |    | 45 m  | 2000 m |
| <u><a href="#">Sidalcea gigantea</a></u>                           | giant checkerbloom        | Malvaceae     | perennial rhizomatous herb | (Jan-Jun)Jul-Oct | 4.3  |    |    | 670 m | 1950 m |
| <u><a href="#">Sidalcea robusta</a></u>                            | Butte County checkerbloom | Malvaceae     | perennial rhizomatous herb | Apr,Jun          | 1B.2 |    |    | 90 m  | 1600 m |
| <u><a href="#">Streptanthus drepanoides</a></u>                    | sickle-fruit jewelflower  | Brassicaceae  | annual herb                | Apr-Jun          | 4.3  |    |    | 275 m | 1660 m |
| <u><a href="#">Streptanthus longisiliquus</a></u>                  | long-fruit jewelflower    | Brassicaceae  | perennial herb             | Apr-Sep          | 4.3  |    |    | 715 m | 1500 m |
| <u><a href="#">Tuctoria greenei</a></u>                            | Greene's tuctoria         | Poaceae       | annual herb                | May-Jul(Sep)     | 1B.1 | CR | FE | 30 m  | 1070 m |

**Suggested Citation**

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# Selected Elements by Common Name

## California Department of Fish and Wildlife

### California Natural Diversity Database



**Query Criteria:** Quad</span> IS </span>(Hamlin Canyon (3912166)</span> OR </span>Cherokee (3912165)</span> OR </span>Paradise East (3912175)</span> OR </span>Paradise West (3912176))

| Species  | Element Code | Federal Status | State Status         | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|--|--------------|----------------|----------------------|-------------|------------|--------------------------------|
| <b>Ahart's buckwheat</b><br><i>Eriogonum umbellatum</i> var. <i>ahartii</i>                      | PDPGN086UY   | None           | None                 | G5T3        | S3         | 1B.2                           |
| <b>American peregrine falcon</b><br><i>Falco peregrinus anatum</i>                               | ABNKD06071   | Delisted       | Delisted             | G4T4        | S3S4       | FP                             |
| <b>bald eagle</b><br><i>Haliaeetus leucocephalus</i>   | ABNKC10010   | Delisted       | Endangered           | G5          | S3         | FP                             |
| <b>brownish beaked-rush</b><br><i>Rhynchospora capitellata</i>                                   | PMCYP0N080   | None           | None                 | G5          | S1         | 2B.2                           |
| <b>Butte County checkerbloom</b><br><i>Sidalcea robusta</i>                                      | PDMAL110P0   | None           | None                 | G2          | S2         | 1B.2                           |
| <b>Butte County fritillary</b><br><i>Fritillaria eastwoodiae</i>                                 | PMLIL0V060   | None           | None                 | G3Q         | S3         | 3.2                            |
| <b>Butte County morning-glory</b><br><i>Calystegia atriplicifolia</i> ssp. <i>buttensis</i>      | PDCON04012   | None           | None                 | G5T3        | S3         | 4.2                            |
| <b>California beaked-rush</b><br><i>Rhynchospora californica</i>                                 | PMCYP0N060   | None           | None                 | G1          | S1         | 1B.1                           |
| <b>California black rail</b><br><i>Laterallus jamaicensis coturniculus</i>                       | ABNME03041   | None           | Threatened           | G3G4T1      | S1         | FP                             |
| <b>California satintail</b><br><i>Imperata brevifolia</i>  | PMPOA3D020   | None           | None                 | G4          | S3         | 2B.1                           |
| <b>Caribou coffeeberry</b><br><i>Frangula purshiana</i> ssp. <i>ultramafica</i>                  | PDRHA0H061   | None           | None                 | G4T2T3      | S2S3       | 1B.2                           |
| <b>chaparral sedge</b><br><i>Carex xerophila</i>   | PMCYP03M60   | None           | None                 | G2          | S2         | 1B.2                           |
| <b>chinook salmon - Central Valley spring-run ESU</b><br><i>Oncorhynchus tshawytscha</i> pop. 6  | AFCHA0205A   | Threatened     | Threatened           | G5          | S1         |                                |
| <b>closed-throated beardtongue</b><br><i>Penstemon personatus</i>                                | PDSCR1L4Y0   | None           | None                 | G2          | S2         | 1B.2                           |
| <b>coast horned lizard</b><br><i>Phrynosoma blainvillii</i>                                      | ARACF12100   | None           | None                 | G3G4        | S3S4       | SSC                            |
| <b>Colusa layia</b><br><i>Layia septentrionalis</i>  | PDAST5N0F0   | None           | None                 | G2          | S2         | 1B.2                           |
| <b>dissected-leaved toothwort</b><br><i>Cardamine pachystigma</i> var. <i>dissectifolia</i>      | PDBRA0K1B1   | None           | None                 | G3G5T2Q     | S2         | 1B.2                           |
| <b>foothill yellow-legged frog</b><br><i>Rana boylei</i>   | AAABH01050   | None           | Candidate Threatened | G3          | S3         | SSC                            |
| <b>Great Valley Cottonwood Riparian Forest</b><br><i>Great Valley Cottonwood Riparian Forest</i> | CTT61410CA   | None           | None                 | G2          | S2.1       |                                |





# Selected Elements by Common Name

## California Department of Fish and Wildlife

### California Natural Diversity Database



| Species   | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|--------------|----------------|--------------|-------------|------------|--------------------------------|
| <b>Greene's tuctoria</b><br><i>Tuctoria greenei</i>                                 | PMPOA6N010   | Endangered     | Rare         | G1          | S1         | 1B.1                           |
| <b>Hoover's spurge</b><br><i>Euphorbia hooveri</i>                                  | PDEUP0D150   | Threatened     | None         | G1          | S1         | 1B.2                           |
| <b>Jepson's onion</b><br><i>Allium jepsonii</i>                                     | PMLIL022V0   | None           | None         | G2          | S2         | 1B.2                           |
| <b>Lewis Rose's ragwort</b><br><i>Packera eurycephala</i> var. <i>lewisrosei</i>    | PDAST8H182   | None           | None         | G4T2        | S2         | 1B.2                           |
| <b>Mildred's clarkia</b><br><i>Clarkia mildrediae</i> ssp. <i>mildrediae</i>        | PDONA050Q2   | None           | None         | G3T2T3      | S2S3       | 1B.3                           |
| <b>Mosquin's clarkia</b><br><i>Clarkia mosquinii</i>                                | PDONA050S0   | None           | None         | G2          | S2         | 1B.1                           |
| <b>North American porcupine</b><br><i>Erethizon dorsatum</i>                        | AMAFJ01010   | None           | None         | G5          | S3         |                                |
| <b>Northern Basalt Flow Vernal Pool</b><br><i>Northern Basalt Flow Vernal Pool</i>  | CTT44131CA   | None           | None         | G3          | S2.2       |                                |
| <b>Northern Hardpan Vernal Pool</b><br><i>Northern Hardpan Vernal Pool</i>          | CTT44110CA   | None           | None         | G3          | S3.1       |                                |
| <b>pink creamsacs</b><br><i>Castilleja rubicundula</i> var. <i>rubicundula</i>      | PDSCR0D482   | None           | None         | G5T2        | S2         | 1B.2                           |
| <b>Red Bluff dwarf rush</b><br><i>Juncus leiostermus</i> var. <i>leiostermus</i>    | PMJUN011L2   | None           | None         | G2T2        | S2         | 1B.1                           |
| <b>silver-haired bat</b><br><i>Lasionycteris noctivagans</i>                        | AMACC02010   | None           | None         | G5          | S3S4       |                                |
| <b>steelhead - Central Valley DPS</b><br><i>Oncorhynchus mykiss irideus</i> pop. 11 | AFCHA0209K   | Threatened     | None         | G5T2Q       | S2         |                                |
| <b>tricolored blackbird</b><br><i>Agelaius tricolor</i>                             | ABPBXB0020   | None           | Threatened   | G2G3        | S1S2       | SSC                            |
| <b>veiny monardella</b><br><i>Monardella venosa</i>                                 | PDLAM18082   | None           | None         | G1          | S1         | 1B.1                           |
| <b>vernal pool tadpole shrimp</b><br><i>Lepidurus packardii</i>                     | ICBRA10010   | Endangered     | None         | G4          | S3S4       |                                |
| <b>western pond turtle</b><br><i>Emys marmorata</i>                                 | ARAAD02030   | None           | None         | G3G4        | S3         | SSC                            |
| <b>western spadefoot</b><br><i>Spea hammondi</i>                                    | AAABF02020   | None           | None         | G3          | S3         | SSC                            |
| <b>white-stemmed clarkia</b><br><i>Clarkia gracilis</i> ssp. <i>albicaulis</i>      | PDONA050J1   | None           | None         | G5T3        | S3         | 1B.2                           |
| <b>woolly rose-mallow</b><br><i>Hibiscus lasiocarpus</i> var. <i>occidentalis</i>   | PDMAL0H0R3   | None           | None         | G5T3        | S3         | 1B.2                           |
| <b>Yuma myotis</b><br><i>Myotis yumanensis</i>                                      | AMACC01020   | None           | None         | G5          | S4         |                                |

