

LAND USE

Analytical Environmental Services. Mechoopda Indian Tribe: Chico Casino Fee-to-Trust Acquisition Environmental Assessment. Analytical Environmental Services: December 2003.²¹

The Proposed Action consists of the transfer of a 650-acre site into federal trust status for the Mechoopda Tribe of the Chico Rancheria and the subsequent development of a portion of the site into a gaming facility. The site consists of the Butte County Assessor's Parcels identified in Table 1-1.

Placing land in "Trust" status refers to the process of transferring privately owned fee land to land held in trust by the United States for an Indian tribe or an individual tribal member. This means that the United States holds legal title to that land while the tribe or individual tribal member holds beneficial title – which means that they have the right to use the property and derive benefits from it. Because trust land is owned by the United States, state and local laws regarding matters such as taxation, zoning, land use and the like have no application to these lands.

California Department of Forestry and Fire Protection Butte Unit. Fire Management Plan 2003. CDF Butte: 2003.⁴³

The Butte Unit Fire Management Plan documents the assessment of the fire situation within the unit; includes stakeholder contributions and priorities; identifies strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire problem.

The population of Butte Valley is mostly in the Clark Road and Durham Pentz Road area including the Butte Community College with a population of 15,000.

Commercial structures served by Battalion 6 are scattered in a few areas but do include some large industries, care homes, churches, schools, markets, small offices and one casino with associated bowling alley.

Giller, Joseph Anthony. Hydrogeochemistry of the Cherokee Creek Watershed. Thesis, California State University-Chico: Summer 1998. 61 pp.²

Almond orchards are present at the head of the Cherokee Strip where the soils are more permeable and mostly composed of gravely sand. Toward the middle and the end of the strip rice is grown.

Camp Dresser & McKee, Inc. Butte County Department of Water and Resource Conservation. Agricultural Water Demand Forecast. Technical Memorandum. Butte County: October 2003.³⁰

This document provides information about agricultural land use within the East Butte region. The main crop is rice, along with orchards and forage crops. Most crops are irrigated with surface water, with 20% coming from groundwater sources.

Camp Dresser & McKee, Inc. County Department of Water and Resource Conservation. Integrated Water Resources Plan, Volumes I, II and Executive Summary. Report. Butte County: June 2004.¹⁰

Land use practices on aquifer recharge area, which can affect the quality and quantity of recharge into the aquifer, are discussed. Protecting habitat areas and limiting activities that could degrade water quality would reduce the potential for these effects. The county will pursue zoning changes to define protection measures within recharge areas.

Camp Dresser & McKee, Inc. Butte County Department of Water and Resource Conservation. Butte County Water Inventory and Analysis. Butte County: 2001.³

The Cherokee Inventory Sub-Unit is approximately 45.9 square miles and has an approximate population of 1,000 people. The primary land use is for agriculture with the main crops being rice, almonds, pasture, and subtropical. The area does not contain any established water purveyors.

Camp Dresser & McKee, Inc. Objective Development Packet, Cherokee. Technical Memorandum. Butte County: May 2004.¹³

The land use of 14,700 acres of the northern portion of the East Butte Sub-basin known as the Cherokee area includes non-irrigated native vegetation, along with some pasture and rural residential land. Agricultural production of rice and orchard crops is supported by both surface water and groundwater. About 33% of the area's summer agricultural production is supported by groundwater in normal years.

California State University-Chico Research Foundation. Butte Creek Watershed Existing Conditions Report. Chico: April 2000.²⁹

The Butte County General Plan, as amended by the adoption of the 1979 land Use Element consists of 16 area plans. Two of those areas and one community are located in the Cherokee Watershed.

Descriptions of these areas are as follows:

- *Paradise* is the only incorporated community in the Cherokee Watershed and is the third largest community in Butte County. The planning area encompasses 14,700 acres, and land use is dominated by residential and commercial uses with a limited number of industrial activities. Land use constraints include a shortage of flat developable land, no sewer system, and potential water supply problems.
- *Central Butte* is located to the south of Chico and encompasses 45,500 acres. This planning area is bounded by the Skyway on the north, Highway 99 on the west, Highway 70, and the West Branch of the Feather River. Cattle grazing and rural residential development are the dominating land use patterns with limited population density. Butte College is located within this planning area, and development constraints include shallow soils, fire hazards, soil erosion, and possible conflicts with livestock operations.
- *Table Mountain* planning area encompasses 55,500 acres with livestock operations and rural residential as the main land uses. The area is located north of Oroville and between Oroville and State Route 70. Land use constraints are similar to those described above in the *Central Butte* planning area and include shallow soils, fire hazards, poor access, and a lack of public services.

