



REVISED INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION

FEATHER RIVER PARKWAY, PHASE II PROJECT

City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 94993
(530) 822-4650

~~February 6, 2014~~ April 4, 2014

State Clearinghouse No.: _____

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Prepared for:
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1201 Civic Center Boulevard
Yuba City, CA 94993
(530) 822-4650

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~~February 6, 2014~~
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ACRONYMS AND ABBREVIATIONS

AASHTO	American Association of State Highway and Transportation Officials
AB 32	Assembly Bill 32
ADA	Americans with Disability Act
APE	Area of Potential Effect
AQMD	Air Quality Management District
BMP	Best Management Practices
CARB	California Air Resources Board
CCC	California Conservation Corps
CDFW	California Department of Fish and Wildlife
CDTSC	California Department of Toxic Substances Control
CEQA	California Environmental Quality Act
CHRIS	California Historical Resources Information System
City	City of Yuba City
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CO	carbon monoxide
CVRWQC	Central Valley Regional Water Quality Control Board
CWQCB	California Water Quality Control Board
DBH	diameter at breast height
DWR	Department of Water Resources
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
Farmland	Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
FERC	Federal Energy Regulatory Commission
FRAQMD	Feather River Air Quality Management District
General Permit	General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities
GGS	Giant garter snake
GHG	greenhouse gas
H ₂ S	hydrogen sulfide
HCP	Habitat Conservation Plan
IS	Initial Study
L _{dn}	Day-Night Average Level
MMRP	Mitigation, Monitoring, and Reporting Program
MND	Mitigated Negative Declaration
mph	miles per hour
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
ND	Negative Declaration
NEIC	Northeast Information Center
NO ₂	nitrogen dioxide
NO _x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NSVAB	Northern Sacramento Valley Air Basin

NWI	National Wetland Inventory
OHWM	Ordinary High Water Mark
OSHA	Occupational Safety and Health Administration
Parkway	Feather River Parkway
PCA	Pest Control Advisor
PCB	polychlorinated biphenyls
PG&E	Pacific Gas and Electric Company
PFI	Past Forward, Inc.
Plan	Fugitive Dust Plan
PM	Particulate matter
Project	Feather River Parkway Phase II Project
QR	Quick Response
ROG	reactive organic gases
RSP	rock-slope protection
SHPO	State Historic Preservation Officer
SO2	sulfur dioxide
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VELB	Valley elderberry longhorn beetle

1.0 INTRODUCTION

The City of Yuba City (City) is proposing the Feather River Parkway Phase II Project (Project). The Project would expand and improve the river front Feather River Parkway (Parkway) created in 2012. The City received funding for the Project from the State of California Natural Resources Agency (CNRA), through the Proposition 84 California River Parkways Grant Program, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. The grant is administered through the CNRA.

The Project area encompasses approximately 84 acres north of the existing river front park and would create 2.6 miles of new public trails. The Project improvements would include pedestrian and cycling trails, picnic areas, building an elevated structure overlooking the Feather River, and improving access to a pond in the completed Phase 1 area. The Project would enhance and restore approximately 2 acres of wetlands and enhance and preserve 10 acres of riparian woodlands. In addition, the Project would include interpretive signage that describes the habitat setting of the Project, including the habitat function, wildlife species, fisheries, the restoration process, the role of the Feather River in the State history, the river's significance to the California State Water Project, and its functionality.

The proposed Project is a portion of the Feather River Parkway Strategic Plan, which was developed by the City, and adopted as part of the City's General Plan (April 8, 2004) to utilize portions of the Feather River floodplain as a public parkway. The Feather River Parkway Strategic Plan describes a river front park that extends along the river's edge south of the City for approximately 6 miles, encompassing approximately 790 acres. The Project area is at the northern end of this planned parkway system, and would contain amenities that contribute to the entire parkway project objectives.

The pedestrian and cycling trails, and river overlook would provide recreational opportunities in a park setting while incorporating educational exhibits and interpretive displays to educate park users on the ecological significance of the environment that surrounds them. The proposed pedestrian and cycling trails would connect with the existing bike trails linked to downtown Yuba City via the levee trail.

The majority of the pedestrian and cycling trails would be built on the existing 6- to 8-foot tall retention embankments, or berms, bordering abandoned sewage lagoons located at the Project site. These existing berms are interconnected such that no trails would be constructed in the low lying areas within the old sewage lagoons. The idle sewage lagoons were used by the City until the late 1970's until new treatment facilities were built in southern Yuba City. Other trails would be built on existing fire breaks and access routes that were created in the Project area in 2012.

The Project site is currently heavily vegetated with both native and non-native species. The high embankments around the idle sewage lagoons and the uncontrolled growth of vegetation severely limit recreational uses in the area and create unsuitable habitat for typical floodplain corridor benefits.

CEQA Review

To comply with the City's requirements under the California Environmental Quality Act (CEQA), this Initial Study (IS) and proposed Mitigated Negative Declaration (MND) (per CEQA Guidelines §15070-15075) identifies and addresses potential environmental effects and mitigation measures to be implemented during construction, operation, and maintenance of the proposed Project. This IS/proposed MND includes the

City's understanding of applicable environmental regulatory review processes and required mitigation measures for implementing the proposed Project.

2.0 PROJECT LOCATION

The proposed Project is located within the United States Geological Survey (USGS) 7.5-minute Yuba City Quadrangle in the New Helvitia Land Grant (see Figure 1 for the Project Regional and Vicinity Map). The proposed Project would occur within Sutter County.

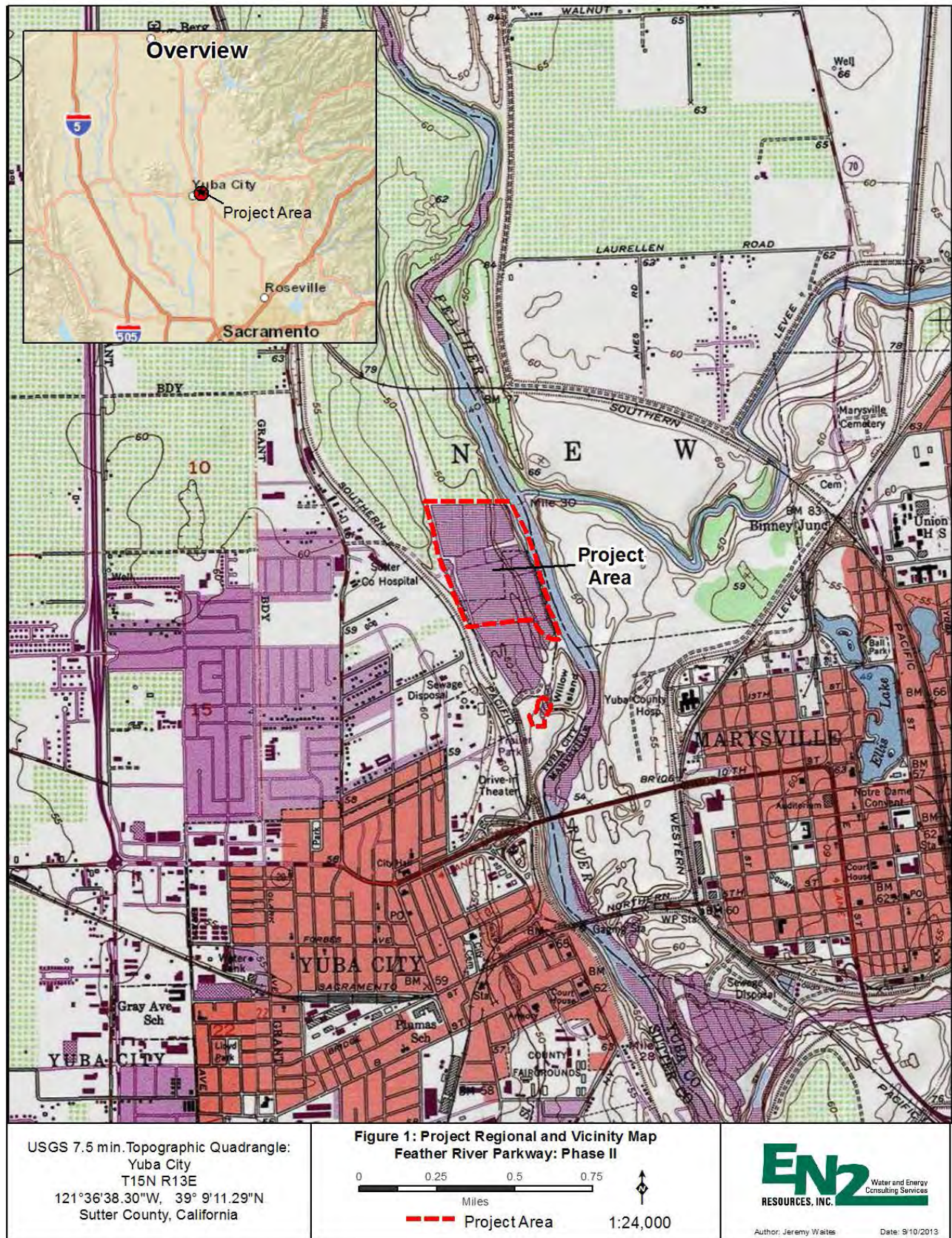


Figure 1 Project Regional and Vicinity Map

3.0 PROJECT OBJECTIVES

Objectives of the proposed Project include:

1. Create a safe and secure recreational area for the public.
2. Increase the river trail system for pedestrians and cyclists in a manner that minimizes adverse effects on the environment.
3. Preserve, enhance, and manage natural areas and wildlife habitat.
4. Promote the Parkway as a civic destination and recreation area by enhancing the walking and biking opportunities at the Parkway that are linked to the City system via the trail on the levee.
5. Educate Parkway users about the Feather River and surrounding ecosystem.
6. Ensure the Project meets the requirements established by the State of California Resources Agency Proposition 84 California River Parkways Grant Program in an economically feasible manner.

4.0 PROPOSED PROJECT COMPONENTS AND CONSTRUCTION

The Project area encompasses approximately 84 acres and 2.6 miles of public trails. The Project would establish a parkway that would provide a safe recreational area that incorporates hiking, biking, picnic areas, nature walks, and wildlife viewing. This section describes the various recreational, educational, and restoration and enhancement components that are being proposed as part of the Project. Please refer to Figure 2, Project Site Map, at the end of the Project Description, for the location of the proposed Project components.

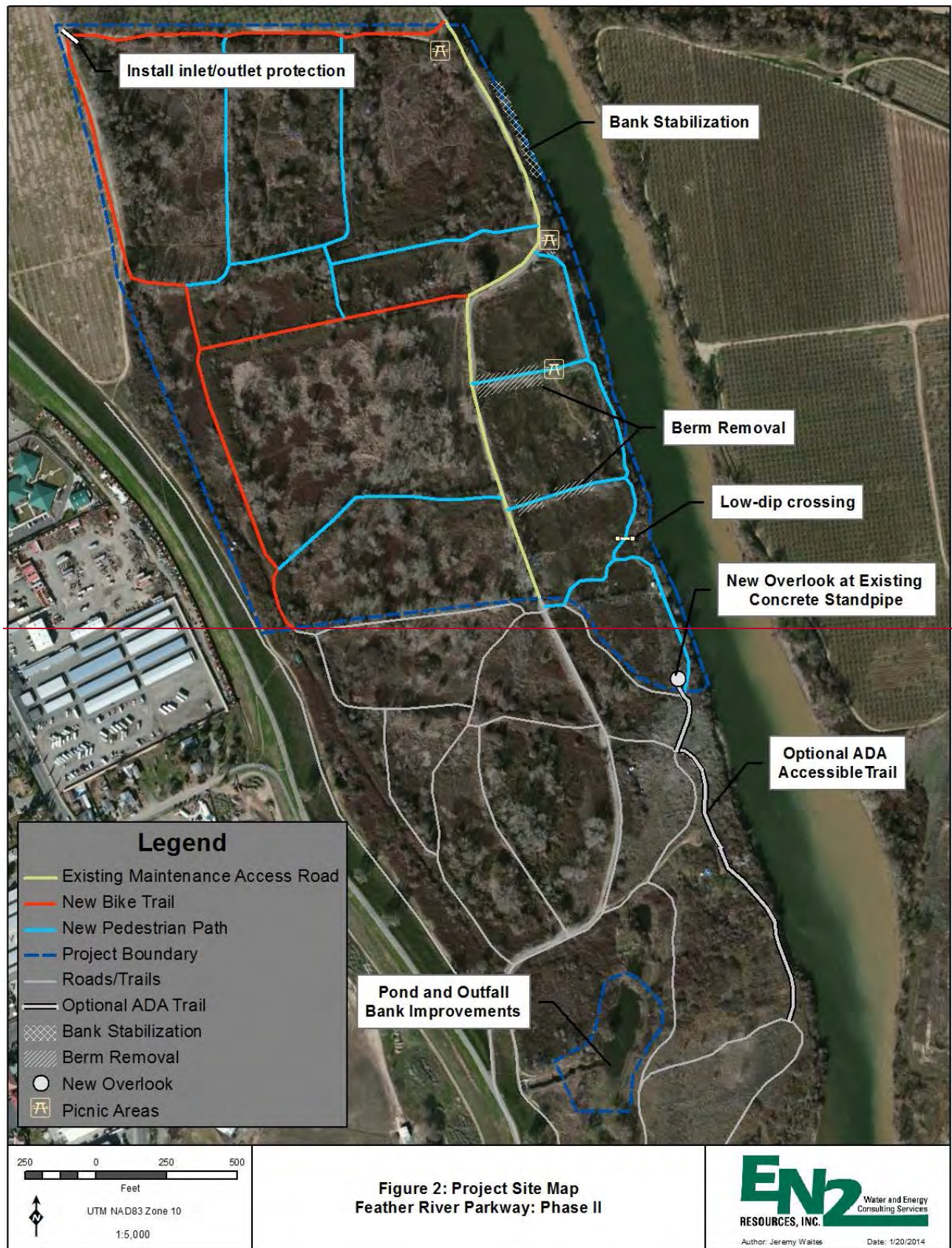


Figure 2 Project Site Map

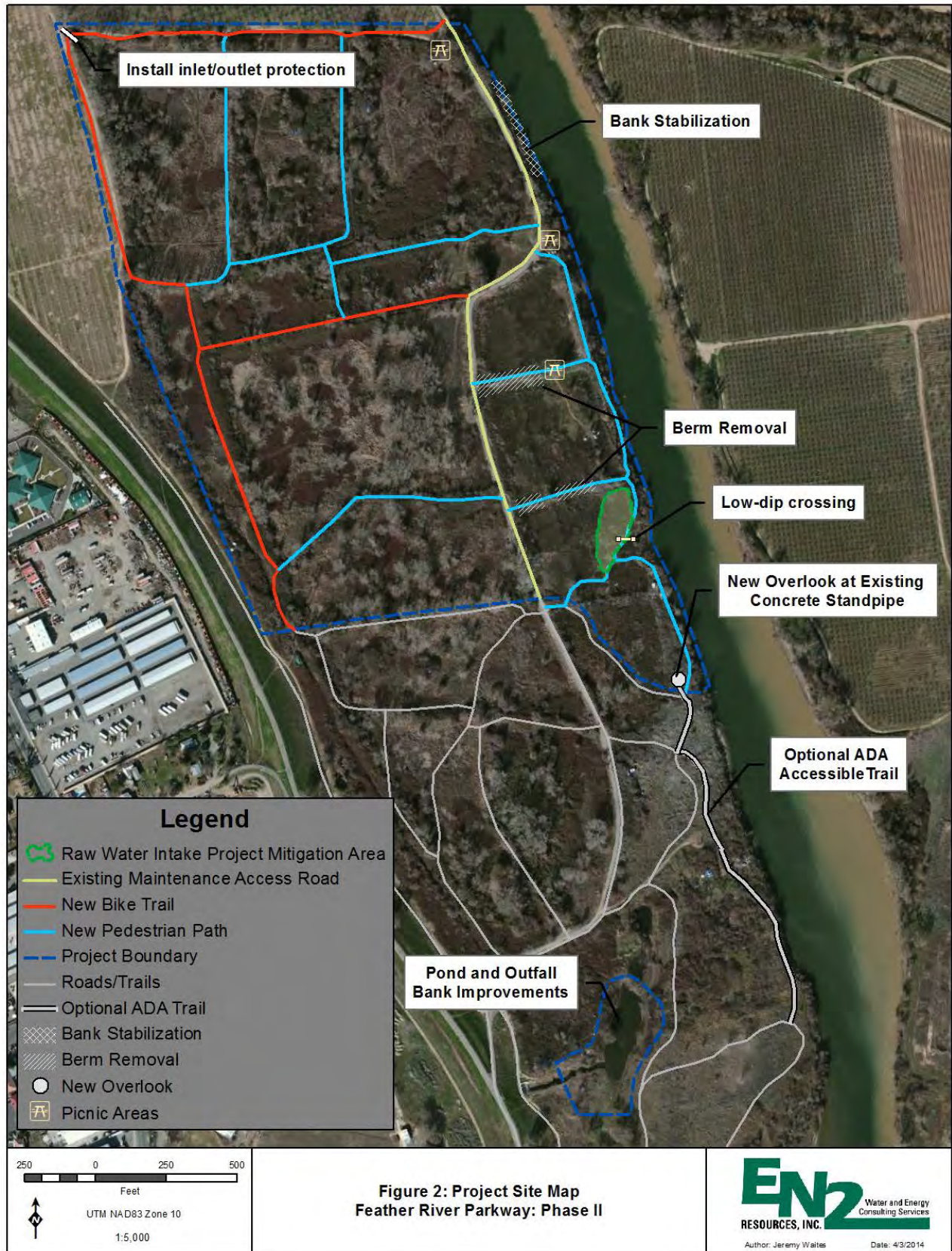


Figure 2 Project Site Map

4.1 Recreational Visitor Amenities

To support the various recreational opportunities proposed in the Project area, visitor amenities would include the following components:

- 7 Interpretive signs
- 3 Picnic areas
- 1 River overlook
- Access to pond in Phase I area
- Overall site map of the entire parkway located at the existing parking lot

Ancillary Facilities

- 8 Benches
- 10 Picnic tables
- 10 Garbage cans
- 2 Bike racks
- Safety railing for river overlook
- Metal pipe gates to restrict vehicles in park

4.1.1 Interpretive and Project Information Signage

The City would install interpretive and Project signage to provide educational information on the local area. The proposed signage would be at key vantage points to increase the public's understanding of the natural surroundings by the river, including riparian habitat, fisheries, wildlife, the California State Water Project, cultural history, and the Project's restoration process and recreational opportunities. Project signage would also describe the trail system and would include Quick Response (QR) codes that provide information about the trail system and the adjoining bicycle trail system in the City for users with QR readers on their mobile devices.

