

Butte Fire Center Replacement Project

CEQA Findings of Fact and Statement of Overriding Considerations

State Clearinghouse No. 202509017

California Department of Forestry and Fire Protection

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LIST OF ABBREVIATIONS

BFC	Butte Fire Center
CAL FIRE	California Department of Forestry and Fire Protection
CCC	California Conservation Corps
CEQA	California Environmental Quality Act
DGS	California Department of General Services
EIR	Environmental Impact Report
IS/MND	Initial Study/Mitigated Negative Declaration
MMRP	Mitigation Monitoring and Reporting Program
NOP	Notice of Preparation
SEIR	Subsequent EIR

1 INTRODUCTION

These findings have been prepared on behalf of the California Department of Forestry and Fire Protection (CAL FIRE) (the lead agency) for the proposed Butte Fire Center (BFC) Replacement Project, for which an environmental impact report (EIR) was prepared pursuant to California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq.). Approval of a project with significant impacts requires that findings be made by the lead agency pursuant to CEQA and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3) Sections 15043, 15091, and 15093. Pursuant to CEQA Guidelines Section 15092(b), a public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either: (1) the project as approved will not have a significant effect on the environment, or (2) the agency has eliminated or substantially lessened all significant effects on the environment, where feasible, and determined that any significant unavoidable effects are acceptable due to overriding concerns. A Statement of Overriding Considerations, which documents the rationale for approval of a project despite its significant unavoidable effects, must be supported by substantial evidence in the administrative record. The Statement of Overriding Considerations is a written statement explaining the specific reasons why the social, economic, legal, technical, or other beneficial aspects of the proposed project outweigh the unavoidable adverse environmental impacts and why the Lead Agency is willing to accept such impacts. This statement shall be based on the final EIR and/or other substantial evidence in the record.

These findings are organized as follows:

- ▶ **Findings for Less-Than-Significant Impacts and Areas of No Impact:** This section provides CAL FIRE's findings associated with impacts identified as "no impact" or "less than significant" in the Final EIR.
- ▶ **Findings for Significant, Potentially Significant, and Cumulatively Significant Impacts Reduced to Less Than Significant Levels through Mitigation Measures:** This section provides CAL FIRE's findings with respect to impacts identified as significant or potentially significant that are reduced to less than significant levels through the adoption of feasible mitigation measures identified in the EIR. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.
- ▶ **Findings for Significant and Unavoidable Impacts:** This section provides CAL FIRE's findings with respect to impacts determined to be significant and unavoidable even with the adoption of feasible mitigation measures. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.
- ▶ **Findings Associated with Project Alternatives:** This section sets forth CAL FIRE's findings with respect to alternatives to the project that were evaluated in the Final EIR. These findings are made pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091.
- ▶ **Statement of Overriding Considerations:** This section sets forth CAL FIRE's "statement of overriding considerations" concerning the project and the acceptance of its significant and unavoidable impacts pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093.
- ▶ **Mitigation Monitoring and Reporting Program:** This section includes the Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures proposed for adoption. In adopting these findings, CAL FIRE hereby commits to implement the MMRP pursuant to CEQA Guidelines Section 15097. The MMRP is included in Attachment A.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091 state that no public agency shall approve or carry out a project for which a certified EIR identifies one or more significant environmental effects of the project, unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings, which must be supported by substantial evidence in the record, include:

- 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

When making the findings required in subdivision (1), the agency shall also adopt a program for reporting on or monitoring the changes required in the project to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

The mitigation measures required of the BFC Replacement Project are listed in the MMRP (Attachment A). The MMRP is adopted concurrently with these findings, as required by CEQA Section 21081.6(a)(1), and will be implemented throughout all phases of the project, including design, construction, and operation. CAL FIRE will use the MMRP to track compliance with all mitigation measures.

These findings constitute CAL FIRE's evidentiary and policy basis for its decision to approve the proposed BFC Replacement Project in a manner consistent with CEQA. These findings are not merely informational but constitute a binding set of obligations that will come into effect when CAL FIRE approves the project (Public Resources Code Section 21081.6(b)). The mitigation measures identified as feasible and within CAL FIRE's authority to implement for the approved project become part of the MMRP. CAL FIRE will enforce implementation of the mitigation measures. CAL FIRE, upon review of the Final EIR (which includes the Draft EIR) and based on all the information and evidence in the administrative record, hereby makes the findings set forth herein.

2 PROJECT DESCRIPTION

2.1 BACKGROUND AND NEED FOR THE PROJECT

In October 2021, the California Department of Forestry and Fire Protection (CAL FIRE) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the BFC Replacement Project. The project proposed the partial demolition and reconstruction of the facilities and structures associated with the BFC, a California Conservation Corps (CCC)/CAL FIRE joint fire base. The IS/MND identified mitigation measures for biological resources, cultural resources, geological resources (paleontological), hazardous materials, and tribal cultural resources. The IS/MND was approved/adopted by CAL FIRE on December 14, 2021. Since then, a statewide historical evaluation of all CAL FIRE facilities has been prepared. The evaluation contained a review of built environment structures and recommended that the BFC is eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and as a California Historical Landmark for its contribution to history and its architecture. As a result, impacts related to demolition and/or removal of any listed or eligible built environment resources must be evaluated through the preparation of an EIR.