Record Count: 46

# Appendix B

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## Observed Plant and Wildlife Species List

| Plant Species Observed within the BSA January 29, 2020  |                                |
|---|--------------------------------|
| Scientific Name   | Common Name                    |
| <i>Arctostaphylos manzanita</i> ssp. <i>manzanita</i>   | Big manzanita                  |
| <i>Arctostaphylos viscida</i>                           | White-leaved manzanita         |
| <i>Avena</i> sp.  | Wild oats                      |
| <i>Briza maxima</i>                                     | Greater quaking-grass          |
| <i>Bromus diandrus</i>                                  | Rip-gut brome                  |
| <i>Bromus hordeaceus</i>                                | Soft chess                     |
| <i>Bromus madritensis</i> ssp. <i>rubens</i>            | Red brome                      |
| <i>Calystegia occidentalis</i> ssp. <i>occidentalis</i> | Western morning glory          |
| <i>Ceanothus cuneatus</i> var. <i>cuneatus</i>          | Buck brush                     |
| <i>Centaurea solstitialis</i>                           | Yellow star thistle            |
| <i>Cercis occidentalis</i>                              | Western redbud                 |
| <i>Claytonia perfoliata</i>                             | Miner's lettuce                |
| <i>Croton setiger</i>                                   | Turkey-mullein                 |
| <i>Crucianella angustifolia</i>                         | Crosswort                      |
| <i>Cynosurus echinatus</i>                              | Hedgehog dogtail               |
| <i>Cyperus eragrostis</i>                               | Tall nutsedge                  |
| <i>Cytisus scoparius</i>                                | Scotch broom                   |
| <i>Elymus glaucus</i>                                   | Blue wildrye                   |
| <i>Epilobium</i> sp.                                    | Willowherb                     |
| <i>Erigeron bonariensis</i>                             | South American horseweed       |
| <i>Eriodictyon californicum</i>                         | Yerba santa                    |
| <i>Eriophyllum lanatum</i> var. <i>grandiflorum</i>     | Large-flowered wooly sunflower |
| <i>Erodium botrys</i>                                   | Long-beaked stork's-bill       |
| <i>Erodium cicutarium</i>                               | Cut-leaf filaree               |
| <i>Festuca bromoides</i>                                | Six-weeks fescue               |
| <i>Festuca perennis</i>                                 | Rye-grass                      |
| <i>Galium parisiense</i>                                | Wall bedstraw                  |
| <i>Gastridium phleoides</i>                             | Nitgrass                       |
| <i>Geranium dissectum</i>                               | Cut-leaved geranium            |
| <i>Heliotropium europaeum</i>                           | European heliotrope            |
| <i>Heteromeles arbutifolia</i>                          | Toyon                          |
| <i>Hordeum marinum</i> ssp. <i>gussoneanum</i>          | Mediterranean barley           |
| <i>Hypericum perforatum</i>                             | Klamathweed                    |
| <i>Hypochaeris glabra</i>                               | Smooth cat's ear               |
| <i>Juncus effusus</i>                                   | Pacific rush                   |
| <i>Kickxia elatine</i>                                  | Sharp-leaved fluellin          |
| <i>Lactuca serriola</i>                                 | Prickly lettuce                |
| <i>Leontodon saxatilis</i>                              | Hawkbit                        |
| <i>Lepechinia calycina</i>                              | California pitcher-sage        |
| <i>Lonicera interrupta</i>                              | Chaparral honeysuckle          |
| <i>Malva</i> sp.  | Bull mallow                    |
| <i>Pinus ponderosa</i>                                  | Ponderosa pine                 |
| <i>Pinus sabiniana</i>                                  | Gray pine/Foothill pine        |

| Scientific Name                           | Common Name             |
|---|-------------------------|
| <i>Plantago lanceolata</i>                | English plantain        |
| <i>Poa annua</i>                          | Annual bluegrass        |
| <i>Polygonum aviculare</i>                | Prostrate knotweed      |
| <i>Polypogon monspeliensis</i>            | Rabbitsfoot grass       |
| <i>Pseudognaphalium luteoalbum</i>        | Weedy cudweed           |
| <i>Quercus berberidifolia</i>             | Scrub oak               |
| <i>Quercus kelloggii</i>                  | California black oak    |
| <i>Quercus wislizeni</i>                  | Live oak                |
| <i>Rorippa sp.</i>                        | Watercress              |
| <i>Rubus armeniacus</i>                   | Himalayan blackberry    |
| <i>Rumex crispus</i>                      | Curly dock              |
| <i>Salix gooddingii</i>                   | Goodding's black willow |
| <i>Salix lasiolepis</i>                   | Arroyo willow           |
| <i>Sambucus nigra ssp. caerulea</i>       | Blue elderberry         |
| <i>Sherardia arvensis</i>                 | Field-madder            |
| <i>Silybum marianum</i>                   | Milk thistle            |
| <i>Sisymbrium officinale</i>              | Hedge mustard           |
| <i>Solanum americanum</i>                 | Common nightshade       |
| <i>Solidago velutina ssp. californica</i> | California goldenrod    |
| <i>Sonchus asper</i>                      | Sow thistle             |
| <i>Sorghum halepense</i>                  | Johnsongrass            |
| <i>Stellaria media</i>                    | Common chickweed        |
| <i>Taraxacum officinale</i>               | Dandelion               |
| <i>Torilis arvensis</i>                   | Hedge parsley           |
| <i>Toxicodendron diversilobum</i>         | Poison oak              |
| <i>Tragopogon dubius</i>                  | Yellow salsify          |
| <i>Trifolium sp.</i>                      | Clover                  |
| <i>Trifolium hirtum</i>                   | Rose clover             |
| <i>Trifolium willdenovii</i>              | Wildcat clover          |
| <i>Umbellularia californica</i>           | California bay laurel   |
| <i>Verbascum blattaria</i>                | Moth mullein            |
| <i>Verbascum thapsus</i>                  | Woolly mullein          |
| <i>Vicia villosa</i>                      | Winter vetch            |

| Wildlife Species Observed within the BSA January 29, 2020 |                       |
|---|-----------------------|
| Scientific Name   | Common Name           |
| <i>Corvus brachyrhynchos</i>                              | American Crow         |
| <i>Cathartes aura</i>                                     | Turkey Vulture        |
| <i>Selasphorus rufus</i>                                  | Rufus Hummingbird     |
| <i>Melospiza melodia</i>                                  | Song Sparrow          |
| <i>Zonotrichia leucophrys</i>                             | White-Crowned Sparrow |
| <i>Vireo huttoni</i>                                      | Hutton's Verio        |
| <i>Callipepla californica</i>                             | California Quail      |
| <i>Setophaga coronata</i>                                 | Yellow-rumped Warbler |
| <i>Junco hyemalis</i>                                     | Dark-eyed Junco       |

| Scientific Name           | Common Name       |
|---------------------------|-------------------|
| <i>Zenaida macroura</i>   | Mourning Dove     |
| <i>Pseudacris regilla</i> | Pacific Tree Frog |

\*Deer scat observed within BSA.



## Appendix C

Project Site Photos Taken January 29, 2020



Overview of the BSA facing west. The barren and disturbed annual grass habitats can be seen.



Overview of the BSA. Taken at eastern boundary facing west.



Overview of the BSA. Taken at western boundary facing east.



Taken at the southern boundary facing north, in the middle of the BSA.





Ponded area within the seasonal riverine habitat in the eastern section of the BSA.



Overview of the seasonal riverine habitat in the eastern section of the BSA.



Overview of the smaller parcel on the northside of the eastern bound Skyway Road. Taken at southern boundry, facing north.



Overview of the smaller parcel on the northside of the eastern bound Skyway Road. Taken at southern boundry, facing northwest.



# TOWN OF PARADISE

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March 25, 2020

## TEMPORARY USE PERMIT

Anderson Brothers Corporation  
Attn: David Anderson  
P.O. Box 535  
Paradise, CA 95967

Subject: Anderson Log Storage & Processing Yard Temporary Use Permit (PL19-00383);  
AP No. 051-230-047, 054, 055 & 051-240-011 & 012

Dear Mr. Anderson:

Pursuant to Paradise Municipal Code Chapter 17.32 [Temporary Use Regulations] and the provisions of Section 8 of Town Urgency Ordinance #590 relating to the removal of fire damaged debris from private property following the Camp Fire, your application for an temporary use permit to allow a **“Log Storage & Processing Yard”** land use on properties located adjoining and primarily due south of 4716 thru 4724 Skyway **is hereby authorized**, based on and subject to the following findings and conditions:

### I. FINDINGS

- A. The proposed project is statutorily exempt from environmental review pursuant to Public Resources Code Section 21080(b)(3) and Section 15269 (Emergency Project) of the California Environmental Quality Act. Guidelines.
- B. Find that the project, as conditioned, is in compliance with all applicable regulations found within Urgency Ordinance #590, Section 8, relating to Temporary Log Storage Yards.
- C. As conditioned, the temporary use will not be detrimental to the health, safety, and general welfare of the residents of the Town of Paradise.

### II. **GENERAL REQUIREMENTS; CONDITIONS AND RESTRICTIONS:**

- 1. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of this temporary use permit constitutes cause for the revocation of said permit in accordance with the provisions set forth in Paradise Municipal Code Chapter 17.32.

Municipal Code (PMC) Section 17.32.600 [Revocation of Temporary Use Permit].