4.1.2 River Overlook Structure

The Project would include a river overlook structure atop an existing berm adjacent to a pedestrian trail. The overlook would be constructed of concrete with a metal walkway surround and would provide upstream and downstream views of the Feather River and would meet accessibility requirements of the Americans with Disability Act (ADA).

4.1.3 Access to Pond

Walkways to the pond in the existing Parkway area would be created by clearing vegetation and re-grading steep banks from existing pathways to improve access to the pond for wildlife viewing. New walkways would have a crushed rock surface.

4.1.4 Ancillary Facilities

The City would install ancillary facilities to benefit visitors. Picnic tables and benches would be constructed from concrete and secured to the ground to withstand major flooding events. Garbage cans would be located throughout the Project site near picnicking locations and would be removed by the City during the rainy season. In addition, the City would install bike racks at several locations.

4.2 Pedestrian Trail Amenities

The Project would include the construction of approximately 2.6 miles of public trails, which would connect with the existing bike and pedestrian trails in the Parkway. The proposed public trail system includes the following:

- Walking trail (8,250 linear feet)
- Cycling trail (5650 linear feet)

4.2.1 Cycling and Walking Trails

The trails would be constructed primarily on the abandoned sewage lagoon berms. Firebreaks and access routes to remove debris and trash which were created in 2012 during construction of Phase I of the Parkway would also be used for recreational trails. The cycling trails would be 8 feet wide with 2-foot wide shoulders on either side, and would be surfaced with crushed aggregate base. Pedestrian pathways would be four feet wide surfaced with decomposed granite. On two short spurs of bicycling pathways, the existing berms would be lowered to create more interesting topography and to promote water flow through the area.

4.2.2 Optional Trail

Depending on funding, an ADA-compliant trail, connecting from the existing overlook in the Phase I area to the new river overlook, would be built. This trail would be approximately 1,350 feet long and constructed of concrete.

4.3 Riverbank Stabilization

Approximately 100 linear feet of river bank above the Ordinary High Water Mark (OHWM) of the Feather River adjacent to the existing City maintenance road would be stabilized. The existing Maintenance Road through this area is beginning to degrade and road base materials could at some point slough off and possibly fall into the Feather River below. Stabilizing materials ('rip-rap") have previously been placed nearby on the bank, and this area of the river bank is largely devoid of vegetation that would provide suitable habitat for native animals.

In order to protect the Feather River, the City worked with staff from California Department of Fish and Wildlife to develop a method that adequately stabilizes this section of the riverbank and minimizes impacts.

The base of the stabilized section would consist of larger boulders placed at the toe of the bank above the ordinary high water mark overlaid with smaller rock and woody debris to provide a stable foundation and a lower bench for aquatic habitat. The slope would be covered with facing grade rock-slope protection (RSP) material. The rock slope material would be covered by soil which would be over-seeded with creeping wild rye and planted with creeping wild rye plugs. Willow posts would be driven into the slope to further promote stability. The new RSP would match up to an existing section of RSP at the upstream limit of work. The existing RSP is installed at a slope of 1.5 horizontal to 1.0 vertical. The new section would transition from the steeper RSP to a milder slope of 2.5 to 1.0 and continue at the slope for approximately 100 linear feet, then transition back to the existing slope at the downstream limit of work.

4.4 Roadway Improvements

The City would improve the existing City's Utility Department maintenance road to upgrade safety for trail users. The existing maintenance road connects to the paved roadway located on the levee and the bike

and pedestrian trails would intersect this road at several places. Stop and Yield signs would be installed at intersections to alert users to look before crossing the maintenance road and to remind drivers on the road to watch for pedestrian and bike traffic.

4.5 Restoration Activities

The Project would include restoration and enhancement of natural habitat of the Feather River floodplain in areas where the proposed construction activities would occur. The following restoration components are included with this Project:

- Planting native trees.
- Removing non-native, invasive vegetation.
- Removing non-native vegetation from the area around the pond in the Phase 1 area and planting appropriate native plants there.
- Building a low dip crossing in a berm adjacent to the river. This would improve drainage of floodwaters from the Project area. The low dip crossing surface would be stabilized using a concrete turf block surface.

4.5.1 Replanting Plan and Restoration Activities

The proposed Project would require the implementation of a ~~planting plan~~ Restoration Plan that would include the installation of native trees to shade the pathways. The City would replant in areas that had been treated for non-native plants and weeds with native species that can provide the necessary shade to reduce re-establishment of the weed species. New plantings would be monitored regularly in order to schedule weed control and supplemental watering to ensure the establishment of the replanted vegetation. Frequency of monitoring would be dictated by seasonal conditions. The Restoration Plan would be developed further through consultation with the California Department of Fish and Wildlife and would include recommendations to replace nesting habitat for the tri-colored blackbird (*Agelaius tricolor*). The Restoration Plan would also be approved by the Central Valley Flood Protection Board.

4.5.2 Vegetation Clearing

Undesired vegetation would be removed prior to and during construction. Clearing of vegetation would only occur in the Project footprint area. Vegetation would be cleared 12 feet away from trails. Construction of the trail system would minimize removal of special status vegetation species, e.g., elderberry shrubs. Only trees smaller than four inches in diameter at breast height (DBH) would be removed as necessary for trails and access to ancillary facilities. Vegetation removal near the river bank would be minimized. Tree canopies would be raised along the existing maintenance road and new pathways to improve visibility and user safety. Himalaya blackberry plants would be cleared away from paths, and the maintenance road, and around ancillary facilities only to the extent necessary to make these areas accessible.

The area within the abandoned sewage ponds are overgrown with non-native and invasive weeds. In order to restore these areas, the vegetation would be cleared and the areas re-seeded with appropriate low-growing native grasses and forbs.

To remove significant infestations of non-native weeds, herbicide may need to be applied. Herbicide applications would be applied in accordance with regulatory guidelines. Consultation with a Pest Control

Advisor (PCA) regarding appropriate herbicide use and application would be completed prior to use at the Project site. The City would establish a maintenance schedule to control weeds in future years.

4.6 Protection of Project Improvements from Flooding Events

Periodic flooding would inundate the Project site with deep, low velocity flows in the interior, and higher erosive flows along the Feather River's edge. The City would construct the Project to aid the flow and drainage of high water while utilizing building materials and structural designs that can withstand periodic stresses associated with flooding.

The majority of the trails would be constructed of crushed aggregate base that can easily be resurfaced after a major flooding event.

The low-dip crossing in the existing berm along the river bank will improve drainage across the Project area.

4.7 PG&E Gas Pipeline

Pacific Gas and Electric Company (PG&E) owns and operates a high pressure gas main that runs west to east through the northern portion of the property. This facility would remain in place, and all construction and restoration activities would be conducted to ensure the pipeline is undisturbed.

5.0 PROPOSED PROJECT CONSTRUCTION METHODS AND SCHEDULE

A Storm Water Pollution Prevention Plan (SWPPP) meeting standards set by the State of California will be developed and implemented for the Project. Construction staging, including stockpiling of aggregate base or other materials for the proposed Project would be located at the existing parking lot. Construction equipment for Project activities would be the responsibility of the Contractor and would include the following:

~~5.1 Grading and Graveling Equipment Needs~~

- Dump Truck
- Loader
- Grader
- Soil Compactor
- Generator
- Water Truck

The City anticipates that work on the Project would be performed between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday except for holidays. Approximately 12 construction personnel would be required during the proposed Project construction activities. Parking for construction personnel would be available at the existing parking lot for the Parkway.

5.25.1 Construction Safety

Contractor would install temporary fencing and/or signage across paths to indicate areas closed to the public to prevent unauthorized entry to the Project area during construction activity. In addition, the City would have a full-time inspector at the proposed Project site during the duration of the Project to monitor implementation and compliance with agency regulations and requirements by the construction personnel. This City representative would have the authority to stop work in the event of noncompliance.

6.0 PROPOSED PROJECT OPERATIONS AND MAINTENANCE

The Project area is within the jurisdiction of the City, and would therefore be operated and maintained by the City's Parks and Recreation Department. The Project improvements would provide recreational and educational opportunities at no charge to the public. In addition, during the dry season the City would provide security personnel for monitoring of the parkway for public safety.

The City routinely works with volunteer groups and the California Conservation Corps (CCC) to maintain the pedestrian and cycling trails and vegetative habitat within the public access areas. During periods when the CCC is unavailable for maintenance activities, the City would be responsible for ensuring the recreational facilities are maintained appropriately.

For management of operations at the Project site, the City's Parks and Recreation Department would impose the following user restrictions:

- Dawn until dusk public access only.
- Hiking and cycling restricted to designated areas.
- Motorized vehicles not allowed off roads (excluding service and maintenance vehicles).
- Alcohol use would be prohibited.
- Tobacco use would be prohibited.
- Certain trails would be closed seasonally to protect nesting habitat for the bank swallow (*Riparia riparia*). Signs would be posted informing the public of the necessity to close the trail.
- Additional vegetation removal would be limited to maintaining access to trails and ancillary facilities or to removing newly introduced non-native invasive weeds.

The City may recruit volunteer groups to help support the City in its efforts to keep the Project site safe and clean. Organized cleanup and trail maintenance days and park watch programs would create vested, public interest in the community, while enhancing the recreational and educational function of the Project site.

7.0 ENVIRONMENTAL REVIEW AND POTENTIAL PERMITTING REQUIREMENTS

CEQA review would be completed and applicable permits would be obtained before the City begins proposed Project activities. Standards to be used during the proposed Project construction activities include: the ADA Standards, City Parks and Recreation Department Standards, California Vehicle Code, American Association of State Highway and Transportation Officials (AASHTO) Federal Highway Standards, and Uniform Federal Accessibility Standards. Table 1, below, lists the anticipated agency reviews and permits that would be necessary for the City to implement the Project.

Table 1 Agency Review and Potential Permit Requirements

Agency	Applicable Laws/Regulations
City of Yuba City (CEQA Lead Agency)	Section 21000 et seq. of Public Resources Code, Section 15000 et seq. of California Code of Regulations,

	CEQA
U.S. Army Corps of Engineers (USACE)	Clean Water Act, Section 404 Permit
U.S. Fish and Wildlife Service (USFWS)	Endangered Species Act, Section 7 Consultation, Fish and Wildlife Coordination Act
California Department of Fish and Wildlife (CDFW), North Central Region	Fish and Game Code, Section 1600 et seq., Streambed Alteration Agreement, California Endangered Species Act consultation
California Water Quality Control Board (CWQCB), Central Valley Region	Clean Water Act, Section 401, Water Quality Certification and Section 402, National Pollutant Discharge Elimination System (NPDES) Permit
California Reclamation Board <u>Central Valley Flood Protection Board</u> Levee District 1	Encroachment Permit

8.0 PROPOSED PROJECT SCHEDULE

The proposed Project construction activities would commence in January 2015. Construction of the proposed Project would be completed within approximately 10 months, with the grading and graveling activities completed prior to the 2016 rainy season. Permitting of the proposed Project would occur after the City's completion of CEQA review.

9.0 ENVIRONMENTAL CHECKLIST

9.1. Background

Project title: Feather River Parkway, Phase II

Lead agency name and address: City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 94993

Contact person and phone number: Brad McIntire (530) 822-4652

Project location: Sutter County, CA

Project sponsor's name and address: City of Yuba City
1201 Civic Center Boulevard
Yuba City, CA 94993

General plan description: City of Yuba City General Plan

Zoning: Flood by the City of Yuba City Zoning Code

9.2. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this proposed Project, involving at least one impact that is "Less than Significant" or "Less Than Significant with Mitigation" as indicated by the accompanying environmental checklist.

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

9.3. Determination

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION (ND) will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. An MND will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required. I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or ND pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or ND, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Brad McIntire
Signature

2-3-14
Date

Brad McIntire
Printed

2-3-14
Date

9.4. Evaluation of Environmental Impacts

The degree of change from existing conditions caused by the Project is compared to the impact evaluation criteria to determine if the change is significant. Where it is determined that one or more significant impacts could result from implementation of the Project, mitigation measures are developed to reduce or eliminate the significant impacts. Existing conditions serve as a baseline for evaluating the impacts of the Project.

The following terminology is used in this document to describe the various levels of environmental impacts associated with the Project:

- A finding of *no impact* is identified if the analysis concludes that the proposed Project would not, or only negligibly, affect a particular environmental topical area in any way.
- An impact is considered *less than significant* if the analysis concludes that the proposed Project would not cause a substantial adverse change in the environment, or would result in a positive change to the environment.
- An impact is considered *less than significant with mitigation* if the analysis concludes that the proposed Project has the potential to cause a substantial adverse change in the environment, but the proposed Project includes measures to mitigate the potential impact to a less than significant level.
- An impact would be considered a *potentially significant impact* if the analysis concludes that the proposed Project could cause a significant environmental effect. Proposed Projects that potentially produce a significant impact(s) warrant the greater level of analysis and consideration provided by an EIR.

9.4.1 Aesthetics

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impact on Aesthetics

The proposed Project would create a riverfront park in an area of abandoned sewage lagoons. Non-native vegetation would be removed and replaced with native plants, which would return the area to a more natural state. The trails proposed for the Project will be on existing berms in the Project area and would be surfaced with natural crushed rock. A river overlook would replace an unused concrete standpipe. A portion of the riverbank would be stabilized with aggregate rock overplanted with wild rye grass. The proposed Project would make minor yet positive changes on the existing landscape, including retrofitting the abandoned standpipe into an overlook and replanting with plants native to the riparian area and removing noxious invasive weeds from the area.

Explanation of Impacts on Aesthetics

- a) Less than Significant Impact. There is no direct line of site to the Project area from any major roadway or vantage point used by the public. The Project area can be seen from an agricultural area across the Feather River and from the maintenance road used by City work crews. Construction activities would have short term impacts on the scenic view from limited vantage points.
- b) No Impact. The proposed Project would not require that trees larger than 6 inches Diameter at Breast Height (DBH) be removed and there are no rock outcroppings or historic buildings on site to be affected by Project activities.
- c) Less than Significant Impact. Project improvements would include park benches, picnic tables and interpretive signs.

One element of the proposed Project is to build a river overlook. The overlook would replace a concrete standpipe that was part of the workings of the now-abandoned sewage lagoons and is visible from the river. The Project would therefore improve the visual quality of the area.

A second element is a requirement by the granting agency to stabilize approximately 100 linear feet of eroded riverbank. The proposed bank stabilization would include overplanting the area with creeping wild rye grass. This area can be seen from the Feather River and would be adjacent to an existing area of riverbank that was stabilized with rip-rap. Therefore, some degradation of the natural riverbank would result from the increased length of rip-rap placed for riverbank stabilization.

- d) No Impact. The proposed Project would be a riverfront park for day use only. No street lamps or other sources of nighttime lighting would be installed. The proposed Project does not include building structures with reflective surfaces that would cause glare during the daytime.

Mitigation Measures for Aesthetics

No mitigation is required or warranted.

9.4.2 Agriculture and Forest Resources

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

Would the project:

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

Discussion of Impacts of Agriculture and Forest Resources

- a) No Impact. The proposed Project area is located on lands designated as "Grazing Land" by the California Department of Conservation's Farmland Mapping and Monitoring Program (SCIF 2010). There are no agricultural operations occurring at the Project site, and the Project does not include construction that might convert land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. See Figure 3.
- b) No Impact. There is no land subject to a Williamson Act contract within the Project area. The proposed Project area is zoned for flood (Yuba City Zoning Map) (CYC 2004) located on lands designated as "Grazing Land" by the Farmland Mapping and Monitoring Program. There are no agricultural operations occurring at the Project site, and the Project would not conflict with existing agricultural zoning or area subject to Williamson Act.
- c) No Impact. The area is not zoned for timberland and there is only a small amount of forest or woodland resources on-site. None of these resources would be impacted by the proposed Project.

