

RESOLUTION NO. 93-08

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO 1) ADOPTING FINDINGS REGARDING ENVIRONMENTAL EFFECTS AND 2) ADOPTING A MASTER MITIGATION MONITORING PROGRAM FOR THE BIDWELL PARK MASTER MANAGEMENT PLAN UPDATE (State Clearinghouse Number 2004102045)

WHEREAS, this Council has certified that the Environmental Impact Report ("EIR") prepared for the Bidwell Park Master Management Plan ("Project"), has been completed in compliance with the California Environmental Quality Act ("CEQA") (Pub. Resources Code § 21000 et seq.), the CEQA Guidelines (14 CCR § 15000 et seq.), and the local procedures adopted by the City pursuant thereto; that the City has reviewed and considered the information and analysis contained in the EIR; and that the EIR reflects the City's independent judgment; and

WHEREAS, the EIR identified certain significant effects on the environment that would be caused by the Project, absent the adoption of mitigation measures; and

WHEREAS, the City is required, pursuant to CEQA, to adopt all feasible mitigation measures and consider feasible project alternatives that can substantially lessen or avoid any significant effects on the environment associated with a project to be approved; and

WHEREAS, as the CEQA Findings of Fact attached to this Resolution demonstrate, all of the significant effects on the environment associated with the Project can be either substantially lessened or avoided through the adoption of feasible mitigation measures; and

WHEREAS, the City considered the feasibility of alternatives, as set forth in the EIR, that may avoid or substantially lessen Project impacts; and

WHEREAS, the City is required by Public Resources Code section 21081.6(a) to adopt a mitigation monitoring and reporting program to ensure that the mitigation measures adopted by the City are carried out; and

WHEREAS, a Master Mitigation Monitoring Program for the Project has been prepared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHICO:

- 1. The City Council adopts the CEQA Findings of Fact attached at Exhibit I to this

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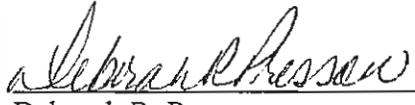
- 2. The City adopts the Master Mitigation Monitoring Programs prepared for the Bidwell Park Master Management Plan Update EIR attached at Exhibit II to this resolution.

The foregoing resolution was adopted by the City Council of the City of Chico at its meeting held on November 18, 2008, by the following vote:

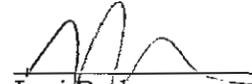
AYES: Bertagna, Flynn, Gruendl, Wahl, Holcombe
 NOES: None
 ABSENT: None
 ABSTAIN: None
 DISQUALIFIED: Nickell, Schwab

ATTEST:

APPROVED AS TO FORM:



 Deborah R. Presson
 City Clerk



 Lori Barker
 City Attorney

CEQA FINDINGS OF FACT

I. **INTRODUCTION**

These findings have been prepared in accordance with the California Environmental Quality Act (“CEQA”) the CEQA Guidelines (14 CCR § 15000 et seq.), and the local procedures adopted by the City of Chico (“City”). The City is the lead agency for the environmental review of the project and has the principal responsibility for its approval. The project covered by these findings and the relevant CEQA documents is known as the Bidwell Park Master Management Plan Update (BPMMP) and four Associated Park Improvement Projects. For the BPMMP and three of the four Park Improvement Projects (Trails Plan, Horseshoe Lake Area Concept Plan, Cedar Grove Area Concept Plan), a program EIR was prepared, while the Disc Golf/Trailhead Area Concept Plan Park Improvement Project was analyzed at the project level.

II. **STATEMENT OF FINDINGS**

The findings and determinations contained herein are based on the competent and substantial evidence, both verbal and written, contained in the entire record relating to the Project (BPMMP and four associated Park Improvement Projects) and the EIR. The findings and determinations constitute the independent findings and determinations by this City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific pages within the Draft and Final EIRs in support of various conclusions reached below, the City Council incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited herein, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the City Council’s approval of mitigation measures recommended in the EIR, and the reasoning set forth in responses to comments in the Final EIR. The City Council further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this City Council with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

III. **DEFINITIONS AND ACRONYMS**

The following acronyms and terms used in these findings shall have the meanings set forth below:

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“BPMMP” means Bidwell Park Master Management Plan
“BPPC” means Bidwell Park and Playground Commission
“CEQA” means California Environmental Quality Act.
“City” means City of Chico.
“CRMP” means Cultural Resources Management Plan.
“DEIR” or “Draft EIR” means the Draft Environmental Impact Report for the Bidwell Park Master Management Plan Update and Associated Park Improvement Projects, dated April 2007.
“DFG” means California Department of Fish and Game
“EIR” means Environmental Impact Report, including both the DEIR and FEIR.
“FEIR” or “Final EIR” means Final Environmental Impact Report for the Bidwell Park Master Management Plan Update and Associated Park Improvement Projects, dated July 2008.
“MM” means mitigation measure.
“MMRP” means Mitigation Monitoring and Reporting Program.
“NRMP” means Natural Resources Management Plan
“NO_x” means nitrogen oxide.
“NOP” means Notice of Preparation.
“Park” means Bidwell Park
“PM₁₀” means particulate matter equal to or less than 10 microns in diameter.
“ROG” means reactive organic gases
“USACE” means United States Army Corps of Engineers

IV. **PROJECT DESCRIPTION**

A. PROJECT DESCRIPTION

The Project evaluated by the EIR is the Bidwell Park Master Management Plan Update and four associated Park Improvement Projects. The Project includes:

The Bidwell Park Master Management Plan Update which includes the following Appendices:

- The Natural Resources Management Plan
- The outline for a Cultural Resources Management Plan

The four associated Park Improvement Projects:

- The Trails Plan
- The Horseshoe Lake Area Concept Plan
- The Cedar Grove Area Concept Plan
- The Disc Golf/Trailhead Area Concept Plan

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Bidwell Park Master Management Plan

The Bidwell Park Master Management Plan (BPMMP) update is a comprehensive update of the 1990 Master Management Plan completed for the Park. The updated BPMMP incorporates 1,455 acres of park land acquired in 1993 and 1994, updates baseline data on park resources, addresses important planning issues pertaining to management and public use of the Park, includes the results of extensive public input, and clarifies allowable uses in the Park. The updated plan revises and expands existing management policies to more accurately reflect current planning topics.

The BPMMP provides a comprehensive description of the Park, including information on Park zones, and land uses in and around the Park. It also provides a detailed overview of the physical resources in the Park, and a detailed description of existing Park facilities. Maintenance and operation staff and volunteer resources are also discussed, along with planning influences and key planning issues and opportunities addressed in the planning process. The BPMMP contains the Park Vision, which anticipates what the Park will be like as the BPMMP is implemented, as well as the goals, objectives, implementing strategies, and guidelines for the management of Bidwell Park. The BPMMP Update presents goals and objectives, and implementation strategies and guidelines for management of the entire Park. It also includes more zone specific management guidance for Lower, Middle and Upper Park. Zoning and resource information for the new addition as well as the entire Park have been integrated into all elements of the BPMMP Update.

Resource Management Plans

The BPMMP includes resource specific management plans, specifically a Natural Resources Management Plan (NRMP) and an annotated outline for a Cultural Resources Management Plan (CRMP).

Natural Resources Management Plan

The NRMP (see BPMMP, Appendix C) is intended to provide a resource management framework for Bidwell Park that supports the goals and objectives of the BPMMP. The NRMP is designed to be a living document that can be modified and expanded in the future as more is learned about the Park's resources, and as more funding becomes available. In its current version, the NRMP addresses three natural resource management topics: management of oak woodlands, invasive plant management, and fire management. The NRMP translates the goals and objectives for natural resources into management strategies for specific aspects of resource management and to set the framework for the development of future elements of the plan.

Cultural Resources Management Plan

An annotated outline for a CRMP for Bidwell Park is included as Appendix D of the BPMMP. Development of a CRMP in close cooperation with the Sovereign Nation of the Mechoopda was identified as a high priority aspect of implementation of the BPMMP during the planning process. The annotated outline was developed as a first step towards achieving this goal and is intended to form the basis of the CRMP to be developed in the future.

Park Improvement Projects

In addition to addressing management issues and providing planning guidance for the Park as a whole, the BPMMP incorporates four Park Improvement Projects aimed to address ongoing management issues. The four specific Park Improvement Projects include the Trails Plan, the Horseshoe Lake Area Concept Plan, the Cedar Grove Area Concept Plan, and the Disc Golf/Trailhead Area Concept Plan. For each of these elements, a series of concepts that accommodate desired uses as well as known site constraints has been developed. Each of the Park Improvement Projects is summarized below. For the BPMMP and three of the four Park Improvement Projects (Trails Plan, Horseshoe Lake Area Concept Plan, Cedar Grove Area Concept Plan), a program EIR was prepared, while the Disc Golf/Trailhead Area Concept Plan was analyzed at the project level.

Trails Plan

The Trails Plan for Bidwell Park (see BPMMP, Appendix E) was developed to provide guidance for future trail maintenance, improvements, construction, and closures throughout the Park. It was developed utilizing a preliminary trails plan that was conceptually approved by the BPPC in 2002. The preliminary Trails Plan was revised and refined to reflect current uses, use patterns, and desired outcomes. Public input, a technical workshop, and field review provided input and guidance for the development of the Trails Plan. Key elements of the Trails Plan include the following: 1) upgrading and maintaining existing trails; 2) a limited number of new trail segments that would be constructed to provide easier access, create loops, create new connections between major trails, or provide convenient access to trailheads; 3) design alternatives to provide a safe crossing of Big Chico Creek in Upper Park and address constraints at Parking Lot U; 4) identification of informal trails that should be targeted for closure and restoration; 5) improvements to circulation patterns in Lower Park; and 6) funding opportunities.

The Trails Plan is to be implemented in conjunction with the City's Trails Manual, which provides the City's standards and guidelines for trails management. Concurrently with the BPMMP Update, the Trails Manual was reviewed by professional trails planners and found to provide comprehensive guidance on how to effectively and efficiently maintain Park trails.

Horseshoe Lake Area Concept Plan

The Horseshoe Lake Area Concept Plan (see BPMMP, Appendix F) formalizes the area's importance as the primary destination in Middle Park and as the primary access point to Upper Park. The Concept Plan includes elements that define destination points; clarify and delineate access; provide additional trails and reduce user conflict; close redundant unofficial trails; regulate access to the lake's edge; and provide additional parking, signage and destination points, such as overlooks and picnic areas. The Horseshoe Lake Area Concept Plan would be implemented in close coordination with the Trails Plan.

Cedar Grove Area Concept Plan

The Cedar Grove Area Concept Plan (see BPMMP, Appendix G) includes rehabilitation, enhancement, and renovation of existing facilities at the site. Improvements would be made to parking, circulation, signage, lighting, and facilities, such as restrooms. The purpose of the improvements is to provide enhanced infrastructure for the area to accommodate the existing events and functions taking place in the Cedar Grove Area, such as the annual Endangered Species Fair. It would also support use of the area by individuals for picnics, hiking/walking, nature exploration, and visiting the Big Chico Creek Nature Center. The Cedar Grove Area Concept Plan separates the overall area into two distinct use areas: the group picnic/festival meadow area and the Nature Center area. Although separate vehicle access points are provided, pedestrian pathways connect the two areas and a proposed overflow parking area could serve either area during high visitation events.

Disc Golf/Trailhead Area Concept Plan

The Disc Golf/Trailhead Area Concept Plan provides three design options for the use of an area approximately 40 acres in size located off SR 32 in Upper Park (see BPMPP, Appendix H). All three design options have been developed according to environmental design criteria, taking into consideration the extent and location of sensitive biological and cultural resources present on the site. All three options also provide for multiple uses of the area, including disc golf, multiuse trails, picnicking, and scenic overlooks. Two separate parking area/trailhead layouts are also provided; depending on the site use option chosen for the site, one of these trailhead layouts would be used. In addition to the three design options, a restoration option that would eliminate disc golf from the existing site was developed as an alternative for the DEIR. The restoration option would still allow for use of the site as a trailhead and one of the parking area/trailhead concepts would be used under this option. The following is a brief summary of the four options for site use that have been developed:

Option A: an 18-hole long course and an 18-hole short course with parking area/trailhead alternative A;

Option B: an 18-hole long course and a 12-hole short course (eliminating holes 4, 8, 10, 12, and 15 from the short course proposed in Option A) with parking area/trailhead alternative A;

Option C: an 18-hole long course only (no additional short course) with the smaller parking area/trailhead alternative B.

Restoration Option: Consistent with the Alternatives analysis in the Draft EIR, the existing disc golf course would be eliminated and the site would be restored. The trailhead and other multi-use trails would be developed as would the smaller parking area/trailhead alternative B.

B. BPMMP OBJECTIVES

The BPMMP will be used as the primary document for guiding policy decisions, managing data, assigning priorities to management tasks and new projects, and as a means of conflict resolution. It will also be used to guide natural resource protection and resource management for the Park, and will function as the primary instrument in determining the appropriateness of current and future uses and facilities. The BPMMP establishes a broad policy framework to guide the development of programs over an extended period of time.

The BPMMP incorporates the following Park-wide Goals:

- Provision of appropriate and meaningful recreational activities and facilities while protecting, maintaining, and enhancing the natural, aesthetic, and cultural values of Bidwell Park;
- Implementation of a coordinated and efficient decision-making and management process with defined roles and responsibilities by the City, Council, Bidwell Park and Playground Commission, and City Staff, and with periodic review and input by the public;
- Management of Park use and the distribution of facilities to meet the changing needs of the Park users while continuing to protect the Park's natural and cultural resources;
- Provision of a proper framework for decisions related to off-site properties and circumstances that have the potential to adversely affect the vision, purpose, and goals established for Bidwell Park in this BPMMP;
- Establishment of a Bidwell Park Sphere of Influence (BPSI) in order to preserve and enhance the experiential value of Bidwell Park and protect it from adverse effects within the BPSI;
- Provision of a review and comment period to the Bidwell Park and Playground Commission relating to discretionary projects within the BPSI;

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- Elimination of existing encroachment into Bidwell Park land and prevention of encroachment in the future;
- Continued provision of a wide variety of visitor uses including quality recreational opportunities for users of all abilities;
- Awareness of opportunities for land acquisition which allow for the expansion of Bidwell Park or the expansion of other lands usable for open space/recreational goals and consideration of their purchase pursuant to General Plan and BPMMP policies and guidelines;
- Recognition of the complexity of the ecological communities in Bidwell Park and surrounding areas when integrating human activities into the Park;
- Integration of ecological communities, physical and biological resources, and cultural resources with human activities, where appropriate, and use of interpretative programs to promote proper stewardship of resources;
- Protection of natural and cultural resources from human activities, where necessary, based on their environmental and cultural sensitivities;
- Use of monitoring and adaptive management strategies to assess the effects of Park use and management on Park resources to prevent resource degradation and to implement responsible stewardship of the resources;
- Conservation and protection of the varied and complex physical resources and natural processes of Bidwell Park and surrounding areas to the extent feasible;
- Conservation, protection, and optimization of natural resource functions and values in the Park and maximization of their integration with natural resources in surrounding areas;
- Protection and preservation of significant archeological and historic resources in the Park;
- Inspiration of short- and long-term stewardship of Park resources through interpretation of natural systems and cultural resources;
- Identification and protection of the scenic and aesthetic resources in Bidwell Park;
- Provision of diverse recreational opportunities for a variety of user groups consistent with the vision for Bidwell Park;

- Maintenance of designated developed recreation areas in Bidwell Park consistent with the goals and objectives of the BPMMP;
- Application of appropriate intensities of Park use and distribution of indoor and outdoor facilities in a manner that meets the changing needs of the Park users while protecting the natural and cultural resources of the Park.
- Development of an efficient and safe circulation system which clarifies access rights and responsibilities for formal and informal circulation uses (i.e., motor vehicles, horses, bicycles, pedestrians, disabled persons and special user groups);
- Provision of adequate, environmentally sound utility service within all areas of the Park, as appropriate;
- Provision of a secure, safe, and healthy experience for all Park users; and
- Provision of an efficient maintenance program that keeps Bidwell Park facilities and resources clean, safe, attractive, functional and in harmony with the users and natural resources of the Park.