2. Acceptance and processing of logs and wood waste originating from the Government Hazard Tree Removal Program **is prohibited**.
3. Unless otherwise provided for in a special condition to this Permit, all conditions must be completed **prior to** the establishment of the granted land use.
4. The temporary use permit shall expire **December 31, 2020**, or until such date as stated in Urgency Ordinance #590, if extended by the Town Council.
5. Neither the applicant, nor any agent nor representative of the applicant shall intentionally omit or misrepresent any material fact in connection with the application. Any alleged material misrepresentation shall constitute grounds for the Community Development/Planning Director to commence a revocation meeting, and, if proven to exist, shall constitute grounds to revoke the Temporary Use Permit.
6. The authorized temporary land use shall be confined to be maintained and conducted upon the affected project properties in a manner consistent with the project submittal materials and revised site plan map received on February 6, 2020 and on file with the Town Department of Development Services. Minor changes to the plans may be allowed subject to written approval of the Community Development Director only if found to be in substantial conformance to the approved project.
7. If the temporary land use is to be using PID water, then the applicant must apply for and pay for a PID construction meter.
8. The property owner(s) shall be required to establish and sustain waste collection services for the project properties provided by **NRWS** during the Temporary Log Storage & Processing Yard land use.
9. The applicant shall construct and operate this project in strict compliance with the approvals granted herein, Town standards, local ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between Town laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
10. The project site properties occupied by the temporary land use shall be left free of debris, litter or other evidence of temporary use upon completion or removal of the temporary Log Storage & Processing Yard.

### III. TEMPORARY LAND USE CONDITIONS OF APPROVAL:

1. **Allowed Uses.** Temporary Log Storage & Processing Yards allow for the storage and processing of logs and vegetation but not burning of logs and vegetation, and may include associated equipment repair, construction trailers, employee parking and portable bathro

facilities and/or transitory shelter set up for use by the personnel assigned to the yard, but not residences.

2. Logs and wood waste originating from routine utility line maintenance shall **not be stored** at this specific Temporary Log Storage Yard.
3. **Storage or Processing of Fire Debris Prohibited.** The storage or processing of debris from the **Camp Fire Consolidated Debris Removal Program** at this Temporary Log Storage Yard, including the storage of trucks or equipment loaded with debris, **shall be expressly prohibited.**
4. **Noise.** Quiet hours shall be maintained between 7 p.m. to 7 a.m. seven days a week. During quiet hours, generators and heavy equipment shall not be operated, and noise levels shall conform to Paradise Municipal Code Chapter 9.18 [Noise Control]. Outside of quiet hours, noise sources associated with temporary log storage yards shall be exempt from the requirements of PMC Chapter 9.18.
5. **Siting Criteria.** To the extent practicable, temporary log storage yards shall be located on flat areas of the project site that are already disturbed and in such a manner to decrease impacts to uses of surrounding properties.
6. **Approved Access.** This temporary log storage & processing yard shall have access onto Skyway, a public road. Project site access approach shall be made and upgraded in accordance with an encroachment permit applied for, approved and issued by the Town of Paradise Department of Public Works.
7. Any truck movements entering or exiting the project site that creates a traffic hazard shall be corrected to the satisfaction of and in a manner deemed acceptable to the Town Engineer and the Police Chief.
8. **On-site Roads, Driveways and Aisles.** This temporary log storage & processing yard shall have on-site roads, driveways and aisles that shall have a 6-inch Class 2 aggregate base, a minimum width of 25 feet, and shall be capable of supporting a 75,000 lb. load that will allow for ingress and egress of fire apparatus to within 150 feet of all piles and structures, and shall have a vertical clearance of not less than 15 feet.
9. **Biological Resources.** Temporary log storage yards are not to be located on lands containing wetlands, and/or endangered and protected plants and animal species. A current biological resource assessment report has been submitted to the Town Department of Development Services demonstrating that no special-status botanical species are present within the project site properties. **The report identified potential project associated impacts to special-status wildlife species and a potential jurisdictional wetland feature that are recommended to be assigned minimization and mitigation measures that the Town of Paradise hereby requires to be implemented by the project applicant.**
10. **Outdoor Lighting.** The project applicant proposes to provide portable site lighting at active ingress and egress locations of the site. All outdoor lighting shall be located, adequately



shielded, and directed such that no direct light falls outside the property lines, or into the public right-of-way in accordance with Paradise Municipal Code Section 17.06.810 [Lighting Fixtures].

11. **Property Line Setbacks and Defensible Space.** All log piles and other piles shall be setback a minimum of 150 feet from all outside property lines and any permanent structures. There shall be an area of defensible space that is a minimum of 150 feet wide around the perimeter of the temporary log storage area that shall not be graded but shall be kept clear of grass and vegetation to support fire protection by clearing, disking, grubbing, and/or scraping. **CAL-FIRE** shall have discretion to address unique circumstances.
12. **Paradise Fire Department/CAL-FIRE Standards.** This temporary land use shall adhere to and comply with all applicable Paradise Fire Department/CAL-FIRE standards. State standards set out in California Fire Code Chapter 28 with respect to log storage yards and incidental wood products stored at the project site shall apply.
13. The project's submitted "**Material Handling & Fire Prevention Plan**" shall be established and implemented satisfactory to the Town of Paradise Fire Department/CAL-FIRE.
14. CAL-FIRE requires a portable pump capable of pumping 50 gallons per minute and a minimum of 250 gallons of water on site for fire suppression. A water tender with a minimum 250-gallon capacity may suffice for this requirement [Public Resources Code, Section 4430].
15. Per California Public Resource Code, Section 4428, the project site shall have a sealed box of tools that shall be located, within the operating area, at a point accessible in the event of a fire. This fire toolbox shall contain: one backpack pump-type fire extinguisher filled with water, two axes, two McLeod fire tools and an appropriate number of shovels so that each employee at the operation can be equipped to fight fire. In addition, one or more serviceable chainsaws of three and one-half or more horsepower with a cutting bar 20 inches in length or longer shall be immediately available within the operating area.
  - a. Whenever a fire starts, a telephone call shall be made to 911 immediately to inform that there is a fire. The facility operator shall develop a plan for monitoring, controlling, and extinguishing fires. The plan shall be submitted with the temporary use permit application for review and approval by fire officials.
  - b. Smoking may only occur in designated locations shown on the project site plan.
  - c. Log piles shall not exceed 20 feet in height, 300 feet in width, and 500 feet in length. Log piles shall be stabilized by a means approved by the Fire Chief or his/her designee.
  - d. Other piles made of incidental log related materials shall not exceed 20 feet in height; 150 feet in width, and 250 feet in length.
  - e. All piles shall be separated from all other piles by 100 feet and shall include on-site roads, driveways, and aisles as previously discussed.
  - f. All piles shall be monitored by a means approved by the Fire Chief to measure temperatures. Internal pile temperatures shall be monitored and recorded weekly. A plan by the permittee for restricting and mitigating excessive temperatures shall be submitted with the temporary use permit application for review and approval by fire officials.
  - g. Regular inspections of the temporary log storage yard by trained fire personnel shall

allowed and facilitated by the facility operator.

h. Cutting activities shall comply with California Fire Code Chapter 35.

16. **Butte County Public Health, Environmental Health Division.** Given the project proposes chipping and grinding on-site, this temporary log storage yard is determined to be a Solid Waste facility. Operator must obtain a tiered Solid Waste facility permit for the “chipping and grinding processing/storage operation” from the Butte County Environmental Health Division. **[Note:** Tier of permit shall be based on amount of material being processed.]
17. Project description indicates temperatures of chips will be taken using a digital or analog temperature probe, and that temperatures will be recorded into a database record. All records need to be kept on-site so to be available to the Local Enforcement Agency [LEA] during site inspections.
18. Project description indicates that all chips produced will be hauled off to a cogeneration plant. **[Note:** Any chips that will be land applied must be lab tested for pathogens, heavy metals and physical contaminants.]
19. Chipping and grinding operations must maintain green material piles (feedstock, chip piles) at a temperature of less than 122F and shall be monitored. Temperatures of green material piles are to be taken at least once a week, or more often as needed. If the pile temperature exceeds 122F, then Operator shall apply effective measures to reduce heat.
20. Project description indicates that there will be minimal chip storage on-site. Each load of green material must be removed from the chip & grind site within 48 hours of receipt. [Refer to California Code of Regulations (CCR) Title 14 for any potential applicable exemptions to this requirement.]
21. Failure to maintain the green material and chip pile maximum core temperature of 122F will result in enforcement action by Butte County Environmental Health.
22. In the event the site fails to meet the allowable chip storage time or the maximum temperature limits for a Chipping & Grinding operation it will be regarded as a compostable material handling (composting) facility and all pertinent regulations will apply.
23. For sanitation purposes there shall be a minimum of one portable toilet and one handwash station at the facility for employee use. The portable toilet shall be routinely serviced by a licensed service provider.
24. The storage of any hazardous material at or above State-defined thresholds shall require the approval of a Hazardous Material Business Plan by the Butte County Department of Public Health, Environmental Health Division.
25. For water that is provided for human consumption, from an on-site source or transported to the facility and held in a storage tank, the facility operator shall meet the following requirements: a) if 25 or more people per day are consuming the water, the facility operator shall contact the Butte County Environmental Health Division for public system permitting

requirements and shall operate in accordance with those requirements; b) if there are fewer than 25 people/day consuming the water, the facility shall have the water tested for and be in compliance with minimum bacteriological standards of the Butte County Environmental Health Division. If bottled water is provided, there is no requirements for testing.