2.2 PROJECT OBJECTIVES

As CEQA lead agency, CAL FIRE has selected the following project objectives, consistent with those identified in the 2021 IS/MND. Minor grammatical corrections are reflected below in underline. The objectives of the project are to:

- ▶ Continue to support the mission of the CCC and the revenue stream generated from its activities.
- ▶ Respond to wildland fires, search and rescue, and flood fighting incidents as well as fire hazard reduction and other community projects.
- ▶ Provide training and supervision of fire crews and forest practice operations.
- ▶ Continue to operate and provide employment associated with the site's training program and auto repair shop.
- ▶ Modernize the facility to meet current building standards and support equipment needs.
- ▶ Increase CAL FIRE capacity to serve the region and provide adequate protection during fire events.

2.3 CHARACTERISTICS OF THE PROJECT

As mentioned above, the project would involve the demolition of 22 buildings and structures and four water tanks, as well as the construction and renovation of the existing CCC/CAL FIRE multi-building complex. Eleven buildings and structures would be retained: three dormitories, mess hall, two apparatus garages, electrical gear building (west of the two apparatus garages), saw/tool shop, two equipment storage structures (directly west of current greenhouse), and a portable building. Construction activities would occur under four sequences (two demolition and two construction sequences).

The project would include construction of 20 new buildings, four solar photovoltaic covered parking canopies, one fueling area canopy and one vehicle wash area canopy. Construction activities would occur within a 16-acre area of the project site and would result in 67,331 square feet of new structures including an administrative building, captain's barracks, laundry building, training building, auto shop, warehouse, six crew dormitory buildings, apparatus garages, electric building, and a multi-purpose building.

Additionally, the main driveway off Steiffer Road, located at the southwest corner of the project site, would be repaved and widened to ease traffic flow. A new (paved) internal road would connect facilities via the PG&E easement. The gravel road to the Captain's barracks would be upgraded (paved), and a central gravel staging area

would be paved to form a loop road for better vehicle circulation. A new overflow staging area would be added in the south after demolishing existing structures. The project includes 234 dedicated parking spaces.

2.3.1 California Department of Forestry and Fire Protection Discretionary Approvals

The following actions are proposed and referred to collectively as the project approvals.

- ▶ Certification of the Final EIR
- ▶ Adoption of these findings and the MMRP
- ▶ Approval of the project

2.3.2 Trustee and Responsible Agencies

The following agencies are acting as responsible agencies pursuant to CEQA Guidelines Sections 15381 and 15386, respectively. No designated trustee agencies would provide approvals for the proposed project.

Responsible Agency	Discretionary Approval
State Historic Preservation Officer (SHPO)	SHPO consultation and PRC 5024.5 concurrence
Central Valley Regional Water Quality Control Board	Construction General Permit
Butte County Air Quality Management District	Air Permit Authority to Construct Permit
Butte County Public Health Department	Wastewater Permit
State Fire Marshal	Fire suppression and code compliance review
Division of the State Architect	Approval for Americans with Disabilities Act

3 PROCEDURAL HISTORY

- ▶ In October 2021, DGS on behalf of CAL FIRE prepared an IS/MND for the BFC Replacement Project. The IS/MND was adopted by CAL FIRE and the project was approved in December 2021 (State Clearinghouse Number 2021100194). As a result of the statewide historical evaluation which recommended the BFC as an eligible historical resource, impacts related to demolition and/or removal of any listed or eligible built environment resources must be evaluated through the preparation of an EIR.
- ▶ CAL FIRE prepared and filed a Notice of Preparation (NOP) for an EIR on September 19, 2025 for the BFC Replacement Project. The NOP was sent to the California State Clearinghouse, responsible agencies, interested parties and organizations, and private organizations and individuals that could have interest in the project. The NOP was available on the CAL FIRE website at: <https://calfire.app.box.com/s/6uzjbg146cfn018h1jw98871hp740x7t/folder/238725157425>. A scoping meeting or public review hearing were not held for this project.
- ▶ CAL FIRE completed and distributed a Draft EIR for the proposed project; it was released on March 23, 2026 for public review and comment for a 45-day review period, which concluded May 5, 2026. The Draft EIR was posted at the State Clearinghouse and the Notice of Availability of the EIR was published in the Chico-Enterprise Record on March 21, 2026 and mailed to relevant public agencies, responsible agencies, and all interested parties. The Draft EIR was available at the DGS Environmental Services Section office at 707 3rd Street, West Sacramento, on the CAL FIRE website at: <https://calfire.app.box.com/s/6uzjbg146cfn018h1jw98871hp740x7t/folder/238725157425>.
- ▶ CAL FIRE received no written comments on the Draft EIR during the comment period. The Final EIR contains an overview of the project and the Mitigation Monitoring and Reporting Plan.

4 RECORD OF PROCEEDINGS

In accordance with CEQA Section 21167.6(e), the record of proceedings for CAL FIRE's decision on the BFC Replacement Project includes, without limitation, the following documents:

- ▶ The IS/MND for the BFC Replacement Project, adopted by CAL FIRE in December 2021 (State Clearinghouse Number 2021100194).
- ▶ The NOP (September 19, 2025), NOA, NOC, and all other public notices issued by CAL FIRE in conjunction with the scoping period for the proposed project (provided in Appendix A of the Draft EIR in CD format);
- ▶ The Draft EIR (March 23, 2026) for the project, which was circulated for a 45-day public review period that began on March 23, 2026 and ended on May 6, 2026 (State Clearinghouse No. 2025090917);
- ▶ The Final EIR (2026) for the project;
- ▶ Documents cited or referenced in the Draft and Final EIRs;
- ▶ The MMRP for the project (Attachment A to these Findings);
- ▶ All findings, statement of overriding considerations, and resolutions adopted by CAL FIRE in connection with the project and all documents cited or referred to therein;
- ▶ All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by CAL FIRE, consultants to CAL FIRE, or responsible or trustee agencies with respect to CAL FIRE's compliance with the requirements of CEQA and with respect to CAL FIRE's action on the project;
- ▶ All documents submitted to CAL FIRE by other public agencies or members of the public in connection with the project up through final consideration of project approval;
- ▶ Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The official custodian of the documents comprising the record of proceedings is the Department of General Services, Environmental Services Section, located at 707 3rd Street, West Sacramento, CA 95605. All files have been available to CAL FIRE and the public for review in considering these findings and whether to approve the project.