C. APPROVALS

No approvals by agencies outside the City are needed to implement the BPMMP. For implementation of the four specific Park improvement projects, coordination with the resources agencies, including DFG and USFWS may be required, depending on final design and layout. The Trails Plan, Disc Golf/Trailhead Area Concept Plan and Horseshoe Lake Area Concept Plan will also likely require a Section 404 permit from the USACE depending on final design and the alternatives chosen. A portion of the property subject to the BPMMP, which includes the Disc Golf/Trailhead Area Concept Plan, is subject to a covenant prohibiting physical change to archeological sites without prior written approval of the California State Historic Preservation Officer.

V. ENVIRONMENTAL REVIEW PROCESS

In accordance with Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, the City prepared a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) in October 2004 (SCH# 2004102045). This notice was circulated to the public, local, State, and Federal agencies, and other interested parties to solicit comments on the proposed project.

The EIR includes an analysis of the following issue areas:

Aesthetics	Land Use
Air Quality	Noise
Biological Resources	Public Services
Cultural Resources	Recreation
Geology /Soils	Transportation and Traffic
Hazards and Hazardous Materials	Utilities and Service Systems
Hydrology/Water Quality	

The Draft EIR determined that the project would have no impact on agricultural resources, population and housing, and mineral resources. Therefore, impacts to these areas were not further studied in the EIR.

The City published the DEIR for public and agency review. The circulated document consisted of two Volumes, with Volume 1 describing the Project (BPMMP and associated Park Improvement Projects) and Volume 2 containing the environmental analysis (DEIR). The public review period was 60 days, beginning April 27, 2007. The City received a number of comment letters from agencies and the public regarding the DEIR.

In July 2008, the City published the FEIR for the Project. The FEIR includes comments on the DEIR, responses to significant environmental issues raised in the comments, and revisions to the text of the DEIR.

The City Council has conducted a public hearing on the Project.

VI. RECORD OF PROCEEDINGS

The record of proceedings for the decision on the Project consists of the following documents:

- The Notice of Preparation dated October 14, 2004, and all other public notices issued by the City in conjunction with the Project;
- Comments received on the Notice of Preparation issued by the City;
- The DEIR and all appendices to the DEIR for the Bidwell Park Mater Management Plan Update and Associated Park Improvement Projects dated April 2007;
- Notices of Completion and of Availability issued on April 27, 2007, providing notice that the DEIR had been completed and was available for public review and comment;

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- All comments submitted by agencies or members of the public during the comment period on the DEIR;
- The FEIR for the Bidwell Park Master Management Plan Update and Associated Park Improvement Projects dated July 2008, including all documents referred to or relied upon herein, which include, but are not limited to the following:
 - All findings and resolutions adopted by the BPPC in connection with the BPMMP and Park Improvement Projects;
 - All reports, studies, memoranda (including internal memoranda not protected by the attorney-client privilege), maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the BPMMP;
 - All reports, studies, memoranda, maps, staff reports, or other planning documents related to the Project cited or referenced in the preparation of the EIR;
 - All comments and correspondence documents submitted to the City by other public agencies or members of the public in connection with the BPMMP, up through the close of the public hearing;
 - Any documentary or other evidence submitted to the City at any other information sessions, public meeting or public hearing;
 - The relevant files of the City of Chico Planning Services and General Services Departments for the BPMMP;
 - The City of Chico General Plan and Chico Municipal Code;
 - Matters of common knowledge to the City including, but not limited to Federal, State, and local laws and regulations;
 - Any documents expressly cited in these findings, in addition to those cited above; and
 - Any other materials required for the record of proceedings by Public Resources Code section 21167.6(e).

The official custodian of the record is the Planning Services Director of the City of Chico, located at 411 Main Street, Chico, CA 95928.

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VII.
FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Feasibility under CEQA encompasses desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The City must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” (Pub. Resources Code, § 21002)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant. Moreover, although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the FEIR.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b))

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b))

These findings constitute the City’s best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the FEIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City Council adopts a resolution approving the Project.

VIII. **MITIGATION MONITORING AND REPORTING PROGRAMS**

Two Mitigation Monitoring and Reporting Programs (MMRPs) have been prepared for the Project, and are being approved by the City Council by the same resolution that adopts these findings. One MMRP was prepared for the BPMMP, Trails Plan, and the Cedar Grove and Horseshoe Lake Area Concept Plans (BPMMP and 3 Project MMRP). A separate MMRP was prepared for the Disc Golf/Trailhead Area Concept Plan. The City will use the MMRPs to track compliance with Project mitigation measures. The MMRPs will remain available for public review during the compliance period. The MMRPs are separate documents from the EIR.

IX.
FINDINGS REGARDING ENVIRONMENTAL EFFECTS AND MITIGATION
MEASURES

The DEIR identified a number of potentially significant environmental effects (or impacts) that the Project may cause. All of these potentially significant impacts can be reduced to a level less than significant through the adoption of feasible mitigation measures.

The City's findings with respect to the Project's significant effects and mitigation measures are as follows:

1. Air Quality

- a. **Impact AQ-2b.** The EIR, in Impact AQ-2b, concludes that Park Improvement Project construction activities would generate ozone precursor exhaust emissions (reactive organic gases (ROG) and oxides of nitrogen (NO_x) and fugitive particulate matter emissions (PM₁₀) that would temporarily affect local air quality for adjacent land uses. This is considered a potentially significant impact in regard to air quality.
- b. **Impact AQ-4b.** The EIR, in Impact AQ-4b concludes that implementation of the Park Improvement Projects could result in a cumulatively considerable net increase in construction-generated ozone precursor (ROG and NO_x) and PM₁₀ emissions which could result in a cumulatively considerable net increase of a criteria pollutant for which the project region is in nonattainment under any applicable federal or state ambient air quality standards. This is considered a potentially significant impact with regard to air quality.
- c. **Impact AQ-5b.** The EIR, in Impact AQ-5b, concludes that implementation of the Park Improvement Projects in the Cedar Grove Area, Trails Plan Area, and Disc Golf/Trailhead Area could expose sensitive receptors to substantial pollutant concentrations from construction-generated ozone and PM₁₀ emissions. This is considered a potentially significant impact in regard to air quality.

The EIR identifies Mitigation Measure AQ-2, which would reduce the air quality impacts identified in Impact AQ-2b, AQ-4b and AQ-5b. MM AQ-2 includes a list of measures to be implemented during construction which will minimize exhaust and fugitive particulate matter emissions by requiring the implementation of specific dust control measures during all construction.

MM AQ-2 is set forth in full on page E4-30 of the DEIR and in the MMRPs.

Findings regarding Mitigation Measure AQ-2. The incorporation of mitigation measure AQ-2

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into the project will reduce these impacts to less than significant. The City hereby directs that this mitigation measure be required and incorporated into all construction activities undertaken to implement the BPMMP. The City therefore finds that changes or alterations have been required, or incorporated into, the project that substantially lessen or avoid these impacts' significant effects on the environment.

2. Biological Resources

Impact Bio-1b. The EIR, in Impact Bio-1b, concludes that implementation of the Disc Golf/Trailhead Area Concept Plan could result in loss or disturbance of Butte County checkerbloom, a special-status plant species. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-1b, which would reduce this impact to a level less than significant. MM Bio-1b provides the Disc Golf/Trailhead Area Concept Plan shall be implemented to avoid direct and indirect impacts on known locations of Butte County checkerbloom through the implementation of various measures including the following: All disc golf structures and trails shall be placed a minimum of 50 feet from locations that currently support Butte County checkerbloom. Where this cannot be accomplished due to physical site constraints, the buffer may be reduced, but shall remain at a minimum of 25 feet. Prior to any construction, exclusionary fencing shall be installed along a 25-foot buffer around the outer perimeter of locations of Butte County checkerbloom. The fencing shall be installed under the guidance of a qualified botanist. Foot traffic shall be restricted to clearly defined trails and disc golf features. Trails shall be constructed as narrow as possible to avoid degradation of suitable habitat. Decommissioned trails and structures shall be blocked with barriers (such as boulders) to discourage use of these trails and structures and signage shall be placed at the trailhead/rest area to inform Park users of the presence and sensitivity of Butte County checkerbloom. Alternate pin locations for Holes 3 and 4 of the long course shall be used from March 1 through July 1 to provide further assurance that potential disturbance of nearby checkerbloom plants during the active growth and blooming period of the plants is minimized. An adaptive management program shall be implemented to document and monitor changes in populations of Butte County checkerbloom at the Disc Golf/Trailhead site and corrective measures shall be implemented if monitoring indicates a decline in existing populations after project implementation. The purpose of this adaptive management program shall be the long-term maintenance of the same number and approximate extent of occurrences of Butte County checkerbloom on the site as documented during the 2005 surveys.

MM Bio-1B is set forth in full on pages 4-2 through 4-3 of the FEIR and in the Disc Golf/Trailhead Area Concept Plan MMRP.

Findings regarding Mitigation Measure Bio-1b. The incorporation of mitigation measure Bio-1b into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Disc golf/Trailhead Area Concept

Plan. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-1c. The EIR, in Impact Bio-1c, notes that focused special-status plant surveys have not been conducted for the Horseshoe Lake Area Concept Plan or the Trails Plan areas, and that populations of Butte County checkerbloom could exist in areas that would be disturbed in the implementation of those plans which could result in loss or degradation of Butte County checkerbloom. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-1c, which would reduce this impact to a level less than significant through implementation of various measures including the following: Before the start of any ground-disturbing activities, the City shall retain a qualified botanist to identify and flag the locations of previously documented occurrences of Butte County checkerbloom. The flagged occurrences shall be avoided and a buffer of at least 25 feet shall be established. If complete avoidance is not feasible due to other environmental constraints or Park Improvement Project goals, then such impacts shall be minimized. In those instances, any loss of Butte County checkerbloom shall be mitigated through preservation and enhancement of remaining occurrences and preservation and enhancement of suitable habitat on-site. As a performance standard, such mitigation shall ensure no-net loss of the number of Butte County checkerbloom populations/and or habitat within the Park or region. Such measures shall include transplanting and monitoring plants that cannot be avoided. The City shall consult with DFG with respect to such preservation and enhancement measures.

MM Bio-1c is set forth in full on pages 4-3 through 4-4 of the FEIR and 3 Project MMRP.

Findings regarding Mitigation Measure Bio-1c. The incorporation of MM Bio-1c into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the project. The City therefore finds that changes or alterations have been required, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-1d. The EIR, in Impact Bio-1d, concludes that implementation of the Disc Golf/Trailhead Area Concept Plan could result in loss or disturbance of Bidwell's knotweed, a CNPS watch list plant species (List 4). This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-1d, which would reduce this impact to a level less than significant through implementation of various measures that would mitigate direct and indirect impacts to Bidwell's knotweed including the following: Disc Golf trails and structures shall generally be placed outside of wildflower fields and the number of trails dissecting wildflower fields shall be minimized to the fewest number necessary. Decommissioned trails shall be blocked with barriers (such as boulders) to discourage use of these trails. Exclusionary

fencing shall be installed under the guidance of a qualified botanist before commencement of construction to keep workers and equipment from disturbing wildflower field habitat to be preserved. Because population sizes fluctuate greatly from year to year, impacts to habitat, not just existing plants will be minimized. High priority shall be given to preserving those wildflower field communities that contained Bidwell's knotweed during surveys conducted in 2005. Signage at the trailhead/rest area shall be installed to inform Park users of the presence and sensitivity of Bidwell's knotweed and wildflower field habitat and to deter users from disturbing the species. An adaptive management program shall be implemented to document and monitor changes in population of Bidwell's knotweed at the Disc Golf/ Trailhead site. If data collection indicates a decline in the number or extent of existing populations after implementation of the Disc Golf/Trailhead Area Concept Plan, relocation of trails or disc golf structures in the vicinity of these populations, or other management strategies shall be implemented. Seasonal and annual variation of the plants in response to environmental conditions such as rainfall shall be taken into consideration when determining if a decline is occurring.

MM Bio-1d is set forth in full on pages 4-4 though 4-5 of the FEIR and in the Disc Golf/Trailhead Area Concept Plan MMRP.

Findings regarding Mitigation Measure Bio-1d. The incorporation of mitigation measure Bio-1d into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Disc golf/Trailhead Area Concept Plan. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-1e. The EIR, in Impact Bio-1e, concludes that implementation of the Trails Plan, Cedar Grove Area Concept Plan, and Horseshoe Lake Area Concept Plan could result in adverse effects on unknown occurrences of Butte County checkerbloom, Bidwell's knotweed, and other special-status plant species. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-1e, which would reduce this impact, to a level less than significant, through implementation of various measures including the following: Prior to any ground disturbing activities, the City shall retain a qualified botanist to conduct protocol-special-status plant surveys in areas that could be disturbed during implementation of the Cedar Grove Area Concept Plan, Trails Plan, and Horseshoe Lake Area Concept Plan. If special-status plant species are found in the project areas, their location and extent shall be inventoried and these occurrences shall be avoided to the maximum extent feasible; if impacts cannot be fully avoided, every effort shall be made to minimize impacts on special-status plants through design planning. If state or federally listed plant species are identified in the site-specific project areas and it is determined that they would be directly or indirectly affected, then appropriate mitigation shall be developed through consultation with DFG or USFWS, depending on the species' listing status. Any loss of special-status plants (except CNPS List 4 species) shall be mitigated through

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preservation and enhancement of remaining occurrences and suitable on-site habitat. Mitigation shall be designed to ensure no net loss of special-status plant populations or habitat within the Park or region.

MM Bio-1e is set forth in full on page E4-59-60 of the DEIR and in the BPMMP and 3 Project MMRP.