26. **Air Quality and Dust Control.** Per the Butte County Air Quality Management District, the proposed project shall be subject to District Rule 205—Fugitive Dust Emissions/Requirements that shall include, but not be limited to: a) Reduce the amount of disturbed area where possible. Stabilize disturbed area soils during use and at project completion, b) Apply water or stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes. c) Limit vehicle speeds to 15 miles per hour on any unpaved surfaces at the project site. d) Clean visible track-out onto adjacent paved roadways daily. Track-out shall not extend more than 25 feet in cumulative length from the active project site. and e) Post a sign in a prominent location visible to the public with the telephone number of the contractor and Air District for any questions or concerns about dust from the project.
27. Portable equipment and engines (rated at 50 HP or greater) may operate at the location for up to 12 consecutive months in each of two potential consecutive years. Authorization may be by registration in the State Portable Equipment Registration Program (PERP) or the Butte County Air Quality Management District or, if under the Emergency Declaration, by filing a Form 40 with the State PERP. Operation beyond 12 months and stationary sources require an air quality permit from the District.
28. **Perimeter Stormwater Control.** The temporary log storage yard must be designed, prepared and operated with project improvements that adhere to and comply with perimeter stormwater control standards of the Town Public Works Department and the State Water Quality Control Board such that water accumulating within the project will be carried away from the project without injury to any adjacent improvement, residential sites, and /or adjoining areas.
29. **Water Quality and Erosion Control.** This temporary land use shall be established and operated in accordance with its Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer along with submittal of a Notice of Intent to obtain coverage under the General Permit Order 2009-0009-DWQ as amended. The project applicant shall adhere to and comply with all applicable water quality and erosion control standards of the Town Public Works Department and the State Water Quality Control Board.
30. **Electricity and Electrical Equipment.** If any new electricity connections are to be brought to the project site, a building permit shall be required. Electrical wiring and equipment shall comply with the Town adopted California Electrical Code.
31. **Building Permit(s).** The applicant shall obtain all necessary building permits from the Town Building Division for any proposed structures to be constructed at the project site. The applicant shall submit building plans and specifications prepared by a California registered design professional (engineer or architect) demonstrating compliance with the current To

adopted California Code requirements.

32. **Project Site Reclamation/Restoration.** There shall be no grading of the project site **without the prior approval of the Town Engineer**, but if grading is allowed, topsoil shall be conserved to be used for project site reclamation. At minimum, the project submitted and Town approved Reclamation/Restoration Plan shall include: a) Clearance of the site of all vehicles, equipment and materials utilized as part of the Temporary Log Storage Yard; and b) Stabilization of the site, implementation of erosion control measures, and successful revegetation to the satisfaction of the Community Development Director in order to render the affected project properties suitable for the land use(s) for which zoned.
33. **Performance Guarantee.** Prior to establishment and operation of the Temporary Log Storage Yard the project applicant shall submit to the Town of Paradise a “**project performance guarantee**” in the amount of **\$2,000/acre of land disturbed** pursuant to Paradise Municipal Code Section 17.32.400 in order to guarantee the proper completion of any approved work and to ensure that site reclamation is completed to the satisfaction of the Community Development Director.
34. Project site lands shall be restored and/or reclaimed to the satisfaction of the Community Development Director **prior to release of the performance guarantee.**
35. **Additional Requirements.** The temporary use permit may be subject to additional requirements from the Butte County Air Quality Management District, the Butte County Public Health Department, CAL-FIRE, the State Regional Water Quality Control Board, and the Town Public Works Department.
36. **Violations, Enforcement, and Penalties.** Approved operations of this Temporary Log Storage Yard shall be managed and monitored to ensure that activities do not constitute a public nuisance, as defined in State and local law. A temporary log storage yard that is operating in violation of the Paradise Municipal Code, and the conditions of this permit, poses a health and safety hazard and is found to be a public nuisance.
37. The Community Development Director may initiate enforcement using any process set forth in the Paradise Municipal Code, including, but not limited to Chapter 1.08 (Enforcement of Violations), Chapter 1.09 (Administrative Civil Penalties) and Chapter 8.04 (Nuisance Abatement), and may seek the imposition of costs and civil penalties. Nothing in this provision is intended to prevent alternative enforcement mechanisms.
38. If the Paradise Municipal Code Chapter 1.09 process is used, the penalties set forth in Section 1.09.190 are increased because the health and safety hazards to the public shall be greater than in the general code enforcement context. The increased penalty is a **fine of one thousand dollars (\$1,000.00)** for the violation and such violations **shall also be a misdemeanor.**

**Failure to uphold and maintain compliance with the conditions of this permit may result in the permit being administratively revoked by the Town of Paradise (PMC Section 17.32.600)**

If you wish to appeal the decision of the Planning Commission, you must do so within seven (7) days of the date of the Planning Commission's decision by filing your written appeal together with the appeal fee deposit of \$117.38 to the Development Services Department. If no appeal is filed within the time period, your temporary use permit will be deemed approved.

**DATE APPROVED BY THE PLANNING COMMISSION:** \_\_\_\_\_

**TEMPORARY USE PERMIT EFFECTIVE DATE:** \_\_\_\_\_

\_\_\_\_\_  
Susan Hartman  
Planning Director

j:\cdd\planning\letter\PL19-00383 Anderson Temp Use



**TOWN OF PARADISE PLANNING COMMISSION  
PLANNING STAFF REPORT  
MEETING DATE: March 17, 2020, 6:00 p.m.**

**FROM:** Susan Hartman, Community Development Director      **AGENDA NO. 5 (b)**  
**SUBJECT:** Fallon Site Plan Review Permit Application (PL19-00208)  
**DATE:** March 10, 2020      **AP 055-240-013**

**GENERAL INFORMATION:**

Applicant: Mark & Catherine Fallon  
5050 Edgewood Lane  
Paradise, CA 95969

Location: 5050 Edgewood Lane

Requested Action: Site Plan Review permit approval to sanction the legal establishment and “three-phased” development and service operation of a cat kennel facility.

Purpose: To legally allow an existing and proposed future development expansion of the cat kennel facilities operated by “**Friends United in Rescue**” on the premises.

Present Zoning: Agricultural Residential, 3- acre minimum

General Plan Designation: Agricultural Residential

Existing Land Use: Two recreational vehicles, related accessory building/structures, and an unsanctioned cat kennel

Surrounding Land Use:

|        |                         |
|--------|-------------------------|
| North: | Low density residential |
| East:  | Undeveloped/Open Space  |
| South: | Low density residential |
| West:  | Edgewood Lane           |

Parcel Size: ±19.43 acres

CEQA Determination: Exempt per CEQA Guidelines Section 15270

Other: An appeal of the Planning Commission’s decision can be made within seven (7) days of the decision date.

**NOTE: THE APPLICANT OR A REPRESENTATIVE SHOULD BE IN ATTENDANCE OR THE PLANNING COMMISSION MAY NOT TAKE ACTION ON THIS APPLICATION**

### **SPECIAL INFORMATION:**

The project applicant is seeking authorization from the Town of Paradise to permit and expand an existing and unsanctioned indoor private cat kennel facility services operation for the long-term isolated and communal keeping of cats [estimated 60-70 cats shelter capacity]. The project property is situated three-quarters mile south of the southern terminus of the publicly maintained roadway of Edgewood Lane and abuts its graveled road surface that is subject to sporadic private road maintenance. It is currently developed with two temporary recreational vehicle occupancies, two accessory metal building structures, and a small wood frame “office” building.

The project description of the “Friends United in Rescue” cat kennel facility services operation includes not only the housing and caring of both domestic and feral cats but also the trapping of cats.

### **ANALYSIS:**

Paradise Municipal Code (PMC) Section 17.11.200 (*Permitted and conditional uses*) provides that an indoor cat kennel, defined as any premises whereon five or more cats are kept, can become a permissible land use within the AR-3 zone subject to town approval and issuance of a site plan review permit. Hence, submittal of the Fallon Site Plan Review Permit application is consistent with the AR-3 zoning district regulations assigned to the project site. A related directive within the town’s zoning regulations regarding the establishment of cat kennels is contained within PMC Section 17.45.450. It stipulates that the approving body for any site plan review may only approve the project if it finds that the land use, as conditioned, is consistent with the provisions of the town’s zoning regulations, the policies of the Paradise General Plan, is compatible with the surrounding land uses, and does not impair the health, safety and welfare of the residents of the town. Town staff is not aware of any other site plan review permit application having been processed authorizing the establishment of a cat kennel land use in town. **[Note:** Included among the attached information materials is a Fallon SPR Permit application: General Plan Project Review document that identifies potentially project pertinent General Plan “constraints”, “policies”, and “land use designation”.]

### **Project Review Concerning General Plan Consistency**

Planning staff carefully reviewed the current Paradise General Plan and identified two General Plan constraints, six General Plan policies, two General Plan land use designations, and one General Plan goal that appear to have potential relevance to the project site property. For instance, the project property is located within a 1) a **“high fire hazard area”** and a “high archeological sensitivity area”. Additionally, primary road access to the project property is solely afforded via Edgewood Lane, a General Plan designated **“collector**

**road**". However, this roadway access is an excessive length cul-de-sac (exceeds 1,800 lineal feet) that is a) partially paved and town maintained (but substandard in road design); b) contains a lengthy roadway portion that is privately owned and nonpaved (graveled, etc.) and subject to infrequent private maintenance, and c) traverses north to south through a "high fire hazard area" with a lack of adequate roadway circulation connections.

The project applicant has indicated within their project application land use description that their private cat kennel facility services has and proposes to continue to offer community service to the public [i.e. public hours at the facility 11:00 am to 4:00 pm and by appointment]. Thus, one could conclude that this land use at this project location may not be consistent with the following listed General Plan policies:

**LUP-40** "Community facilities should be compatible with traffic and circulation patterns."

**SP-2** "Through the development review process, adequate roads shall be required to be constructed and/or improved for emergency vehicle access, particularly in high wildland fire hazard areas."

