

8 STUDY AREA 8: BERRY CREEK

The Berry Creek study area consists of 9,425 acres located northeast of Lake Oroville in eastern Butte County. This study area includes the community of Berry Creek, which includes dispersed, low density residential uses, as well as a few retail establishments. Much of this study area remains as forested resource conservation. This study area also includes Lake Madrone, which provides water to properties within a limited area surrounding the lake.

- ◆ Alternative 1 follows the existing General Plan, designating a large portion of this study area as Very Low Density Residential, allowing approximately 300 new homes. This alternative also includes 30 acres of Retail; the remainder would be designated for Agriculture.
- ◆ Alternatives 2 and 3 designate the entire study area for agricultural purposes.

A. *Economics*

1. **Market Viability**

a. **Alternative 1**

Because of its remote location, limited visibility and lack of access to amenities, market demand for new residential development in the Berry Creek study area should be modest and absorption of units planned under this alternative would be slow.

The amount of retail land designated under Alternative 1 is similar in size to a large community shopping center that would require a population of 20,000+ people within 5 to 10 minutes drive to be viable. Even at buildout, the study area would have a population sufficient to support only a very small fraction of the planned retail space. Therefore, Alternative 1 receives a D.

b. **Alternatives 2 and 3**

Alternatives 2 and 3 do not call for any new residential or commercial development, so market viability is not an issue.

2. Fiscal Impacts

a. Alternative 1

The Berry Creek study area lies in TRAs where Butte County receives between 13.2 and 16.5 percent of the property tax revenues. These percentages are below average and mean that, all other things being equal, this study area is among the least desirable places for Butte County to plan new development, from a fiscal standpoint. Combining this with the fact that property values are likely to be lower here than in locations closer to urban centers where services, jobs, and other amenities are in greater supply, the revenue generating potential in this study area is fairly low, except for the retail sales tax potential associated with the retail. From a service cost standpoint, the remote location and lack of existing services in the study area mean that potential service costs are high unless existing services levels are not upgraded. If the retail were successfully built out, it would help to neutralize potential for fiscal deficits, but it is extremely unlikely that the retail is viable. Therefore, Alternative 1 receives a D.

b. Alternatives 2 and 3

Alternatives 2 and 3 do not propose any significant increase in residential or commercial development in the Berry Creek study area, fiscal impacts of both alternatives would be neutral. Alternatives 2 and 3 receive a C.

3. Jobs/Housing Balance

a. Alternative 1

The estimated jobs/housing ratio for this study area is two jobs for every one employed resident, meaning that the alternative would tend to improve the jobs/housing ratio in the Berry Creek study area if the retail component were to be built. However, since the amount of retail in Alternative 1 is very unlikely to be absorbed by the market, Alternative 1 would likely not add a significant number of jobs to the area, while it would add new homes and new employed residents. Since Berry Creek currently has a significant deficit of jobs, Alternative 1 would contribute to an existing imbalance and receives a D.

b. Alternatives 2 and 3

Alternatives 2 and 3 do not plan any significant new residential or commercial development, so they would have no effect on jobs/housing balance.

B. Public Services

1. Fire and Emergency Services

The Butte County Fire Department and CAL FIRE provide fire protection and emergency services to the Berry Creek study area. In general, there is not adequate staffing to handle more than two serious fire events or several less-serious emergencies at once in Butte County. Any new development in the county would impact the level of fire protection and emergency services.

There are two fire stations located within the boundaries of the Berry Creek study area. Fire Station 61 is a volunteer-staffed fire station located in the southwest region of the Berry Creek study area. Fire Station 62 is a winter season contract station operated with CAL FIRE located in the southeast region of the Berry Creek study area. In the summertime, this station is for CAL FIRE primary use in the fire season and is not dedicated to Butte County.