Findings regarding Mitigation Measure Bio-1e. The incorporation of mitigation measure Bio-1e into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Trails Plan, Cedar Grove Area Concept Plan, and Horseshoe Lake Area Concept Plan. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-2b. The EIR, in Impact Bio-2b, concludes that implementation of the Trails Plan, Cedar Grove Area Concept Plan, and Horseshoe Lake Area Concept Plan could result in adverse effects on valley elderberry longhorn beetle (VELB) if elderberry shrubs providing suitable habitat are present at these locations. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-2b, which would reduce this impact to a level less than significant through implementation of various measures including the following: Prior to any ground-disturbing activities, Areas that support elderberry shrubs shall be identified by a qualified biologist. The City shall ensure, through coordination with the biologist, that the footprint of project features and construction zones, staging areas, and access routes are designed to avoid disturbance of potential habitat to the extent feasible. If impacts to areas supporting elderberry shrubs cannot be avoided protocol level surveys for elderberry shrubs shall be conducted within 100 feet of the impact area in accordance with USFWS guidelines. All elderberry shrubs with potential to be affected by project activities shall be mapped and the number of stems greater than 1 inch in diameter on each shrub that may require removal shall be counted. If no elderberry shrubs are found during focused surveys, no further action shall be required. Before the initiation of any ground-disturbing project activities within 100 feet of elderberry shrubs that are suitable for use by valley elderberry longhorn beetles, USFWS shall be consulted and appropriate measures developed. Those measures shall include those described in Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999) and the VELB Programmatic Consultation (USFWS 1996). Authorization for a take of valley elderberry longhorn beetle under ESA shall be obtained if it is determined that implementation of a program component is likely to result in a take, despite implementation of avoidance and minimization measures. All measures developed through informal consultation with USFWS shall be implemented, as well as any additional measures adopted through a formal permitting process, if applicable.

MM Bio-2b is set forth in full on pages 4-5 though 4-6 of the FEIR and in the BPMMP and 3

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Project MMRP.

Findings regarding Mitigation Measure Bio-2b. The incorporation of mitigation measure Bio-2b into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Park Improvement Project Plans. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-2c. The EIR, in Impact Bio-2c, concludes that implementation of the Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan could result in loss or disturbance of vernal pool habitat potentially occupied by vernal pool fairy shrimp, vernal pool tadpole shrimp, Conservancy fairy shrimp, and western spadefoot. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-2c, which would reduce this impact to a level less than significant through implementation of various measures including the following: Before any ground-disturbing project activities begin, the City shall retain a qualified biologist to identify and map potential habitat in areas that could be affected by the given project. The City shall ensure, through coordination with the biologist, that the footprint of project features and construction zones, staging areas, and access routes are designed to avoid direct or indirect effects on suitable habitat for vernal pool invertebrates and western spadefoot to the extent feasible and practicable. If vernal pool invertebrate and western spadefoot habitat cannot be avoided, the following shall be implemented. Before beginning any ground-disturbing project activities in such habitat, USFWS shall be consulted to identify appropriate measures to minimize and compensate for adverse effects on special-status vernal pool invertebrates and DFG shall be consulted to identify measures to minimize and compensate for adverse effects on western spadefoot. Avoidance and minimization measures shall include those described in USFWS's vernal pool crustacean Programmatic Consultation (USFWS 1996a). Minimization measures for vernal pool invertebrates shall include, but would not be limited to, fencing of habitat to be avoided, timing of ground disturbance to correspond with the dry season, conducting worker awareness training, and periodic biological monitoring. Compensation shall include preservation, enhancement, and/or creation of suitable habitat in areas that currently, or could in the future, support special-status invertebrate and/or spadefoot populations. Authorization for a take of vernal pool invertebrates under ESA shall be obtained if it is determined that implementation of a program component is likely to result in a take, despite implementation of avoidance and minimization measures. All other measures developed through informal consultation with USFWS and DFG shall be implemented, as well as any additional measures adopted through a formal permitting process, if applicable.

MM Bio-2c is set forth in full on pages 4-6 though 4-7 of the FEIR and in the MMRPs for the BPMMP and 3 Projects and the Disc Golf/Trailhead Area Concept Plan.

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Findings regarding Mitigation Measure Bio-2c. The incorporation of mitigation measure Bio-2c into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Park Improvement Project Plans. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-2d. The EIR, in Impact Bio-2d, concludes that implementation of the Cedar Grove Area Concept Plan, Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan could result in loss or disturbance of nesting raptors and burrowing owls or their nests. This is considered a potentially significant impact.

The EIR identifies mitigation measures Bio-2d(1), 2d(2), and 2d(3), which would reduce this impact to a level less than significant through implementation of various measures, including the following:

MM Bio-2d(1) provides that prior to any construction at the Disc Golf/Trailhead Area Plan site, it shall be determined whether any construction or tree removal is proposed during the raptor nesting season (February 1 to August 31). If construction or tree removal is proposed during the raptor nesting season, a focused survey for special-status and common raptor nests shall be conducted by a qualified biologist during the nesting season to identify active nests within 500 feet of the project area. The survey shall be conducted no less than 14 days and no more than 30 days before the beginning of construction or tree removal. If nesting raptors are found during the focused survey, impacts shall be avoided by establishment of appropriate buffers. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The DFG guidelines for a 500-foot buffer will be implemented, but the size of the buffer may be adjusted if a qualified biologist determines a greater or lesser buffer would be appropriate and DFG concurs with any determination for a lesser buffer. The City shall coordinate with DFG on the appropriate buffer for each species documented. Monitoring of the nest by a qualified biologist may be required if the activity has potential to adversely affect the nest or disturb the birds using the nest to the point of causing nest failure.

MM Bio-2d(1) is set forth in full on pages 4-7 through 4-8 of the FEIR and in the MMRPs for the BPMMP and 3 Projects and the Disc Golf/Trailhead Area Concept Plan.

MM Bio-2d(2) provides that if construction at the Disc Golf/Trailhead Area Concept Plan site is to occur during the peregrine falcon breeding period (generally February 1 to June 30), an appropriate buffer around the southern cliff edge shall be determined by a qualified biologist and construction activities shall be avoided within the buffer zone unless a qualified biologist confirms there is no active nest on the cliff. MM Bio-2d(2) is set forth in full on page E4-67 of the DEIR and in the MMRPs.

MM Bio-2d(2) is set forth in full on page E4-67 of the DEIR and in the Disc Golf/Trailhead Area

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MM Bio-2d(3) provides that a qualified biologist shall conduct a preconstruction survey to assess habitat suitability for burrowing owl and, in areas determined to be suitable, evaluate use by burrowing owls in accordance with current DFG survey guidelines (CDFG 1995). Surveys shall be conducted within 30 days prior to beginning construction activities and shall include the disturbance footprint and a 500-foot radius of the disturbance footprint perimeter. For construction activities occurring during the burrowing owl breeding season (February 1–August 31), surveys shall be conducted to document nesting burrowing owls on or directly adjacent to disturbance areas. If burrowing owls are found, project construction shall avoid all burrowing owl nest sites that could otherwise be disturbed by project construction during the breeding season (February 1–August 31) or while the nest is occupied by adults or young. Avoidance shall include establishment of a non-disturbance buffer zone of at least 250 feet around each nest site. The buffer zone shall be delineated by highly visible temporary construction fencing. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the nest site is no longer used by burrowing owls. If burrowing owls are found during the non-breeding season (September 1–January 31), project construction shall avoid the owls and the burrows they are using. Avoidance shall include the establishment of at least a 160-foot non-disturbance buffer zone around each burrow being used. The buffer shall be delineated by highly visible temporary construction fencing. If burrowing owls cannot be avoided, the City shall conduct passive relocation by installing one-way doors in suitable burrow entrances that are used or may be used by the owls and that would be collapsed or degraded by construction activities. Artificial burrows shall be created in an area of the Park determined suitable by a qualified biologist in coordination with DFG staff. Any artificial burrows created shall be placed in locations with minimal public access.

MM Bio-2d(3) is set forth in full on pages 4-8 through 4-9 of the FEIR and in the BPMMP and 3 Project MMRP.

Findings regarding Mitigation Measures Bio-2d(1), 2d(2), and 2d(3) . The incorporation of mitigation measures Bio-2d(1), 2d(2), and 2d(3) into the project will reduce these impacts identified in Impact Bio-2d to less than significant. The City hereby directs that these mitigation measures be required in, or incorporated into, the Park Improvement Project Plans. The City therefore finds that changes or alterations have been required and incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-2e. The EIR, in Impact Bio-2e, concludes that the implementation of the Trails Plan and Horseshoe Lake Area Concept Plan could result in adverse effects on northwestern pond turtle, a species of special concern to DFG. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-2e, which would reduce this impact to a level less than significant through implementation of various measures including the following: Before any

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ground-disturbing project activities begin, a qualified biologist shall confirm potential aquatic and nesting habitat in areas that could be altered or impacted by implementation of the Trails Plan on Horseshoe Lake Area Conception Improvement Project. The City shall ensure, through coordination of the potential project design with the biologist, that the footprint of project features and construction zones, staging areas, and access routes avoid direct alteration of or indirect effects on suitable habitat for northwestern pond turtle to the extent feasible and practicable. If effects to pond turtle habitat cannot be avoided, measures shall be implemented to minimize unavoidable effects and the amount of habitat affected shall be minimized. Before beginning any project activities in such habitat, DFG shall be consulted to confirm that all feasible identify appropriate measures have been implemented. Such measures shall include, but would not be limited to, relocating turtles to appropriate areas, installing fencing to exclude turtles from nesting in areas where ground disturbance would occur, conducting worker awareness training, and periodic biological monitoring. All measures deemed appropriate and feasible during this consultation with DFG shall be implemented.

MM Bio-2e is set forth in full on page 4-9 of the FEIR and in the BPMMP and 3 Project MMRP.

Findings regarding Mitigation Measure Bio-2e. The incorporation of mitigation measure Bio-2e into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Trails Plan and Horseshoe Lake Area Concept Plan. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-2f. The EIR, in Impact Bio-2f, concludes that implementation of the Park Improvement Projects could result in loss of active nests of yellow warbler, yellow-breasted chat, and loggerhead shrike, as well as common nesting birds that are protected under the MBTA and the Fish and Game Code. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-2f, which would reduce this impact to a level less than significant though implementation of various measures including the following: The City shall design Park Improvement Projects to minimize disturbance and removal of nesting habitat for special-status nesting birds to the extent feasible and practicable. Nesting habitat that cannot be avoided shall be removed during the non-nesting season, to the extent feasible. If disturbance of nesting habitat for special-status nesting birds would occur during the nesting season (February to August), preconstruction surveys to identify active bird nests within 500 feet of construction areas shall be conducted by a qualified biologist. If an active bird nest is found, an appropriate buffer to minimize impacts shall be established around the nest and by a qualified biologist in coordination with DFG no project activities shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active or the birds are not dependent upon it.

MM Bio-2f is set forth in full on page 4-10 of the FEIR and in the MMRPs for the BPMMP and 3 Projects and the Disc Golf/Trailhead Area Concept Plan.

Findings regarding Mitigation Measure Bio-2f. The incorporation of mitigation measure Bio-2f into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required in, or incorporated into, the Park Improvement Projects. The City therefore finds that changes or alterations have been required and incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-3b. The EIR, in Impact Bio-3b, concludes that implementation of the Trails Plan and Cedar Grove Area Concept Plan could result in loss or degradation of riparian forest habitat. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-3b, which would reduce this impact to a level less than significant through implementation of various measures including the following: The extent of riparian habitat affected by project activities shall be limited to the minimum necessary and affected areas shall be restored with native riparian plant species. The City shall consult with DFG regarding the need for a Streambed Alteration Agreement before construction of any of the proposed bridges over Big Chico Creek and shall implement all measures that are conditions of any necessary agreement. Where ground-disturbing activities occur in the immediate vicinity of riparian forest, exclusionary fencing shall be installed under the guidance of a qualified botanist along the outside edge of the riparian forest canopy before commencement of construction, to prevent workers and equipment from entering this sensitive habitat.

MM Bio-3b is set forth in full on page E4-74 of the DEIR and in the BPMMP and 3 Project MMRP.

Findings regarding Mitigation Measure Bio-3b. The incorporation of mitigation measure Bio-3b into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Trails Plan and Cedar Grove Area Concept Plan. The City therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-3c. The EIR, in Impact Bio-3c, concludes that implementation of the Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan could result in loss or degradation of oak woodland. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-3c, which would lessen the impact to a level less than significant through implementation of various measures including the following: Where possible, trails, improvements, and facilities shall be constructed outside of oak woodlands. The number of trails dissecting oak woodlands shall be minimized to the fewest number necessary to

accomplish the goals of the site-specific Park Improvement Projects. The width of trails through oak woodlands shall be minimized and trails shall have clearly marked edges to discourage trail widening and deter users from leaving the trail. Decommissioned trails shall be reclaimed using barriers (such as boulders). Grading, trenching, equipment storage, and other soil-disturbing or compacting activities shall not occur within the driplines of oak trees. New structures and impervious-surface materials shall not be placed in the driplines of oaks, except where deemed necessary to reduce the footprint size of tees as part of the proposed Disc Golf/Trailhead Concept Plan and to reduce soil compaction. Fencing shall be installed, under the guidance of a qualified botanist, certified arborist, or Registered Professional Forester, at least 1 foot beyond the outer edge of the driplines of all oaks that grow within the construction zones of the site-specific Park Improvement Projects. The oak woodland management guidelines contained in (Appendix C of the BPMMP shall be implemented.

The following additional measures shall be implemented in connection with development and ongoing maintenance of the Disc Golf/Trailhead Concept Plan to protect oaks and to mitigate for any unavoidable loss resulting from mortality over time. Any modification to the proposed design and layout of the site shall be subject to the same impact avoidance and minimization criteria as the initial design. Information describing the value of native oak trees and the importance of the preservation and protection of oak woodland for wildlife habitat and the aesthetic values of Bidwell Park shall be provided at the informational kiosk at the Disc Golf/Trailhead area site. The information shall discuss the importance of avoiding direct impacts resulting from bark and limb damage as well as indirect effects such as soil compaction/root damage and shall encourage site users to act responsibly and prevent adverse effects. Where disc golf pins are located within groves of oak trees or oak trees are within fairways, measures to protect the tree trunks such as the installation of shielding pole structures shall be implemented without damage to the root zone, and in a manner that preserves the visual character of the site. Where tees or trails are located within driplines of oaks or in the immediate vicinity of driplines, a 6 inch layer of woodchip mulch shall be applied to a 20' radius around the tees and on the trails to minimize soil compaction; this layer shall be maintained on an ongoing basis, as needed, to ensure continued protection of the root zones. Periodic monitoring of the oaks at the site shall be conducted to determine if any unavoidable impacts are occurring as a result of site use. Any unavoidable impacts to oaks resulting from construction, or tree mortality resulting from ongoing use of the site shall be mitigated by replanting oak woodland habitat at the Disc Golf/Trailhead site in areas located outside of the footprint of facilities and trails in areas not currently occupied by other sensitive resources and suitable to support blue oak woodland. Oak planting should be from seeds (acorns) or seedlings that are obtained from the local genetic stock and should be of the same species as those targeted for replacement. Replacement ratios shall be at least 5:1 for trees lost/replaced that are greater than 5 inches diameter at breast height. Oak plantings shall be protected from browsing, planted on the north and east side of existing trees, and irrigated during the first few years as outlined in the oak assessment (Appendix E4 of the DEIR) to enhance their chance of survival. Replacement plantings shall be monitored for their success for a period of five years or until the desired performance criterion of 5:1 is achieved, whichever is longer. If

planting does not succeed, remedial actions such as replanting shall be implemented. If requested, community/user group stewardship of the plantings shall be allowed to contribute to restoration/revegetation efforts under guidance and supervision by City staff.

MM Bio-3c is set forth in full on page 4-11 through 4-12 of the FEIR and in the Disc Golf/Trailhead Area Concept Plan MMRP.