No native trees larger than 6 inches DBH would be removed by project activities. Trails would be placed over existing road and trails and would be routed as to not impact forest resources. There are no timberland resources on-site within the proposed Project area. The Project area is not

zoned timberland production and there are no areas used for growing and harvesting timber. Project activities (specifically the control of invasive plant species) would help support native tree cover.

- d) No Impact. There are no forest or woodland resources on-site that would be impacted by the proposed Project. Project activities would not remove or negatively impact any trees or other forest resources.
- e) No Impact. The proposed Project would not involve other changes in the existing environment that could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. There are no agricultural operations occurring at the Project site.

Mitigation Measures for Agriculture and Forest Resources

No mitigation is required or warranted.

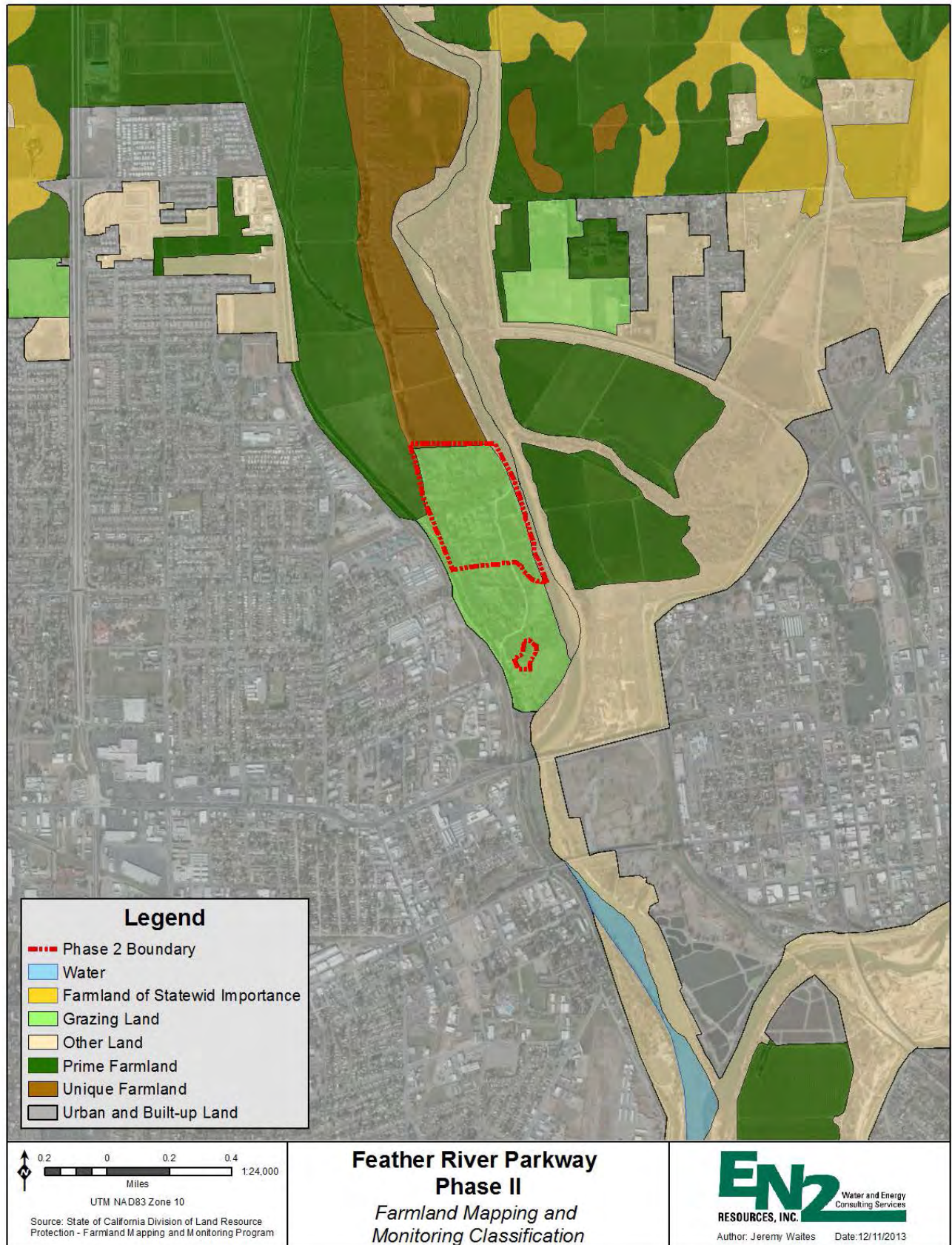


Figure 3 Farmland Mapping and Monitoring Classification

9.4.3 Air Quality

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

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting for Air Quality

Air quality in the Project area is regulated by the U.S. Environmental Protection Agency (EPA), CARB, and the Feather River Air Quality Management District (FRAQMD). The City is located in the Northern Sacramento Valley Air Basin (NSVAB). Air quality monitoring in the NSVAB has been conducted for the last 18 years. The monitoring results have shown that the principal pollutants are ozone and particulate matter (CYC 2004).

In December 2012, the EPA determined that the Yuba City-Marysville non-attainment area has attained and continues to attain the 2006 24-hour Particulate Matter 2.5 National Ambient Air Quality Standard (US EPA 2012). The FRAQMD has adopted a maintenance plan to ensure continued attainment of the National Standard (FRAQMD 2013). The FRAQMD is either designated as attainment or unclassified for the remaining federal and state standards for nitrogen dioxide (NO₂), sulfur dioxide (SO₂), carbon monoxide (CO), sulfates, hydrogen sulfide (H₂S), lead, and visibility reducing particles (FRAQMD 2010).

Discussion of Impact on Air Quality

- a) No Impact. The Project activities would not conflict with or obstruct implementation of the FRAQMD Air Quality Plan.
- b) Less than Significant with Mitigation incorporated. Short-term, air quality impacts could result from the construction equipment at the Project site. A portable generator would be utilized during proposed construction activities, and would be required to be registered by the City through CARB prior to use. As outlined in the Yuba City General Plan (CYC 2004) implementing policies (8.6-I-7) for air quality and the FRAQMD *Indirect Source Review Guidelines* (FRAQMD 2010), the City would require the contractor to implement mitigation measure MM-AQ-1 during proposed

construction activities to help ensure less-than-significant impacts from construction vehicle emissions.

Short-term air quality impacts could result from fugitive dust emissions generated during earthmoving activities. As outlined in the Yuba City General Plan (CYC 2004) implementing policies for air quality (8.6-I-6) and the FRAQMD *Indirect Source Review Guidelines* (FRAQMD 2010), the City would require the contractor to implement mitigation measure MM-AQ-2 during proposed construction activities to help ensure less-than-significant impacts for fugitive dust emissions.

As described in Section 5.0, approximately six (6) pieces of equipment would be utilized during the Project construction activity. However, during peak construction periods all 6 pieces of equipment would not be operating simultaneously. Worker vehicles would also be limited to no more than twelve (12) vehicles, resulting in a less-than-significant impact to air quality standards in the region. The area of land to be graded and the amount of heavy equipment operating is far below that which would approach the daily and annual limits for oxides of nitrogen (NOx), reactive organic gases (ROG), and particulate matter-10 (PM).

Operations of the Project site would include recreationists' vehicles that would be traveling to and from the Project site creating minimal impacts to criteria pollutants. Motorized vehicles, i.e. all-terrain vehicles, would not be permitted to access Project trails.

- c) Less than Significant Impact. The proposed Project would not contribute a cumulatively considerable net increase of any criteria pollutant to the air basin that would affect the ambient air quality status for the federal and state ozone standards.
- d) No Impact. There are no known sensitive receptors near the Project area.
- e) Less than Significant Impact. The vehicles for proposed Project construction activity include off-road and on-road diesel powered vehicles. This equipment could create odors for recreationists at the existing Parkway. These odors would be temporary, and would only occur during particular phases of work.

Mitigation Measures for Air Quality

MM-AQ-1:

To reduce construction equipment emissions, the City would comply with the following Best Management Practices (BMP) measures during Project implementation:

- Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions Limitations (40% opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a Notice of Violation from the FRAQMD.
- The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained prior to and for the duration of the on-site operation.

- The primary contractor shall install diesel particulate filters or implement other CARB-verified diesel emission control strategies on all construction equipment.
- The primary contractor shall establish staging areas for the construction equipment that are as distant as possible from off-site receptors.
- The primary contractor shall use haul trucks with on-road engines instead of off-road engines for on-site hauling when feasible.
- Idling time shall be limited to 10 minutes to save fuel and reduce emissions.

Implementation of the above BMP measures would ensure less-than-significant impacts to air quality standards for construction equipment emissions during implementation of the Project.

MM-AQ-2:

To reduce fugitive dust emissions and minimize PM 2.5 impacts on air quality, the City shall comply with the FRAQMD Fugitive Dust Rule 3.1. The City would require the contractor to submit for approval a Fugitive Dust Plan (Plan) to the FRAQMD, and implement the required BMP measures outlined in the Plan. The required BMP measures to be applied during the grading and earthmoving phases of work should include, but are not limited to, the following:

- During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by regular watering, paving of construction roads, or other dust-preventive measures as directed by the Department of Public Works or Air Quality Management District (AQMD).
- An operational water truck should be available at all times during construction activity.
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day.
- All clearing, grading, earth-moving, or excavation activities shall be suspended when winds exceed 20 miles per hour (mph) averaged over 1 hour.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earth-moving, or excavation operations shall be minimized at all times.
- Reduce traffic speeds on all unpaved surfaces to 15 mph or less and reduce unnecessary vehicle traffic by restricting access.
- Reestablish ground cover on the construction site as soon as possible and prior to final occupancy through seeding and watering.

Implementation of the above BMP measures would ensure less-than-significant impacts to air quality standards for fugitive dust during implementation of the Project.

9.4.4 Biological Resources

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

Environmental Setting of Biological Resources

The Project area is located in the City along the west bank of the Feather River, just north of the Highway 20 Bridge. The Project is within the floodplain of the Feather River and is subject to frequent flooding. This frequent natural disturbance has created a mixture of riparian habitats in the Project area. A large portion of the site was formerly used as sewage treatment plant and remnants of the abandoned "lagoons" still exist and are visible in aerial photographs and on the ground (Figure 2. Project Site Map).

There are patches of Great Valley Cottonwood Riparian Forest identified in the California Natural Diversity Database (CNDDDB) (CDFW 2013) north of the Project area along the river (Holland 1986). This area is characterized by a mature overstory of cottonwood (*Populus fremontii*) and very dense undergrowth consisting of wild grape (*Vitis californica*), willows (*Salix exigua*, *S. goodingii*), and other species. Large mature sycamore (*Platanus racemosa*) trees are found on the higher ground around this area.

The majority of the Project area is classified as Great Valley Willow Scrub, with some areas having dense willow thickets and others being relatively open with a mix of forbes, grasses, and shrubs, including mule fat (*Baccharis salicifolia*) (Holland 1986). There are patches of Mixed Riparian Vegetation as well in and around the old lagoons. These areas are composed primarily of cottonwood, willow, and valley oak

(*Quercus lobata*). Small valley oak saplings are found throughout the open areas of willow scrubland. There are scattered mature valley oaks along the margins of the Project area, nearer the levee. Dense Himalayan blackberry (*Rubus armeniacus*) and other weedy species have invaded this area.

Throughout the Project area there are pockets of native trees beginning to reclaim the site of the abandoned sewage lagoon. There is a considerable amount of old concrete, asphalt, and other debris in and around the old lagoons. There are numerous mature, multi-stemmed elderberry shrubs (*Sambucus mexicana*) throughout the Project site, primarily on the higher ground and near the river's edge.

As mitigation for impacts from the Feather River Raw Water Intake Project completed by the City in 2014, a restoration area approximately 0.2 acre in size was planted with riparian vegetation in 2013 along the eastern edge of the Phase II Project area.

The Project area has been used informally by the public for a number of years for recreation such as access for swimming and fishing, and by homeless people who established long-term campsites in the area. This informal and unauthorized access has led to degradation of the riparian habitat in the area. Trash has accumulated in several sites; vegetation was removed by the homeless to establish campsites; and an informal network of trails was formed as people accessed the area.

At one point during construction of Phase I of the Feather River Parkway, a campfire raged out of control in what is now the Phase II Project area. The contractor on-site was requested by the fire department to establish firebreaks to help contain the fire and to prevent additional property damage. Other unexpected and uncontrolled fires occurred in the area, which put the City in an untenable position. The City decided to clean-up the campsites in the area and several additional road cuts were made to create access routes to trash piles in the area.

The trail system of the proposed Project would be built on a combination of the existing berms from the abandoned sewage lagoons and the fire breaks and access routes that were created in 2012.

The riparian habitat in Project area has been degraded by infestations of non-native invasive weeds which are species introduced to California after European contact and invasive plants are those that can displace native species and alter ecosystem processes (Cal IPC 2006).

Discussion of Impacts on Biological Resources

- a) Less Than Significant with Mitigation Incorporated. Table 1, below, summarizes the results of queries (all occurrences within 5 miles of the proposed Project) of the CNDDDB and the USFWS Database (USFWS 2013) for the area covered by the USGS, Yuba City and Sutter topographic quadrangle. A review of the CNDDDB indicates the presence of several Federally Threatened and Endangered plants and animals (CDFW 2013). Based on a field reconnaissance survey of the habitat on-site and data from the above searches it was determined that several special-status species may have habitat near the proposed Project. The species habitat descriptions, descriptions of on-site conditions, and explanations of potential effects on each species are presented below.

Table 2 Special Status Species

Common Name	Scientific Name	Federal Listing	California Listing	CNPS Listing	Potential Habitat
Birds					
Swainson's hawk	<i>Buteo swainsoni</i>	None	Threatened	-	Yes
Western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	Candidate	Endangered	-	Yes
Tricolored blackbird	<i>Agelaius tricolor</i>	None	None	-	Yes
Bank swallow	<i>Riparia riparia</i>	None	Threatened	-	Yes
Great Egret (rookery)	<i>Ardea alba</i>	None	None	-	Yes
Great blue heron (rookery)	<i>Ardea herodias</i>	None	None	-	Yes
Invertebrates				-	
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	Threatened	None	-	Yes
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	Endangered	None	-	No
California linderiella	<i>Linderiella occidentalis</i>	None	None		No
Fish				-	
Green sturgeon	<i>Acipenser medirostris</i>	Threatened	None	-	Yes
Central valley steelhead	<i>Oncorhynchus mykiss</i>	Threatened	None	-	Yes
Chinook salmon	<i>Oncorhynchus tshawytscha</i>	Threatened	Threatened	-	Yes
Delta smelt	<i>Hypomesus transpacificus</i>	Threatened	Endangered	-	No
Amphibians, Reptiles				-	
Western pond turtle	<i>Actinemys marmorata marmorata</i>	None	None	-	Yes
Giant garter snake	<i>Thamnophis gigas</i>	Threatened	Threatened	-	Yes
California tiger salamander	<i>Ambystoma californiense</i>	Threatened	Threatened	-	No
California red-legged frog	<i>Rana draytonii</i>	Threatened	None	-	No
Plants					
Ferris' milk-vetch	<i>Astragalus tener var. ferrisiae</i>	None	None	1B.1	Yes
Recurved larkspur	<i>Delphinium recurvatum</i>	None	None	1B.2	No
Veiny monardella	<i>Monardella venosa</i>	None	None	1B.1	No
Hartweg's golden sunburst	<i>Pseudobahia bahiifolia</i>	Endangered	Endangered	1B.1	No
California Native Plant Society: 1B.1 Rare, Threatened or Endangered in California and Elsewhere, Seriously threatened in California 1B.2 Rare, Threatened or Endangered in California and Elsewhere, Moderately threatened in California					

Swainson's hawk (*Buteo swainsoni*): Swainson's hawk is a state-listed Threatened species and protected under the Federal Migratory Bird Treaty Act. Swainson's hawk prefers wide open grassland, cropland, or pasture for foraging habitat. It often nests in solitary trees or within trees in small groves near its foraging habitat. It can also be found nesting in riparian woodlands. This is a migratory species that winters as far south as the southern tip of South America (Peeters 2005).

Nesting sites have been observed along the Feather River to the north and south of the proposed Project over a mile away. There are numerous potential nesting trees near the proposed Project area within the riparian habitat. No large, mature trees would be removed for any Project-related

construction activity. Swainson's hawk foraging habitat exists in the more open areas of willow scrubland and adjacent walnut plantation. Construction activities could lead to a temporary disturbance to foraging hawks but the construction of the bike and pedestrian trails would lead to a very small amount of foraging habitat loss. CDFW guidelines state that no disturbances, such as the operation of heavy construction equipment, should be initiated within 0.5 mile of any active nests during the critical nesting season of March 1 through September 15 (CDFW 1994). If there are potential nesting trees within 0.5 miles of the Project, therefore, Project activities could lead to significant adverse impacts to Swainson's hawk if construction occurs during the nesting season. Mitigation (MM-BIO-2) would reduce potential impacts to less-than-significant.