5 FINDINGS REQUIRED UNDER CEQA

Sections 5.1 through 5.4 below contain CAL FIRE's findings with respect to the environmental impacts of the project pursuant to the requirements of Public Resources Code 21002 and 21081 and CEQA Guidelines Sections 15091 and 15097.

The mandate and principles in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first such finding is that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR (CEQA Guidelines, Section 15091(a)(1)). For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level.

The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by such other agency or can and should be adopted by such other agency (CEQA Guidelines, Section 15091(a)(2)).

The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR (CEQA Guidelines, Section 15091(a)(3)). "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors (CEQA Guidelines, Section 15364). The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, "feasibility" under CEQA encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors" (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417).

The Final EIR, is hereby incorporated by reference into these findings without limitation. This incorporation is intended to address the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the project despite the potential for associated significant and unavoidable impacts

5.1 LESS-THAN-SIGNIFICANT IMPACTS AND AREAS OF NO IMPACT

CAL FIRE agrees with the characterization described in Chapter 3, "Environmental Impacts and Mitigation Measures" of the Final EIR with respect to the resource areas not evaluated further by having a less-than-significant or no impact identified in the 2021 IS/MND. CAL FIRE agrees with the characterization of impacts identified as less than significant in Chapter 3 of the Final EIR and finds that those impacts have been described accurately and are less than significant as described in the Final EIR. CAL FIRE also agrees with determinations made in "Environmental Resource Categories Not Evaluated Further" section in Chapter 3 of the EIR that identified issues or thresholds of significance that are not applicable or that would have no impact due to the BFC Replacement Project.

This finding applies to the following environmental resource topics evaluated under Appendix G checklist questions in the 2021 IS/MND, each determined to be less than significant (no mitigation required).

- Aesthetics (less than significant for all Appendix G checklist questions)

- ▶ Agriculture and Forestry Resources (less than significant for all Appendix G checklist questions)
- ▶ Air Quality (less than significant for all Appendix G checklist questions)
- ▶ Biological Resources (less than significant for questions related to riparian habitat or other sensitive natural communities, wetlands, wildlife movement and migratory corridors, conflicts with local biological policies, and habitat conservation plans)
- ▶ Energy (less than significant for all Appendix G checklist questions)
- ▶ Geology and Soils (less than significant for questions related to seismic shaking and liquefaction, soil erosion, unstable soil, expansive soil, and septic tank use)
- ▶ Greenhouse Gas Emissions (less than significant for all Appendix G checklist questions)
- ▶ Hazards and Hazardous Materials (less than significant for questions related to hazardous emissions near a school, sites on the Cortese List, located within two miles of an airport, or interference with an adopted emergency response plan, and wildland fires)
- ▶ Hydrology and Water Quality (less than significant for all Appendix G checklist questions)
- ▶ Land Use and Planning (less than significant for all Appendix G checklist questions)
- ▶ Mineral Resources (less than significant for all Appendix G checklist questions)
- ▶ Noise (less than significant for all Appendix G checklist questions)
- ▶ Population and Housing (less than significant for all Appendix G checklist questions)
- ▶ Public Services (less than significant for all Appendix G checklist questions)
- ▶ Recreation (less than significant for all Appendix G checklist questions)
- ▶ Transportation (less than significant for all Appendix G checklist questions)
- ▶ Utilities and Service Systems (less than significant for all Appendix G checklist questions)
- ▶ Wildfire (less than significant for all Appendix G checklist questions)

5.2 SIGNIFICANT, POTENTIALLY SIGNIFICANT, AND CUMULATIVELY SIGNIFICANT IMPACTS REDUCED TO LESS THAN SIGNIFICANT LEVELS THROUGH MITIGATION MEASURES

CAL FIRE agrees with the characterization in the Final EIR and 2021 IS/MND with respect to all impacts identified as significant or potentially significant that will be reduced to less-than-significant levels with implementation of the mitigation measures identified in the Final EIR and MMRP. In accordance with CEQA Guidelines Section 15091(a), a specific finding is made for each impact and its associated mitigation measures in the discussions below.

5.2.1 2021 IS/MND and Draft EIR Section 3.0

BIOLOGICAL RESOURCES

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

Mitigation Measure BIO-1: Worker Environmental Awareness Program

Prior to initial demolition activities, a qualified biologist shall conduct a mandatory Worker Environmental Awareness Program for all contractors, work crews, and any onsite personnel to aid workers in recognizing special-status species and sensitive biological resources that may occur onsite. The program shall include identification of the special status species and their habitats, a description of the regulator status and general ecological characteristics of sensitive resources, and review of the limits of construction and Mitigation Measures required to reduce impacts to biological resources within the work area.

Mitigation Measure PLANT-1: Special-Status Plant Surveys

A qualified biologist shall perform floristic plant surveys according to USFWS, CDFW, and CNPS protocols prior to construction, timed according to the appropriate phenological stage for identifying target species. Known reference populations shall be visited or local herbaria records shall be reviewed, if available, prior to surveys to confirm the phenological stage of the target species. If no special-status plants are found within the project site, no further measures pertaining to special-status plants are necessary.