### **Brief Synopsis: Project Site Land Use History of Friends United in Rescue**

A review of their website [friendsunitedinrescue.org] which is currently undergoing reconstruction reveals the following:

- 1) Friends United in Rescue [or FUR] is a registered 501c(3) organization that came together during the Camp Fire in November 2018.
- 2) The FUR Camp Fire facility is called "Cat Camp" and is located on property at 5050 Edgewood Lane.
- 3) FUR states that they are working all over the State of California helping pets and people with spay & neuter, TNR (trap, neuter, release), rescue, adoptions and rehoming, microchipping, etc.

### **Project Review Regarding Paradise Municipal Code Compliance**

Unfortunately, Friends United in Rescue has originated and practiced an illegal land use within unpermitted structures at their Paradise property location.

Included among the information materials attached to this staff report is a chronological package of detailed actions and related photos generated by Mr. Rick Trent, the Town's Code Enforcement Officer. This package of Town information/actions verifies that the project applicants have been knowledgeable of their illegal land use and building activities at the project property [installation of a metal building and sheltering cats within without building and land use permits] since **February of 2019** when a representative of FUR met with town staff at town hall regarding permitting requirements in response to code

enforcement efforts. Additionally, despite the applicants' knowledge of their illegal project site circumstances, they have a) not been timely with attempting to apply for and secure town approval of the necessary land use entitlement(s) and the necessary building permits [SPR permit application filed **September 24, 2019** and metal buildings permit application filed **January 23, 2020**], and b) opted to expand their cat kennel facilities operation by installing and operating a second metal building and electrical panel box without town approved and issued building permits.

PMC Chapter 5.15 (*Kennels*) requires the issuance of a town-approved kennel business license, certifying that the kennel is operating in a sanitary and proper manner, to authorize the legal sheltering of five or more cats on a single site. The project site cat kennel facility has been inspected by Town Animal Control staff and found to exhibit unsanitary conditions, detrimental cat sheltering, and improper unlicensed service operations. [**Note:** Town planning staff has made arrangement to have the Town's Animal Control Services Supervisor in attendance at the hearing to further dialogue with the Planning Commission.]

#### **ANALYSIS CONCLUSION:**

Based upon the circumstances outlined above, material evidence of record and public testimony anticipated to be provided during the public hearing for this project, town staff has developed findings to support denial of the site plan review permit, should the Planning Commission choose not to approve the project application.

This project has been determined by planning staff to belong to a class of projects which are exempt from environmental review, pursuant to the requirements of the California Environmental Quality Act (CEQA Section 15270 *Projects Which Are Disapproved*).

#### **RECOMMENDATION:**

Conduct the public hearing for the Fallon site plan review permit and accept public testimony and material evidence regarding the project. Close the hearing, adopt findings of project denial provided by town staff and adopt a **Town denial** of the Fallon site plan review permit application (PL19-00208) for property located at 5050 Edgewood Lane (AP 055-240-013), requesting authorization to sanction an existing and proposed future development expansion of the indoor cat kennel facility.

#### **REQUIRED FINDINGS FOR DENIAL:**

- a. Find that, based upon material evidence and public testimony provided during the Fallon site plan review permit hearing, it is probable that project land use approval would result in the continued operation of a facility that is ineligible for licensing due

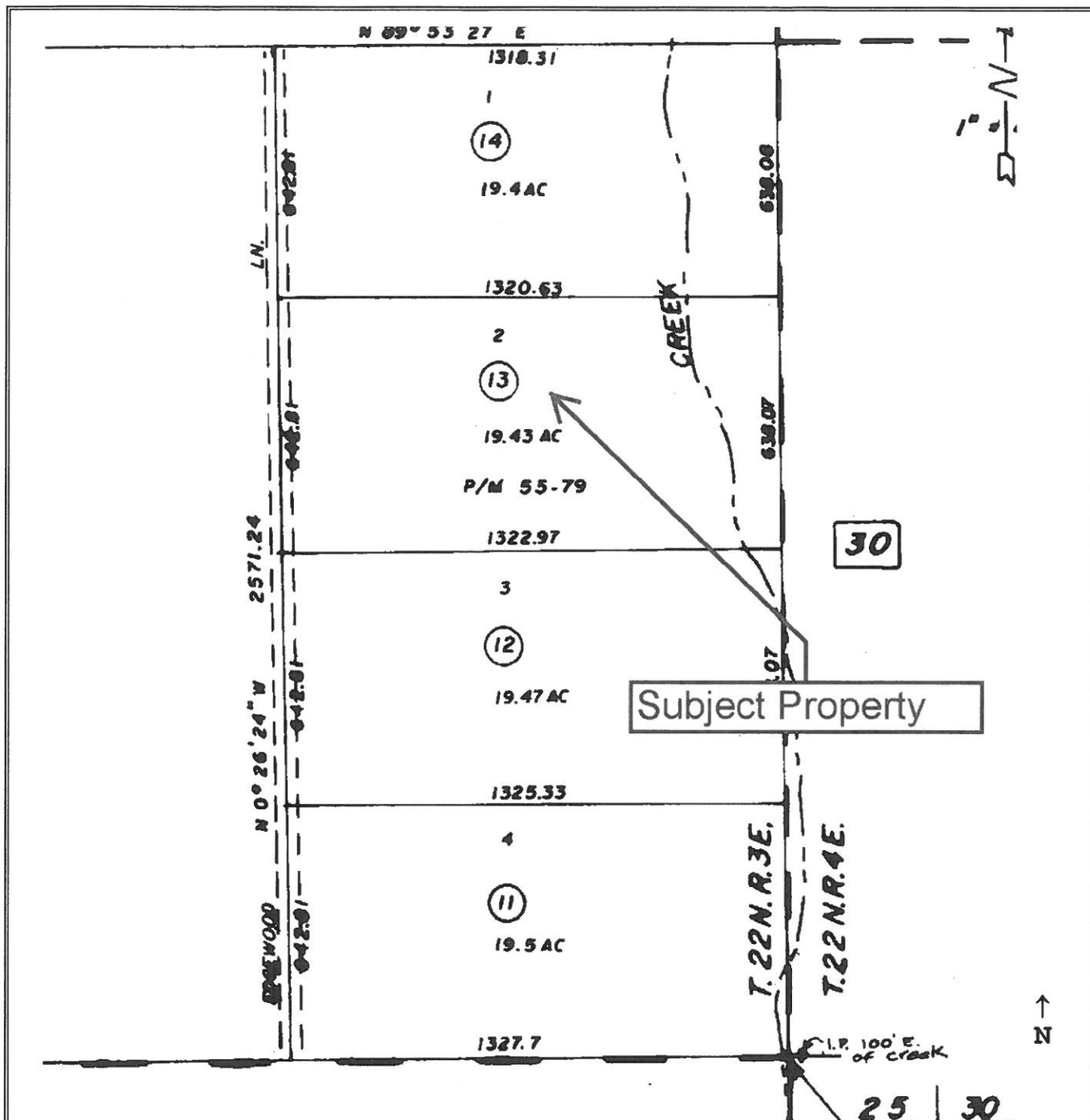
to kennel conditions.

- b. Find that the existing and proposed project location and land use services are not consistent with General Plan Policy No. LUP-40, which states that “community facilities should be compatible with traffic and circulation patterns”.
- c. Find that, based upon material evidence of record and public testimony, the proposed project would be detrimental to the public health, safety and general welfare.
- d. Find that, based upon material evidence of record and public testimony, the proposed project is currently and may continue to be detrimental to the health, safety, and general welfare of the cats being sheltered.



**LIST OF ATTACHMENTS FOR FALLON SITE PLAN REVIEW PERMIT  
APPLICATION [PL19-00208]**

1. Project site vicinity map
2. Notice sent to surrounding property owners and the Paradise Post for the March 17, 2020 public hearing
3. Mailing list of property owners and agencies notified of the March 17, 2020 public hearing.
4. Project description submitted September 24, 2019 by applicant, Mark Fallon.
5. Mr. Fallon's written response to the town's request for additional project information Received January 27, 2020.
6. Fallon SPR Permit [PL19-00208] Application: General Plan Project Review
7. Comments from Fire Prevention Inspector Chris Rainey received February 4, 2020.
8. Comments from Paradise Irrigation District dated received February 10, 2020.
9. Comments received from Animal Control Officer Supervisor Jen Robbins dated October 8, 2019 and email comments received and dated February 20, 2020.
10. E-mail comments received from Bob Larson, Onsite Sanitary Official dated March 3, 2020.
11. Copy of Notice of Exemption dated March 9, 2020.
12. E-mail comments, attached notice of violations and photos received March 9, 2020 from Code Enforcement Officer, Rick Trent.
13. Site plan for the Fallon kennel project.



APPLICANT: Mark & Catherine Fallon

OWNER: Mark & Catherine Fallon

5050 Edgewood Ln

**PROJECT DESCRIPTION:**

Site Plan Review permit application to sanction the legal establishment and three-phased development of a cat kennel facility to be operated by "Friends United in Rescue".