Cooper's hawk (*Accipiter cooperii*): The Cooper's hawk is protected under the Federal Migratory Bird Treaty Act. Cooper's hawks are woodland species that inhabit a variety of habitat types. Nesting habitat is often in riparian and oak woodlands; within the outer branches of mature trees. Prey includes small mammals and birds (Peeters 2005).

No CNDDDB occurrences are within 5 miles of the Project but suitable nesting and foraging habitat is located throughout the Project area. Construction activity at the site could lead to potential adverse impacts to this species. Mitigation is presented below (MM-BIO-2), which would reduce impacts to less-than-significant.

White-tailed kite (*Elanus leucurus*): The white-tailed kite is not officially listed and is not a species of special concern in California; however, like all raptors, it is protected by the Federal Migratory Bird Treaty Act and is a CDFW Fully Protected Species.

The white-tailed kite prefers grassland and savannah habitats in the Central Valley and foothills. It will use marginal habitat near suburban populations. It prefers to nest near the top of trees with a dense canopy (Peeters 2005). There are numerous suitable nesting locations within the Project boundary. White-tailed kites' nests were not identified in the CNDDDB within 5 miles of the Project. Impacts to potential nesting white-tailed kites as a result of vegetation clearing and other construction activity could occur.

To mitigate potential impacts to white-tailed kites and other nesting raptors, mitigation (MM-BIO-2) would be implemented if construction is scheduled to occur during the nesting season. With the implementation of MM-BIO-2, the potential impact to this species and other raptors would be less-than-significant.

Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*): The western yellow-billed cuckoo is a state-listed Endangered species and a federally candidate listed species. The cuckoo prefers large stands of mature, dense riparian woodland dominated by cottonwood and willows with a dense understory of shrubs and vines. It typically nests in dense willows. The breeding season is May to September (Fix 2000; Zeiner 1990). The CNDDDB indicates the presence of past occurrences to the south and to the north of the Project area.

There is some potential habitat for this species within the patch of mature cottonwood-willow riparian woodland to the south of the Project area. The small size of this patch makes it an unlikely location for a nest but since few large tracts of habitat exist at this site, it could be used by nesting cuckoos. Construction activity and riparian vegetation removal could lead to significant impacts to

this species. Mitigation is presented below (MM-BIO-3) that would reduce potential impacts to a less-than-significant level when implemented.

Tricolored blackbird (*Agelaius tricolor*): The tricolored blackbird is a state species of concern during its breeding season. This colonial nesting species requires sites with open accessible water, protected nesting substrate (flooded or thorny vegetation), and suitable foraging habitat that provides adequate insect prey for the colony. Most occurrences of tricolored blackbirds are in freshwater marshes (Hamilton 2004) although an increasing number of colonies are nesting in Himalayan blackberry (Cook 2005). Project activities are not expected to adversely impact this species. Implementation of MM-BIO-11 would reduce impacts to a less than significant level.

Bank swallow (*Riparia riparia*): The bank swallow is a state-listed Threatened species. This colonial species nests along steep vertical banks, cliffs, or bluffs along perennial waters. The bank soil must be soft enough for burrowing (Zeiner 1990).

The CNDDDB indicates the presence of bank swallows approximately 1.5 miles to the north of the Project. There are areas within the Project that could provide suitable habitat for this species. There are incised, eroded banks along portions of the Feather River north of the sandy beach area. Much of this area appears to have fairly dense vegetation, which is not ideal for bank swallows.

Adverse impacts to this species are not likely since construction is not likely to encroach on the steep bank area of the river. ~~Suggested m~~Implementing mitigation measures for protecting riparian habitat (MM-BIO-6) and protecting bank swallows (MM-BIO-12) would reduce potential impacts to a less-than-significant level.

Great egret and Great blue heron (*Ardea alba* and *Ardea herodias*) rookery sites: These species are state species of concern because rookery sites are sensitive to disturbance and a large number of birds can be located at one site. Rookery sites are very similar and are typically located in the tops of large snags or live trees. These sites are often near aquatic foraging areas.

The shallow water along the margins of the Feather River and the freshwater pond on site could provide suitable foraging habitat. The mature woodland areas could provide rookery sites for either of these species. There are no records of these species within 5 miles of the project in the CNDDDB. No rookery sites were observed in the vicinity of the Project. Project activities are likely to have a less-than-significant impact on these species.

Valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*): Valley elderberry longhorn beetle (VELB) habitat consists solely of blue elderberry (*Sambucus mexicana*) in the Central Valley and Sierra Nevada foothills from approximately 0 to 3,000 feet elevation. Blue elderberry shrubs are often located in riparian corridors in the Sacramento Valley (USFWS 1999).

Numerous elderberry shrubs were observed within the Project area. Maintaining a 20-foot buffer from the dripline of the shrubs ~~will~~would help avoid impacts. Construction of the Project may require trimming or pruning or removal of shrubs to create trails and place other amenities. Dust from construction traffic could be deposited on the foliage, resulting in temporary stress to the plants. Mitigation is presented below (MM-BIO-4) that would bring impacts to a less than significant

level. In addition to MM-BIO-4, the contractor would be required to prepare and implement a fugitive dust control plan (MM-AQ-2) to further protect elderberry shrubs in the Project area.

Vernal pool fairy shrimp (*Branchinecta lynchi*): This species of tadpole are found in a variety of natural, and artificial, seasonally ponded habitat types including: vernal pools, swales, ephemeral drainages, stock ponds, reservoirs, and ditches. Project activities would be mainly on the berms around the sewage ponds and therefore would not negatively impact potential habitat for this species.

Green Sturgeon (*Acipenser medirostris*): The green sturgeon is a federally-listed Threatened species. The green sturgeon is an anadromous and long lived fish that enters rivers primarily to spawn, spending most of its life in marine environments. Spawning typically occurs between March and July in deep, fast moving, relatively cold water (8°-14° C). Typical spawning habitat is thought to be large cobble. It is known to occur and spawn in the Sacramento River. Critical habitat has not been designated for this species. Green sturgeons have been seen in the Feather River and are presumed to utilize it for spawning (Moyle et. al. 1995).

Central Valley steelhead (*Oncorhynchus mykiss*): The Central Valley population of steelhead is a federal-listed Threatened species. The steelhead is an anadromous fish, which spawns in freshwater rivers from December to March. Preferred spawning habitat consists of gravel beds in cool (10-15 deg. C), fast flowing, well oxygenated perennial streams (Moyle et.al. 1995). The Feather River is listed as Critical Habitat for the Central Valley population of steelhead. The river is considered consistent and fair habitat for migration of adults and juveniles; and natal habitat is periodic and fair (NOAA 2005a).

Central Valley Spring-run and Winter-run Chinook (*Oncorhynchus tshawytscha*): The spring run of Chinook salmon is listed as Threatened under federal and state regulations; the winter run of Chinook in the Sacramento River is listed as Endangered under federal and state regulations (NOAA 2005b, NOAA 1999). The Chinook salmon is an anadromous fish, which spends 2-5 years in the ocean before moving into freshwater rivers to spawn. They do not feed while in freshwater but rely on stored body fat. The spring-run spawns in freshwater rivers from September to October in gravel beds of fast flowing cool water (not more than 14 deg. C) (Moyle 1995).

The winter-run spawns in similar conditions from late April to early August. Ideal water temperatures for upstream migration of the winter run are 14°-19° C (Moyle 1995). The Feather River is designated critical habitat for both of these runs. The river is considered consistent, good habitat for migrating adults and juveniles; and consistent, fair rearing habitat for juveniles. This portion of the river does not contain suitable spawning habitat (NOAA 2005b).

Potential impacts to all special-status fish species as a result of Project activities would be temporary and minimal. Only a small portion of the riverbank where the bank stabilization is to occur could potentially be affected by construction activities. The bank stabilization element, the final design of which has not yet been determined, would be covered under either Nationwide Permit 13 or other permit issued through the US Army Corps of Engineers. The City would adhere to any additional mitigation measures required by the permit. (See MM-HYD-3 and -4).

Construction related ground disturbance near the Feather River could lead to increased suspended sediment and turbidity of river water from stormwater runoff. Sediment can affect spawning habitat by clogging gravels and reducing oxygen levels around eggs. In addition, there are a variety of adverse physiological and behavioral effects to fish resulting from increases in suspended solids (Bash 2001). Mitigation for these impacts is addressed in MM-HYD-1, preparation of an application for storm water discharges includes a provision for preparing a SWPPP. The BMPs in the SWPPP will help reduce impacts associated with soil disturbance and potential sedimentation of local waterways.

Mitigation is presented below (MM-BIO-1, ~~-67~~, and ~~-813~~) that would also reduce potential impacts to a less-than-significant level for all fish species.

Western pond turtle (*Actinemys marmorata*): The western pond turtle is a state species of special concern. It is generally found near permanent or semi-permanent water with abundant vegetation in a wide variety of habitats, below 6,000 feet (Zeiner et.al. 1990). It requires partially submerged logs, rocks, cattail mats or exposed banks for basking. There are no recorded CNDDB occurrences within 5 miles of the Project.

Potential habitat for this species exists along the Feather River and possibly within the pond on site. Temporary adverse impacts to western pond turtle would be possible during construction of the trails, overlook, and bank stabilization. Riverine and adjacent upland habitat may be disturbed during the construction of these facilities. Mitigation is presented below (MM-BIO-7), which would reduce impacts to less-than-significant.

Giant garter snake (*Thamnophis gigas*): The giant garter snake (GGS) is a federally-listed Threatened species. It is found primarily within the Sacramento Valley. Habitat requirements consist of (1) adequate water during the snake's active season (early-spring through mid-fall) to provide food and cover; (2) emergent, herbaceous wetland vegetation, such as cattails and bulrushes, (3) grassy banks and openings in waterside vegetation for basking; and (4) higher elevation uplands for cover and refuge from flood waters during the snake's dormant season in the winter (USFWS 2009a, Zeiner et.al 1990).

The GGS inhabits agricultural wetlands and other waterways such as irrigation and drainage canals, sloughs, ponds, small lakes, low gradient streams, and adjacent uplands. Riparian woodlands typically do not provide suitable habitat because of excessive shade, lack of basking sites, and absence of prey populations (USFWS 2009a). There is an occurrence of GGS almost two miles to the southwest of the Project area. The occurrence is only accurate to 80 meters and is presumed extant.

The Project site contains a variety of habitats from dense riparian woodland to open willow scrub. Conditions at the site during a reconnaissance survey did not appear suitable for GGS. GGS typically are not found in large rivers like the Feather River (USFWS 2009a). Away from the river, there is very little backwater, or aquatic habitat with emergent aquatic vegetation. The small pond appears to be isolated, and not likely to support a large quantity of suitable prey for GGS. However, following floods, this site could be transformed into habitat temporarily. With numerous flooded lagoons and a maze of upland berms as potential refuge and basking sites, this site would

meet the habitat requirements of GGS. Given the overall habitat conditions existing at the site, Project related activities would not likely impact GGS.

California tiger salamander (*Ambystoma californiense*): This species is restricted to grasslands and low (typically below 2000 feet/610 meters) foothill regions where lowland aquatic sites are available for breeding. They prefer natural ephemeral pools or ponds that mimic natural conditions in which wetlands retain water until May or June and then go dry. (Loredo and Van Vuren 1996) The potential for habitat for this threatened species is low within the project area due to early drying in the absence of flooding. Any suitable habitat (standing water and wetlands found after May) if found on site would be flagged and avoided.

California red-legged frog (*Rana draytonii*): This amphibian is found primarily near ponds in forests, grasslands, and vegetated streamsides in lowlands or foothills. No occurrence has been recorded in or near the Project area. Project activities would not fill or disturb potential habitat for this species, therefore, the potential for negative impact on habitat is low. Mitigation measures MM BIO-1, -6, and -8 would reduce impacts to less-than-significant level.

Ferris' milk-vetch (*Astragalus tener var. ferrisiae*): This species of vetch is an annual herb that flowers from spring to late summer. It is found in the Central Valley on subalkaline flats in vernal mesic meadows, valley grassland, claypan vernal pools, fallow rice fields, and vernal marshes. The CNDDDB database reports one occurrence near the Project area. The occurrence location is not accurately known but habitat for this species exists. Mitigation measure stated below (MM-BIO-09) would limit potential negative impact to suitable habitat.

Hartweg's golden sunburst (*Pseudobahia bahiifolia*): Hartweg's golden sunburst grows in valley grasslands and woodland foothills below 1000 feet in clay soils and on mima mounds. An occurrence is reported in the CNDDDB database, but the species is extirpated from the area and no suitable habitat remains.

- b) Less than Significant with Mitigation. The Project footprint is within the floodplain of the Feather River and a majority of the site contains riparian vegetation. There are multiple riparian vegetation communities within the Project area. These communities include Great Valley Cottonwood Riparian Forest, Mixed Riparian Forest, and Mixed Willow Scrub.

The trails would be built on existing trails, firebreaks, access routes, roadways, or berms that have been used for access in the area for a number of years. Trail construction would make these existing paths suitable for bike traffic and/or walking and would require that some vegetation be removed or pruned. Access improvement to the pond would require the removal of some riparian vegetation.

In prior years, the public and homeless people have used the area on an informal basis. This has led to degradation of the habitat evidenced by an accumulation of trash and debris, removal or pruning of small trees and shrubs, and trampling vegetation. Establishing a formal network of trails, providing defined picnic areas and regular trash removal would direct use by the public to designated areas and would allow for some control over how the area is used. Interpretive signs would be placed throughout the Project area to educate the public about this unique biological resource. There would be certain restrictions imposed on use of the area, such as access only

from dawn to dusk, signage to direct hiking and cycling to designated areas, no motorized vehicle use except for service and maintenance vehicles, no alcohol or tobacco use, and seasonal trail closures to protect habitat for special status species during breeding season.

The Project would not result in the removal of any trees greater than 6-inch DBH. All elderberry shrubs in riparian areas would be avoided or USFWS-approved mitigation would be implemented (MM-BIO-4) to replace any shrubs removed. All oak trees would be avoided and prevented from negative impact from Project activities (MM-BIO-95).

When construction is complete, native trees and other native herbaceous vegetation would be planted in areas where riparian vegetation has been disturbed as described in the Restoration Plan that would be prepared for the Project (MM-BIO-14). The Restoration Plan would describe appropriate native species to be planted. This would include replacement planting for the loss of nesting habitat for the tri-colored blackbird by removal of Himalayan blackberry, as well as planting other suitable riparian vegetation in the two acres to be restored. The plan would also describe methods to control non-native, invasive weeds that exist in the area or which could be introduced inadvertently.

The Project would be operated in a manner that minimizes human impacts. There would be regular trash removal, access would be limited to daylight hours and public vehicle access would be restricted by locked gates and bollards, tobacco use and alcohol use would be prohibited, and interpretive signage would be placed throughout the Project area to educate the public about this unique resource. Seasonal trail closures would occur to protect special status species such as bank swallows. Implementing the proposed mitigation measures would reduce impacts to a less than significant level.

Mitigation is presented below (MM-BIO-7) that would reduce this impact to a less than significant level

- c) Less than Significant with Mitigation. The Project area contains several abandoned sewage lagoons built in the 1960's by the City. These lagoons have 8-foot retention berms on which the trail system would be built. No trails are planned in the area of the abandoned lagoons. The improved access to the small pond in the Phase 1 area would not impact wetlands or other jurisdictional waters. The bank stabilization element of the proposed Project would be built above the OHWM of the Feather River. This element was recommended by CDFW and is a requirement of the grant funding for the Project. The bank stabilization would alleviate degradation of the Maintenance Road and would serve to protect the Feather River from road base materials sloughing off into the waterway. The bank stabilization would occur during the period July 1-August 31 and additional protection measures would be enforced to reduce the potential to impact migrating fish species in the Feather River (MM-BIO-13).

A wetland delineation in accordance with Section 404 of the Clean Water Act would be required for the bank stabilization component of the project in order to determine the OHWM (MM-BIO-10). If any wetlands identified in the Project area could be impacted by the Project, the trail system would be modified to avoid these impacts and the City would adhere to any additional mitigation measures identified by the USACE or Central Valley Regional Water Quality Control Board (CVRWQC).

- d) Less than Significant. Trails would be located on existing 6- to 8-foot tall retention berms in or on existing roads or trails and the majority of the Project area would remain undisturbed. Construction activities have the potential to impact wildlife movement, but these impacts would be temporary. The proposed restoration of the site would remove non-native vegetation and use native riparian vegetation which would improve habitat value of the Project site (MM-BIO-7).

The City plans to restrict access to the site to the hours between dawn and dusk and to restrict public access to walking and cycling trails in designated areas. Motorized vehicles would not be allowed off roads. These restrictions would reduce disturbance and improve wildlife movement through the Project area.