Findings regarding Mitigation Measure Bio-3c. The incorporation of mitigation measure Bio-3c into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Park Improvement Projects. The City therefore finds that changes or alterations have been required in, or incorporated into, the projects that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-3d. The EIR, in Impact Bio-3d, concludes that implementation of the Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan could result in loss or degradation of wildflower fields. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-3d which would reduce this impact to a level less than significant through implementation of various measures including the following: Prior to construction, the location and extent of wildflower fields present in areas proposed for construction shall be mapped by a qualified botanist prior to construction activities and these areas shall be avoided whenever possible. Exclusionary fencing shall be installed under the guidance of a qualified botanist along the outside edge of wildflower fields before commencement of construction, to prevent workers and equipment from entering this sensitive habitat. The number of trails dissecting wildflower fields shall be limited to the minimum number necessary, shall be as narrow as possible, and shall have clearly marked edges to discourage trail widening and straying off trail. Trails not meant to be retained shall be reclaimed using barriers. Permanent signage informing Park users of the presence and importance of wildflower fields shall be installed at information kiosks at the Horseshoe Lake and Disc Golf/Trailhead Area Concept Plan sites.

MM Bio-3d is set forth in full on pages E4-79-80 of the DEIR and in the MMRPs for the BPMMP and 3 Projects and the Disc Golf/Trailhead Area Concept Plan.

Findings regarding Mitigation Measure Bio-3d. The incorporation of mitigation measure Bio-3d into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Bio-4. The EIR, in Impact Bio-4, concludes that implementation of the Trails Plan,

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Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan could result in fill of jurisdictional waters of the United States. This is considered a potentially significant impact.

The EIR identifies mitigation measure Bio-4, which would reduce this impact to a level less than significant through implementation of various measures including the following: A delineation of waters of the United States shall be conducted at the Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan sites before implementation of project activities in the immediate vicinity of wetlands or potential waters of the United States. Wetland delineations shall be conducted by qualified biologists through the formal Section 404 wetland delineation process and shall be submitted to and verified by United States Army Corps of Engineers (USACE). Authorization for fill of waters of the United States shall be secured from USACE through the Section 404 permitting process. Purchasing credits at a mitigation bank is the City's preferred method of mitigation. All permit conditions shall be complied with and all affected waters of the United States, including wetlands, shall be replaced or restored/enhanced on a "no net loss" of basis. The City shall obtain CWA Section 401 Clean Water Certification from the Central Valley RWQCB before project implementation and coordinate with the Central Valley RWQCB regarding any wetland features that are not subject to USACE jurisdiction under Section 404 of the Clean Water Act, but may be subject to State regulation under the Porter Cologne Act. All conditions required by the RWQCB as part of the Section 401 Water Quality Certification process or Porter Cologne permitting process shall be implemented.

MM Bio-4 is set forth in full on page 4-13 of the FEIR and in the MMRPs for the BPMMP and 3 Projects and the Disc Golf/Trailhead Area Concept Plan.

Findings regarding Mitigation Measure Bio-4. The incorporation of MM Bio-4 into the project will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact CUL-1b. The EIR, in Impact CUL-1b, concludes that implementation of the Park Improvement Projects could result in disturbance of known and undiscovered cultural resources. This is considered a potentially significant impact.

The EIR identifies mitigation measure CUL-1, which would reduce this impact to a level less than significant Through implementation of various measures including the following: Cultural resources assessments of the Park Improvement Projects sites shall be conducted during final planning and design. Any documented cultural resources shall be evaluated for significance; and projects be designed to avoid cultural resources determined to be significant. If significant sites cannot be avoided, mitigation in the form of data recovery shall be applied to archaeological

sites. Interpretive signage presenting an historic overview and the historic importance of the Humboldt route shall be placed at the Disc Golf/Trailhead Area Concept Plan.

MM CUL-1b is set forth in full on pages E4-94 through E4-95 of the DEIR and in the MMRPs for the BPMMP and 3 Projects and the Disc Golf/Trailhead Area Concept Plan.

Findings regarding Mitigation Measure CUL-1b. The incorporation of MM CUL-1b into the Park Improvement Projects will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the Trails Plan, Horseshoe Lake Area Concept Plan, Cedar Grove Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact CUL-2b. The EIR, in Impact CUL-2b, concludes that implementation of the Park Improvement Projects could result in disturbance of human remains. This is considered a potentially significant impact.

The EIR identifies mitigation measure CUL-2b, which would reduce this impact to a level less than significant through incorporation of various measures, including the following: In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities related to implementation of the Park Improvement Projects, all such activities in the vicinity of the find shall be halted immediately and the City or the City's designated representative shall be notified. The City shall immediately notify the county coroner and a qualified professional archaeologist. The coroner shall examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in detail in the California Public Resources Code Section 5097.9. The City or its appointed representative (Park Director) and the professional archaeologist shall consult with a Most Likely Descendant (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine whether additional burials could be present in the vicinity.

MM CUL-2b is set forth in full on page E4-96 of the DEIR and in the MMRPs for the BPMMP and 3 Projects and the Disc Golf/Trailhead Area Concept Plan.

Findings regarding Mitigation Measure CUL-2b. The incorporation of MM CUL-2b into the Park Improvement Projects will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the project. The City,

therefore, finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact HYDRO-1b. The EIR, in Impact HYDRO-1b, concludes that implementation of the Park Improvement Projects could result in water quality degradation. This is considered a potentially significant impact.

The EIR identifies mitigation measure HYDRO-1b, which would reduce this impact to a level less than significant through incorporation of various measures, including the following: When required, the City shall obtain a General Permit for Discharges of Storm Water associated with Construction Activity (Construction General Permit), which pertains to water pollution resulting from project construction. In compliance with permit requirements, the City shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) before commencement of construction activities. The SWPPP will incorporate BMPs to prevent, or reduce to the greatest extent feasible, adverse effects on water quality from erosion and sedimentation. In addition, all new trails shall be designed, constructed, and maintained per the City's Trails Manual.

MM HYDRO-1b is set forth in full on page E4-122 of the DEIR and in the MMRPs.

Findings regarding Mitigation Measure HYDRO-1b. The incorporation of MM HYDRO-1b into the Park Improvement Projects will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the project. The City therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Noise-1b. The EIR, in Impact Noise-1b, concludes that implementation of the Cedar Grove and Disc Golf/Trailhead Area Concept Plan projects could result in exposure of sensitive receptors to excessive noise levels during construction activities. This is considered a potentially significant impact.

The EIR identifies mitigation measure Noise-1, which would reduce this impact to a level less than significant through implementation of various measures including the following: Construction equipment shall be properly maintained and equipped with noise control, such as mufflers, in accordance with manufacturers' specifications. Construction activities shall be limited to the hours of 7:00 a.m.–9:00 p.m., Monday through Saturday, and to 10:00 a.m.–6:00 p.m. on Sundays and holidays. Construction equipment shall be arranged to minimize travel adjacent to occupied residences and turned off during prolonged periods of non-use.

MM Noise-1 is set forth in full on page E4-149 of the DEIR and in the MMRPs.

Findings regarding Mitigation Measure Noise-1. The incorporation of MM Noise-1 into the

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Park Improvement Projects will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the project. The City therefore finds that changes or alterations have been required in, or incorporated into the project that substantially lessen or avoid this impact's significant effects on the environment.

Impact Traffic-4. The EIR, in Impact Traffic-4, finds that implementation of the Disc Golf Trailhead Area Concept Plan has the potential to increase circulation hazards. This is considered a potentially significant impact.

The EIR identifies mitigation measure Traffic-4, which would reduce this impact to a level less than significant through implementation of various measures including the following: Prior to construction, the City shall coordinate with Caltrans to obtain an encroachment permit for construction of the site access and parking lot for the Disc Golf/Trailhead area and implement any measures deemed necessary by Caltrans as a condition of the encroachment permit or as a result of the consultation on safety.

MM Traffic-4 is set forth in full on page E4-164 of the DEIR and in the Disc Golf/Trailhead Area Concept Plan MMRP.

Findings regarding Mitigation Measure Traffic-4. The incorporation of MM Traffic-4 into the Disc Golf/Trailhead Area Concept Plan will reduce this impact to less than significant. The City hereby directs that this mitigation measure be required and incorporated into the project. The City therefore finds that changes or alterations have been required in, or incorporated into, the project that substantially lessen or avoid this impact's significant effects on the environment.

X. GROWTH INDUCING EFFECTS

The City finds that the Project would not induce further growth for the following reasons:

- (1) Bidwell Park is designated *Parks* in the Land Use element of the General Plan. In addition, nearly the entire park is identified as a Resource Conservation Area (RCA). The General Plan requires the preparation of a long-term comprehensive planning program for RCAs to ensure the long-term viability of these areas. The BPMMP and its associated Environmental Impact Report implement this General Plan requirement for Bidwell Park. Consistent with the General Plan, these resource management policies and programs are balanced with policies pertaining to providing various recreational opportunities throughout the Park.
- (2) The Park is zoned *OS-1 (primary open space)*, which is consistent with the *Parks* General Plan land use designation. The BPMMP serves as the detailed planning document for Bidwell Park, specifying allowable uses by area and establishing a set of management

practices to follow that are consistent the land use designation and zoning as primary open space. Therefore, the BPMMP is consistent with the General Plan and would not induce growth, either directly or indirectly, in areas not currently planned for growth.

- (3) The Project will not result in new or expanded transportation, sewer or other infrastructure, which could facilitate growth in the surrounding areas.
- (4) The existing uses surrounding the park are low-intensity uses and are considered to be compatible with the Park. The Butte County General Plan land use designations for these areas require that these areas remain as low-intensity land uses.
- (5) The Project will not provide new housing or job creation that would bring new people into the area. Nor is it expected that the Project will result in any significant increase in use of the Park.

XI.

PROJECT ALTERNATIVES

A. ALTERNATIVES ANALYSIS

The CEQA Guidelines require that an EIR describe a reasonable range of alternatives to a project that would feasibly attain the basic project objectives but would avoid or substantially lessen one or more of the project's significant effects (CEQA Guidelines Section 15126.6(a)). Section 15126.6 of the CEQA Guidelines requires the consideration of a reasonable range of potentially feasible alternatives that could reduce or eliminate any significant or potentially significant adverse environmental effects of the proposed project, including alternatives that may, to some degree, impede the project's objectives.

Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." "[I]n the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects."

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (CEQA Guidelines,

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§ 15126.6, subd. (f)(1)). The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project.

Where a significant impact can be substantially lessened (i.e., mitigated to an “acceptable level”) solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the Project. (Pub. Resources Code, § 21002)

The discussion regarding project impacts in Section IX above reveals that all potentially significant effects identified in the EIR would be reduced to less than significant by the adoption of the mitigation measures identified in the DEIR and implementation of BPMMP policies. Thus, the City, need not consider the feasibility of alternatives in these findings.

The Draft EIR discussed three alternatives to the Project in order to present a reasonable range of options. The alternatives evaluated included:

- (1) No Project Alternative;
- (2) Partial BPMMP Update 1 Alternative; and
- (3) Partial BPMMP Update 2 Alternative.

For the Horseshoe Lake and Cedar Grove Area Concept Plans, only the “No Project” alternative was analyzed in the EIR. For the Disc Golf/Trailhead Area Concept Plan, the DEIR analyzed three alternatives: the Modified Disc Golf Plan, Restoration Alternative, and No Project Alternative.

Significant and Unavoidable Impacts

No significant and unavoidable impacts would result from implementation of the BPMMP Update and Associated Park Improvement Projects. All potentially significant impacts identified in the DEIR would be mitigated to less than significant. Therefore the City need not consider the feasibility of alternatives in these findings.

Environmentally Superior Alternative

CEQA requires identification of an environmentally superior alternative in an EIR. As this EIR is both a programmatic and project-level document, alternatives were developed and analyzed for the BPMMP and for the four Park Improvement Projects. The following were identified as the environmentally superior alternatives:

Bidwell Park Master Management Plan: Proposed Project
Horseshoe Lake Area Concept Plan: Proposed Project
Cedar Grove Area Concept Plan: Proposed Project
Trails Plan: Proposed Project
Disc Golf/Trailhead Concept Plan: Restoration Alternative

The Project, as defined in the EIR, is the environmentally superior alternative for the BPMMP, the Horseshoe Lake Area Concept Plan, Cedar Grove Area Concept Plan, and Trails Plans because it provides an adopted management framework for the Park and comprehensively addresses ongoing management issues. For the Disc Golf/Trailhead Area Concept Plan, the Restoration Alternative is identified as the environmentally superior alternative because there would be no impacts associated with development and use of the site for disc golf and restoration that would result in beneficial effects on the biological resources located on the site would occur.

The Disc Golf/Trailhead Area Concept Plan provides three design options. All three design options have been developed taking into consideration the extent and location of sensitive biological and cultural resources present on the site. All three options also provide for multiple uses of the area, including disc golf, multiuse trails, picnicking, and scenic overlooks. Two separate trailhead layouts are also provided; depending on the site use option chosen for the site, one of these trailhead layouts would be used.

The following three options have been developed:

Option A: an 18-hole long course and an 18-hole short course with parking lot alternative A. Includes a trailhead and multi-use trails;

Option B: an 18-hole long course and a 12-hole short course (eliminating holes 4, 8, 10, 12, and 15 from the short course proposed in Option A) with parking lot alternative A. Includes a trailhead and multi-use trails;

Option C: an 18-hole long course only (no additional short course) with the smaller parking lot alternative B. An additional disc golf facility equivalent to a short course would be built on an alternative site owned by the City (i.e., the Comanche Creek property).

The following alternatives to the Disc Golf/Trailhead Area Concept Plan were analyzed:

Modified Disc Golf Plan

This alternative includes implementation of Disc Golf Option C, which consists of development of an 18-hole long course at the Disc Golf/Trailhead site, a smaller parking lot than the proposed project, and development of a beginner's disc golf course at a location close to downtown Chico that could accommodate uses currently taking place at the short course on the Disc

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Golf/Trailhead site.

This alternative would meet the overall objective of the project to provide an opportunity for disc golf recreation in Upper Bidwell Park at a facility that has been designed to respect the sensitive resources located at the site and allows for other multiple recreation uses. The alternative would also meet the objective to provide for multiple use of the area, including disc golf, multiuse trails, picnicking, and scenic overlooks and would also meet the objective to provide two separate trailhead layouts, depending on the site use option chosen for the site.

Restoration Alternative

This alternative includes cessation of use of the Disc Golf/Trailhead site for disc golf. It entails habitat restoration at the site, and allowance of other existing uses of the site, such as hiking and access to scenic viewpoints. Trails, scenic overlooks, parking and picnic facilities would still be developed at the site.

This alternative would only partially meet the overall objective of the project which is to provide an opportunity for disc golf recreation in Upper Park at a facility that has been designed to respect the sensitive resources located at the site and allows for other multiple recreation uses, as it would not provide the opportunity for disc golf. This alternative would fail to meet the specific objectives to provide options for site use, taking into consideration the extent and location of sensitive biological resources present on the site, as it precludes disc golf. The alternative would meet the objective to provide for multiple use of the area, including multiuse trails, picnicking, and scenic overlooks; however, it would not include disc golf. It would meet the objective to provide two separate trailhead layouts, depending on the site use option chosen for the site.

No-Project Alternative

The No-Project Alternative assumes that the Disc Golf/Trailhead Area Concept Plan would not be implemented and that use and maintenance of the area would continue as under current conditions. The No-Project Alternative would not meet the overall or the specific objectives of the project.