Mitigation Measure PLANT-2: Special-Status Plant Avoidance

If special status plants are identified within 25 feet of the project impact area, the following mitigation measures shall be required:

- ▶ If avoidance of special-status plants is feasible, the project proponent shall establish and clearly demarcate avoidance zones for special-status plant occurrences prior to construction. Avoidance zones shall include the extent of the special-status plants plus a 25-foot buffer, unless otherwise determined by a qualified biologist, and shall be maintained until the completion of construction. A qualified biologist/biological monitor shall be present if work must occur within the avoidance buffer to ensure special-status plants are not adversely affected by the work.
- ▶ If avoidance of special-status plants is not feasible, the project proponent shall mitigate for significant impacts to special-status plants. Mitigation measures shall be developed in consultation with CDFW. Mitigation measures may include permanent preservation of onsite or offsite habitat for special-status plants or translocation of plants or seeds from impacted areas to unaffected habitats.

Mitigation Measure BIRD-1: Pre-Construction Nesting Bird Survey for Raptors

If construction is to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey of all suitable nesting habitat on the project site within 14 days of the commencement of construction. The survey shall be conducted within a 500-foot radius of project work area for raptors. If any active nests are observed, these nests shall be designated a sensitive area and protected by an avoidance buffer established in coordination with CDFW until the breeding season has ended or until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival. Pre-construction nesting surveys are not required for construction activity outside the nesting season.

Mitigation Measure BIRD-2: Pre-Construction Nesting Bird Survey for Non-Raptors

If construction is to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey of all suitable nesting habitat on the project site within 14 days of the commencement of construction. The survey shall be conducted within a 100-foot radius of project work. If any active nests are observed, these nests shall be designated a sensitive area and protected by an avoidance buffer established in coordination with CDFW until the breeding season has ended or until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival. Pre-construction nesting surveys are not required for construction activity outside the nesting season.

Mitigation Measure BAT-1: Special-Status Bat Surveys

Within 14 days prior to project activities that may impact bat roosting habitat (e.g., removal of manmade structures or trees), a qualified biologist shall survey for all suitable roosting habitat within the project impact limits. If suitable roosting habitat is not identified, no further measures are necessary. If suitable roosting habitat is identified, a qualified biologist shall conduct an evening bat emergence survey that may include acoustic monitoring to determine whether or not bats are present. If roosting bats are determined to be present within the project site, consultation with CDFW prior to initiation of construction activities or preparation of a Bat Management Plan outlining avoidance and minimization measures specific to the roost(s) potentially affected shall be required.

Finding: Implementation of Mitigation Measures BIO-1, PLANT-1, PLANT-2, BIRD-1, and BAT-1, which have been required, would avoid, minimize or compensate for potential effects on special-status plants and wildlife by conducting a mandatory Worker Environmental Awareness Program for all contractors, work crews, and any onsite personnel; by performing floristic plant surveys according to USFWS, CDFW, and CNPS protocols prior to construction; by establishing and demarcating avoidance zones for special-status plant occurrences if avoidance is feasible and mitigate for significant impacts to special-status plants if avoidance is not feasible; by conducting pre-construction nesting bird surveys for raptors and non-raptors of all suitable nesting habitat on the project site if construction is to occur during nesting season; and by surveying all suitable roosting habitat within project impact limits. CAL FIRE, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact to a **less-than-significant** level as identified in the Final EIR. (Draft EIR page 3-4 through 3-6)

GEOLOGY AND SOILS

Appendix G Question f) – Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Mitigation Measure GEO-1: Discovery of Unknown Paleontological Resources

If any paleontological resources (i.e., fossils) are found during project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until CAL FIRE is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples should be collected and processed to determine the small fossil potential on the project site. If CAL FIRE resumes work in a location where paleontological remains have been discovered and cleared, CAL FIRE shall have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological resources are in the area. Any fossil materials uncovered during mitigation activities shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

Finding: Implementation of Mitigation Measure GEO-1, which has been required, would reduce potential impacts related to paleontological resources by halting construction immediately and isolating the area if any paleontological resources are found during project construction. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment. CAL FIRE, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact to a **less-than-significant** level as identified in the Final EIR. (Draft EIR page 3-6 through 3-7)

HAZARDS AND HAZARDOUS MATERIALS

Appendix G Question a) – Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Mitigation Measure HAZ-1: Hazardous Materials Survey Compliance

The proposed project shall comply with all recommendations outlined in the Hazardous Materials Survey, as well as all pertinent NESHAP regulations and Cal/OSHA guidelines regarding the proper removal and disposal of hazardous materials from the project site.

Appendix G Question b) – Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Mitigation Measure HAZ-2: Dust Prevention

The project geologist shall prevent potential NOA [naturally occurring asbestos] from becoming airborne by minimizing prolonged exposure of uncovered earth in multiple areas. If ultramafic rock is or must become exposed to the air, then the following procedures must be put into effect. Water support, in the form of a water truck or mobile storage tank, shall be used in regular intervals to keep the open earth area wet and dust free. Proper signage noting the possibility of NOA and required PPE shall be posted in the area. PPE including coveralls and respirators shall be worn by all workers in the area. These procedures shall be followed as long as ultramafic rock is exposed and can be terminated when the rock is again covered with fill.