ZONING: AR-3

GENERAL PLAN: AR

FILE NO. PL19-00208

ASSESSOR PARCEL NOs. 055-240-013

MEETING DATE: March 17, 2020

## NOTICE OF PUBLIC HEARING: PARADISE PLANNING COMMISSION

**NOTICE IS HEREBY GIVEN** by the Planning Commission that a public hearing will be held on **Tuesday, March 17, 2020 at 6:00 p.m.** in the Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following project:

- a. Environmental Review: Item to be determined subject to CEQA Guidelines Section 15270

**FALLON SITE PLAN REVIEW PERMIT (PL19-00208) APPLICATION** Planning Commission consideration of a Site Plan Review permit to sanction the legal establishment and “three-phased” development and service operations by “Friends United in Rescue” of a cat kennel facility. Project property is a 19.43-acre parcel zoned Agricultural Residential, 3-acre minimum (“AR-3”) located at 5050 Edgewood Lane, Paradise, AP No. 055-240-013.

The project file is available for public inspection at the Development Services Department, Town of Paradise, Town Hall. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6291 x114.

SUSAN HARTMAN  
Planning Director



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6332 Clark Road  
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Paradise Recreation & Park Dist.  
6626 Skyway  
Paradise, CA 95969

Paradise Ridge Chamber of  
Commerce  
6161 Clark Road Ste. 1  
Paradise, CA 95969

Paradise Board of Realtors  
6178 Center Street  
Paradise, CA 95969

Butte County Planning  
Courier

Paradise Cemetery District  
980 Elliott Road  
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.  
629 Entler Ave., Suite 15  
Chico, CA 95928

Butte Environmental Council  
313 Walnut St., Ste. 140  
Chico, CA 95928

Pacific Gas & Electric  
Laird Oelrichs, Land Agent  
350 Salem St.  
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5050 EDGEWOOD LN  
PARADISE CA 95969

055-240-007-000  
SIERRA PRESERVATION PARTNERS II LLC  
4425 JAMBOREE RD STE 250  
NEWPORT BEACH CA 92660

055-240-014-000  
CRAFT KENNETH L & VIRGINIA E  
PO BOX 2723  
PARADISE CA 95967

055-290-083-000  
PARADISE EVANGELICAL FREE CHURCH  
5095 PENTZ RD  
PARADISE CA 95969

055-530-008-000  
BATTS RICHARD & HANNA DIANA  
4918 MALIBU DRIVE  
PARADISE CA 95969

055-530-009-000  
LUTON JAMES S REVOCABLE LIVING TRUST  
C/O LUTON JAMES S & HIMELICK SUSAN  
TRUSTEES

055-530-010-000  
KASZA FAMILY TRUST  
C/O KASZA KAROLY & ELISABETH TRUSTEES  
5011 COUNTRY CLUB DR  
PARADISE CA 95969

055-530-012-000  
ARKENBERG FAMILY TRUST  
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TRUSTEES  
4878 MALIBU DR  
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REYNOLDS ZEBULON & ANNA  
4926 MALIBU DR  
PARADISE CA 95969

055-240-012-000  
COLVIN JOSHUA L  
1692 MANGROVE AVE #233  
CHICO CA 95926

055-530-011-000  
KASZA ELIZABETH J  
175 FALCONS POINTE DR  
CHICO CA 95928



Mark and Cathy Fallon  
5050 Edgewood Ln  
Paradise, CA 95969  
530.570.4185

Town of Paradise  
5555 Skyway  
Paradise, CA 95969

Sept. 20, 2019

RE: Site Plan for 5050 Edgewood Ln. Paradise

To whom it may concern;  
This site plan shows all proposed projects.

**(Phase I)**

At this time I am requesting to permit The Cat Kennel operated by "Friends United in Rescue".

There are 2 metal buildings and 1 wood sided building needed for the cat kennels operation;

A. 18' x 30' x 13' 4" tall metal frame and sided, color is white roof with red sides.  
(Insulated cat housing)

B. 10' x 16' x 8' tall wood frame with wood sides, color is red with white trim. (Office)

C. 18' x 25' x 8' tall metal frame with metal roof and insulated 1/2 partial sided.  
Color: gray roof with gray walls. (Cat playground)

There will be 2 signs for the kennel;

- a. 6" x 12" sign saying "CAT Kennel" pointing to the buildings. White Background with black lettering.
- b. Sign in front 12" x 24" saying "Friends United in Rescue". White Background with black lettering.

**(Phase II)**

After the Cat Kennel is approved and permitted, a ADA Unisex Bathroom and shower facilities for the public will start going through the permit process. Brown cleaved slump stone with tan metal roof with all proper signage.

**(Phase III)**

Since we cannot complete either one of the projects in Phase III until PG&E settles and pays monies owed; both 1 and 2 will jointly go through the permit process together.

1. The proposed 40x80 Metal Storage Building (3000sq' open storage) with an 200sq' lockable storage room inside the building (3200sq' total under roof). ( for Hay and Equipment) will include a 40" x 60" sign stating "Kastlerock Ranch Welcome" at the entrance near the road

2. A 3 bedroom, 2 bath residence not to exceed 1440sq' (the size of the burnt down residence)

All unfinished proposed work will be completed, including landscaping, gravel, Fire Hydrant if needed, etc.

During the rebuilding process Kastlerock Ranch, an educational training facility for children who are interested in horses and livestock, will be open in a limited capacity. Only on Friday afternoons from 3 pm to sunset, and Saturday from 10 am to 2 pm, rain or shine. Please visit our website at [www.kastlerockranch.com](http://www.kastlerockranch.com) for more information.

Thank You  
Mark Fallon



Mark and Cathy Fallon  
5050 Edgewood Ln  
Paradise, CA 95969  
530.570.4185  
Town of Paradise  
Community Development Dept

Town of Paradise  
5555 Skyway  
Paradise, CA 95969

Jan. 27, 2019

JAN 27 2020

RECEIVED

RE: Clarification for Fallon Use Permit (PL19-00208) incomplete status

Ms. Hartman,

Here is the info that you requested.

3a. Heating will be achieved by using a wall Heater and cooling will be achieved through a air conditioning unit and fans for the main cat building when needed.

3b Electric utilities will come from a current sub panel to a sub panel centrally located so each building will have 2 power circuits going to the buildings. A sink will be located in the cat housing area discharging into the existing septic system via a sump pump.

3c. Floors are swept free of debris before the wash down occurs, using a mop and bucket or scrub brush with a cleaner/disinfectant. The floor will be concrete with epoxy coating in the main cat housing. Walls will be insulated and the sheet-rock walls painted. All wastewater will be dumped into a sink connected to the existing septic. Litter boxes are cleaned and all waste is bagged and placed in the dumpster daily for weekly disposal.

3d. The public hours are 11am to 4pm by appointment. Volunteers arrive throughout the day or night at various times, before and after, public access. Rescue and trapping occurs during the night hours with property owners permission and immediately brought to Cat Camp. Lighting will be provided for evening access to the kennels for safety to both the public and volunteers. When there are no administrators or volunteers present, Mark and Cathy Fallon are on site, 24 hours per day, 365 days per year for any after hour inquiries.

3e. When cats arrive at Cat Camp, they are isolated to be sure they are not ill or have other issues, before they are put into a communal room. We can isolate up to 20 cats at a time depending on their age in standard two tier animal hospital kennels. Only bonded pairs are kept together in the hospital kennels and litters of kittens are placed in our largest size kennels. Communal rooms can house up to 15 cats each as they have outside access to exercise and there are two in the main housing building. The feral cat communal building (gray building referenced in 3g) can house 30 cats as they have outside access to exercise.

3f. There are kennels designated for sick cats that are separate from the isolation kennels. Several volunteers have rescue/foster experience, some have vet tech training. With the volunteers members activities and experiences, Friends United in Rescue has access to several professional veterinarians that can be consulted. Anything beyond what a vet tech can provide, the cats are taken to a local veterinarian depending on who's is available.

3g. (A). Heating will be achieved by using a wall heater and cooling will be achieved through fans for feral cat buildings and air conditioning, if needed.

(B) Electric utilities will come from a current sub panel to a sub panel centrally located so each building will have 2 power circuits going to the building. The feral cat housing will not have a sink.

## **FALLON SPR PERMIT [PL19-00208] APPLICATION: GENERAL PLAN PROJECT REVIEW**

### **G. P. Constraints:**

- High archeological sensitivity area
- High fire hazard area

### **G.P. Policies:**

**LUP-11** "Development projects should be designed in a manner to accommodate the constraints on a parcel by avoiding them altogether or creating minimal loss or conflict."

**LUP-40** "Community facilities should be compatible with traffic and circulation patterns."

**CP-4** New land use development shall be required to mitigate its share of the circulation impacts it creates."

**NP-8** "The town should endeavor to preserve quiet residential areas by limiting traffic and noise-generating uses in such areas."

**SP-2** "Through the development review process, adequate roads shall be required to be constructed and/or improved for emergency vehicle access, particularly in high wildland fire hazard areas."

**OCEP-43** "The design of collector streets shall include bicycle lanes, and cul-de-sacs shall be connected by paths wherever possible."

### **G.P. Land Use Designation is (A-R):**

**Agricultural-Residential:** "Applies to existing and planned residential areas characterized by larger parcels and accessory agricultural uses."

**Edgewood Lane Project Access: A G.P. Designated "collector road".**

**G.P. GOAL:** "Maintain the integrity of residential neighborhoods by minimizing traffic and associated noise impacts."



# Town of Paradise

## PARADISE FIRE & RESCUE

767 Birch Street, Paradise, CA 95969  
www.townofparadise.com  
(530) 872-6264



### Development Review

Project Name: Fallon SPR  
Location: 5050 Edgewood Lane, Paradise  
APN: 055-240-013-000  
Applicant: Mark & Catherine Fallon [Applicant & Owners]  
Project No. PL19-00208  
Date of Plan Review: February 4, 2020  
Review conducted by: Chris Rainey, Fire Prevention Inspector

Town of Paradise  
Community Development Dept

FEB 04 2020

RECEIVED

Revised Site Plan Review permit application to sanction the legal establishment and three-phased development of a cat kennel facility to be operated by "Friends United in Rescue".