Comparison of the Disc Golf Options and Alternatives

It is important to note that implementation of any of the options found in the Disc Golf/Trailhead Area Concept Plan, as well as the Restoration Option developed as part of the EIR Alternatives analysis, would reduce direct and indirect impacts on sensitive resources when compared to the current, unmitigated use of the area. The proposed layouts would direct use to the most appropriate locations, rather than allowing for continued, undirected walk-over of the entire area. Also, all three disc golf course options, as well as the Restoration Option, include multi-use trails routed to avoid direct impacts to sensitive resources.

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Option A, the plan with the largest footprint, has the greatest potential to result in direct and indirect impacts on sensitive resources, because it would result in the construction of two courses at the SR 32 site, an 18-hole beginner course (the short course) and a 21-hole advanced course (the long course). This option would provide disc golf facilities for both beginners and advanced player all at one location.

Option B would also result in the construction of two courses, a short course and a long course, but the short course would be reduced to 12 holes. Option B with its smaller footprint would have fewer direct and indirect impacts on sensitive resources than Option A, but would still retain a short course unlike Option C. This option would provide disc golf facilities for both beginners and advanced players all at one location.

Of the three disc golf development options, Option C would have the fewest direct and indirect impacts on sensitive resources at the existing disc golf location, because it would eliminate the short course and would result in construction of only the 21-hole long course. This option would provide disc golf facilities for advanced players only at the Disc Golf Trailhead area location.

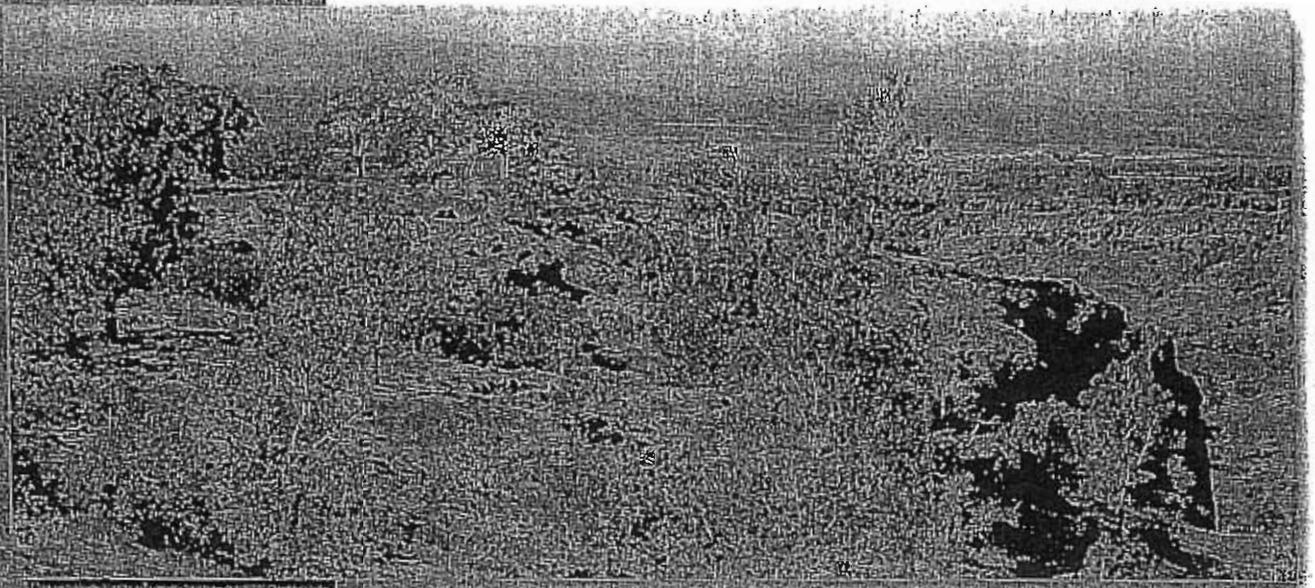
Under the Restoration Alternative, the use of the site for disc golf would be eliminated and the site would be restored. Some facilities like the parking lot, trailhead, and new trails would still be constructed. While all of the potential impacts to sensitive resources would still apply due to the fact that some facilities would be placed at the site, the overall impact would be significantly reduced due to the limited footprint of the site and the less intensive use of the site for disc golf. Further, it would result in a reduction of the overall number of visitors to the site, due to the elimination of the popular disc golf activity. Finally there would be no long or short disc golf course at this location in Bidwell Park. Disc golf facilities, if desired, would have to be accommodated elsewhere within the community and subsequent planning and environmental review would need to proceed.

Benefits of the Project

Because the Restoration Alternative would provide the greatest reduction in potential impacts, it was determined to be the environmentally superior alternative. However, the direction given to staff related to the disc golf course was to design a tournament-level course that avoids, to the extent possible, sensitive resources, and to mitigate completely for any direct and/or indirect impacts that may still occur with project development. This holistic approach taken for the redesign of the Disc Golf/Trailhead Area resulted in a substantial reduction of impacts to cultural, aesthetic and biological resources when compared with current site and disc golf use conditions. The approach also resulted in the proposal for a multi-use facility that accommodates disc golfers and other site users, while minimizing user conflicts. The three options set forth in the Project all provide recreational, public health, and social benefits resulting from multiple uses including disc golf, multiuse trails, picnicking, and scenic overlooks. Finally, the approach

resulted in the development of a prescribed set of site-specific mitigation measures that spell out the specific steps to be undertaken to reduce residual impacts to a less-than-significant level. A monitoring and adaptive management component is also included in the mitigation measures to ensure a sustainable use of the site. Any of the three options in the Project would meet the specific project goals and still not result in significant impacts on the environment. Therefore it is the City's judgment that the overall benefits of the Project outweigh the benefits of the environmentally superior alternative.

BIDWELL PARK



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MASTER MITIGATION MONITORING PROGRAM



SCH No. 2004102045

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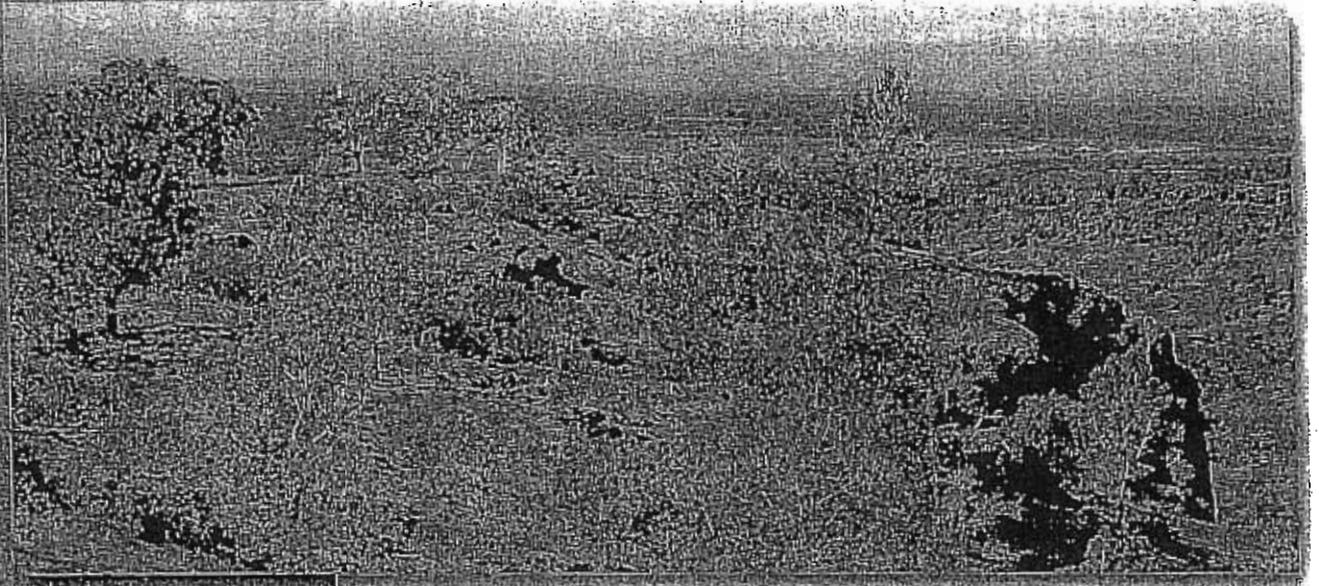
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EXHIBIT II

BIDWELL PARK



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AUGUST 2008

EDAW

MITIGATION MONITORING AND REPORTING PROGRAM

I. STATUTORY REQUIREMENTS

Section 21081.6 of the Public Resources Code requires a Lead Agency that approves or carries out a project, where a California Environmental Quality Act (CEQA) document has identified significant environmental effects, to adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment.”

The City of Chico (City) is the Lead Agency that must adopt the mitigation monitoring program for the Bidwell Park Disc Golf/Trailhead Area Concept Plan Environmental Impact Report (EIR).

The CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a lead agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097(d), “each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise.” This discretion will be exercised by implementing agencies at the time they undertake any of the actions identified in the EIR.

II. METHODOLOGY

The City will implement the mitigation measures listed in this Mitigation Monitoring and Reporting Program (MMRP) as part of the Bidwell Park Disc Golf/Trailhead Area Concept Plan project. The MMRP is contained within the following matrix and consists of the following components:

- ◆ Mitigation measures contained in the EIR, as adopted by the City;
- ◆ Party responsible for implementation;
- ◆ Funding responsibility;
- ◆ Implementation Trigger/Timing;
- ◆ Agency responsible for monitoring;
- ◆ Implementation and monitoring Frequency.

This Mitigation Monitoring and Reporting Program shall be maintained in City's files for use in implementing mitigation measures adopted as part of the Bidwell Park Disc Golf/Trailhead Area Concept Plan project.

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TABLE 1-1: MASTER MITIGATION MONITORING PROGRAM FOR THE BIDWELL PARK DISC GOLF/TRAILHEAD AREA CONCEPT PLAN ENVIRONMENTAL IMPACT REPORT

Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
AIR QUALITY					
Mitigation Measure AQ-2: Control Short-term Construction Emissions	City of Chico	City of Chico	During construction activities	City of Chico	Monitor weekly during construction
<p>Consistent with BCAQMD guidelines, the following measures shall be implemented to reduce potentially significant effects on air quality resulting from construction related to the Disc Golf/Trailhead Area Concept Plan Project:</p> <ul style="list-style-type: none"> ◆ Alternatives to open burning of vegetative material removed from a project site shall be used unless otherwise deemed infeasible by the AQMD. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel; ◆ Adequate and applicable dust control measures (identified in detail below) shall be implemented during all phases of project development and construction as outlined below: <ul style="list-style-type: none"> • All active construction sites shall be watered at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure. • Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). • On-site vehicles speeds shall be limited to a speed of 15 mph on unpaved roads. 					
				City of Chico	Monitor weekly during construction
					Monitor weekly during construction
					Monitor weekly during construction
					Implement daily; monitor weekly during construction
					Implement as needed, monitor weekly during construction
					Implement daily; monitor weekly during construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> Land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 20 miles per hour. Non-toxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut and fill operations and the area shall be hydroseeded. Vegetative ground cover shall be planted in disturbed areas as soon as possible after disturbance. Inactive storage piles shall be covered. 					Implement and monitor as needed Monitor weekly during construction Implement and monitor one time after construction Monitor weekly during construction
<ul style="list-style-type: none"> Paved streets adjacent to each project site shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the project site. A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours if a complaint is received. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD Rule 201 & 207 (Nuisance and Fugitive Dust Emissions). 					Implement daily; monitor weekly during construction Monitor weekly during construction

BIOLOGY

Mitigation Measure BIO-1b: Implement Measures to Protect Butte County Checkerbloom in the Disc Golf/Trailhead Concept Plan Area	City of Chico	City of Chico	Before ground-disturbing activities and during ongoing operation	City of Chico	See below
The following measures shall be implemented to mitigate potential direct and indirect effects on populations of Butte County checkerbloom from implementation of the Disc Golf/Trailhead Area					See below

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
Concept Plan:					
<ul style="list-style-type: none"> ◆ As provided in Appendix H of the BPMMP, the Disc Golf/Trailhead Area Concept Plan shall be implemented to avoid direct and indirect impacts on known locations of Butte County checkerbloom on the site. All disc golf structures (e.g., tees, targets, fairways) and trails shall be placed a minimum of 50 feet from locations that currently support Butte County checkerbloom wherever possible. Where this cannot be accomplished due to physical site constraints, the buffer may be reduced, but shall remain at a minimum of 25 feet. 					Implement during construction; monitor monthly
<ul style="list-style-type: none"> ◆ Before construction of any facility at the Disc Golf/ Trailhead area in the vicinity of known locations of Butte County checkerbloom, exclusionary fencing shall be installed along a 25-foot buffer around the outer perimeter of the occurrence. Exclusionary fencing shall be installed under the guidance of a qualified botanist before commencement of construction to keep workers and equipment from disturbing existing Butte County checkerbloom plants. The fencing shall be kept in place and periodically inspected and repaired, if necessary, for the duration of construction. 					Implement prior to construction; monitor monthly during construction
<ul style="list-style-type: none"> ◆ The Disc Golf/Trailhead Area Concept Plan shall restrict foot traffic to clearly defined trails and disc golf features. Trails shall be constructed as narrow as possible to avoid degradation of suitable habitat for Butte County checkerbloom (and other special status plant species). Where existing disc golf structures and trails in the vicinity of existing locations of Butte County checkerbloom will be decommissioned, barriers (such as boulders) shall be placed to discourage use of these trails and structures. 					Implement during construction, monitor monthly during construction
<ul style="list-style-type: none"> ◆ Permanent signage at the trailhead/rest area shall be installed to inform Park users of the presence and sensitivity of Butte County 					Install after construction; monitor

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
checkerbloom (and other sensitive resources) on the site.					signage annually
♦ As provided in Appendix H of the BPMMP, alternate pin locations for Holes 3 and 4 of the long course shall be used from March 1 through July 1 to provide further assurance that potential disturbance of nearby checkerbloom plants during the active growth and blooming period of the plants is minimized.					Implement and monitor annually
♦ Per Plant Objective O. P-8 of the BPMMP, an adaptive management program shall be implemented that relies on periodic data collection on the distribution of Butte County checkerbloom at the Disc Golf/ Trailhead site. The goal of this adaptive management program shall be to document and monitor changes in the existing population of Butte County checkerbloom over time. The adaptive management plan is intended to address the fact that, notwithstanding the buffers and signage, the City cannot guarantee that the use of the park will not disturb Butte County checkerbloom					Monitor annually
♦ If data collection indicates a decline in existing populations after implementation of the Disc Golf/Trailhead Area Concept Plan and Plant Objective O. P-8 of the BPMMP, relocation of trails or disc golf structures in the vicinity of these populations, or other management strategies that would benefit the plants based on the data collected, shall be implemented. This strategy would implement Plant Objective O. P-7 and Plant Implementation Strategies and Guidelines I. P-3 and I. P-4 of the BPMMP. The overall goal of the adaptive management strategy shall be the long-term maintenance of the same number and approximate extent of occurrences of Butte County checkerbloom as documented during the 2005 surveys.					Monitor annually; develop program as needed