Finding: Implementation of Mitigation Measures HAZ-1 and HAZ-2, which have been required, would reduce potential impacts associated with hazardous materials and NOA exposure by ensuring compliance with recommendations outlined in the Hazardous Material Survey, NESHAP regulations, and Cal/OSHA guidelines regarding the proper removal and disposal of hazardous materials; and by requiring procedures in the event that ultramafic rock is or must become exposed to the air. CAL FIRE, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact to a **less-than-significant** level as identified in the Final EIR. (Draft EIR page 3-8 through 3-9)

5.2.2 Final EIR

CULTURAL AND TRIBAL CULTURAL RESOURCES

Impact 3.1-2: Cause a Substantial Adverse Change in the Significance of Unique Archaeological Resources or Human Remains

Mitigation Measure CUL-1: Unanticipated Discovery

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

1. If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.
2. If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the archaeologist shall immediately notify CAL FIRE and DGS. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the

find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a Historic Property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction.

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

Finding: Implementation of the 2021 IS/MND Mitigation Measure CUL-1, which has been required, would reduce impacts associated with archaeological and human remains by requiring the performance of professionally accepted and legally compliant procedures for the discovery and protection of previously undocumented significant archaeological resources and human remains. CAL FIRE, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact to a **less-than-significant level** as identified in the Final EIR. (Draft EIR page 3.1-15 through 3.1-16)

Impact 3.1-3: Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource

Mitigation Measure TCR-1: Unanticipated Discoveries

If subsurface deposits are encountered which represent a Native American or potentially Native American resource that does not include human remains, all work shall cease in the vicinity of the find and the contractor shall immediately contact CAL FIRE and DGS and coordinate to contact a member of a culturally affiliated tribe. If the tribal representative determines the find is a TCR, the tribe, CAL FIRE, and DGS shall consult on appropriate treatment measures. Preservation in place is the preferred treatment, if feasible. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Tribal Cultural Resource or a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to their satisfaction. This Mitigation Measure shall be implemented in conjunction with Mitigation Measure CUL-1.

Finding: Implementation of the 2021 IS/MND Mitigation Measure TCR-1, which has been required, would reduce impacts associated with tribal cultural resources by requiring appropriate treatment and proper care of tribal cultural resources, in the case of discovery. CAL FIRE, therefore, finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental impact to a **less-than-significant level** as identified in the Final EIR. (Draft EIR page 3.1-17)

5.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

CAL FIRE agrees with the characterization in the Final EIR with respect to all impacts identified as significant and unavoidable. For this project, the following impact was identified as significant and unavoidable. That is, this impact remains significant, despite the incorporation of all feasible mitigation measures to substantially lessen or avoid the impact. In accordance with CEQA Guidelines Section 15091(a), a specific finding is made for the single significant and unavoidable impact and its associated mitigation measures in the discussions below.

5.3.1 Final EIR Section 3.1

CULTURAL AND TRIBAL CULTURAL RESOURCES

Impact 3.1-1: Cause a Substantial Adverse Change in the Significance of a Historical Resource

Mitigation Measure 3.1-1a: Document historic district prior to removal.

CAL FIRE shall complete Historic American Building Survey documentation of the historic district before any demolition work is conducted. Documentation shall consist of written history of the property, plans and drawings of the historic resources, and photographs, as described below:

- ▶ **Written History.** The report shall be reproduced on archival bond paper.
- ▶ **Plans and Drawings.** An architectural historian (or historical architect, as appropriate) shall conduct research into the availability of plans and drawings of the historic district as the district currently exists. If such plans/drawings exist, their usefulness as documentation for the district shall be evaluated by the architectural historian. If deemed adequate, the plans/drawings shall be reproduced on archival mylar. If no plans/drawings are available, or if the existing plans/drawings are not found to be useful in documenting the historic resource, a historical architect shall prepare dimensioned plans and exterior elevations of the building. A combination of existing and new drawings is acceptable. All drawings shall be reproduced on archival mylar.
 - The architectural historian shall conduct research into the existence of the original architectural plans and drawings of the district. If found, the plans shall be reproduced on archival mylar. Alternatively, the architectural plans can be scanned and saved as TIFF files. The scanning resolution shall be not less than 300 dpi.
 - All digital files, including drawing files, shall be saved on media and labeled following the Secretary's Standards and Guidelines for Archeology and Historic Preservation Digital Photography Specifications.
- ▶ **Photographs.** Digital photographs shall be taken of the historic district following the Secretary's Standards and Guidelines for Archeology and Historic Preservation Digital Photography Standards.

The documentation shall be prepared by an architectural historian, or historical architect as appropriate, meeting the Secretary's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The documentation shall be submitted to the Butte County Library, the Butte County Historical Society, the Northeast Information Center, and the CAL FIRE headquarters in Sacramento.

Mitigation 3.1-1b: Butte Fire Center interpretation.

CAL FIRE will create an interpretive resource outlining the historic district's historic status, historic context, and significance. This resource will be available in a digital and/or physical format for public engagement and may be shared with a relevant local organization such as Butte County Historical Association. It will also be made available as part of CAL FIRE and CCC training materials at the site.

Mitigation Measure 3.1-1c: Salvage of usable materials.

Prior to the issuance of demolition, building, or site permits that would remove 22 buildings and structures from the historic district, CAL FIRE shall prepare and submit a list of features that may be salvaged, in whole or in part, during demolition or alteration. This plan shall be prepared by a professional familiar with architectural salvage or under the guidance of a professional who meets the standards for history, architectural history, or architecture as set forth by the Secretary of the Interior's Professional Qualification Standards. The project proponent shall make a good faith effort to salvage and protect materials of historical interest to be used as part of the interpretive program (if required), incorporated into the architecture of new buildings that will be constructed on the site, if feasible used at another CAL FIRE facility, or offered to non-profit or cultural affiliated groups. If this proves infeasible, the sponsor shall attempt to donate significant character-defining features or features of interpretive or historical interest to a historical organization or other educational or artistic group. CAL FIRE shall prepare a salvage plan for review and approval by DGS staff prior to issuance of any site demolition permit. If transfer or donation of salvaged materials are declined by groups, then the project proponent shall have met the intent of the Salvage Plan.