The following are key policies of the Town of Paradise's 1994 update to its general plan:

- The limitations imposed on the Paradise area by topography, soils, and other physical features shall be recognized in site-specific development design as well as when establishing long-term growth objectives.
- The environmental and infrastructure constraints analysis system should be used to determine future zoning classifications, densities and intensities of land use and to evaluate future development projects.
- The town should require all development proposals on sites which contain slopes exceeding 20%, and/or which border or include significantly important stream courses or natural drainage ways, to include programs for replanting and slope stabilization, erosion control plans, and to incorporate designs which minimize grading and cut-and-fill.
- In conjunction with input from Butte County, as soon as feasible the town shall prepare a specific plan for an orderly and balanced development of the secondary planning area south of the town limits which will more precisely determine residential densities, roads, drainage, utilities, and sewage disposal.
- The "Open Space/Agriculture" land use designation shall be applied to most lands within the Butte County urban reserve area in the southerly secondary planning area as a holding designation to prevent premature conversion to urban uses until such time as a specific plan is adopted and public facilities and services are available.
- 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.

McGie, Joseph F. History of Butte County, Volume I: 1840-1919. Butte County Office of Education: 1982.⁴⁴

The Cherokee Mine included over 100 miles of pipes, ditches and flumes conveying 40 million gallons of water daily. Nine miles of gold-saving sluices were constructed along with many powerful water-pressure derricks. The company purchased the right-of-way along Dry Creek to the southwest corner of the county. The huge Cherokee or Spring Valley Canal was built with double levees to drain away the hydraulic slickens into the Butte Creek sink. The Cherokee operations were abandoned forever in 1887, when the gravels mined did not pay expenses and the mine was considered exhausted of its potential.

Samples submitted to the State Mining Bureau included diamonds as well as the presence of magnetite, platinum, pyrite, quartz, rutile, topaz, zircon, almandine, garnet, chromite, epidote, gold, iridosmine, and limonite.

Sheckter, Alan. "150 Year-old Mine May be Revived." Newspaper Article. Chico Enterprise Record. July 24, 2000.⁴⁵

This article provides an historical overview of mining at the Cherokee Mine and describes the potential re-opening of the mine by Advanced Mineral Technology, Inc. of Idaho for turning sand into silica over a 15-20 year period. The article discusses concerns of area residents and reports that AMT plans a newsletter addressing four main areas of concern: noise, water, dust, and traffic.

Advanced Mineral Technology of Nevada, Inc. Sugarloaf Mine at Cherokee Mining Application and Reclamation Plan. Butte County: February 2001. ⁴⁶

The proposed site is a number of parcels totaling approximately 790 acres. The area is bound by State Route 70 on the north, Cherokee Road on the northeast and Table Mountain on the west. The proposed mining operations are within the previously mined area known as the Cherokee Mine.

Surface mining activities are restricted to approximately 86 acres outside of the active stream channel east of the Sawmill Ravine. This is a previously mined area and the intent is to extract high quality silica sand and associated clay, zircon, chromium, gold and micro-diamonds. The surface mine is proposed in five phases over 23 years. The mine will produce 3000,000 tons of silica sand annually. The estimated total volume of material removed 5,750,000 cubic yards.

A new 9,000 feet long haul road system and a mineral processing facility will disturb 15 to 20 acres. Mine traffic will utilize a new access road that will intersect Cherokee Road.

Miller, Michael. The Butte College Wildlife Refuge. Butte College Facilities and Management. Oroville: June 1991. ²⁷

The 928 acre Butte College Campus including its opening in September 1974 on 144 acres of developed land is discussed. A 66acre expansion of the developed area of the campus is identified in the college's Master Plan and includes five major buildings and expanded sports facilities. The campus has its own water system supplied through wells, a telephone system, and a water treatment facility. The campus was declared a wildlife refuge in 1973.