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>Mitigation Measure BIO-1d: Implement Measures to Protect Bidwell's Knotweed at the Disc Golf/Trailhead Area</p> <p>The following measures shall be implemented to mitigate for potential direct and indirect effect to Bidwell's knotweed at the Disc Golf/Trailhead Concept Plan area:</p> <ul style="list-style-type: none"> ◆ The Disc Golf/Trailhead Area Concept Plan shall be implemented to minimize direct and indirect impacts on Bidwell's knotweed habitat on the site. Because Bidwell's knotweed is an annual plant species, population sizes may fluctuate greatly from year to year. Therefore, simply avoiding plants that are present in a given year would not ensure that great numbers of individuals would not be affected in subsequent years. Therefore, a habitat approach shall be taken to minimize impacts on this species. This approach would entail minimizing impacts to wildflower fields, the native plant community that supports Bidwell's knotweed. ◆ Consistent with the Disc Golf/Trailhead Area Concept Plan, trails shall generally be placed outside of wildflower fields. The Disc Golf/Trailhead Area Concept Plan shall be implemented to restrict foot traffic to clearly defined trails and disc golf structures. The number of trails dissecting wildflower fields shall be minimized to the fewest number necessary to facilitate reasonable access to the disc golf course and scenic viewpoints, and trails shall be as narrow as possible and have clearly marked edges to reduce widening and discourage users from wandering off the path. Existing trails through wildflower fields that will not be retained as part of the Disc Golf/Trailhead Area Concept Plan shall be decommissioned, and barriers (such as boulders) shall be placed just outside any points where trails enter the wildflower field community to discourage use of these trails. 	City of Chico	City of Chico	During construction of Disc Golf/Trailhead Area Plans and during ongoing operation	City of Chico	See below
					Implement prior to and during construction; monitor weekly during construction
					Implement prior to and during construction; monitor monthly during construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>◆ Exclusionary fencing shall be installed under the guidance of a qualified botanist before commencement of construction to keep workers and equipment from disturbing wildflower field habitat intended for preservation. High priority shall be given to preserving those wildflower field communities that contained Bidwell's knorweed during surveys conducted in 2005.</p>					Implement prior to construction; monitor monthly during construction
<p>◆ Permanent signage at the trailhead/rest area shall be installed to inform Park users of the presence and sensitivity of Bidwell's knorweed and wildflower field habitat and to deter users from disturbing the species.</p>					Implement following construction; monitor signage annually
<p>◆ Per Plant Objective O. P-8 of the BPFMP, an adaptive management program shall be implemented that relies on periodic data collection on the distribution of Bidwell's knorweed at the Disc Golf/ Trailhead site. The goal of this adaptive management program shall be to document and monitor changes in the existing population of Bidwell's knorweed over time.</p>					Monitor annually
<p>◆ If data collection indicates a decline in the number or extent (i.e. square feet) of existing populations after implementation of the Disc Golf/Trailhead Area Concept Plan, relocation of trails or disc golf structures in the vicinity of these populations, or other management strategies that would benefit the plants based on the data collected, shall be implemented. Seasonal and annual variation of the plants in response to environmental conditions such as rainfall shall be taken into consideration when determining if a decline is occurring. This strategy would implement Plant Objective O. P-7 and Plant Implementation Strategies and Guidelines I. P. 3 and I. P. 4 of the BPFMP.</p>					Monitor annually; develop program as needed
<p>Mitigation Measure B1O-2c: Implement Measures to Protect and Compensate for Loss of Vernal Pool Invertebrate and Western Spadefoot Habitat</p>	City of Chico	City of Chico	Before and during construction in and near vernal pool habitats and Western spadefoot habitats.	City of Chico	Implement prior to and during construction; monitor as indicated

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>The City shall ensure that the following measures are implemented to avoid, minimize, and mitigate potential project effects on vernal pool invertebrates and western spadefoot:</p> <ul style="list-style-type: none"> ◆ Before any ground-disturbing project activities begin, the City shall retain a qualified biologist to identify and map potential habitat in areas that could be affected by the given project. The City shall ensure, through coordination with the biologist, that the footprint of project features and construction zones, staging areas, and access routes are designed to avoid direct or indirect effects on suitable habitat for vernal pool invertebrates and western spadefoot to the extent feasible and practicable. In addition to vernal pools, suitable habitat for western spadefoot includes the surrounding grassland matrix. ◆ If vernal pool invertebrate and western spadefoot habitat cannot be avoided, measures shall be implemented to minimize and mitigate unavoidable effects. Before beginning any ground-disturbing project activities in such habitat, USFWS shall be consulted to identify appropriate measures to minimize and compensate for adverse effects on special-status vernal pool invertebrates; DFG shall be consulted to identify measures to minimize and compensate for adverse effects on western spadefoot. Avoidance and minimization measures shall include those described in USFWS's vernal pool crustacean Programmatic Consultation (USFWS 1996a). Minimization measures for vernal pool invertebrates shall include, but would not be limited to, fencing of habitat to be avoided, timing of ground disturbance to correspond with the dry season, conducting worker awareness training, and periodic biological monitoring. Compensation shall include preservation, enhancement, and/or creation of suitable habitat in areas that currently, or could in the future, support 					below
					See below
					Implement prior to construction; monitor monthly during construction
					Implement prior to construction

CITY OF CHICO
 BIDWELL PARK DISC GOLF/TRAILHEAD AREA CONCEPT PLAN ENVIRONMENTAL IMPACT REPORT
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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>special-status invertebrate and/or spadefoot populations.</p> <ul style="list-style-type: none"> ◆ Authorization for take of vernal pool invertebrates under ESA shall be obtained if it is determined that implementation of a program component is likely to result in take, despite implementation of avoidance and minimization measures. ◆ All other measures developed through informal consultation with USFWS and DFG shall be implemented, as well as any additional measures adopted through a formal permitting process, if applicable. 					Implement prior to construction
<p>Measures to Protect Nesting Raptors and Burrowing Owls</p> <p>The following measures shall be implemented to minimize and mitigate the potential disturbance of nesting raptors and burrowing owls.</p>					See below
<p>Mitigation Measure BIO-2d(1): Protect Tree-Nesting Raptors</p> <p>Before project construction, it shall be determined whether any construction or tree removal is proposed during the raptor nesting season (February 1 to August 31). If no construction or tree removal will occur during the raptor nesting season, no further mitigation shall be necessary.</p> <p>If construction or tree removal is proposed during the raptor nesting season, a focused survey for special-status and common raptor nests shall be conducted by a qualified biologist during the nesting season to identify active nests within 500 feet of the project area. The survey shall be conducted no less than 14 days and no more than 30 days before the beginning of construction or tree removal.</p>	City of Chico	City of Chico	Before and during construction during the breeding season of tree-nesting raptors	City of Chico	Implement prior to construction
					Implement prior to construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>If nesting raptors are found during the focused survey, impacts shall be avoided by establishment of appropriate buffers. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The DFG guidelines for a 500 foot buffer will be implemented, but the size of the buffer may be adjusted if a qualified biologist determines a greater or lesser buffer would be appropriate and DFG concurs with any determination for a lesser buffer. The City shall coordinate with DFG on the appropriate buffer width for each species documented. Monitoring of the nest by a qualified biologist may be required if the activity has potential to adversely affect the nest or disturb the birds using the nest to the point of causing nest failure.</p>	City of Chico	City of Chico	Before and during construction during the breeding season of peregrine falcons known to nest below the South Rim	City of Chico	Implement during construction
<p>Mitigation Measure BIO-2d(2): Protect Peregrine Falcon</p> <p>If construction at the Disc Golf/Trailhead Area Concept Plan site is to occur during the peregrine falcon breeding period (generally February 1 to June 30), an appropriate buffer around the southern cliff edge shall be determined by a qualified biologist and construction activities shall be avoided within the buffer zone unless a qualified biologist confirms there is no active nest on the cliff.</p> <p>If construction commences between June 30 and February 1, no buffer will be necessary.</p>	City of Chico	City of Chico	Before and during construction during the breeding season of peregrine falcons known to nest below the South Rim	City of Chico	Implement during construction
<p>Mitigation Measure BIO-2f: Implement Measures to Protect Other Special-status Nesting Birds</p> <p>The following measures shall be implemented to minimize and mitigate the potential disturbance of nesting special-status birds (February to August).</p>	City of Chico	City of Chico	Before and during construction during the breeding season of yellow warbler, yellow-breasted chat, and loggerhead shrike.	City of Chico	See below

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ◆ The City shall design Park Improvement Projects to minimize disturbance and removal of nesting habitat for special-status nesting birds to the extent feasible and practicable. Nesting habitat that cannot be avoided shall be removed during the non-nesting season, to the extent feasible and practicable. ◆ To avoid potential impacts to active nests of special-status birds, a qualified biologist shall conduct preconstruction surveys to identify active special-status bird nests within 500 feet of construction areas. The survey shall be conducted no more than 10 days before project activities begin. If an active nest is found, an appropriate buffer to minimize impacts shall be determined by a qualified biologist in coordination with DFG. No project activities shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active or the birds are not dependent upon it. The size of the buffer may vary, depending on the nest location, nest stage, and construction activity. 	City of Chico	City of Chico	Before and during construction activities within or in the immediate vicinity of oak woodland habitat; ongoing for site management of the Disc Golf/ Trailhead Area Concept Plan site.	City of Chico	Implement during construction
<p>Mitigation Measure BIO-3c: Implement Measures to Protect Oak Woodland</p> <p>The following measures shall be implemented to mitigate potential impacts on oak woodlands resulting from implementation of the Disc Golf/Trailhead Area Concept Plan:</p> <ul style="list-style-type: none"> ◆ Where possible, trails, improvements, and facilities shall be constructed outside of oak woodlands. The number of trails dissecting oak woodlands shall be minimized to the fewest number necessary to accomplish the goals of the site-specific Park Improvement Projects. The width of trails through oak woodlands shall be minimized and trails shall have clearly marked edges that discourage trail widening and deter users from straying off the designated trail. 	City of Chico	City of Chico	Before and during construction activities within or in the immediate vicinity of oak woodland habitat; ongoing for site management of the Disc Golf/ Trailhead Area Concept Plan site.	City of Chico	Implement during construction

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 BIDWELL PARK DISC GOLF/TRAILHEAD AREA CONCEPT PLAN ENVIRONMENTAL IMPACT REPORT
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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ◆ Trails through oak woodlands that are decommissioned as part of a site-specific Park Improvement Project shall be reclaimed using barriers (such as boulders) to discourage continued use of these trails. 					Implement during and following construction; monitor annually
<ul style="list-style-type: none"> ◆ Grading, trenching, equipment storage, and other soil-disturbing or compacting activities shall not occur within the diplines of oak trees. New structures and impervious-surface materials shall not be placed in the diplines of oaks, except where deemed necessary to reduce the footprint size of tees as part of the proposed Disc Golf/Trailhead Concept Plan and to reduce soil compaction. 					Implement during and following construction; monitor monthly during construction
<ul style="list-style-type: none"> ◆ To ensure that the diplines of oaks are not disturbed during construction, protective fencing shall be installed, under the guidance of a qualified botanist, certified arborist, or Registered Professional Forester, at least 1 foot beyond the outer edge of the diplines of all oaks that grow within the construction zones of the site-specific Park Improvement Projects, and no project activities shall be allowed within these exclusion zones, unless specifically required as part of project construction. 					Implement prior to and during construction; monitor monthly during construction
<ul style="list-style-type: none"> ◆ The oak woodland management guidelines contained in Section 3 of the NRMMP (Appendix C of the BPPMMP) shall be implemented. These guidelines include recommendations for sustaining oak woodlands, initiating a burning program, and maintaining the oak landscape. 					During and following construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>In addition to the measures outlined above, the following additional measures shall be implemented in connection with development and ongoing maintenance of the proposed Disc Golf/Trailhead Concept Plan to protect oaks and to mitigate for any unavoidable loss resulting from mortality over time. These measures are based on site observations, oak woodland management guidelines provided by DFG, and measure recommended in the tree assessment (Appendix E4):</p> <ul style="list-style-type: none"> ◆ Any modification to the proposed design and layout of the site shall be subject to the same impact avoidance and minimization criteria as the initial design; ◆ Information describing the value of native oak trees and the importance of the preservation and protection of oak woodland for wildlife habitat and the aesthetic values of Bidwell Park shall be provided at the informational kiosk at the Disc Golf/Trailhead area site. The information shall discuss the importance of avoiding direct impacts resulting from bark and limb damage as well as indirect effects such as soil compaction/ root damage and shall encourage site users to act responsibly and prevent adverse effects. ◆ In cases where disc golf pins are located within groves of oak trees or oak trees are within fairways, measures to protect the tree trunks such as the installation of shielding pole structures shall be implemented. Installation shall be implemented without damage to the root zone, and in a manner that preserves the visual character of the site. ◆ In cases where tees or trails are located within driplines of oaks or in the immediate vicinity of driplines, a 6 inch layer of woodchip mulch shall be applied to a 20' radius around the tees and on the trails to minimize soil compaction; this layer shall be maintained on an ongoing basis, as needed, to ensure continued protection of the root zones. 					<p>Implement during and following construction</p> <p>Implement during and following construction</p> <p>Implement following construction; inspect signage annually</p> <p>Implement during and following construction; monitor annually</p> <p>Implement during and following construction; monitor annually</p>