The majority of the Berry Creek study area has adequate service levels for rural residential development, and portions have adequate service levels for very low density residential development. Specifically, the majority of the Berry Creek study area is located within a 10- to 14-minute travel area for a first-due unit, and portions are within an eight-minute travel area for the station. None of the study area has adequate service levels for suburban residential, retail or industrial development.

a. Alternative 1

Alternative 1 calls for approximately 300 new homes at a very low density. In addition, this alternative calls for retail development, which typically

requires high fire and emergency service levels because it includes assets of high economic value and generates customers that depend on those services.

Although some of the residential development would have adequate fire and emergency service levels, other residential areas, as well as the retail development, would not have adequate service levels due to high response times and a low station concentration in the immediate area. Moreover, the level of development under this alternative would not support a new fire station, so there would be little opportunity to improve fire protection. Because this alternative allows more than a minimal amount of new development, portions of which would not have adequate service levels, this alternative receives a C.

b. Alternatives 2 and 3

There would be no new development in this study area under Alternatives 2 and 3, so fire and emergency services are not an issue.

2. Sheriff Services

The Berry Creek study area is served by the Southern Division of the Butte County Sheriff's Office (BCSO). The BCSO is currently understaffed and has limited capacity for expansion of its services. The Southern Division typically has about three to four deputies on duty in the Oroville area. Because of the distance and access issues between the Berry Creek study area and the Oroville area, response times to this location can be slow.

There is no police station located within the boundaries of the Berry Creek study area; however, the Butte County Sheriff station in the City of Oroville is located within 9 miles of the southwest boundary of the study area and within 15 miles of the northeast boundary.

a. Alternative 1

Alternative 1 allows approximately 300 new homes, generating the need for approximately one new officer in an area with slow response times. Therefore, this alternative receives a C.

b. Alternatives 2 and 3

There would be no new development in this study area under Alternatives 2 and 3, so sheriff services are not an issue.

3. School Districts

The Berry Creek study area is served by the Pioneer Union Elementary School District (PUESD) (K-8) and the Oroville Union High School District (OUHSD) (9-12).

The PUESD has been operating below capacity for over ten years. The District's current enrollment is approximately 110 students, while it has the capacity for 200 students, meaning the District has the capacity for approximately 90 more students. Although the PUESD has plans to modernize its facilities, there are no existing plans that would expand its capacity.

The OUHSD has also been experiencing declining enrollment. As discussed in more detail under the Concow study area, the District currently has capacity for approximately 440 additional students, with a project underway that would expand capacity by another 100 students.

a. Alternative 1

Under Alternative 1, approximately 100 new students could be generated within the PUESD. The District's current capacity can accommodate 90 of the 100 new students.

Under Alternative 1, the Berry Creek study area could generate approximately 50 new students within the OUHSD, which could be accommodated by the existing capacity. The total amount of development foreseen under Alternative 1 in all of the study areas within the OUHSD could generate approximately 7,250 new students, more than double the current enrollment and about 6,810 students beyond current capacity.

Because the new students generated by this study area could be accommodated by the existing capacities, this alternative receives an A.

b. Alternatives 2 and 3

Under Alternatives 2 and 3, the Berry Creek study area would not generate any new students, so schools are not an issue.

C. Water

1. Water Supply

The Berry Creek study area is located within the Mountain Inventory Unit. As discussed in more detail under the Concow study area, groundwater supply and accessibility is very limited in this region, and there is significant uncertainty about what level of long-term supply is sustainable.

A very small portion of the Berry Creek study area (approximately 240 acres) is served by the Lake Madrone Water District. This District provides surface water from Lake Madrone to properties surrounding the lake. Although there are approximately 80 properties within the District that have not been developed, most have limited development potential due to the parcel size and/or septic percolation problems. Therefore, most of the growth within the Berry Creek study area would not be served by this District and would rely on groundwater.

a. Alternative 1

Alternative 1 calls for approximately 300 new homes and about 30 acres of retail development. Because this alternative allows minor development and does not have an identified water supply, it receives a C.

b. Alternatives 2 and 3

There would be no new development in this study area under Alternatives 2 and 3, so water supply is not an issue.