A large number of fish and other aquatic species migrate through and inhabit the Feather River. Neither construction nor operation of this Project would be expected to affect the movement of fish and aquatic species in the river. Improvements such as the low-dip crossing and lowering the height of several of the existing berms would help drainage across the site and enable fish inadvertently trapped by flooding to migrate back to the river stream.

- e) Less than Significant with Mitigation. Section 8.4 of the City's General Plan contains policies related to the protection of biological resources (CYC 2004). Native oaks and other native trees would be preserved during construction and incorporated into the potential replanting plan in accordance with implementing policy 8.4-I-2 of the General Plan (2004). A tree survey would be completed prior to Project construction (MM-BIO-9). Any native oaks in an area of ground disturbance would be tagged and orange construction fencing erected around the dripline of each tree to protect the tree and the roots zone to minimize impact. Mitigation is presented below (MM-BIO-9) that would help the project comply with the Yuba City General Plan regarding the preservation of native trees.

Policy 8.4-I-5 requires establishment of wildlife corridors in accordance with the Feather River Strategic Plan. Section (d) above deals with wildlife movement and discusses how the Project could enhance wildlife movement through the area. The Project would not conflict with General Plan Policy 8.4-I-5.

- f) No impact. There are currently no approved Natural Community Conservation Plans (NCCPs) or Habitat Conservation Plan (HCPs) in Sutter County.

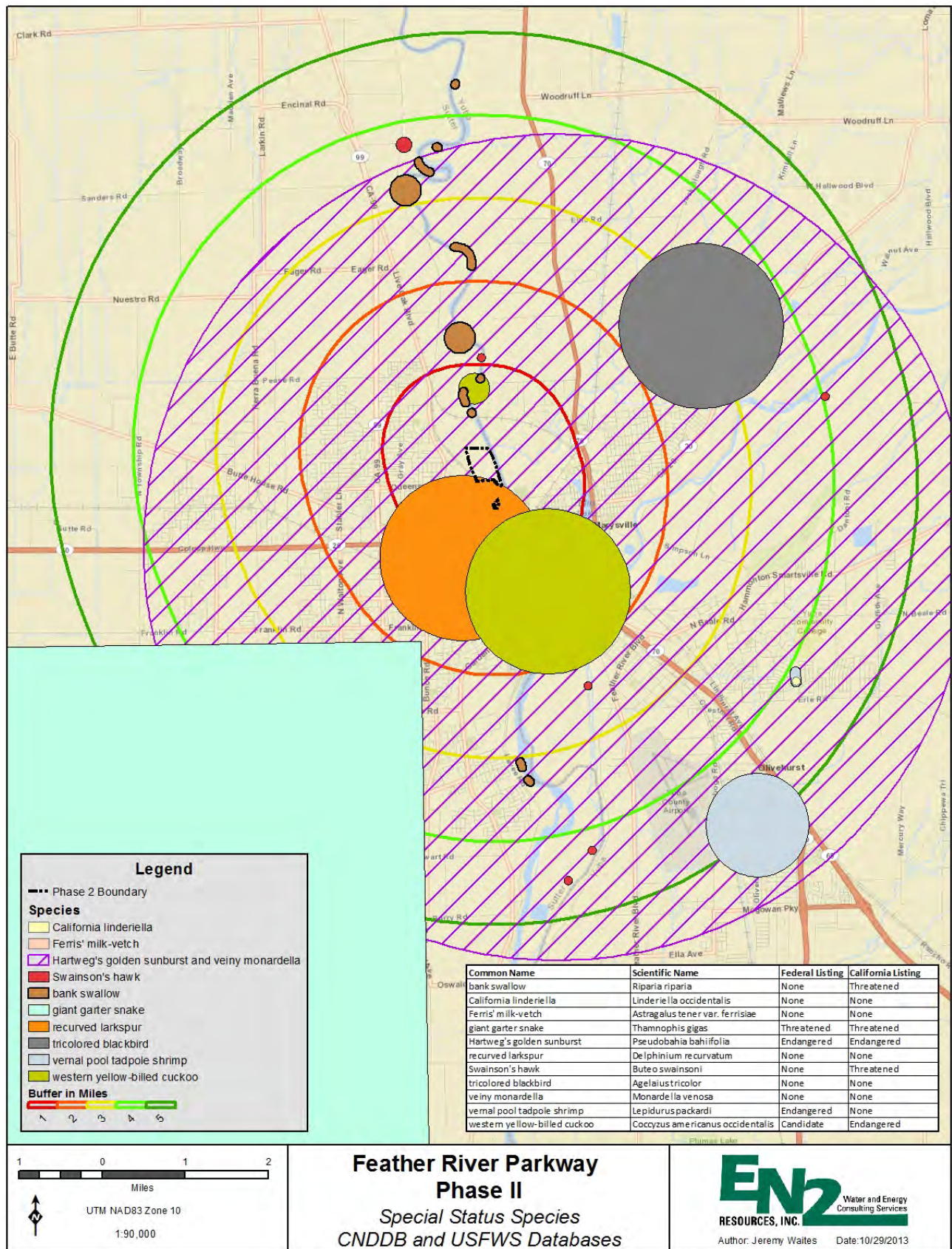


Figure 4 Special Status Species CNDDB and USFWS Databases

Mitigation Measures for Biological Resources

To mitigate the above discussed potentially significant impacts to special-status species, sensitive habitats, and other biological resources, the City would implement the mitigation measures presented below to reduce the potential impacts to biological resources to a less-than-significant level.

MM-BIO-1: Avoid disturbance to sensitive habitats and special-status species

The City ~~will~~would provide a qualified biologist to regularly monitor construction activities to ensure compliance with these mitigation measures and implementation of other mitigation associated with state and federal permits. The biologist ~~will~~would provide environmental training to construction personnel prior to the start of construction activities. This training ~~will~~would include information about the special-status species that may occupy the site and sensitive habitats on-site and regulations associated with these species and habitats.

MM-BIO-2: Raptor Surveys

A preconstruction survey for Swainson's hawk and other raptors ~~will~~would be completed to mitigate for potential impacts to these species. The survey ~~will~~would be completed by a qualified biologist and according to CDFW protocols. The nesting period for Swainson's hawk is from March 1 - September 15 (CDFW 1994). The survey includes surveying all potential Swainson's hawk nesting sites within 0.5 mile of the proposed area of disturbance for active nests and surveying potential nesting areas within ¼ mile of the Project for other raptors. If no active nests are located, survey results ~~will~~would be submitted to the City and no further mitigation will be required. If an active nest exists, the location ~~will~~would be recorded and reported to the CDFW to determine appropriate buffers and any additional mitigation requirements. Should construction activities cause a nesting raptor to vocalize, make defensive flights at intruders, get up from a brooding position-, or fly off the nest, then the exclusionary buffer would be increased such that activities are far enough from the nest to stop the raptor's agitated behavior. The buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with CDFW-

MM-BIO-3: Western yellow-billed cuckoo protection

To mitigate potential impacts to nesting cuckoos, a qualified biologist ~~will~~would complete a survey for nesting cuckoos prior to beginning any construction on-site. The survey ~~will~~would include all suitable habitats within 200-feet of the Project boundary. The biologist ~~will~~would consult with CDFW biologists to determine appropriate survey protocols. It may be necessary to perform the survey using recorded calls of the cuckoo to illicit a response. Should cuckoos or an active cuckoo nest be located, the biologist ~~will~~would map the occurrence and notify the CDFW to determine appropriate buffers and any additional mitigation requirements. Should construction activities cause a nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer would be increased such that activities are far enough from the nest to stop the bird's agitated behavior. The buffer should remain in place until the chicks have fledged or as otherwise determined- by a qualified biologist in consultation with CDFW.

MM-BIO-4: Valley Elderberry Longhorn Beetle protection

A survey for elderberry shrubs within the Project boundary ~~will~~would be completed according to USFWS guidelines. Shrubs to be avoided ~~would~~will be clearly marked by a qualified biologist and exclusion fencing placed around shrubs and/or shrub clusters. The USFWS ~~would~~will be consulted to determine minimum buffers. If shrubs cannot be avoided then the USFWS ~~would~~will be consulted to determine necessary VELB mitigation requirements (USFWS 1999). Construction near shrubs will be monitored by a qualified biologist. Environmental training (MM-BIO-1) ~~would~~will include VELB guidelines and requirements.

MM-BIO-5: Arborist survey

The City's General Plan Policy 8.4-I-2 requires the protection of oak trees and other large native trees. To mitigate for potential impacts to oaks or other native trees, an arborist survey will be completed. The survey will document the size and location of native trees over 6 inches DBH in the vicinity of ground disturbing activities. The survey will be performed by a qualified biologist or certified arborist. The tree survey would be completed prior to Project construction. Any native oaks in which ground disturbance would occur will be tagged and the DBH and location data collected. Orange construction fencing would be erected around the dripline of each tree to protect the tree and the root zone to minimize impact.

MM-BIO-6: Avoid impacts to and protect Riparian habitat

Impacts to riparian habitat ~~would~~will be avoided whenever feasible. A qualified biologist ~~would~~will map and locate sensitive areas using an aerial photograph and identify areas for avoidance fencing. The biologist will monitor construction activities to ensure avoidance of sensitive habitat.

Approximately 2.0 acres of riparian habitat in the area of the abandoned sewage lagoons will be enhanced by the removal of non-native, invasive vegetation and replanted with native vegetation suitable for riparian areas.

The City ~~would~~will apply for a Streambed Alteration Agreement from CDFW and will implement any additional specific mitigation measures associated with the Agreement.

MM-BIO-7: Avoid impacts to and protect Riverine habitat

Avoid Riverine and other aquatic habitat with a minimum 25-foot buffer. Riverine habitat ~~would~~will be avoided with a buffer of 25 feet (as measured from the OHWM) to minimize disturbances to aquatic habitat as a result of construction-related activity. This boundary will be clearly marked prior to the start of construction and plastic orange construction avoidance fencing would be used where work is to occur in proximity to aquatic habitat. An exception to installing the boundary fencing would be made for the riverbank stabilization element of the proposed Project.

MM-BIO-8: Preconstruction surveys for western pond turtles

Western pond turtles may occupy habitat along the Feather River and any ponded water located onsite. A qualified biologist will survey for western pond turtles and nests prior to beginning ground disturbing activities. If turtles are located then a qualified biologist will relocate turtles to suitable habitat outside of the project area under a relocation plan approved by CDFW. The relocation plan for pond turtles would also describe what measures would be taken to prevent Western pond turtles from re-entering the Project area.

including the installation of silt fencing or other exclusionary measures. A qualified biologist will be onsite regularly during ground-disturbing construction activities near the river and pond habitat to remove turtles if necessary.

MM-BIO-9: Rare Plant Survey

The Project area may contain habitat suitable for occurrences of Ferris' milk-vetch. Floristic surveys would take place during the evident and identifiable time period for this plant. In addition, habitat which favors this plant, such as vernal moist pools, would be avoided during construction activities. If an occurrence is found, exclusion zones would be erected at a distance in which all disturbance from Project activities are avoided. Trails may be modified or eliminated to avoid significant impacts to the milk-vetch.

MM-BIO-10: Wetland Delineation

A wetland delineation would be completed to ensure that there would be no net loss of wetland function or area resulting from the Project activities. The wetland delineation would be done in accordance with Section 404 of the Clean Water Act and the OHWM would be determined. If any wetlands identified in the Project area could be impacted by the Project, the trail system would be modified to avoid these impacts and the City would adhere to any additional mitigation measures identified by the USACE or Central Valley Regional Water Quality Control Board (CVRWQC).

MM-BIO-11: Avoid impacts to tricolored blackbird habitat

To mitigate potential impacts to nesting tricolored blackbird, a qualified biologist would complete multiple surveys for nesting birds prior to beginning any Project construction and during the breeding season. The survey will include all suitable habitats within 200-feet of the Project boundary. The biologist would consult with CDFW biologists to determine appropriate survey protocols. Should any nesting colonies be located, the biologist will map the occurrence and notify the CDFW to determine appropriate buffers and any additional mitigation requirements. An interpretive sign would be installed which states the nesting period of the species and which requests users of the area to minimize disturbances during this time period.

MM-BIO-12: Avoid impacts to and provide protection for bank swallows

The typical nesting and fledging period for bank swallows occurs between May 1- June 30. Construction of trails near bank swallow nesting sites would be scheduled outside of this time period. Trails near nesting areas would be closed annually to the public during this time period and signage would be installed explaining the reason for the trail closure.

MM-BIO-13: Avoid impacts to migrating fish species

To mitigate potential impacts to Chinook salmon and green sturgeon, the river bank stabilization would occur during the period of July 1- August 31. Vegetation removal in the area of the bank stabilization would be minimized to extent possible, buffers would be delineated to prohibit construction and grading within these areas, construction materials would be placed to prevent them from washing downstream, measures would be taken to prevent downstream sedimentation, and erosion control materials using plastic monofilament would be prohibited from use. Additional mitigation measures may be required through permits obtained from the USACE, SWRCB, or CDFW and would be strictly enforced.

MM-BIO-14: Develop a Restoration Plan

The Restoration Plan for two acres in the Project area would be developed in consultation with CDFW and with the CVFPB. The plan would recommend and list native plants that support tricolored blackbirds as well as other native species that would be planted to mitigate for loss of Himalayan blackberry shrubs. The plan would recommend that vegetation removal be limited to the extent required by CVFPB to prevent hydraulic impacts caused by the accumulation of vegetation.

9.4.5 Cultural Resources

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting of Cultural Resources

The proposed Project site is in an area previously used by the City's waste water treatment plant for detention ponds. The detention ponds have not been used by the City since the 1970's, when new treatment facilities were built in southern Yuba City.

The majority of the pedestrian and cycling trails would be built on the existing 6- to 8-foot tall retention embankments, or berms, bordering the abandoned sewage lagoons located at the Project site. These existing berms are interconnected such that no trails would be constructed in the low lying areas within the old sewage lagoons.

Discussion of Impact on Cultural Resources

- a) Less than Significant with Mitigation. Potential impacts to cultural resources were analyzed during the environmental review for the Phase I of the Parkway, which was built in 2012. At that time, the Northeast Information Center (NEIC) of the California Historical Resources Information System (CHRIS) conducted a thorough search of their records pertaining to the Project Area of Potential Effect (APE), which included the area containing the proposed Project site. The record search indicated that cultural resource surveys had not been completed within the Project area, nor had any cultural resources been recorded (NEIC 2009). The NEIC recommended that a professional archaeologist be contacted to conduct a cultural resources survey of the Project area. To comply with that recommendation, the City contracted with Past Forward, Inc. (PFI) to conduct a pedestrian survey which included the Phase I Project area (Baxter 2010a). PFI identified one historical resource in the general area: the abandoned "sewer farm" in what is now the Phase II Project area. The "sewer farm", or the abandoned lagoons, was operated as part of the City Department of Public Works water treatment plant. The date of construction is unknown; however, the earliest plans of the site are dated February 1949 (Baxter 2010a).

To further satisfy the recommendations from the NEIC, a Cultural Resources Inventory and Evaluation report was prepared in May 2010 for both the Phase I and Phase II areas. This report

concluded that the sewer ponds did not appear eligible for National Register of Historic Places listing (Baxter 2010b).

- b) Less than Significant with Mitigation. A Sacred Lands File Search was completed by the Native American Heritage Commission (NAHC) on February 22, 2010 for evaluation of potential environmental impacts during construction of Phase I of the Parkway. The NAHC stated that its search failed to indicate the presence of Native American cultural resources in the Phase I Project area (NAHC 2010). An updated Sacred Lands File Search Request was submitted to the NAHC on October 10, 2013, and results of that search are pending. However, the Cultural Resource Inventory completed by PFI reported that there were no identified Native American sites at the Project site, including the Phase II Project area (Baxter 2010a). It is possible that no Native American sites were identified within the Project area because of: the inability to visually inspect most of the ground surface due to the dense vegetation that now exists; and the earth moving activities that took place while the area was an active sewage treatment area which would have obliterated surface features indicating Native American habitation (Baxter 2010a).

The ground disturbance activities for construction of Phase II would be limited to the raised berms surrounding the abandoned sewage lagoons. The berms will be lowered in three areas and the earthen material from the berms graded to match elevation of the adjacent area. It is unlikely that any archaeological resources in the Project area would be disturbed by Project activities. The City would require the contractor to implement mitigation measures MM-CR-1 and MM-CR-2 during proposed construction activities to minimize potential impacts to archaeological resources.

- c) No Impact. No geologic strata that would contain paleontological resources exist at the Project site.
- d) Less than Significant with Mitigation. During ground disturbing activities, there is a potential to unearth previously unidentified human remains. To reduce the potential of significantly disturbing or damaging human remains, mitigation measure MM-CR-3 would be incorporated.

Mitigation Measures for Cultural Resources

MM-CR-1

The contractor will have a qualified professional on-call who will be contacted if, during excavation activities, any of the following or other potential pre-historic/historic materials are unearthed:

1. Potential human remains;
2. Former refuse sites or other artifacts; or,
3. Changes in soil color or composition that could indicate a former occupation site.