Finding: Implementation of Mitigation Measures 3.1-1a through 3.1-1c, which have been required, would reduce the impacts related to the loss of the historic district through structure documentation, creation of an interpretive resource, and salvage of useable materials; however, the historic district would no longer exist as a result of the project, and impacts to the historical resources would remain significant and unavoidable. CAL FIRE finds that although changes or alterations have been required in or incorporated into, the project that substantially lessen the significant environmental impact, this impact would remain significant and unavoidable after implementation of mitigation. (Draft EIR pages 3.1-14 through 3.1-15)

Impact 3.2-4: Potential to Contribute to a Significant Cumulative Impact to Cultural Resources**Mitigation Measures**

Implement Mitigation Measures 3.1-1a, 3.1-1b, and 3.1-1c, CUL-1, and TRC-1 (see findings above regarding these mitigation measures).

Finding: Implementation of Mitigation Measures 3.1-1a, 3.1-1b, and 3.1-1c, CUL-1, and TRC-1, which have been required, would reduce the project's contribution to cumulative archaeological resources, human remains, and tribal cultural resources impacts to a less-than-significant level. However, because the project would result in permanent removal of a historical district, cumulative impacts to cultural resources as a whole would be significant and unavoidable. CAL FIRE finds that although changes or alterations have been required in, or incorporated into, the project that substantially lessen the significant environmental impact, this impact would remain significant and unavoidable after implementation of mitigation. (Draft EIR pages 3.1-17 through 3.1-18)

5.4 FINDINGS ASSOCIATED WITH PROJECT ALTERNATIVES

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, an alternative may ultimately

be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.).

“‘[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible, or if the alternative does not meet the objectives for the project.

All of the environmental impacts associated with the project would be substantially lessened or avoided with the adoption of the mitigation measures set forth in these findings, with the exception of Impact 3.1-1 (Cause a Substantial Adverse Change in the Significance of a Historical Resource) and Impact 3.2-4 (Potential to Contribute to a Significant Cumulative Impact to Cultural Resources). CAL FIRE’s goal in evaluating the project alternatives was to select an alternative that feasibly attains the project objectives, while further reducing the project’s significant and unavoidable impacts.

CEQA Guidelines require that an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly obtain the basic objectives of the project...” (CEQA Guidelines Section 15126.6[a]). The lead agency has the discretion to determine how many alternatives constitute a reasonable range and that an EIR need not present alternatives that are incompatible with fundamental project objectives. Additionally, CEQA Guidelines Section 15126.6(a) provides that an EIR need not consider alternatives that are infeasible. CEQA Guidelines Section 15126.6(f)(1) provides that among the factors that may be taken into account when addressing the feasibility of alternatives are “site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.” CEQA Guidelines Section 15126.6(f) states that the range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR analysis considered a reasonable range of alternatives.

5.4.1 Alternatives Considered but not Evaluated in Detail in the EIR

The EIR disclosed that there were two alternatives considered by CAL FIRE but rejected during the planning or scoping process (see discussion in Draft EIR in Chapter 4, “Alternatives,” Section 4.3, “Alternatives Considered but not Evaluated Further”). CAL FIRE considered a Retain Site Elements Alternative that would be similar to the proposed project but would remove some of the historic buildings while retaining the more historically significant buildings located within the historic district. Under this alternative, the number of affected historic structures would be reduced, thereby potentially retaining the historic district and decreasing impacts to historic resources. However, this alternative was eliminated from further consideration because it would not meet the project objectives related to facility modernization in order to meet current building standards and support equipment needs. Therefore, this alternative was rejected.

CAL FIRE additionally considered a Retain and Rehabilitate Alternative that would address structural deficiencies within the BFC historic district to retain and stabilize the buildings over the long term. Under this alternative, all historic buildings would be structurally stabilized and brought up to code. Distinctive features and finishes that characterize the property shall be preserved and deteriorated historic features shall be repaired to retain the defining historic characteristics of the buildings and environment. All existing structures would remain in place and would maintain their current function. The structures would be rehabilitated to meet current needs, to the greatest extent feasible. However, this alternative was eliminated from further consideration because it fails to meet the project objective of modernizing the facility to meet current building standards and support equipment because no new facilities or onsite improvements would occur. Additionally, this alternative would be cost prohibitive. Therefore, this alternative was rejected.

5.4.2 Alternatives Evaluated in the EIR

The following three alternatives were analyzed in the Draft EIR to determine whether they could meet the project's objectives while avoiding or substantially lessening any of its significant impacts:

- ▶ **Alternative 1: No Project–No Development Alternative** assumes no demolition of the existing structures nor construction of new buildings. The project site would remain in its current condition.
- ▶ **Alternative 2: Expand Footprint Alternative** assumes no demolition of the existing structures but would make space on the existing property to construct new buildings. The existing historical structures would be structurally stabilized.
- ▶ **Alternative 3: Off-Site Alternative** assumes no demolition of the existing structures. The project would be constructed at an alternate location. The existing historical structures would be decommissioned and abandoned.

In compliance with CEQA, these Findings examine these three alternatives and the extent to which they lessen or avoid the project's significant environmental effects while meeting the project objectives.

In addressing the No Project Alternative, CAL FIRE followed the direction of the State CEQA Guidelines which provide that the no project analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126[d][4]).

CAL FIRE finds that a good faith effort was made to evaluate all reasonable alternatives to the project that could feasibly obtain its basic objectives, even when the alternatives might impede the attainment of the objectives or might be more costly. CAL FIRE also finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the Final EIR and the ultimate decision on the project.