Development review was performed and the following comments were generated:

#### General:

1. Prior to final inspection or occupancy, hand portable fire extinguishers are required to be installed as directed by Town of Paradise Fire Department staff with a minimum rating of 2-A:10-B:C shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from normal paths of travel.
2. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus of 75,000 lbs. and shall be surfaced so as to provide all weather driving capabilities.
3. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches.
4. Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Town of Paradise Fire Department requirements and have specific plans and permits approved prior to installation.
5. All flammable vegetation shall be removed from each building site a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.
6. Knox emergency access key box is required at the main office building, with specific mounting locations approved by the Town of Paradise Fire Department. Recessed

mount key boxes are required. Premise keys for all buildings and areas shall be marked and placed in the box prior to final inspection to ensure emergency access. The building owner/occupants shall provide replacement keys whenever locks are changed.

7. The Town of Paradise is located in a Very-High Fire Hazard Severity Zone, all structures shall meet all the requirements of California Building Code Chapter 7A Materials and Construction Methods for exterior wildfire exposure.

Thank you,  
Chris Rainey  
Fire Prevention Inspector  
Town of Paradise  
530-872-6291 x304



## TOWN OF PARADISE DEVELOPMENT SERVICES DEPARTMENT

### DEVELOPMENT REVIEW REQUEST

**TO:** Fire, Onsite, Animal Control, CSS, PID

**FROM:** Susan Hartman, Acting Planning Director SH

**REQUEST:** Review and Comment

**DESCRIPTION OF PROJECT:** **Revised** Site Plan Review permit application to sanction the legal establishment and three-phased development of a cat kennel facility to be operated by "Friends United in Rescue".

**LOCATION:** 5050 Edgewood Lane, Paradise

**AP NOS.:** 055-240-013

**APPLICANT:** Mark & Catherine Fallon [Applicant & Owners];

**ENGINEER:** N/A

**CONTACT PHONE:** (530) 570-4185

**RETURN DATE REQUESTED:** 10 **February 4, 2020**

**DATE DISTRIBUTED:** **January 30, 2020**

Town of Paradise  
Community Development Dept  
FEB 10 2020

\*\*\*\*\***RECEIVED**\*\*\*\*\*

**DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?**

     YES        X   YES, WITH CONDITIONS           NO (EXPLAIN BELOW)

**COMMENTS AND/OR RECOMMENDED CONDITIONS:**

Backflow Required - order not installed

None - Potable water currently

**NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.**

**PLEASE MAKE A COPY FOR YOUR RECORDS.**

## TOWN OF PARADISE DEVELOPMENT SERVICES DEPARTMENT

### DEVELOPMENT REVIEW REQUEST

TO: Fire, Onsite, Eng., Animal Control, CSS, PID  
FROM: Susan Hartman, Acting Planning Director *SH*  
REQUEST: Review and Comment  
DESCRIPTION OF PROJECT: Site Plan Review permit application to sanction the legal establishment of a cat kennel facility to be operated by "Friends United in Rescue".  
LOCATION: 5050 Edgewood Lane, Paradise  
AP NOS.: 055-240-013  
APPLICANT: Mark & Catherine Fallon [Applicant & Owners];  
ENGINEER: N/A  
CONTACT PHONE: (530) 570-4185

Town of Paradise  
Community Development Dept

RETURN DATE REQUESTED: **October 4, 2019**

DATE DISTRIBUTED: **September 26, 2019**

OCT 08 2019

\*\*\*\*\***RECEIVED**\*\*\*\*\*  
DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES ☒ YES, WITH CONDITIONS ☐ NO (EXPLAIN BELOW)

#### COMMENTS AND/OR RECOMMENDED CONDITIONS:

WE HAVE HAD LONG STANDING ISSUES WITH THIS ENTITY; THEIR FACILITY IS EXTREMELY DIRTY,  
CAGES ARE NOT LARGE ENOUGH, ALL THE CATS ARE SICK, THEY ARE UNETHICALLY KEEPING FERAL CATS  
IN DOG KENNELS IN GROUPS TOGETHER, THEY ARE BREEDING CATS IN FROM OTHER COUNTIES,

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

CONT'D: THEY LACK THE PROPER KNOWLEDGE FOR SHELTERING / ISOLATION, CROSS CONTAMINATION, ETC.  
THEY ALSO ARE ILLEGALLY RECOMMENDING MEDICATIONS TO NEW ADOPTERS FOR THEIR SICK CATS.  
PARADISE ANIMAL CONTROL IS WORKING ON PRESSING CHARGES AGAINST F.U.R. w  
THE BUTTE COUNTY DISTRICT ATTORNEY'S OFFICE. - J. ROBBINS

## McGreehan, Al

---

**From:** Hartman, Susan  
**Sent:** Wednesday, February 26, 2020 10:03 AM  
**To:** McGreehan, Al  
**Subject:** FW: Kennel Permit



Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)

---

**From:** Robbins, Jennifer <jrobbins@townofparadise.com>  
**Sent:** Thursday, February 20, 2020 1:45 PM  
**To:** Trent, Rick <rtrent@townofparadise.com>; Deppe, Rick <rdeppe@townofparadise.com>; Hartman, Susan <shartman@townofparadise.com>  
**Subject:** Kennel Permit

I wanted to share our Muni-Codes regarding Animal Controls role in Kennel Permit process as far as application, denial, suspension, revocation:

### **6.28.020 - Application for license.**

C.

Upon the filing of each application hereunder, either for an original license or a renewal thereof, the supervisor of animal control or his designee shall make such investigation as he deems proper, which includes at a minimum those subjects listed under subsections A, B and C of Section 6.28.025.

### **5.15.030 - Rabies and animal control clearance required.**

No kennel license shall be issued unless proof has been presented that all dogs owned by the kennel owner or operator in the kennel have been vaccinated against rabies, nor shall any kennel license be issued until the town's animal control officer or his authorized representative has first issued a certificate that the kennel is operated in a sanitary and proper manner so as not to constitute a nuisance to the neighborhood. (Ord. 129 §5.15.030, 1985)

### **6.28.025 - Revocation, suspension or denial—Grounds—Procedure.**

D.

If it is determined by the director of animal control that the health and safety of any of the animals is in peril, he may suspend the license immediately, pending further review or a hearing as described in subsection A of th

section. Such immediate suspension does not prohibit or limit the licensee to pursue the appeal process, nor eliminate his rights to a hearing before the director of animal control. (Ord. 200 §2(part), 1990)

All of our agents, including myself, have voiced our concerns and disapproval of this cat kennel due to previous inspections. I believe with my comments from the last time I filed out my portion of the development review request form, I made clear statements, observations, concerns, which I think touch on all our municipal codes to stop this process.

Let me know.

-Jen

## McGreehan, Al

---

**From:** Hartman, Susan  
**Sent:** Tuesday, March 03, 2020 8:00 AM  
**To:** McGreehan, Al  
**Subject:** FW: 5050 Edgewood

FYI



Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)

---

**From:** Larson, Bob <[blarson@townofparadise.com](mailto:blarson@townofparadise.com)>  
**Sent:** Tuesday, March 3, 2020 7:59 AM  
**To:** Hartman, Susan <[shartman@townofparadise.com](mailto:shartman@townofparadise.com)>  
**Cc:** Cook, Debbie <[dcook@townofparadise.com](mailto:dcook@townofparadise.com)>  
**Subject:** 5050 Edgewood

FYI,

I have approved the LUR for a 3 bedroom residence and the proposed cat kennel with a maximum daily flow of 388 gpd. However, my accelera is down and I can not generate reports at this time. I will get you a copy once Stratti fixes my issues.

I am going to allow them to utilize the existing wastewater system for phase # 1 (cat kennel) noted in Haling and Associates report. They will be required to secure a new construction permit for the future 3 bedroom residence.

Bob Larson  
Onsite Sanitary Official  
Town of Paradise



# NOTICE OF EXEMPTION

**TO:** File – [PL19-00208]; AP No. 055-240-013

**FROM:** Town of Paradise, Community Development Department,  
Planning Division, 5555 Skyway, Paradise CA 95969

**PROJECT TITLE:** Fallon Site Plan Review Permit

**PROJECT APPLICANT:** Mark & Catherine Fallon [Owners]

**PROJECT LOCATION:** 5050 Edgewood Lane, Paradise, CA.

**PROJECT DESCRIPTION:** Proposed permit to sanction legal establishment and “three-phased” development of a cat kennel facility services land use.