MM-CR-2

As a standard precaution, and as part of the construction contract specifications, if any previously unknown cultural resources are encountered during construction, necessary discovery measures will include:

1. Shutting down construction activities in the immediate area of a find;
2. Notifying the City Project Manager;
3. Continuing work cessation in the project vicinity for a reasonable period of time to allow professional evaluation of finds (Public Resources Code Sections 21083.2, 21084.1, and 21083.1);

4. If the resources are found to be significant and avoidance is not possible, providing time and funding for professional recovery and analysis of significant archaeological and historical finds (Part V of Appendix K and Public Resources Code Section 21083.2); and,
5. A pre-construction worker briefing will occur to discuss required mitigation measures if cultural resources are unearthed during implementation of Project activities.

MM-CR-3

In compliance with the California Health and Safety Code, Section 7050.5(b), if human remains are discovered, excavation will halt in the immediate area and the Sutter County Coroner will be notified. Within 48 hours of notification, the Coroner will determine whether the remains are of Native American descent. If so, the NAHC will be notified within 24 hours, and as required under Public Resources Code, Section 5097.98, the most likely descendants will be notified. Based on the above notifications, measures will be implemented that address the removal and relocation of the remains.

9.4.6 Geology and Soils

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

Discussion of Impact on Geology and Soils

- a) No Impact. The proposed Project would not expose people or structures to potential substantial or adverse effects.
- i. The Alquist-Priolo Earthquake Fault Zoning Act's primary purpose is to prevent the construction and occupancy of buildings by humans on active faults. California Geological Survey does not list Sutter County, where the proposed Project site is located, as a county affected by the Act (CDC 2012).
 - ii. The proposed Project would not expose people or structures to seismic ground shaking. Project activities would not occur in an area of active seismicity and the Project is not in an area inhabited by people. The Probabilistic Seismic Hazard Map for the Project indicates that the area has 10% chance of peak ground acceleration of gravity over the course of 50 years. (CDC 2008).
 - iii. The Project would not create ground failure or liquefaction. The soil types and depth to bedrock make the ground at the proposed Project site not prone to liquefaction.
 - iv. The Project area has minimal topography that would make the area prone to landslides. The minor slopes under construction would be heavily stabilized with riprap, soil, and vegetation. There are no habitable structures that would be negatively impacted by landslides.

- b) Less than Significant with Mitigation. The Project area is heavily vegetated with no extended slopes that would cause substantial erosion. The area has the potential to be flooded but lower velocity flows in the interior of the Project area and restricted flows within the abandoned sewage ponds would reduce erosion and increase soil deposition.

The improved trails would have a surface of permeable aggregate base material which would minimize the potential for channelized runoff that would erode drainage features.

Trail improvements, bank stabilization, and berm removals have the potential to cause erosion and topsoil loss. Mitigation measure MM-HYD-1 (Hydrology and Water Quality Section) requires development of a SWPPP. The SWPPP would include BMPs to reduce erosion and reduce siltation into nearby surface waters. Implementation of MM-HYD-1 would reduce impacts from erosion to a less than significant level.

- c) No Impact. The Project site is not located in an area prone to: on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse; nor would construction or activities after construction increase the likelihood of these events.
- d) No Impact. The proposed Project site predominantly consists of two soil types: Columbia fine sandy loam, frequently flooded, 0 to 2 percent slopes and Shanghai silt loam, frequently flooded, 0 to 2 percent slopes (Figure 5). These soil types are a loam soil which is moderately well-drained and not considered expansive. These soils do not have expansive characteristics as defined by Table 18-1-B of the Uniform Building Code.
- e) No Impact. No additional wastewater systems are necessary to support the proposed Project; therefore, no impacts would be expected.

Mitigation Measures for Geology and Soils

The mitigation measure for section b) is located in the Hydrology and Water Quality section.

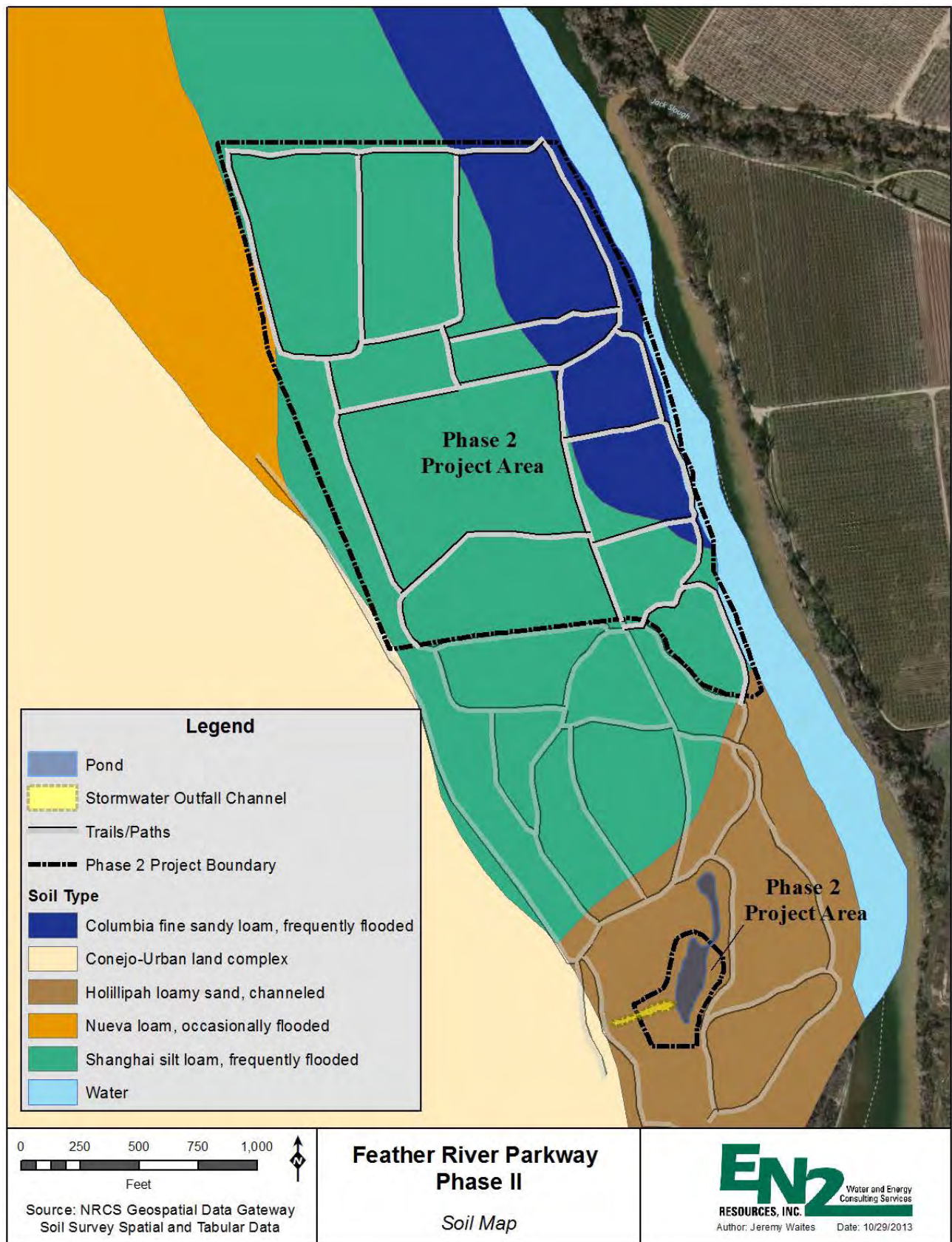


Figure 5 Soil Map

9.4.7 Greenhouse Gas Emissions

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

Discussion of Impact on Greenhouse Gas Emissions

- a) Less than Significant Impact. Short-term, negligible greenhouse gas (GHG) emissions would result from the construction equipment and worker vehicles. As described in Section 5.0, approximately six (6) pieces of equipment would be utilized at the Project site during each of the construction activity phases. However, during peak construction periods, all 6 pieces of equipment would not be operating simultaneously. Worker vehicles would also be limited to no more than twelve (12) vehicles, resulting in a less than significant impact to generation of GHG emissions in the region.
- b) Less than Significant Impact. Assembly Bill 32 (AB 32) established legislation in September 2006 for the State of California to combat GHG and promote the development and use of energy-efficient technologies. In addition, AB 32 established a comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of GHG emissions. The law requires a reduction of carbon emissions in California to 1990 levels by 2020. CARB is the primary state agency designated to implement the requirements outlined in AB 32.

Project impacts to GHG emissions fall below the FRAQMD threshold for additional analysis. Project construction and operation activities would be minor and temporary, and therefore would have minimal effects on AB 32 GHG emission reduction goals. For Project operations, long-term maintenance activities would require minimal vehicle miles traveled, since the proposed Project maintenance would be incorporated into the existing City Public Works Department's maintenance schedule. In addition, the recreationists' vehicles that would be arriving to and from the Project site would create minor GHG emissions to the air basin. Motorized vehicles, i.e. all-terrain vehicles, would not be permitted access to the trails developed by the Project which were designed to encourage local residents to access the site by bicycle instead of by driving. The Project would result in less than significant impacts to GHG.

Mitigation Measures for Greenhouse Gas Emissions

No mitigation is required or warranted.

9.4.8 Hazards and Hazardous Materials

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impact on Hazards and Hazardous Materials

- a) Less than Significant with Mitigation. Himalayan blackberry would be cleared away from paths and the road, and non-native and invasive weeds would be cleared from the abandoned sewage ponds. The removal process may require the need for herbicidal treatment. The transport, use, or disposal of the herbicides could be hazardous; therefore, if herbicidal applications were determined to be necessary, they would be completed on an as necessary and infrequent basis, and would follow all regulations for use of herbicides in a riparian area. Compliance with mitigation measure MM-HHM-1 would reduce any impacts to people or the environment from the transport, use, or disposal of herbicides to less-than-significant levels.
- b) Less than Significant with Mitigation. As noted above, Himalayan blackberry would be cleared from paths and the road, and non-native and invasive weeds would be cleared from the abandoned sewage ponds. The removal process may require the need for herbicidal treatment, which may be hazardous. To reduce any hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of herbicides into the environment, mitigation

measure MM-HHM-1 would be incorporated. Compliance with MM-HHM-2 would reduce any impacts to people or the environment from the use of herbicides to less-than-significant levels.

- c) No Impact. There are no schools within one mile of the proposed Project site; therefore, no impacts would occur to the surrounding schools from hazardous materials or hazardous emissions.
- d) No Impact. The proposed Project site is not listed on the Hazardous Waste and Substances Sites (Cortese) List developed by the California Department of Toxic Substances Control (CDTSC) in accordance with Government Code Section 65962.5 (a) (DTSC 2013).
- e) No Impact. The nearest airport is the Sutter County Airport, which is located approximately two and a half miles to the south of the proposed Project site. The proposed Project site is not located within the airport's land use plan (ALUC 1994). As a result, no impacts would occur.
- f) No Impact. There are no private airstrips within the vicinity of the proposed Project; therefore, there would be no impacts to people working or recreating in the proposed Project area from private airstrip safety related hazards.
- g) No Impact. The proposed Project would not interfere with an emergency response or evacuation plan; therefore, no impacts would occur.
- h) Less than Significant. The proposed Project is adjacent to the Feather River in an open space area consisting of riparian shrub/tree species and both native and non-native grasses. The proposed Project would not include storing of hazardous/flammable materials on site. Additionally, the site would not contain any structures that would result in a significant risk of loss from wildland fires, and given the intended use of the site for short-term interim recreational purposes, people would not be significantly exposed to the risk of wild land fires resulting in injury or death. Furthermore, the City's Fire Station 2 is approximately one mile from the site and would have access to all areas of the proposed Project site via the levee, road, and recreational trails. There would be less-than-significant impacts from the exposure of people or structures to wildland fires within the proposed Project area.

Mitigation Measures for Hazards and Hazardous Materials

MM-HHM-1

If herbicidal treatment is necessary for vegetation removal, a PCA will be consulted prior to herbicide use to determine safe handling and treatment practices. All regulations for use of herbicides in riparian areas will be followed.

MM-HHM-2

Personnel transporting and handling hazardous materials will follow CDTSC (CCR Title 22, Division 4.5, Chapter 13) and Occupational Safety and Health Administration (OSHA) (CFR Title 29) standards for safe handling and delivery.

9.4.9 Hydrology and Water Quality

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting for Hydrology and Water Quality

Surface Water

The proposed Project site is located within the Sacramento River watershed, the Feather River sub-watershed, within the floodplains along the west bank of the lower Feather River. Flows through this section of River are moderated by the Oroville Dam. During high river flows the proposed Project site can become inundated with water.

The National Wetland Inventory (NWI) database (USFWS 2013) classifies the now-abandoned sewage lagoons as Fresh Water Ponds. The proposed Project has been designed to limit disturbance in these areas to the areas where the berms will be lowered and to where weed abatement and removal of non-native plants will take place.

The lower Feather River has been placed on the 303(d) list as a water quality limited segment by the State Water Resources Control Board (SWRCB), which means that the river does not meet water quality standards even after the deployment of pollution control technologies on point-sources. The lower Feather River has been 303(d) listed for the following pollutants: Group A pesticides, mercury, chlorpyrifos, PCB, and unknown toxicity (SWRCB 2010).

Groundwater

The proposed Project is located within the Sacramento Valley groundwater basin, specifically in the Sutter subbasin. The Sutter subbasin is bounded on the north by the confluence of the Butte Creek and the Sacramento River and Sutter Buttes, on the west by the Sacramento River, on the south by the confluence of the Sacramento River and the Sutter Bypass, and on the east by the Feather River. Department of Water Resources (DWR), Bulletin 118-6, indicates stream percolation, deep percolation of rainwater, and percolation of irrigation water are the principal sources of groundwater recharge in the Sacramento Valley (CDWR 2006).

Groundwater quality within Sutter County (where the Project is located) ranges from high to low and includes contaminants in some areas resulting from both natural conditions and human influence. Data collected in the 1990s indicated that some wells that are drilled to various depths contain chemicals in amounts that exceed drinking water quality safety and aesthetic standards (CDWR 2006).

Discussion of Impacts on Hydrology and Water Quality

- a) Less than Significant with mitigation. The proposed Project would disturb more than one acre of land for grading trails, stabilizing the river bank, and removing portions of the existing berms. Equipment and material use could release chemicals, including fuels, oils, solvents, and concrete by-products that could be transported into the nearby surface waters, or infiltrate into the groundwater.

To reduce any potential impacts from erosion and runoff and to help ensure that surface water quality standards and waste discharge requirements are not violated, mitigation measure MM-HYD-1 would be implemented which would include a set of BMPs to reduce erosion, prevent chemical spills, and reduce siltation into nearby surface waters.

- b) No Impact. A majority of the proposed Project components would utilize permeable aggregate base material being placed on soil berms that are already compacted. The proposed Project would not deplete groundwater supplies or interfere with groundwater recharge. No impacts would be expected from Project activities.
- c) Less than significant with mitigation. Portions of berms of some of the former sewage lagoons would be removed. A low-dip crossing would be installed in the berm closest to the river to drain accumulated storm water and floodwaters. This would improve circulation and drainage on the floodplain, increasing habitat value.

The majority of trails would have surfaces of permeable aggregate base material, minimizing the potential for channelized runoff that would erode drainage features. The Project design would reduce potential Project impacts to the existing drainage patterns of the area to less than significant level.

The bank stabilization design would not alter, impede, or modify the flow of the Feather River. Mitigation measures MM-HYD-2 and MM-HYD-3 would be implemented to ensure that the Project meets the conditions required by CVRWQB and USACE.

- d) See c) above.
- e) Less than significant impact. The majority of the trails in the proposed Project would utilize permeable aggregate base material. This material would allow for the infiltration of storm water and allow for the movement and passage of water in a manner that would not significantly increase the rate of runoff or inundate the storm water drainage system.

The removal of portions of the existing berms will reduce channelization of flooding waters and improve hydrologic circulation. This will reduce the risks of erosion and enhance the ability of the floodplain to handle storm water discharge.

- f) Less than significant with mitigation. Equipment used in construction could release chemicals, including fuels, oils, solvents, and concrete by-products that could be transported into the nearby surface waters. The implementation of mitigation measures MM-HYD-1 and MM-HYD-3 would ensure that water quality is not substantially degraded, reducing impacts to a level considered to be less than significant.
- g) No impact. The proposed Project is located within the floodplains of the lower Feather River but would not involve the construction of housing or other structures for human habitation.
- h) Less than significant. The proposed Project is located within the floodplains of the lower Feather River. However, the Project would not involve the construction of major surface structures that would substantially impede or redirect flood flows. Removing sections of the existing berms would improve flood flows across the Project area and improve natural drainage channels on the floodplain. The bank stabilization proposed for a short section of the Feather River would not impede or redirect flows.
- i) No impact. In the event of a failure of the Oroville Dam or other flooding event, emergency notifications would be issued and the facility would immediately be evacuated and closed to the public.
- j) No Impact. No conditions exist in the area that would expose the Project to a seiche, tsunami, or mudflow.