ALTERNATIVE 1: NO PROJECT - NO DEVELOPMENT ALTERNATIVE

Description: Under Alternative 1, the No Project – No Development Alternative, no actions would be taken by CAL FIRE and the project site's condition would remain unchanged from current conditions. No partial demolition and reconstruction and renovation of the BFC would result. No new or expanded facilities to support equipment needs would be constructed and no upgrades to existing facilities to meet current building standards would occur. It is assumed that the existing facilities and equipment would continue to be used until it is no longer considered viable and then likely decommissioned and left to gradually deteriorate over time, unprotected from the elements. The No Project – No Development Alternative would not meet project objectives. However, as required by CEQA, the No Project – No Development Alternative was evaluated in the Draft EIR.

Summary of Impacts: Alternative 1, the No Project – No Development Alternative, would avoid the project's significant mitigable impacts and significant unavoidable impacts, and overall, the environmental impacts would be less than those that would occur with the project because no reconstruction and renovation would occur. This alternative would not demolish or restore historic structures and would not include excavation or other ground-disturbing activities, which would appear to avoid significant impacts of the project by avoiding demolition of historic structures. However, further deterioration under the No Project Alternative would likely result in an overall similar impact because over time, deterioration would further compromise the already aging nature of the buildings. Although the structures would be maintained to keep operations ongoing to the extent feasible, operations would ultimately be impaired and would require relocation of the facility and abandonment of the site. Finding additional land to rebuild in a location necessary to serve this area may not be feasible and would adversely affect overall protection and emergency response in the area. For purposes of analysis, the No Project - No Development Alternative is defined as no project approval, ergo, no action. As a practical matter, however, it is likely that no action would lead to eventual operational impairment, as described above, and would require relocation to an off-site location such that impacts would be similar to those described for Alternative 3. Compared to the proposed project, the No Project – No Development Alternative would, in the long-term, result in slightly less impact to cultural and tribal cultural resources. Ultimately, the No Project – No Development Alternative would not meet the project

objectives. Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), CAL FIRE finds that because Alternative 1 would not meet the project objectives, the CAL FIRE rejects Alternative 1.

Finding: Under Alternative 1, the No Project – No Development Alternative, the project would not be approved, and no redevelopment would occur. This would avoid all environmental effects of the project. Accordingly, Alternative 1 is the environmentally superior alternative. (CEQA Guidelines, § 15126.6; see Draft EIR, p. 6-20.) However, the No Project – No Development Alternative would not meet the project objectives because it would not support the mission of the CC, respond to wildland fire, search and rescue, and flood fighting incidents as well as fire hazards reduction and other community projects, provide training and supervision of fire crews and forest practice operations, continue to operate and provide employment associated with the site's training program and auto repair shop, modernize the facility to meet current building standards and support equipment needs, or increase CAL FIRE capacity to serve the region and provide adequate protection during fire events. Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), CAL FIRE finds that because Alternative 1 would not meet the project objectives, CAL FIRE rejects Alternative 1.

CEQA Guidelines Section 15126.6(e)(2) states that if the environmentally superior alternative is the No Project – No Development Alternative, the EIR must also identify an environmentally superior alternative among the other alternatives; here, that would be Alternative 2, Expanded Footprint Alternative, which is addressed below.

ALTERNATIVE 2: EXPANDED FOOTPRINT ALTERNATIVE

Description: Under Alternative 2, Expanded Footprint Alternative, would involve expanding the footprint of the project site to create space for new development without removing any existing historical structures. As a result, construction activities would occur outside of the existing developed areas within the site and increased ground disturbance of non-disturbed areas would occur. Specifically, surrounding dense vegetation and trees would need to be cleared for construction, including grading, paving, trenching, as well as the construction of new buildings, roadways, and utility infrastructure (e.g., water, wastewater, electrical/gas, and telecommunication lines). Historic structures would be stabilized, as needed, and would continue to be used to the extent feasible, though potentially not as they currently function.

Summary of Impacts: Alternative 2, Expanded Footprint Alternative, would be the environmentally superior action alternative because although the environmental impacts would be similar to the proposed project and no significant impacts or significant and unavoidable impacts would be avoided, implementation of Mitigation Measures CUL-1 and TRC-1 would reduce impacts associated with archaeological resources and tribal cultural resources.

Finding: CAL FIRE finds that Alternative 2, Expanded Footprint Alternative, would expand the footprint of the project site to create space for new development without removing any existing historical structures. Alternative 2 would achieve most of the project objectives but not to the degree of the project and would not provide maximum operational flexibility. Because this alternative would result in expanded construction ground disturbing impacts outside of the currently developed area, there is potential for increased impacts associated with disturbance of unknown archaeological sites, biological resources, and hydrology and water quality impacts. Although the Expanded Footprint Alternative would allow CAL FIRE to continue to operate and provide employment opportunities, it would not modernize existing facilities to meet current growing operational and educational demand and support equipment needs. Further, the Expanded Footprint Alternative would result in a similar impact to tribal cultural resources than the proposed project due to soil disturbance from excavation and construction activities.

The State CEQA Guidelines (Section 21002) state that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." In the case of the project, Alternative 2 is a feasible alternative that would result in a similar, but less impact to known tribal cultural resources than the proposed project.