2. Groundwater Recharge Potential

The Berry Creek study area is located within the Mountain Inventory Unit. It is unlikely to serve as a potential recharge area due to steep slope and/or low permeability.

a. Alternative 1

Alternative 1 calls for minor residential and retail development in a region that is unlikely to serve as a potential recharge area, and therefore receives an A.

b. Alternatives 2 and 3

There would be no new development under Alternatives 2 and 3. Therefore, these alternatives receive an A.

D. Wastewater

There is currently no publicly managed sewer service in the Berry Creek study area. The current wastewater treatment method is individual septic systems.

a. Alternative 1

Alternative 1 calls for approximately 300 new homes at a very low density. This development cannot effectively be served by septic because it would be too dense, nor can it effectively be served by a sewer system because there would be too few homes to support the costs of a new sewer system. Therefore, this alternative receives a D.

b. Alternatives 2 and 3

There would be no new development in this study area under Alternatives 2 and 3, so wastewater is not an issue.

E. Circulation

The Berry Creek study area is not served by any major regional roadways.

1. Proximity to Freeways and Major Roadways

No major regional roadways travel through or adjacent to the Berry Creek study area. This study area receives a D for access proximity to major roadways. Since Alternatives 2 and 3 do not include any new development, proximity to roadways is not an issue.

2. Bicycle Circulation

Within the Berry Creek study area there are no existing or planned bicycle facilities. Due to the study area's lack of access to bicycle facilities and location more than 1 mile from an urban area, the study area receives a D. Since Alternatives 2 and 3 do not include any new development, bicycle circulation is not an issue.

3. Transit Service

No transit service is currently provided in the study area. This receives a D. Since Alternatives 2 and 3 do not include any new development, transit service is not an issue.

F. Airport Compatibility Zone Conflicts

The Berry Creek study area is not located within an Airport Compatibility Zone. Therefore, Alternatives 1, 2 and 3 receive an A.

G. Potential Loss of Agricultural Land

There are three small pockets of Grazing Land in the Berry Creek study area. The Grazing Land is located centrally within the study area and totals 1,442 acres.

a. Alternative 1

Under Alternative 1, approximately 7,100 acres in the Berry Creek study area would be designated for non-agricultural uses, and would convert 175 acres of Grazing Land to non-agricultural uses. Therefore, Alternative 1 receives a D.

b. Alternatives 2 and 3

Alternatives 2 and 3 designate the entire study area for agricultural uses, and would not contribute to agricultural land conversion. Therefore, Alternatives 2 and 3 receive an A.

H. Biological Resources

This large study area is located in the upper foothills and is outside the Butte Regional Conservation Plan (HCP/NCCP) area. The predominant land cover types are conifer forest and montane hardwood, with Douglas fir. Small areas of urban lands, grassland, and chaparral occur.

Occurrences of two special-status plants are recorded in the study area: Sanford's arrowhead is known from Berry Creek in the north, and cut-leaved ragwort is known from serpentine-derived soils on USFS Plumas National Forest lands in the southwest of the study area. Potential habitat exists for a number of other special-status plants, including Butte County fritillary, brownish beaked rush, Henderson's bent grass, Mosquin's clarkia, white-stemmed clarkia, and Brandegee's clarkia.

There are no occurrences of special-status animals in the study area. Several bald eagle nests are known to occur within 5 miles of the study area and these birds could forage in grasslands and open oak savanna in the study area. The conifer and hardwood forests provide potential habitat for northern goshawk. The creeks provide potential habitat for foothill yellow-legged frog, California red-legged frog, and northwestern pond turtle.

Several parcels of USFS Plumas National Forest lands are located in the northern portion of the study area.

The study area contains Madrone Lake and several ponds associated with Berry Creek Ditch and Berry Creek. These open waters may support sensitive aquatic, wetland, and riparian vegetation.