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ♦ Periodic monitoring of the oaks at the site shall be conducted to determine if any unavoidable impacts are occurring as a result of site use, in spite of the impact minimization measures. 					Monitor at least twice yearly following construction
<ul style="list-style-type: none"> ♦ Any unavoidable impacts to oaks resulting from construction, or tree mortality resulting from ongoing use of the site shall be mitigated by replanting oak woodland habitat at the Disc Golf/Trailhead site in areas located outside of the footprint of facilities and trails in areas not currently occupied by other sensitive resources and suitable to support blue oak woodland. 					Implement as needed after construction
<ul style="list-style-type: none"> • Oak planting should be from seeds (acorns) or seedlings that are obtained from the local genetic stock and should be of the same species as those targeted for replacement. Replacement ratios shall be at least 5:1 for trees lost/ replaced that are greater than 5 inches diameter at breast height. 					Implement and monitor as needed after construction
<ul style="list-style-type: none"> • Oak plantings shall be protected from browsing, planted on the north and east side of existing trees, and irrigated during the first few years as outlined in the oak assessment (Appendix E4) to enhance their chance of survival. 					Implement and monitor as needed after construction
<ul style="list-style-type: none"> • Replacement plantings shall be monitored for their success for a period of five years or until the desired performance criterion of 5:1 is achieved, whichever is longer. If planting does not succeed, remedial actions such as replanting shall be implemented. 					Monitor yearly after planning for five years or until success criteria are achieved
<ul style="list-style-type: none"> • If requested, community/user group stewardship of the plantings shall be allowed to contribute to restoration/ revegetation efforts under guidance and supervision by City staff. 					Implement after construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>Mitigation Measure BIO-3d: Implement Measures to Protect Wildflower Fields</p> <p>The following measures shall be implemented to minimize potential disturbances to wildflower field communities resulting from implementation of the Disc Golf/Trailhead Area Concept Plan:</p> <ul style="list-style-type: none"> ◆ Mitigation Measure BIO-1d shall be implemented to minimize adverse effects on wildflower fields resulting from implementation of the Disc Golf/Trailhead Area Concept Plan. ◆ Whenever possible, trail segments, site improvements, facilities and other design features shall be located to minimize impacts to wildflower fields. ◆ Exclusionary fencing shall be installed under the guidance of a qualified botanist before commencement of construction to keep workers and equipment from disturbing wildflower field habitat intended to be preserved on the project sites (some areas may be lost, consistent with site design). ◆ The number of trails dissecting wildflower fields shall be minimized to the fewest number necessary to accomplish the goals of the site-specific Park Improvement Projects. ◆ Trails through wildflower fields shall be as narrow as possible and shall have clearly marked edges that discourage trail widening and deter users from straying off the designated trail. 	City of Chico	City of Chico	Before and during construction of components of the Disc Golf/ Trailhead Area Concept Plan that occur within the immediate vicinity of wildflower fields	City of Chico	See below
					Implement during construction; monitor as indicated above
					Implement prior to and during construction; inspect monthly during construction
					Implement prior to and during construction
					Implement prior to and during construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> Existing trails through wildflower fields that will not be retained as part of the site-specific Park Improvement Projects shall be reclaimed using barriers (such as boulders) to discourage use of these trails. If these reclaimed trails fail to revegetate on their own over time, re-seeding may be considered. 	City of Chico	City of Chico	Before and concurrent with any component of the Disc Golf/Trailhead Area Concept Plan that involve ground-disturbing activities in or near jurisdictional wetlands and/or waters of the state	City of Chico	Prior to, during and after construction; monitor annually
<ul style="list-style-type: none"> Permanent signage shall be installed at kiosks located at the Disc Golf/Trailhead Area Concept Plan site to inform Park users of the presence and sensitivity of the wildflower field community and discourage visitors from off-trail use and trampling of vegetation. 	City of Chico	City of Chico	Implement prior to construction	City of Chico	Install after construction; monitor annually
<p>Mitigation Measure BIO-4: Implement Measures to Protect Jurisdictional Wetlands</p> <p>The following measures shall be implemented to mitigate impacts on waters of the United States:</p> <ul style="list-style-type: none"> Before the implementation of specific components of the Disc Golf/Trailhead Area Concept Plan that occur in the immediate vicinity of wetlands or other waters of the United States, a delineation of waters of the United States, including wetlands, that would be affected by the proposed projects shall be made by qualified biologists through the formal Section 404 wetland delineation process. The delineation shall be submitted to and verified by USACE. If, based on the verified delineation, it is determined that fill of waters of the United States would result from implementation of any of the site-specific Park Improvement Projects, authorization for such fill shall be secured from USACE through the Section 404 permitting process. 	City of Chico	City of Chico	Implement prior to construction	City of Chico	Implement prior to construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ◆ The acreage of waters of the United States, including wetlands, that would be adversely affected by project construction shall be replaced or restored/enhanced on a "no net loss" basis in accordance with USACE regulations and City General Plan Policy OS. G-9. Habitat restoration, enhancement, and/or replacement shall be at a location and by methods agreeable to USACE, as determined during the Section 404 permitting process. 					Implement prior to construction
<ul style="list-style-type: none"> ◆ Purchasing credits at a mitigation bank is the City's preferred method of mitigation. 					Implement prior to construction
<ul style="list-style-type: none"> ◆ Concurrently with the CWA Section 404 permit, the City shall obtain CWA Section 401 Clean Water Certification from the Central Valley RWQCB before project implementation. 					Implement prior to construction
<ul style="list-style-type: none"> ◆ The City shall also coordinate with the Central Valley RWQCB regarding any wetland features that are not subject to USACE jurisdiction under Section 404 of the CWA, but may be subject to State regulation under the Porter Cologne Act. All conditions required by the RWQCB as part of the Section 401 Water Quality Certification process or Porter Cologne permitting process shall be implemented. 					Implement prior to construction

CULTURAL RESOURCES

Mitigation Measure CUL-1: Protect Historic and Unique Archaeological Resources from Impacts	City of Chico	City of Chico	During final design of projects and during construction activities	City of Chico	See below
The City shall implement the following mitigation to reduce potential direct impacts on historic and unique archaeological resources:					

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> Consistent with the policies of the BPMMP, a qualified archaeologist shall conduct a cultural resources assessment of the proposed project site during project planning and design. For the Trails Plan, this can be accomplished on a segment by segment basis. 					This part of the measure has been completed
<ul style="list-style-type: none"> If cultural resources are documented in the planning area, they shall be evaluated for their significance. 					This part of the measure has been completed
<ul style="list-style-type: none"> If it has been determined by a qualified archaeologist that a cultural resource is significant, the project shall be designed or redesigned to avoid these cultural resources to the greatest extent feasible. 					This part of the measure has been completed
<ul style="list-style-type: none"> If avoidance of significant sites is not feasible, mitigation in the form of data recovery shall be applied to archaeological sites. 					Implement during construction; monitor monthly
<ul style="list-style-type: none"> For portions of the Humboldt Wagon Road that cannot be avoided during implementation of the Disc Golf/ Trailhead Concept Plan, impacts would result in destruction of a portion of the route and intrusion of newer elements that would alter the immediate surroundings. As outlined in the management plan (see Jensen, et al. 1996; Table 2), this segment of the road appears significant based upon the associated archaeological deposit (NRHP Criterion D/CRHR Criterion 4), which will not be impacted by construction, and the association of the wagon road with John Bidwell. As currently designed, neither Alternative A nor Alternative B will result in destruction or alteration of the surroundings of the archaeological deposit, and would impact only a percentage of the route associated with the original person responsible for its construction, John Bidwell. The surrounding environment of this segment of the route has been previously 					Implement during construction; monitor monthly

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>impacted by construction of a more recent dirt road that parallels the contemporary route of Highway 32, such that the immediate surroundings have been altered from what was present during the historic period. Therefore, because neither alternative would impact the archaeological deposit or substantially impair the significance of the resource as it relates to its association with a person of historic importance (NRHP Criterion B/CRHR Criterion 2), both alternatives would result in less-than-substantial adverse changes in the significance of this resource.</p> <p>♦ Mitigation of any adverse changes resulting from direct impacts caused by implementation of the Disc Golf/Trailhead Area Concept Plan shall take the form of interpretive signage presenting an historic overview and the historic importance of the Humboldt route.</p>	City of Chico	City of Chico	During construction activities	City of Chico	Install signage after construction; monitor annually

Mitigation Measure CUL-2b: Protect Human Remains from Vandalism and Inadvertent Destruction

In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities related to implementation of the Disc Golf/Trailhead Area Concept Plan Project, all such activities in the vicinity of the find shall be halted immediately and the City or the City's designated representative shall be notified. The City shall immediately notify the county coroner and a qualified professional archaeologist. The coroner shall examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in detail in the California Public

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
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Resources Code Section 5097.9. The City or its appointed representative (Park Director) and the professional archaeologist shall consult with a Most Likely Descendant (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine whether additional burials could be present in the vicinity.

HYDROLOGY

Mitigation Measure HYDRO-1b: Comply with Water Quality Standards and Waste Discharge Requirements

When required, the City shall obtain a General Permit for Discharges of Storm Water associated with Construction Activity (Construction General Permit), which pertains to water pollution resulting from project construction. In compliance with permit requirements, the City shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) before commencement of construction activities. The SWPPP will incorporate BMPs to prevent, or reduce to the greatest extent feasible, adverse effects on water quality from erosion and sedimentation. In addition, all new trails shall be designed, constructed, and maintained per the City's Trails Manual.

City of Chico	City of Chico	City of Chico	Before commencement of construction activities	City of Chico	Implement and monitor as indicated in SWPPP
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NOISE

Mitigation Measure Noise-1: Construction Related Noise

The following measures shall be implemented to mitigate for construction noise control associated with the Disc Golf Trailhead Area Concept Plan Project:

City of Chico	City of Chico	City of Chico	During construction of Park Improvement Projects	City of Chico	N/A
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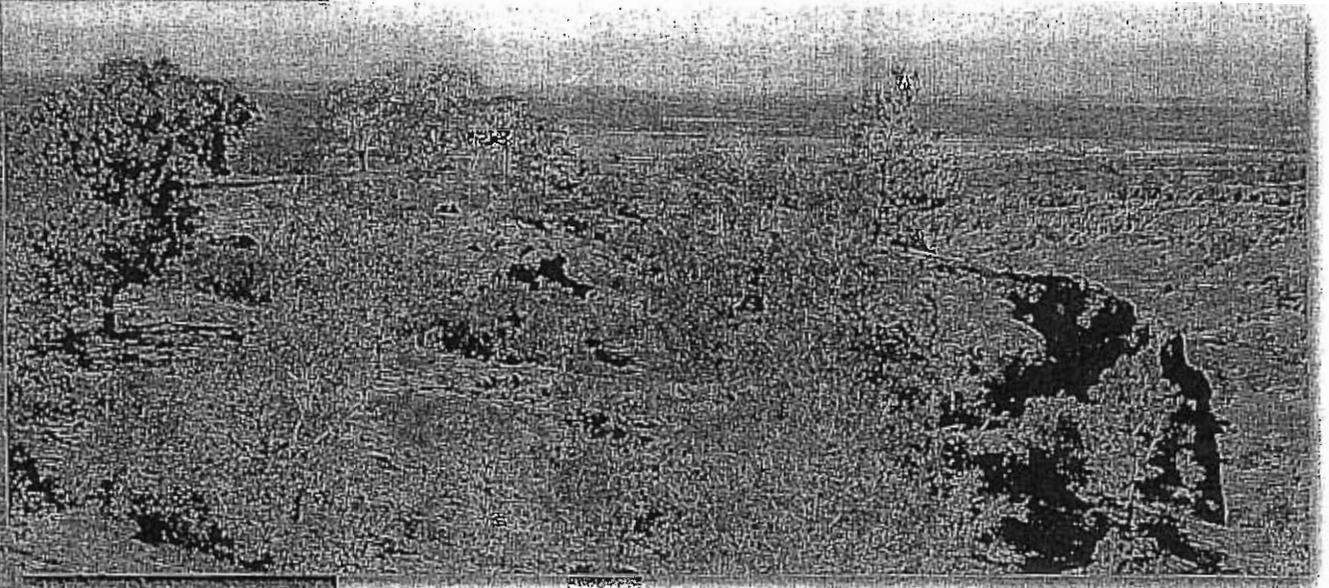
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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ◆ Construction equipment shall be properly maintained and equipped with noise control, such as mufflers, in accordance with manufacturers' specifications ◆ Construction activities shall be limited to the hours of 7:00 a.m.-9:00 p.m., Monday through Saturday, and to 10:00 a.m.-6:00 p.m. on Sundays and holidays. ◆ Construction equipment shall be arranged to minimize travel adjacent to occupied residences and turned off during prolonged periods of non-use. 					N/A
					N/A
					N/A

TRAFFIC

Mitigation Measure Traffic-4: Coordinate with Caltrans	City of Chico	City of Chico	Prior to construction of the Disc Golf/Trailhead Area Concept Plan	City of Chico	N/A
<p>To address the potential increase in traffic hazards resulting from implementation of the Disc Golf/Trailhead Area Concept Plan, the City shall coordinate with Caltrans to obtain an encroachment permit for construction of the site access and parking lot for the Disc Golf/Trailhead area. As part of the consultation with Caltrans, the City shall address the potential need for additional signage and/or a left turning lane to address traffic safety along SR 32. The City shall implement any measures deemed necessary by Caltrans as a condition of the encroachment permit or as a result of the consultation on safety.</p>					

BIDWELL PARK



BIDWELL PARK MASTER MANAGEMENT PLAN
UPDATE

INCLUDING

TRAILS PLAN, HORSESHOE LAKE AREA CONCEPT
PLAN, AND CEDAR GROVE AREA CONCEPT PLAN
PROJECTS PROGRAM ENVIRONMENTAL IMPACT
REPORT

MASTER MITIGATION MONITORING PROGRAM



AUGUST 2008

EDAW

BIDWELL PARK



BIDWELL PARK MASTER MANAGEMENT PLAN UPDATE
INCLUDING THE TRAILS PLAN, HORSESHOE LAKE AREA
CONCEPT PLAN, AND CEDAR GROVE AREA CONCEPT PLAN
PROJECTS PROGRAM ENVIRONMENTAL IMPACT REPORT



MASTER MITIGATION MONITORING PROGRAM

SCH No. 2004102045

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AUGUST 2008

EDAW

MITIGATION MONITORING AND REPORTING PROGRAM

I. STATUTORY REQUIREMENTS

Section 21081.6 of the Public Resources Code requires a Lead Agency that approves or carries out a project, where a California Environmental Quality Act (CEQA) document has identified significant environmental effects, to adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment."

The City of Chico (City) is the Lead Agency that must adopt the mitigation monitoring program for the Bidwell Park Master Management Plan Update including the Trails Plan, Horseshoe Lake Area Concept Plan and Cedar Grove Area Concept Plan Program Environmental Impact Report (EIR).

The CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a lead agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097.d, "each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise." This discretion will be exercised by implementing agencies at the time they undertake any of the actions identified in the EIR.

II. METHODOLOGY

The City will implement the mitigation measures listed in this Mitigation Monitoring and Reporting Program (MMRP) as part of the Bidwell Park Master Management Plan Update including the Trails Plan, Horseshoe Lake Area Concept Plan and Cedar Grove Area Concept Plan projects. The MMRP is contained within the following matrix and consists of the following components:

- ◆ Mitigation measures contained in the EIR, as adopted by the City;
- ◆ Party responsible for implementation;
- ◆ Funding responsibility;
- ◆ Implementation Trigger/Timing;
- ◆ Agency responsible for monitoring,
- ◆ Implementation and Monitoring Frequency.

This Mitigation Monitoring and Reporting Program shall be maintained in the City's files for use in implementing mitigation measures adopted as part of the Bidwell Park Master Management Plan Update including the Trails Plan, Horseshoe Lake Area Concept Plan and Cedar Grove Area Concept Plan projects.