CAL FIRE finds that Alternative 2 is feasible, meaning that it is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

CAL FIRE also finds that Alternative 2 would meet all the project objectives and would not avoid but would reduce the severity of the impacts for tribal cultural resources affected by the project. CAL FIRE finds that Alternative 2 would not completely avoid the significant tribal cultural resources impact that would also occur with the project. After consideration of the project objectives, alternatives, environmental analysis in the Final EIR, and comments submitted, CAL FIRE determines to not approve Alternative 2, but rather to approve the project as proposed.

ALTERNATIVE 3: OFF-SITE ALTERNATIVE

Description: Under Alternative 3, Off-Site Alternative, a new BFC would be constructed at an off-site location somewhere within Butte County. Existing buildings and structures within the project site would be decommissioned and abandoned. Because CAL FIRE has long been planning for the reuse of the existing BFC, the location of Alternative 3 would require substantial changes to planned infrastructure and connections. Further, construction of an off-site alternative could take years to complete, which could affect service operations and effective response. Under this alternative, no demolition of the existing facilities and structures associated with the BFC historic district would occur. After construction of the new BFC is complete, the historical buildings and structures would be decommissioned and abandoned and left to gradually deteriorate over time, unprotected from the elements. No long-term operations and maintenance would occur to manage the existing historical facilities and structures on site.

Summary of Impacts: Alternative 3, Off-Site Alternative, would achieve most of the project objectives and would have the same level of utility and service demand as the proposed project. This alternative is anticipated to result in a slightly greater impact to cultural and tribal cultural than those that would occur with the project due to a greater chance for unknown resources to be encountered with an off-site location likely to have not been previously developed.

Findings: CAL FIRE finds that Alternative 3, Off-Site Alternative, would construct a new BFC at an off-site location in Butte County. Alternative 3 would require substantial changes to planned infrastructure and connections because CAL FIRE has long been planning for the reuse of the existing BFC. This alternative would not minimize impacts to nearby sensitive receptors because it would require a greater amount of construction, including potential trenching, boring, and underground utility installation and potential disruption to roadways, bike lanes, and sidewalks. Alternative 3 would also result in a slightly greater impact to cultural and tribal cultural resources than would occur with the project. Because this alternative would have the same level of utility and service demand as the proposed project, by locating the new BFC farther away from existing connections, Alternative 3 would not provide maximum operational flexibility. Since an offsite parcel is not owned or controlled by CAL FIRE, this alternative would also not maximize the use of available CAL FIRE properties and resources.

The State CEQA Guidelines (Section 21002) state that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” Alternative 3 would not reduce impacts to cultural and tribal cultural resources and is anticipated to result in a slightly greater impact than would occur with the project.

CAL FIRE finds that Alternative 3 would achieve most of the project objectives but not to the degree of the project. CAL FIRE also finds that Alternative 3 would not completely avoid significant cultural and tribal cultural resource impacts that would occur with the project. CEQA findings require that a project’s lead agency determine if alternatives are feasible, meaning that it is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. Depending on market forces and other factors affecting real estate sales in the region, it could take several years to secure an appropriate site for a new facility. Therefore, while Alternative 3 may otherwise be feasible, the time required to secure a new site and build a new facility could be prohibitive, and would preclude effective fire safety response time and availability within the region. After consideration of the project objectives, alternatives, environmental analysis in the Final EIR, and comments submitted, the CAL FIRE determines to not approve Alternative 3, but rather to approve the project as proposed.

6 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA section 21081 and CEQA Guideline 15093, the CAL FIRE hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the project, as set forth below, independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the project. Any one of the reasons for approval cited below is sufficient to justify approval of the project. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Record of Proceedings.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, CAL FIRE finds that there are significant benefits of the project to support approval although there are unavoidable significant impacts and therefore makes this Statement of Overriding Considerations.

The BFC Replacement Project would result in two significant and unavoidable impacts related to historic and cultural resources (Impact 3.1-1 and Impact 3.1-4).

Although CAL FIRE finds that the project will result in these significant and unavoidable impacts, CAL FIRE also finds that the project benefits outweigh this impact.

CAL FIRE finds that, as part of the process of obtaining project approval, all significant effects on the environment from implementation of the project have been eliminated or substantially lessened, where feasible. All mitigation measures proposed in the Final EIR that are applicable to the project are adopted as part of this approval action. Furthermore, CAL FIRE has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social and other considerations. Any other alternatives are rejected for the reasons set forth in the EIR and the reasons set forth herein.

Project benefits include the following:

- ▶ The project will continue to support the mission of the CCC and the revenue stream generated from its activities.
- ▶ The project will allow for more rapid and effective response to wildland fires, search and rescue, and flood fighting incidents as well as fire hazard reduction and other community projects.
- ▶ The project will provide for training and supervision of fire crews and forest practice operations.
- ▶ The project will continue to operate and provide employment associated with the site's training program and auto repair shop.
- ▶ This project will modernize facilities to meet current building standards and support equipment needs.
- ▶ This project will increase CAL FIRE capacity to serve the region and provide adequate protection during fire events.

Having considered these benefits, CAL FIRE finds that the benefits of the project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable. CAL FIRE further finds that each of the above considerations is sufficient to approve the project. For each of the reasons stated above, and all of them, the project should be implemented notwithstanding the significant unavoidable adverse impacts identified in the EIR.

7 MITIGATION MONITORING AND REPORTING PROGRAM

CAL FIRE has prepared an MMRP for the project. The CAL FIRE, in adopting these findings, also approves the MMRP. CAL FIRE will use the MMRP to track compliance with project mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is attached to and incorporated into the proposed project and is approved in conjunction with certification of the EIR and adoption of these Findings of Fact. In the event of any conflict between these findings and the MMRP with respect to the requirements of an adopted mitigation measure, the more stringent measure shall control, and shall be incorporated automatically into both the findings and the MMRP.