The entire area is within Critical Winter Range habitat for deer herd.

a. Alternative 1

Alternative 1 designates 7,100 acres for Very Low Density Residential, allowing 300 new homes; 30 acres would be retail development, and the remainder would be Agriculture/Timber. The homes could be sited to avoid most sensitive biological resources; however development would occur within Critical Winter Range for deer herd. Therefore, this alternative receives a B for Special-Status Animal and Plant Species, a B for Critical Habitat and other protected lands, a B for Sensitive Habitats, and a D for Deer Herd Habitat.

b. Alternatives 2 and 3

Alternative 2 and Alternative 3 are the same and would designate the entire area as Agriculture/Timber. Timber harvest operations could result in impacts on Critical Winter Range deer habitat through disturbance during harvest operations and habitat alteration or removal. Therefore, these alternatives receive a C for Special-Status Animal and Plant Species, a B for Critical Habitat and other protected lands, a C for Sensitive Habitats, and a D for Deer Herd Habitat.

I. Safety and Hazards

1. Fire Hazards

The Berry Creek study area is located in moderate fire severity, high fire severity and very high fire severity zones.

a. Alternative 1

Under Alternative 1, approximately 100 acres of land designated for development are in the high fire severity zone and approximately 7,000 acres of land designated for residential development are within the very high fire severity zone. Therefore, Alternative 1 receives a D.

b. Alternatives 2 and 3

Under Alternatives 2 and 3 there would be no new development. Therefore, these alternatives receive an A.

2. Flood Hazards

A small portion of the Berry Creek study area is included in the 100-year FEMA flood zone.

a. Alternative 1

In Alternative 1, approximately 16 acres of land designated for development is within the 100-year FEMA flood zone. Therefore, this alternative receives a C.

b. Alternatives 2 and 3

In Alternatives 2 and 3, there would be no new development. Therefore, these alternatives receive an A.

3. Geologic Hazards

In the Berry Creek study area, the potential for severe erosion hazards exists on approximately 5,500 acres, more than half of this study area. This study area has no potentially significant subsidence hazards, but has moderate and high landslide potential. There are areas of very low, moderate and high potential for expansive soils; high potential areas occur in the western portion of the study area. There are no faults within the Berry Creek study area or within a 50-foot radius, and there is low potential for liquefaction.

a. Alternative 1

In Alternative 1, approximately 4,220 acres of land designated for development have severe erosion hazards, 3,030 acres have a high landslide potential, and 770 acres have a high potential for expansive soils. Alternative 1 receives a D.

b. Alternatives 2 and 3

Alternatives 2 and 3 do not include any development and so receive an A.

J. Cultural Resources

The Berry Creek study area lies within portions of the Brush Creek, Berry Creek, Oroville Dam and the Forbestown USGS 7.5' quadrangles. Approximately 20 percent of the land in the Brush Creek Quadrangle, 25 percent of the land in the Berry Creek Quadrangle, 50 percent of the land in the Oroville Dam quadrangle and 25 percent of the land in the Forbestown quadrangle has been surveyed for cultural resources. To date, a total of 32 cultural resources sites have been recorded in the North Chico Specific Plan study area. This number includes 17 prehistoric sites, three sites containing both prehistoric, ethnographic, and historic period artifacts, and 12 historic sites. This study area lies within a foothill region, and has various water sources. This, coupled with the number of previously recorded sites over a fairly large area, indicate this study area is of high sensitivity for the presence of prehistoric and historic period resources.

a. Alternative 1

Alternative 1 includes no designated Resource Conservation land use areas. It includes very low density residential development and a small amount of retail development. Despite the lack of any area designated for Resource Conservation, because the development appears to be so sparse that it would be possible to avoid significant cultural resources, Alternative 1 receives a B.

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b. Alternatives 2 and 3

Alternatives 2 and 3 are identical for this study area. The entire area would be designated Agriculture and would be devoted to timber harvesting. While timber harvesting does result in considerable disturbance to the land and to cultural resources, it can be conducted so as to avoid cultural resources. While there is likely to be damage to or destruction of some cultural resources, it would likely be possible to avoid significant cultural resources. Therefore, Alternatives 2 and 3 receive a B.

K. Notes

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