Mitigation Measures for Hydrology and Water Quality

MM-HYD-1

A Notice of Intent to implement the Project under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (General Permit) and Federal Energy Regulatory Commission (FERC) requirements for operation of the Oroville Dam Hydroelectric Project will be submitted for approval by the CVRWQCB. A SWPPP will be prepared to minimize the mobilization of sediment and other project related pollutants into nearby water bodies, and will include the following BMPs:

- Enclose and cover exposed soils and other loose construction material that could erode into the waterways.
- Ensure that no construction material, including soil stockpiles, are directly deposited or placed where it may be transported into a drainage, pond, or the river.
- Control and contain soil, and filter runoff from disturbed areas with the use of berms, silt fencing, straw bales or wattles, geofabric, catch basins or other erosion control devices to prevent the escape of sediment from disturbed areas.

MM-HYD-2

If jurisdictional waters cannot be avoided, a Clean Water Act Section 404 permit application for discharges of dredge or fill material into waters of the U.S. will be submitted and approved by the USACE prior to construction activities. The USACE review will ensure that the effect of the bank stabilization on the flows of the Feather River will be less than significant. Any additional mitigation measures required by the permit will be implemented.

MM-HYD-3

If jurisdictional waters cannot be avoided, a Clean Water Act Section 401 Water Quality Certification application will be submitted and approved by the CVRWQCB prior to construction activities. This permit will provide the necessary conditions for the Project activities to protect water quality. Any additional mitigation measures required by the permit will be implemented.

MM-HYD-4

An application for an Encroachment Permit will be submitted to the Central Valley Flood Protection Board (CVFPB) for approval prior to construction work within the levee area. Any additional mitigation measures required by the permit will be implemented. The Restoration Plan for the Project (MM-BIO-14) will be developed in compliance with Title 23 of the California Code of Regulations, Section 23 and will be submitted for approval by the CVFPB.

9.4.10 Land Use and Planning

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impact on Land Use and Planning

The Project area is located in an unincorporated area of Sutter County, California on property owned by the City. The Project area is located on the west bank of the Feather River within an area known as the Parkway which extends along the bank of the Feather River for nearly six miles.

The Project area is zoned Parks, Recreation and Open Space and Flood District (CYC 2004). To the south of the Project area is the first phase of the Parkway, which is used by the public for recreational activities such as walking, bicycling, and river access.

- a) No Impact. The Project was designed in accordance with the Feather River Parkway Strategic Plan (CYC 2002), and the City of Yuba City General Plan (CYC 2004), and would not divide an established community.
- b) No Impact. The Feather River Parkway Strategic Plan established a framework for improvements to lands within the boundary of the City on the western bank of the Feather River. The Project is designed to implement goals and objectives described in the Strategic Plan including promoting passive recreational opportunities such as walking and bicycling.

The proposed Project is consistent with the Parks, Schools and Community Facilities and the Environmental Conservation chapters of the City's General Plan. Chapter 6, Parks, Schools and Community Facilities, serves as the guiding document of the City Parks and Recreation Department. Implementing Policy 6.1-I-10 directs the Department to implement the Feather River Parkway Strategic Plan, to improve pedestrian access to the riverfront, and to provide a mix of active and non-active recreational opportunities. The Project as designed promotes this Policy.

Chapter 8 of the General Plan, Environmental Conservation, gives direction on development and use of open spaces and natural resources. The Project is in agreement with Policy 8.1-I-1, to enhance the open space features of the Feather River and Policy 8.1-I-4, to restore degraded open

space areas in the Parkway planning area to an environmentally valuable and sustainable condition.

The Project is consistent with Article 26-Flood district of the City's zoning regulations which allow for the development of recreational facilities within the flood plain (CYC 2004).

c) No Impact. No HCPs have been adopted for the Project area.

Mitigation Measures for Land Use and Planning

No mitigation is required or warranted.

9.4.11 Mineral Resources

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

Discussion of Impact on Mineral Resources

- a) No Impact. Because mineral resources of value are not known to exist on or immediately adjacent to the Project site, the Project would not affect known mineral resources that could be of value to the region and the residents of the state.
- b) No Impact. No mineral resources are identified on local land use plans for areas on or immediately adjacent to the Project site. The Project would not result in the loss of availability of a locally important mineral resource recovery site.

Mitigation Measures for Mineral Resources

No mitigation is required or recommended.

9.4.12 Noise

Would the project result in:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impact on Noise

According to the City's General Plan (CYC 2004), the major noise sources in the City are related to vehicular traffic on SR 20 and SR 99. Other noise sources include overflights from the Sutter County Airport, railroad activities, and agricultural operations around the edges of the City. As outlined in the City's General Plan, a change in noise levels would be considered significant if the Project activities were to expose persons to or generate noise levels in excess of the normally acceptable standards of:

- 60 Day-Night Average Level (Symbol: L_{dn}) for residential, hotel, motels, schools, libraries, churches, hospitals, and nursing homes;
- 65 L_{dn} for office buildings, business, commercial, libraries, churches, and hospitals;
- 70 L_{dn} for playgrounds and neighborhood parks, golf courses, riding stables, water recreation, and cemeteries and industrial, manufacturing, utilities, and agricultural resources.

- No Impact. The Project area and adjacent urban area are divided by an existing levee which would significantly reduce construction noise. Construction noise would be temporary, would occur during the day, and would not expose people to noise levels in excess of standards discussed above as set by the City's General Plan.
- Less than Significant. Power tools and equipment would be utilized during Project construction activities. However, these construction activities would occur during daylight hours and would be temporary. Therefore, it is anticipated that the Project would have less-than-significant impacts to potential groundborne vibration or groundborne noise levels.

- c) No Impact. The Project activities would not cause permanent increases in ambient noise levels in the Project vicinity.
- d) Less than Significant. An increase in ambient noise may occur as a result of the Project construction. However, construction noise would be temporary, would occur during the day, and would not expose people to noise levels in excess of the standards set in the City's General Plan.
- e) Less than Significant. The Sutter County Airport is located over two miles south of the Project area. The primary use of the airport is for agricultural crop dusting operations, and does not provide commercial airline service. Due to the infrequent use of the airport, there would be less-than-significant impacts to recreationists.
- f) No Impact. The project area is not located near a private airstrip.

Mitigation Measures for Noise

No mitigation is required or warranted.

9.4.13 Population and Housing

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

Discussion of Impact on Population and Housing

No residential homes or developed structures are located within the Project area. During the previous phase of the Parkway construction, homeless people who had occupied the area were assisted with relocation through programs offered by Yuba-Sutter Mental Health Services. There are no longer encampments for the homeless in the Project area and Project activities would not be expected to displace people, necessitating construction of replacement housing.

- a) No Impact. The Project would not directly or indirectly induce substantial population growth.
- b) No Impact. The Project would not displace existing housing.
- c) No Impact. The Project would not displace people necessitating construction of replacement housing.

Mitigation Measures for Population and Housing

No mitigation measures are required or recommended.

9.4.14 Public Services

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impact on Public Services

The proposed Project would expand and improve the Parkway. The Project would increase recreational opportunities in the City's park system.

- a) Less Than Significant Impact. The proposed Project would not itself impact fire protection services to the area. With increased recreational use, occasional fire services could be needed as a result of user negligence, even with prohibitions on alcohol and tobacco use at the Parkway. Construction of additional fire protection facilities would not be necessary.
- b) Less Than Significant Impact. The City currently provides patrol services for the Parkway to ensure the safety of visitors. It cannot be ruled out that incidents requiring police intervention would not occur, but these incidents would likely be infrequent. The proposed operations for the Parkway include limiting public access to daylight hours, restricting hiking and cycling to designated areas, restricting motorized vehicles to roadways, and prohibiting alcohol and tobacco use at the site, which would help ensure that minimal police protection would be required by the proposed Project and would not require new or expansion of existing facilities.
- c) No Impact. The proposed Project would not impact existing school facilities, nor would it contribute a change in population or land use modifications that would impact the local school district.
- d) Less Than Significant Impact. The proposed Project would expand recreational opportunities in the general area and would have a positive impact on the community.
- e) Less Than Significant Impact. The proposed Project would require some additional staff time from the City's Public Works Department for maintenance. The City works with volunteer groups and the CCC to maintain trails, which helps reduce the burden on City staff.

Mitigation Measures for Public Services

No mitigation is required or warranted.

9.4.15 Recreation

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

Discussion of Impact on Recreation

The Project area is to the north of the Parkway, Phase I and will provide additional passive recreational opportunities. The Project area is the location of former sewage lagoons, which have been abandoned since the late 1970s. The eastern edge of the area is bounded by the Feather River. A system of native rock-surfaced trails is proposed for the Project area.

- a) Less than Significant Impact. The proposed Project would be consistent with the City's General Plan (CYC 2004) and the Feather River Parkway Strategic Plan (CYC 2002) to help meet recreational demands by providing walking and cycling trails. The Project could attract more day use visitors to the Parkway and facilities such as the parking lot or the existing picnic pavilion could see increased use, but this increase would be expected to have a minimal impact on the existing facilities in the Phase I area.
- b) Less than Significant with Mitigation incorporated. The Project would expand existing recreational facilities for the City. As the Project is being constructed, there could be short-term, temporary impacts to the environment. These impacts would be reduced to less than significant level with implementation of the proposed mitigation measures described in the Biological Resources section of this document.

Mitigation Measures for Recreation

Mitigation measures for (b) are located in the Biological Resources section.

9.4.16 Transportation and Traffic

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impact on Transportation and Traffic

- a) Less than Significant. The proposed Project would expand the Parkway but would not significantly increase the amount of traffic on the roadways of the area. The Parkway is typically used during off-peak hours of the weekdays and on weekends and would not overtax the existing circulation system in the surrounding area.

The proposed Project is west of an area that is zoned for Manufacturing, Processing and Warehousing. The main road through this area is Von Geldern Way, which has adequate design capacity to carry the traffic volumes typically present in the area and can accommodate the small increase in the number of trips to the proposed Project.

Project construction would generate some temporary traffic impacts, including vehicles transporting construction and inspection workers, and heavy trucks hauling materials to the site. Construction crew would be approximately 12 persons. Construction activities would be completed in 10 months between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, excluding holidays.

- b) Less than Significant Impact. The use pattern for this type of facility typically results in few additional vehicle trips to the area during off-peak time, particularly weekends. This increased use

would not generally affect the surrounding peak-hour traffic volumes and would not lower the existing Level of Service of these roadways.

- c) No Impact. The proposed Project would have no impact on air traffic levels or patterns.
- d) Less than Significant Impact. No Project design features would result in the creation of dangerous intersections or sharp curves. The proposed Project components would include installing signs alerting both drivers on the maintenance road as well as bicyclists and pedestrians to upcoming intersections. This signage will improve safety at the Project site.
- e) No Impact. The existing maintenance road through the proposed Project area was improved during the prior Phase I construction of the Parkway. Emergency vehicle access would not be impacted by the Project.
- f) Less than Significant Impact. The Project would create walking and bicycling trails for the public. The proposed Project is consistent with the City's General Plan (CYC 2004) policies 5.4-I-1 and 5.4-I-2, to encourage use of bicycle routes for recreation and other trips, and to develop bicycle routes that provide access to the Parkway.

Mitigation Measures for Transportation and Traffic

No mitigation is required or warranted.

9.4.17 Utilities and Service Systems

Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting for Utilities and Service Systems

The Project would be a passive recreational park. The Project would not require connection to water or waste water facilities in the City. The Project is located on the river bank of the Feather River and will not connect to the storm water drainage system of the City. Picnic and other areas would have waste disposal that will be serviced by the City, however the amount of waste generated at the site by users would be minimal.

Discussion of Impact on Utilities and Service Systems

- a) No Impact. The Project would not discharge wastewater.
- b) No Impact. The Project would not require connections to water or wastewater treatment facilities and would not result in the expansion of existing facilities or construction of new facilities.
- c) No Impact. The Project would not require storm water conveyance facilities.
- d) No Impact. The Project would not require a water supply.
- e) No Impact. The Project would not require access to wastewater treatment.

- f) Less than Significant Impact. During Project construction, some debris may accumulate which would be removed by the City or the contractor for the Project. Disposal would be at an approved landfill.

Garbage cans placed around the Project area would allow for the proper disposal of waste generated by the users of the facility. The City's Parks and Recreation Department would dispose of the waste at an appropriate landfill.

The amount of waste generated by facility users would be minimal and would have less than significant impact on local landfills.

- g) No Impact. The proposed Project would comply with all federal, state and local regulations pertaining to disposal of solid waste.

Mitigation Measures for Utilities and Service Systems

No mitigation is required or warranted.

9.4.18 Mandatory Findings of Significance

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The City is proposing to expand and further improve the recreational facilities of the Parkway, created in 2012. The City received funding for the Project from the CNRA, through the Proposition 84 California River Parkways Grant Program, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

The Project area encompasses approximately 84 acres and would create approximately 2.5 miles of new public trails. The Project improvements would include pedestrian and cycling trails, picnic areas, improving access to a pond, and an ADA-compliant river overlook. The proposed pedestrian and cycling trails would connect with the existing levee top bike trail, which would provide a direct link to downtown Yuba City and the remaining Parkway. Other amenities would be public educational displays and interpretive signage to describe the setting of the viewable habitat, the restoration process, regional and state history, and the river's historical significance.

Discussion of Impact

- a) Less than Significant with Mitigation. The proposed Project would have a potentially significant impact on air quality, biological resources, cultural resources, hydrology and water quality, geology and soils, hazards and hazardous materials, and recreation. These impacts are discussed in detail in the corresponding checklist sections above. In addition to Project design elements, mitigation measures have been incorporated that reduce the significance of potential impacts to a less-than-significant level.

The potentially significant impacts and proposed mitigation measures are summarized below. The mitigation measures can be reviewed in the attached Mitigation, Monitoring, and Reporting Program (MMRP) (see Appendix A).

Air Quality: Short-term, air quality impacts could result from the construction equipment and fugitive dust emissions from proposed Project activities. A portable generator would be utilized during proposed construction activities, and would be required to be registered by the City through CARB prior to use. The City would require the contractor to implement MM-AQ-1 and MM-AQ-2 to reduce potential air quality impacts to less-than-significant.

Biological Resources: Based on a field reconnaissance survey of the habitat on-site and data from the searches of the CNDDDB (all occurrences within five miles of the proposed project) and the USFWS database, it was determined that several special-status species may have habitat near the proposed Project. In addition, the Project is within the floodplain of the Feather River, and the Project would result in the clearing of riparian vegetation within the Project footprint area. To mitigate the potentially significant impacts to special-status species, sensitive habitats, and other biological resources, the City would implement mitigation measures MM-BIO-1 through MM-BIO-8 to reduce the potential impacts to biological resources to a less-than-significant level.

Cultural Resources: The Cultural Resources Inventory and Evaluation Report determined that there were no artifacts in the area eligible for registering as historic and the Sacred Lands File Search did not indicate the presence of Native American cultural resources in the Project area. However, by implementing mitigation measures MM-CR-1,2 and 3, should any remains or artifacts be discovered during construction, appropriate action will be taken to notify the appropriate agencies.

Geology and Soils: During project construction, specifically grading, there is the potential for substantial erosion due to exposed soils. To mitigate for these impacts and because the proposed Project disturbance would occur to more than one acre of land, the City would apply for a NPDES General Permit. The NPDES General Permit would require the development of a SWPPP with BMPs to address erosion and siltation and overall pollutant loads. Mitigation measure MM-HYD-1 in the Hydrology and Water Quality Section is proposed to reduce soil erosion impacts to less-than-significant levels.

Hazards and Hazardous Materials: Invasive weeds, including Himalayan blackberry, would be removed within the Project footprint area. The removal process may require the need for herbicidal treatment. Compliance with mitigation measure MM-HHM-1 would reduce any impacts to people or the environment from the use of herbicides to less-than-significant levels.

Hydrology and Water Quality: The proposed Project would disturb more than one acre of land, including grading for the trails, roads and parking lots. Equipment and material use could release chemicals, including fuels, oils, solvents, and concrete by-products that could be transported into the nearby surface waters, or infiltrate into the groundwater. Mitigation measures MM-HYD-1 through MM-HYD-4 would help ensure that water quality is not substantially degraded, therefore resulting in less-than-significant impacts.

Recreation: The Project would include pedestrian and cycling trails, an improved roadway, picnic areas, and a river overlook. There may be short-term impacts to recreationists displaced during construction; however, these potential impacts are considered minor compared to the long term benefits due to recreational improvements resulting from the Project

- b) Less than Significant. Past projects in the immediate area include construction of the first Phase of the Parkway, adjacent to and south of the proposed project site, and building a screened raw water intake structure for the City approximately ½ mile to the north of the proposed Project. Both of these projects implemented mitigation measures that brought environmental impacts to the less than significant level. The proposed Project impacts would primarily be to terrestrial biological resources. With implementation of the proposed Project design, operation, and mitigation measures described here, these impacts would be less than significant to the geographic area and would not be cumulatively considerable.
- c) Positive Impact. The proposed Project would expand recreational opportunities that would improve the quality of life for the residents of the City and recreationists. Interpretive displays would offer an educational opportunity for recreationists to learn about the ecological and historical significance of the surrounding area.