**APPROVING PUBLIC  
AGENCY:** Town of Paradise

**PERSON OR AGENCY  
CARRYING OUT PROJECT:** Mark Fallon

**EXEMPT STATUS:**

- ☐ General Rule Exemption (Section 15061)
- ☐ Ministerial (Section 15268)
- ☐ Emergency Project (Section 15269)
- ☒ CEQA Exemption  
Section 15270

**REASON FOR EXEMPTION:** Project Disapproval

**CONTACT PERSON:** Susan Hartman, CDD Director  
(530) 872-6291

**SIGNATURE:**



\_\_\_\_\_  
Planning Director

Date: March 9, 2020

## McGreehan, Al

---

**From:** Hartman, Susan  
**Sent:** Monday, March 09, 2020 8:33 AM  
**To:** McGreehan, Al  
**Subject:** FW: Cat Kennel  
**Attachments:** EdgewoodLn-5050-Building.doc; EdgewoodLN-5050-Building.doc; EdgewoodLN-5050-Building X2.doc; EdgewoodLn-5050-CatKennel.doc



Susan Hartman  
Community Development Director  
Town of Paradise  
(530) 872-6291 ext. 114  
[shartman@townofparadise.com](mailto:shartman@townofparadise.com)

---

**From:** Trent, Rick <[rtrent@townofparadise.com](mailto:rtrent@townofparadise.com)>  
**Sent:** Monday, March 9, 2020 8:16 AM  
**To:** Hartman, Susan <[shartman@townofparadise.com](mailto:shartman@townofparadise.com)>  
**Subject:** Cat Kennel

Susan,

All of my photos for 5050 Edgewood are in the folder 1-Cat Kennel and date from my first visit on 2/21/19 to the last one on 1/22/20. On 1/22 I took photos of the "Stop Work Notice" and the small shed obviously being lived in and picture 101845 shows an unpermitted pump system running from the RVs to the original septic system up by the kennel. Rick Deppe was with me on 1/22/20, his photos showing the inside of the buildings and the unpermitted underground electrical are in folder 1-Cat Kennel-Deppe, Edgewood 5050. Attached are the NOVs for the kennel and buildings w/o permits and the first and second citations for the buildings, no citations were issued for the kennel.

Regards,

Rick Trent  
Code Enforcement Officer  
Town of Paradise  
530-872-6291 x-124

## TOWN OF PARADISE COURTESY NOTICE OF VIOLATION

Date: 8/1/2019 Time: 8:00 AM APN: 055-240-013

Address: 5050 Edgewood Lane, Paradise, Ca. 95969 Tenant: ☐

Tenant Mailing Address (if different):

Property Owner: Mark & Catherine Fallon ☐

Mailing Address (if different):

The Paradise Municipal Code (PMC) was adopted to promote and ensure the public health, safety and general welfare of our residents. Town staff has identified the following violation(s) which must be corrected:

### **PMC 17.04.500**

"Kennel" means any LOT, BUILDING, STRUCTURE, or premises whereon or wherein five (5) or more dogs or five (5) or more cats, over the age of four (4) months are kept or maintained for any purpose. Kennel definition shall not be construed as applying to a duly licensed veterinary hospital or public animal shelter.

The keeping of more than 5 cats over the age of 4 months without the permits required for your zoning (AR-3) is a violation of the zoning ordinance. Your zoning may allow for an indoor or outdoor kennel subject to the approval and/or conditions of the respective site plan review or conditional use permit. A completed kennel application must be received within 3 days of the date of this notice. Failure to comply may result in a citation.

Delivered To: Property Owner/Tenant (date) 8/1/2019 and/or Date Posted: 8/1/2019  
and/or Date Mailed to Owner:                      and/or Date Mailed to Tenant:                     

**FULL COMPLIANCE MUST BE ACHIEVED WITHIN 3 DAYS.**

**IMPORTANT INFORMATION ON THE REVERSE SIDE OF THIS NOTICE.**

**UNLESS CORRECTED, PROPERTY OWNER AND ANY TENANT MAY BE CITED.**

Thank you for your help and civic pride in the Town of Paradise. Although we regret any inconvenience that this action may cause you, it is in your best interest to attain compliance. If any items involve health and safety, those items shall be corrected immediately. A complete copy of the code pertaining to the above may be obtained from the Town Clerk. If you have any questions, please do not hesitate to call me.

**Rick Trent, Town of Paradise Code Enforcement Officer • 5555 Skyway, Paradise, CA 95969**  
**Telephone (530) 872-6291 (extension 124) • E-mail: [rtrent@townofparadise.com](mailto:rtrent@townofparadise.com)**

## TOWN OF PARADISE COURTESY NOTICE OF VIOLATION

Date: 8/1/2019 Time: 8:00AM APN: 055-240-013

Address: 5050 Edgewood Lane, Paradise, Ca. 95969 Tenant: ☐

Tenant Mailing Address (if different):

Property Owner: Mark & Catherine Fallon ☐

Mailing Address (if different):

The Paradise Municipal Code (PMC) was adopted to promote and ensure the public health, safety and general welfare of our residents. Town staff has identified the following violation(s) which must be corrected:

**15.02.210 (a)** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any real property, building, structure, or building service equipment or cause or permit the same to be done in violation of Title 15 of the Paradise Municipal Code (PMC), this code or the technical codes as amended and adopted by the town.

Permits are required for the red metal building constructed on the west side of your property. Please contact the Town of Paradise Building Department within 3 days of this notice to begin the application process. A complete application with building and plot plans must be submitted within 30 days of this notice. Failure to comply may result in a citation. Please help us to rebuild Paradise protecting public health, safety and the general welfare for all residents.

Delivered To: Property Owner (date) 8/1/2019 and/or Date Posted: 8/1/2019  
and/or Date Mailed to Owner:      and/or Date Mailed to Tenant:     

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**Rick Trent, Town of Paradise Code Enforcement Officer • 5555 Skyway, Paradise, CA 95969**  
**Telephone (530) 872-6291 (extension 124) • E-mail: [rtrent@townofparadise.com](mailto:rtrent@townofparadise.com)**

# TOWN OF PARADISE NOTICE OF VIOLATION ADMINISTRATIVE CITATION

|   |               |                                |
|---|---------------|--------------------------------|
| DATE OF VIOLATION:<br>11/25/2019                          | TIME:<br>0900 | CITATION NUMBER:<br>19112502RT |
| NAME:<br>Mark and Catherine Fallon                        |               |                                |
| ADDRESS:<br>5050 Edgewood Lane                            |               |                                |
| CITY:<br>Paradise   | STATE:<br>CA  | ZIP CODE:<br>95969             |
| LOCATION OF VIOLATION(S) IF DIFFERENT THAN ABOVE ADDRESS: |               | APN:<br>055-240-013            |

## PARADISE MUNICIPAL CODE (PMC) VIOLATION(S):

**15.02.210 (a)** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any real property, building, structure, or building service equipment or cause or permit the same to be done in violation of Title 15 of the Paradise Municipal Code (PMC), this code or the technical codes as amended and adopted by the town.

Permits are required for the metal buildings (2) constructed on the west side of your property. A complete application with building and plot plans must be submitted within 30 days of this notice. Failure to comply may result in additional citations. Please help us to rebuild Paradise while protecting the public health, safety and general welfare of all residents.

## PENALTY AMOUNT (FOR EACH COUNT)

**X** 1st Citation \$100.00      2nd Citation \$200.00      3rd and Subsequent Citation(s) \$500.00

(PENALTIES PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 36900)

**\$100.00 TOTAL PENALTY DUE WITHIN THIRTY (30) DAYS.**

FAILURE TO PAY THE PENALTY WILL RESULT IN 100% ADDITIONAL  
PENALTY AND RECORDED LIEN AGAINST ANY REAL PROPERTY.  
**YOU CAN BE CITED EACH AND EVERY DAY THE VIOLATION(S) EXISTS.**

**IMPORTANT INFORMATION:** ORDER, PENALTY INFORMATION, PAYMENT AND APPEAL PROCEDURES ARE PRINTED ON THE **REVERSE SIDE** OF THIS CITATION. PENALTIES SHALL BE DUE AND PAYABLE WITHIN 30 DAYS AFTER ISSUANCE OF THE CITATION. PLEASE WRITE THE ABOVE CITATION NUMBER ON THE CHECK OR MONEY ORDER (CASH OR CREDIT CARDS ARE ALSO ACCEPTABLE) AND **MAKE PAYABLE TO THE "TOWN OF PARADISE."**

SIGNATURE OF CODE ENFORCEMENT OFFICER:

DATE ISSUED:

11/25/2019

Rick Trent, Code Enforcement Officer (530)872-6291 ext.124

# TOWN OF PARADISE NOTICE OF VIOLATION ADMINISTRATIVE CITATION

|   |               |                                |
|---|---------------|--------------------------------|
| DATE OF VIOLATION:<br>1/21/2020                           | TIME:<br>0900 | CITATION NUMBER:<br>20012101RT |
| NAME:<br>Mark and Catherine Fallon                        |               |                                |
| ADDRESS:<br>5050 Edgewood Lane                            |               |                                |
| CITY:<br>Paradise   | STATE:<br>CA  | ZIP CODE:<br>95969             |
| LOCATION OF VIOLATION(S) IF DIFFERENT THAN ABOVE ADDRESS: |               | APN:<br>055-240-013            |

## PARADISE MUNICIPAL CODE (PMC) VIOLATION(S):

**15.02.210 (a)** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any real property, building, structure, or building service equipment or cause or permit the same to be done in violation of Title 15 of the Paradise Municipal Code (PMC), this code or the technical codes as amended and adopted by the town.

Permits are required for the metal buildings (2) constructed on the west side of your property. A complete application with building and plot plans must be submitted within 30 days of this notice. Failure to comply may result in additional citations. Please help us to rebuild Paradise while protecting the public health, safety and general welfare of all residents.

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1st Citation \$100.00

**X** 2nd Citation \$200.00

3rd and Subsequent Citation(s) \$500.00

(PENALTIES PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 36900)

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SIGNATURE OF CODE ENFORCEMENT OFFICER:

DATE ISSUED:

1/21/2020

Rick Trent, Code Enforcement Officer (530)872-6291 ext.124