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Appendix A
Mitigation Monitoring and Reporting Program

Appendix A

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-AQ-1: To reduce construction equipment emissions, the City would comply with the following Best Management Practices (BMP) measures during Project implementation:</p> <ul style="list-style-type: none"> • Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions Limitations (40% opacity or Ringelmann 2.0). Operators of vehicles and equipment found to exceed opacity limits shall take action to repair the equipment within 72 hours or remove the equipment from service. Failure to comply may result in a Notice of Violation from the FRAQMD. • The primary contractor shall be responsible for ensuring that all construction equipment is properly tuned and maintained prior to and for the duration of the on-site operation. • The primary contractor shall install diesel particulate filters or implement other CARB-verified diesel emission control strategies on all construction equipment. • The primary contractor shall establish staging areas for the construction equipment that are as distant as possible from off-site receptors. • The primary contractor shall use haul trucks with on-road engines instead of off-road engines for on-site hauling when feasible. • Idling time shall be limited to 10 minutes to save fuel and reduce emissions. <p>Implementation of the above BMP measures would ensure less-than-significant impacts to air quality standards for construction equipment emissions during implementation of the Project.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	Contractor	During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-AQ-2: To reduce fugitive dust emissions and minimize PM 2.5 impacts on air quality, the City shall comply with the FRAQMD Fugitive Dust Rule 3.1. The City would require the contractor to submit for approval a Fugitive Dust Plan (Plan) to the FRAQMD, and implement the required BMP measures outlined in the Plan. The required BMP measures to be applied during the grading and earthmoving phases of work should include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by regular watering, paving of construction roads, or other dust-preventive measures as directed by the Department of Public Works or Air Quality Management District (AQMD). • An operational water truck should be available at all times during construction activity. • All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day. • All clearing, grading, earth-moving, or excavation activities shall be suspended when winds exceed 20 miles per hour (mph) averaged over 1 hour. • All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. • The area disturbed by clearing, grading, earth-moving, or excavation operations shall be minimized at all times. • Reduce traffic speeds on all unpaved surfaces to 15 mph or less and reduce unnecessary vehicle traffic by restricting access. • Reestablish ground cover on the construction site as soon as possible and prior to final occupancy through seeding and watering. <p>Implementation of the above BMP measures would ensure less-than-significant impacts to air quality standards for fugitive dust during implementation of the Project.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	City/Contractor	Prior to and During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-1: To avoid disturbance to sensitive habitats and special-status species, the City would provide a qualified biologist to regularly monitor construction activities to ensure compliance with these mitigation measures and implementation of other mitigation associated with state and federal permits. The biologist would provide environmental training to construction personnel prior to the start of construction activities. This training would include information about the special-status species that may occupy the site and sensitive habitats on-site and regulations associated with these species and habitats.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	City	Prior to and During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-2: A preconstruction survey for Swainson's hawk and other raptors would be completed to mitigate for potential impacts to these species. The survey would be completed by a qualified biologist and according to CDFW protocols. The nesting period for Swainson's hawk is from March 1 - September 15 (CDFW 1994). The survey includes surveying all potential Swainson's hawk nesting sites within 0.5 mile of the proposed area of disturbance for active nests and surveying potential nesting areas within ¼ mile of the Project for other raptors. If no active nests are located, survey results would be submitted to the City and no further mitigation would be required. If an active nest exists, the location would be recorded and reported to the CDFW to determine appropriate buffers and any additional mitigation requirements. <u>Should construction activities cause a nesting raptor to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer would be increased such that activities are far enough from the nest to stop the raptor's agitated behavior. The buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with CDFW</u></p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	City	Prior to Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-3: To mitigate potential impacts to nesting cuckoos, a qualified biologist would complete a survey for nesting cuckoos prior to beginning any construction on-site. The survey would include all suitable habitats within 200-feet of the Project boundary. The biologist would consult with CDFW biologists to determine appropriate survey protocols. It may be necessary to perform the survey using recorded calls of the cuckoo to illicit a response. Should cuckoos or an active cuckoo nest be located, the biologist would map the occurrence and notify the CDFW to determine appropriate buffers and any additional mitigation requirements. <u>Should construction activities cause a nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer would be increased such that activities are far enough from the nest to stop the bird's agitated behavior. The buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with CDFW.</u></p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date:_____ Comments:</i></p>	City	Prior to Construction Activities
<p>MM-BIO-4: A survey for elderberry shrubs within the Project boundary would be completed according to USFWS guidelines. Shrubs to be avoided would be clearly marked by a qualified biologist and exclusion fencing placed around shrubs and/or shrub clusters. The USFWS would be consulted to determine minimum buffers. If shrubs cannot be avoided then the USFWS would be consulted to determine necessary VELB mitigation requirements (USFWS 1999). Construction near shrubs would be monitored by a qualified biologist. Environmental training (MM-BIO-1) would include VELB guidelines and requirements.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date:_____ Comments:</i></p>	City	Prior to and During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-5: The City's General Plan Policy 8.4-I-2 requires the protection of oak trees and other large native trees. To mitigate for potential impacts to oaks or other native trees, an arborist survey would be completed. The survey would document the size and location of native trees over 6 inches DBH in the vicinity of ground disturbing activities. The survey would be performed by a qualified biologist or certified arborist. <u>The tree survey would be completed prior to Project construction. Any native oaks in which ground disturbance would occur will be tagged and the DBH and location data collected. Orange construction fencing would be erected around the dripline of each tree to protect the tree and the root zone to minimize impact.</u></p> <p><i>Compliance Verification</i></p> <p>Initials: _____ Date: _____ Comments:</p>	City	Prior to Construction Activities
<p>MM-BIO-6: Impacts to riparian habitat would be avoided whenever feasible. A qualified biologist would map and locate sensitive areas using an aerial photograph and identify areas for avoidance fencing. The biologist would monitor construction activities to ensure avoidance of sensitive habitat.</p> <p>Approximately 2 acres of riparian habitat in the area of the abandoned sewage lagoons would be enhanced by the removal of non-native, invasive vegetation and replanted with native vegetation suitable for riparian areas.</p> <p>The City would apply for a Streambed Alteration Agreement from CDFW and would implement any additional specific mitigation measures associated with the Agreement.</p> <p><i>Compliance Verification</i></p> <p>Initials: _____ Date: _____ Comments:</p>	City	Prior to and During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-7: Avoid Riverine and other aquatic habitat with a minimum 25-foot buffer. Riverine habitat would be avoided with a buffer of 25 feet (as measured from the OHWM) to minimize disturbances to aquatic habitat as a result of construction-related activity. This boundary would be clearly marked prior to the start of construction and plastic orange construction avoidance fencing would be used where work is to occur in proximity to aquatic habitat. <u>An exception to installing the boundary fencing would be made for the riverbank stabilization element of the proposed Project.</u></p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date:_____ Comments:</i></p>	City	Prior to Construction Activities
<p>MM-BIO-8: Western pond turtles may occupy habitat along the Feather River and any ponded water located onsite. A qualified biologist would survey for western pond turtles and nests prior to beginning ground disturbing activities. If turtles are located then a qualified biologist would relocate turtles to suitable habitat outside of the project area <u>under a relocation plan approved by CDFW. The relocation plan for pond turtles would also describe what measures would be taken to prevent Western pond turtles from re-entering the Project area, including the installation of silt fencing or other exclusionary measures.</u> A qualified biologist would be onsite regularly during ground-disturbing construction activities near the river and pond habitat to remove turtles if necessary.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date:_____ Comments:</i></p>	City	Prior to and During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-9: The Project area may contain habitat suitable for occurrences of Ferris' milk-vetch. Floristic surveys would take place during the evident and identifiable time period for this plant. In addition, habitat which favors this plant, such as vernal moist pools, would be avoided during construction activities. If an occurrence is found, exclusion zones would be erected at a distance in which all disturbance from Project activities are avoided. Trails may be modified or eliminated to avoid significant impacts to the milk-vetch.</p> <p><u>Compliance Verification</u></p> <p><u>Initials:</u> <u>Date:</u> <u>Comments:</u></p>	City	Prior to Construction Activities
<p>MM-BIO-10: A wetland delineation would be completed to ensure that there would be no net loss of wetland function or area resulting from the Project activities. The wetland delineation would be done in accordance with Section 404 of the Clean Water Act and the OHWM would be determined. If any wetlands identified in the Project area could be impacted by the Project, the trail system would be modified to avoid these impacts and the City would adhere to any additional mitigation measures identified by the USACE or Central Valley Regional Water Quality Control Board (CVRWQC).</p> <p><u>Compliance Verification</u></p> <p><u>Initials:</u> <u>Date:</u> <u>Comments:</u></p>	City	Prior to and During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-11: <u>To mitigate potential impacts to nesting tricolored blackbird, a qualified biologist would complete multiple surveys for nesting birds prior to beginning any Project construction and during the breeding season. The survey will include all suitable habitats within 200-feet of the Project boundary. The biologist would consult with CDFW biologists to determine appropriate survey protocols. Should any nesting colonies be located, the biologist will map the occurrence and notify the CDFW to determine appropriate buffers and any additional mitigation requirements. An interpretive sign would be installed which states the nesting period of the species and which requests users of the area to minimize disturbances during this time period.</u></p> <p><u>Compliance Verification</u></p> <p><u>Initials: _____ Date: _____ Comments: _____</u></p>	City	<p><u>Prior to and During Construction Activities; Signage Posted after Project Completion</u></p>
<p>MM-BIO-12: <u>The typical nesting and fledging period for bank swallows occurs between May 1 and June 30. Construction of trails near bank swallow nesting sites would be scheduled outside of this time period. Trails near nesting areas would be closed annually to the public during this time period and signage would be installed explaining the reason for the trail closure.</u></p> <p><u>Compliance Verification</u></p> <p><u>Initials: _____ Date: _____ Comments: _____</u></p>	City	<p><u>Prior to and During Construction Activities; Signage Posted Seasonally</u></p>

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-BIO-13: <u>To mitigate potential impacts to Chinook salmon and green sturgeon, the river bank stabilization would occur during the period of July 1- August 31. Vegetation removal in the area of the bank stabilization would be minimized to extent possible, buffers would be delineated to prohibit construction and grading within these areas, construction materials would be placed to prevent them from washing downstream, measures would be taken to prevent downstream sedimentation, and erosion control materials using plastic monofilament would be prohibited from use. Additional mitigation measures may be required through permits obtained from the USACE, SWRCB, or CDFW and would be strictly enforced.</u></p> <p><u>Compliance Verification</u></p> <p><u>Initials:</u> _____ <u>Date:</u> _____ <u>Comments:</u></p>	City	<u>Prior to and During Construction Activities</u>
<p>MM-BIO-14: <u>The Restoration Plan for two acres in the Project area would be developed in consultation with CDFW and with the CVFPB. The plan would recommend and list native plants that support tricolored blackbirds as well as other native species that would be planted to mitigate for loss of Himalayan blackberry shrubs. The plan would recommend that vegetation removal be limited to the extent required by CVFPB to prevent hydraulic impacts caused by the accumulation of vegetation.</u></p> <p><u>Compliance Verification</u></p> <p><u>Initials:</u> _____ <u>Date:</u> _____ <u>Comments:</u></p>	City	<u>Prior to Construction Activities; Restoration Plan would be Implemented after Project Completion</u>

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-CR-1: The contractor would have a qualified professional on-call who would be contacted if, during excavation activities, any of the following or other potential pre-historic/historic materials are unearthed:</p> <ol style="list-style-type: none"> 1. Potential human remains; 2. Former refuse sites or other artifacts; or, 3. Changes in soil color or composition that could indicate a former occupation site. <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	Contractor	During Project Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-CR-2: As a standard precaution, and as part of the construction contract specifications, if any previously unknown cultural resources are encountered during construction, necessary discovery measures would include:</p> <ol style="list-style-type: none"> 1. Shutting down construction activities in the immediate area of a find; 2. Notifying the City Project Manager; 3. Continuing work cessation in the project vicinity for a reasonable period of time to allow professional evaluation of finds (Public Resources Code Sections 21083.2, 21084.1, and 21083.1); 4. If the resources are found to be significant and avoidance is not possible, providing time and funding for professional recovery and analysis of significant archaeological and historical finds (Part V of Appendix K and Public Resources Code Section 21083.2); and, 5. A pre-construction worker briefing would occur to discuss required mitigation measures if cultural resources are unearthed during implementation of Project activities. <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date:_____ Comments:</i></p>	Contractor	Prior to and During Project Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-CR-3: In compliance with the California Health and Safety Code, Section 7050.5(b), if human remains are discovered, excavation would halt in the immediate area and the Sutter County Coroner would be notified. Within 48 hours of notification, the Coroner would determine whether the remains are of Native American descent. If so, the NAHC would be notified within 24 hours, and as required under Public Resources Code, Section 5097.98, the most likely descendants would be notified. Based on the above notifications, measures would be implemented that address the removal and relocation of the remains.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	Contractor	During Project Construction Activities
<p>MM-HHM-1: If herbicidal treatment is necessary for vegetation removal, a PCA would be consulted prior to herbicide use to determine safe handling and treatment practices. All regulations for use of herbicides in riparian areas would be followed.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	City	During Construction Activities
<p>MM-HHM-2: Personnel transporting and handling hazardous materials would follow CDTSC (CCR Title 22, Division 4.5, Chapter 13) and Occupational Safety and Health Administration (OSHA) (CFR Title 29) standards for safe handling and delivery.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	Contractor	During Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-HYD-1: A Notice of Intent to implement the Project under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (General Permit) and Federal Energy Regulatory Commission (FERC) requirements for operation of the Oroville Dam Hydroelectric Project would be submitted for approval by the CVRWQCB. A SWPPP would be prepared to minimize the mobilization of sediment and other project related pollutants into nearby water bodies, and would include the following BMPs:</p> <ul style="list-style-type: none"> • Enclose and cover exposed soils and other loose construction material that could erode into the waterways. • Ensure that no construction material, including soil stockpiles, are directly deposited or placed where it may be transported into a drainage, pond, or the river. • Control and contain soil, and filter runoff from disturbed areas with the use of berms, silt fencing, straw bales or wattles, geofabric, catch basins or other erosion control devices to prevent the escape of sediment from disturbed areas. <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	City/ Contractor	Prior to and During Soil Excavation Activities
<p>MM-HYD-2: If jurisdictional waters cannot be avoided, a Clean Water Act Section 404 permit application for discharges of dredge or fill material into waters of the U.S. would be submitted and approved by the USACE prior to construction activities. The USACE review would ensure that the effect of the bank stabilization on the flows of the Feather River would be less than significant. Any additional mitigation measures required by the permit would be implemented.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date: _____ Comments:</i></p>	City	Prior to Construction Activities

Mitigation Measure and Description of Compliance	Responsible Party	Implementation Phase
<p>MM-HYD-3: If jurisdictional waters cannot be avoided, a Clean Water Act Section 401 Water Quality Certification application would be submitted and approved by the CVRWQCB prior to construction activities. This permit would provide the necessary conditions for the Project activities to protect water quality. Any additional mitigation measures required by the permit would be implemented.</p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date:_____ Comments:</i></p>	City	Prior to Construction Activities
<p>MM-HYD-4: An application for an Encroachment Permit would be submitted to the Central Valley Flood Protection Board for approval prior to construction work within the levee area. <u>Any additional mitigation measures required by the permit will be implemented. The Restoration Plan for the Project (MM-BIO-14) will be developed in compliance with Title 23 of the California Code of Regulations, Section 23 and will be submitted for approval by the CVFPB.</u></p> <p><i>Compliance Verification</i></p> <p><i>Initials:_____ Date:_____ Comments:</i></p>	City	Prior to Construction Activities

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Feather River Parkway Phase II Project

SCH Number: 2014022014**Document Type:** NOD - Notice of Determination**Project Lead Agency:** Yuba City

Project Description

The City of Yuba City is proposing to build additional recreational improvements at the Feather River Parkway. The City received funding for the Project from the State of CA Natural Resources Agency through the CA River Parkways Grant Program, Bond Act of 2006 (Prop 84). The Project would be 84 acres in size, create 2.6 miles of walking and bicycling trails, add picnic areas, educational displays, and improve access to a recreational pond. The Project would restore 2 acres of riparian area and preserve 10 acres of riparian woodlands. The proposed Project is part of the City's 2002 Feather River Parkway Strategic Plan.

Contact Information

Primary Contact:

Brad McIntre
Yuba City, Parks and Recreation Dept.
530 822 4652
1201 Civic Center Boulevard
Yuba City, CA 95993

Project Location

County: Sutter
City: Yuba City
Region:
Cross Streets: Von Geldern
Latitude/Longitude: 39° 9' 11.3" / 121° 36' 38.3" [Map](#)
Parcel No: 51-530-022
Township: 15N
Range: 13E
Section:
Base: MDB&M
Other Location Info:

Determinations

This is to advise that the ☒ Lead Agency ☐ Responsible Agency Yuba City Council has approved the project described above on 4/22/2014 and has made the following determinations regarding the project described above.

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
5. Findings ☐ were ☐ were not made pursuant to the provisions of CEQA.

Final EIR Available at: Yuba City Public Works Department, 1201 Civic Center Blvd., Yuba City, CA 95993

Date Received: 4/28/2014

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