CITY OF CHICO
 BIDWELL PARK MASTER MANAGEMENT PLAN UPDATE INCLUDING THE TRAILS PLAN, HORSESHOE LAKE AREA
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TABLE 1-1: MASTER MITIGATION MONITORING PROGRAM FOR THE BIDWELL PARK ENVIRONMENTAL IMPACT REPORT

Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
AIR QUALITY					
Mitigation Measure AQ-2: Control Short-term Construction Emissions	City of Chico	City of Chico	During construction activities	City of Chico	Monitor weekly during construction
<p>Consistent with BCAQMD guidelines, the following measures shall be implemented to reduce potentially significant effects on air quality resulting from construction related to the BPPMP Update including the Trails Plan, Horseshoe Lake Area Concept Plan and Cedar Grove Area Concept Plan Projects:</p> <ul style="list-style-type: none"> ◆ Alternatives to open burning of vegetative material removed from a project site shall be used unless otherwise deemed infeasible by the AQMD. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel; ◆ Adequate and applicable dust control measures (identified in detail below) shall be implemented during all phases of project development and construction as outlined below: <ul style="list-style-type: none"> • All active construction sites shall be watered at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure. • Chemical soil stabilizers shall be applied to inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). 					
					Monitor weekly during construction
					Monitor weekly during construction
					Implement daily; monitor weekly during construction
					Implement as needed; monitor weekly during construction

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<ul style="list-style-type: none"> On-site vehicles speeds shall be limited to a speed of 15 mph on unpaved roads. 					Implement daily; monitor weekly during construction
<ul style="list-style-type: none"> Land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 20 miles per hour. 					Implement and monitor as needed
<ul style="list-style-type: none"> Non-toxic binders (e.g., latex acrylic copolymer) shall be applied to exposed areas after cut and fill operations and the area shall be hydroseeded. 					Monitor weekly during construction
<ul style="list-style-type: none"> Vegetative ground cover shall be planted in disturbed areas as soon as possible after disturbance. 					Implement and monitor one time after construction
<ul style="list-style-type: none"> Inactive storage piles shall be covered. 					Monitor weekly during construction
<ul style="list-style-type: none"> Paved streets adjacent to each project site shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the project site. 					Implement daily; monitor weekly during construction
<ul style="list-style-type: none"> A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours if a complaint is received. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD Rule 201 & 207 (Nuisance and Fugitive Dust Emissions). 					Monitor weekly during construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>BIOLOGY</p> <p>Mitigation Measure BIO-1c: Implement Measures to Protect Known Occurrences of Butte County Checkerbloom in the Trails Plan and Horseshoe Lake Area Concept Plan Areas</p> <p>To mitigate the potential direct and indirect effects on known occurrences of Butte County checkerbloom during implementation of the Trails Plan and Horseshoe Lake Area Concept Plan areas, the following measures shall be implemented:</p> <ul style="list-style-type: none"> ◆ Before the start of any ground-disturbing activities, the City shall retain a qualified botanist to identify the locations of previously documented occurrences of Butte County checkerbloom in the Trails Plan and Horseshoe Lake Area Concept Plan Areas. The locations shall be clearly flagged or otherwise marked for avoidance during construction. ◆ The flagged occurrences shall be avoided and a buffer of at least 25 feet shall be established. 	City of Chico	City of Chico	Before ground-disturbing activities and during ongoing operation	City of Chico	See below
					Implement prior to construction
					Implement prior to and during construction; monitor monthly

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>♦ If complete avoidance of known occurrences of Butte County checkerbloom is infeasible due to other environmental constraints (e.g. vernal pools) or due to Park Improvement Project goals, then such impacts shall be minimized. In those instances, any loss of Butte County checkerbloom shall be mitigated through preservation and enhancement of remaining occurrences and preservation and enhancement of suitable habitat on-site. As a performance standard, mitigation shall ensure no-net loss of the number of Butte County checkerbloom populations/and or habitat within the Park or region. Such measures shall include transplanting and monitoring plans that cannot be avoided. The City shall consult with DFG with respect to such preservation and enhancement measures. This mitigation shall be implemented as part of project implementation, and any monitoring and remedial action requirements specified as part of the consultation shall be implemented by the City</p>	City of Chico	City of Chico	Prior to any ground-disturbing activities	City of Chico	Implement prior to, during and after construction; monitor as determined necessary during consultation
<p>Mitigation Measure BIO-1e: Implement Measures to Protect Unknown Occurrences of Butte County Checkerbloom, Bidwell's Knotweed, and Other Special-status Plant Species</p> <p>The following measures shall be applied to mitigate potential direct and indirect impacts on as-yet-unknown occurrences of Butte County checkerbloom, Bidwell's knotweed, and other special-status plant species as a result of implementation of the Cedar Grove Area Concept Plan, Trails Plan, and Horseshoe Lake Area Concept Plan:</p>	City of Chico	City of Chico	Prior to any ground-disturbing activities	City of Chico	See below

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<p>◆ Before the start of any ground-disturbing activities, the City shall retain a qualified botanist to conduct protocol-level special-status plant surveys in areas that have the potential to be disturbed by implementation of the Cedar Grove Concept Plan, Trails Plan, and Horseshoe Lake Concept Plan. These surveys shall be conducted during the appropriate time of year when the potentially occurring species would be present and clearly identifiable (i.e., the blooming period as identified in Table 2.3.2-2 in the BPPMP) and shall focus on those areas supporting suitable habitat for the target species. Survey protocols outlined by DFG shall be followed. CNPS List 4 species with potential to occur in the project sites shall be included in the surveys whenever feasible, so data on their distribution can be taken into consideration during project planning and design.</p>					Implement prior to construction
<p>◆ For the Trails Plan, special-status plant surveys may be conducted on a segment by segment basis, as specific trail segments are proposed for development.</p>					Implement prior to construction
<p>◆ If no special-status plant occurrences are found in the areas that would be affected by the site-specific projects, then the results of the surveys shall be documented in a letter report to the City and no further mitigation shall be required.</p>					Implement prior to construction
<p>◆ If any special-status plant species are identified in the site-specific project areas, the location and extent of each occurrence shall be inventoried and these occurrences shall be avoided, to the maximum extent feasible, while still accomplishing the goals of the four Park Improvement Projects.</p>					Implement prior to, during and after construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>♦ If impacts on special-status plants cannot be avoided while accomplishing the Park Improvement Project goals, every effort shall be made to minimize impacts on special-status plants (including CNPS List 4 plants) through design planning.</p>					Implement during construction
<p>♦ If federally or state listed plant species are identified in the site-specific project areas and it is determined that occurrences of these species would be directly or indirectly affected by the site-specific projects, then appropriate mitigation shall be developed through consultation with USFWS or DFG, depending on the listing status of the plant. Any loss of special-status plants (except CNPS List 4 plants) shall be mitigated through preservation and enhancement of remaining occurrences and preservation and enhancement of suitable habitat on-site. Mitigation shall aim to ensure a no-net loss in special-status plant populations/ and or habitat within the Park or region. Impacts to CNPS list 4 plants shall be avoided to the greatest extent possible. If complete avoidance is not feasible, impacts to CNPS plants shall be minimized.</p>					Implement prior to, during and after construction; monitor annually as applicable
<p>♦ Any mitigation developed through consultation with the regulatory agencies shall be implemented as part of project implementation, and any monitoring and remedial action requirements specified as part of the consultation shall be implemented by the City.</p>					Implement during and following construction; monitor as determined during consultation

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>Mitigation Measure BIO-2b: Implement Measures to Protect Elderberry Shrubs, the Host Plant for the Valley Elderberry Longhorn Beetle</p> <p>The City shall ensure that the following measures are implemented to minimize potential project effects on elderberry shrubs, the host plant for valley elderberry longhorn beetles.</p> <p>Areas that support elderberry shrubs shall be identified and, to the extent feasible and practicable, project elements shall be designed to avoid direct effects on these areas. Before beginning any ground-disturbing project activities, a qualified biologist shall identify areas that support elderberry shrubs and that could be affected by the given project. The City shall ensure, through coordination with the biologist, that the footprint of project features and construction zones, staging areas, and access routes are designed to avoid disturbance of potential habitat to the extent feasible and practicable.</p> <p>If impacts to areas supporting elderberry shrubs cannot be avoided, focused surveys shall be conducted. Before the initiation of any ground-disturbing activities, a qualified biologist shall conduct surveys for elderberry shrubs within 100 feet of the impact area, in accordance with USFWS guidelines. All elderberry shrubs with potential to be affected by project activities shall be mapped and the number of stems greater than 1 inch in diameter on each shrub that may require removal shall be counted. If no elderberry shrubs are found during focused surveys, no further action shall be required.</p>	City of Chico	City of Chico	Work near elderberry shrubs Before and during construction activities	City of Chico	See below
					Implement prior to and during construction
					Implement prior to construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>If potential effects to valley elderberry longhorn beetle cannot be avoided, measures shall be implemented to minimize and mitigate unavoidable effects. Before the initiation of any ground-disturbing project activities within 100 feet of elderberry shrubs that are suitable for use by valley elderberry longhorn beetles, USFWS shall be consulted to develop appropriate measures. Such measures shall include those described in Conservation Guidelines for the Valley Elderberry-Longhorn Beetle (USFWS 1999) and the VELB Programmatic Consultation (USFWS 1996). Minimization measures shall include implementation of buffers around shrubs that would not be removed, transplanting shrubs to a conservation area, conducting worker awareness training, and periodic biological monitoring. Compensation shall include planting of elderberry seedling or cuttings and associate native species.</p> <p>Authorization for take of valley elderberry longhorn beetle under ESA shall be obtained if it is determined that implementation of a program component is likely to result in take, despite implementation of avoidance and minimization measures.</p>					<p>Implement prior to and during construction; monitor as determined during consultation</p>
<p>♦ All measures developed through informal consultation with USFWS shall be implemented, as well as any additional measures adopted through a formal permitting process, if applicable.</p>					<p>Implement prior to construction</p> <p>Implement prior to, during and after construction</p>

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>Mitigation Measure BIO-2c: Implement Measures to Protect and Compensate for Loss of Vernal Pool Invertebrate and Western Spadefoot Habitat</p> <p>The City shall ensure that the following measures are implemented to avoid, minimize, and mitigate potential project effects on vernal pool invertebrates and western spadefoot:</p> <ul style="list-style-type: none"> ◆ Before any ground-disturbing project activities begin, the City shall retain a qualified biologist to identify and map potential habitat in areas that could be affected by the given project. The City shall ensure, through coordination with the biologist, that the footprint of project features and construction zones, staging areas, and access routes are designed to avoid direct or indirect effects on suitable habitat for vernal pool invertebrates and western spadefoot to the extent feasible and practicable. In addition to vernal pools, suitable habitat for western spadefoot includes the surrounding grassland matrix. 	City of Chico	City of Chico	Before and during construction in and near vernal pool habitats and Western spadefoot habitats.	City of Chico	Implement prior to and during construction; monitor as indicated below
					See below

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>♦ If vernal pool invertebrate and western spadefoot habitat cannot be avoided, measures shall be implemented to minimize and mitigate unavoidable effects. Before beginning any ground-disturbing project activities in such habitat, USFWS shall be consulted to identify appropriate measures to minimize and compensate for adverse effects on special-status vernal pool invertebrates; DFG shall be consulted to identify measures to minimize and compensate for adverse effects on western spadefoot. Avoidance and minimization measures shall include those described in USFWS's vernal pool crustacean Programmatic Consultation (USFWS 1996a). Minimization measures for vernal pool invertebrates shall include, but would not be limited to, fencing of habitat to be avoided, timing of ground disturbance to correspond with the dry season, conducting worker awareness training, and periodic biological monitoring. Compensation shall include preservation, enhancement, and/or creation of suitable habitat in areas that currently, or could in the future, support special-status invertebrate and/or spadefoot populations.</p> <p>♦ Authorization for take of vernal pool invertebrates under ESA shall be obtained if it is determined that implementation of a program component is likely to result in take, despite implementation of avoidance and minimization measures.</p>					<p>Implement prior to construction; monitor monthly during construction</p> <p>Implement prior to construction</p>

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<p>♦ All other measures developed through informal consultation with USFWS and DFG shall be implemented, as well as any additional measures adopted through a formal permitting process, if applicable.</p>					Implement prior to construction
<p>Measures to Protect Nesting Raptors and Burrowing Owls</p> <p>The following measures shall be implemented to minimize and mitigate the potential disturbance of nesting raptors and burrowing owls.</p>					
<p>Mitigation Measure BIO-2d(1): Protect Tree-Nesting Raptors</p> <p>Before project construction, it shall be determined whether any construction or tree removal is proposed during the raptor nesting season (February 1 to August 31). If no construction or tree removal will occur during the raptor nesting season, no further mitigation shall be necessary.</p> <p>If construction or tree removal is proposed during the raptor nesting season, a focused survey for special-status and common raptor nests shall be conducted by a qualified biologist during the nesting season to identify active nests within 500 feet of the project area. The survey shall be conducted no less than 14 days and no more than 30 days before the beginning of construction or tree removal.</p>	City of Chico	City of Chico	Before and during construction during the breeding season of tree-nesting raptors	City of Chico	See below
					Implement prior to construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<p>If nesting raptors are found during the focused survey, impacts shall be avoided by establishment of appropriate buffers. No project activity shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active. The DFG guideline for a 500 foot buffer will be implemented, but the size of the buffer may be adjusted if a qualified biologist determines a greater or lesser buffer would be appropriate and DFG concurs with any determination for a lesser buffer. The City shall coordinate with DFG on the appropriate buffer width for each species documented. Monitoring of the nest by a qualified biologist may be required if the activity has potential to adversely affect the nest or disturb the birds using the nest to the point of causing nest failure.</p>	City of Chico	City of Chico	Before and during construction	City of Chico	Implement prior to construction
<p>Mitigation Measure BIO-2d(3): Protect Burrowing Owl</p> <p>Grassland habitat in Middle and Upper Park provides potentially suitable habitat for burrowing owls. The following mitigation measure shall be implemented to identify suitable habitat and protect burrowing owl from adverse effects of the Park Improvement Projects:</p>					

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<p>◆ Before any ground disturbance related to the Park Improvement Projects that occur within or adjacent to grassland habitat, a qualified biologist shall conduct a preconstruction survey to assess habitat suitability for burrowing owl (e.g. based on grassland structure and presence of burrows) and, in areas determined to be suitable, evaluate use by burrowing owls in accordance with current DFG survey guidelines (CDFG 1995). Surveys shall be conducted within 30 days prior to beginning construction activities and shall include the disturbance footprint and a 500-foot radius of the disturbance footprint perimeter. For construction activities occurring during the burrowing owl breeding season (February 1–August 31), surveys shall document whether burrowing owls are nesting on or directly adjacent to disturbance areas. Survey results shall be valid only for the season during which the survey is conducted. If no burrowing owls are documented during the surveys, no further mitigation shall be required.</p>					Implement prior to construction
<p>If burrowing owls are found, the following additional measures shall be implemented:</p>					See below

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<p>♦ Project construction shall avoid all burrowing owl nest sites that could otherwise be disturbed by project construction during the breeding season (February 1–August 31) or while the nest is occupied by adults or young. Avoidance shall include establishment of a nondisturbance buffer zone of at least 250 feet around each nest site. The buffer zone shall be delineated by highly visible temporary construction fencing. Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the nest site is no longer used by burrowing owls.</p>					Implement during construction; monitor monthly
<p>♦ Any artificial burrows created shall be placed in locations with minimal public access and thus will be protected from disturbances. If burrowing owls are found during the nonbreeding season (September 1–January 31), project construction shall avoid the owls and the burrows they are using. Avoidance shall include the establishment of at least a 160-foot nondisturbance buffer zone around each burrow being used. The buffer shall be delineated by highly visible temporary construction fencing. If burrowing owls cannot be avoided, the City shall conduct passive relocation by installing one-way doors in suitable burrow entrances that are used or may be used by the owls and that would be collapsed or degraded by construction activities. This measure is described below. Artificial burrows shall be created in an area of the Park determined suitable by a qualified biologist in coordination with Fish and Game staff. The burrows shall be created according to the conservation measures established for this species.</p>					Implement during construction; monitor monthly

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<p>♦ To displace burrowing owls without destroying eggs, young, or adults, one-way doors shall be installed on owl burrows before February 1 prior to disturbance, and each burrow shall be monitored following DFG's protocol (California Department of Fish and Game 1995). This measure includes monitoring the burrow for a 48-hour period after the one-way doors are installed. The doors shall be checked every 24 hours following installation to determine whether they are still intact. If the one-way door is still correctly installed after a continuous 48-hour period (i.e., no animals have dug up the door and rendered it useless), then the one-way door shall be removed and the burrows shall be excavated using hand tools and plastic tubing to maintain an escape route for any animals still inside the burrow.</p>	City of Chico	City of Chico	Prior to construction	City of Chico	Implement during construction; monitor as indicated
<p>Mitigation Measure BIO-2e: Protect Northwestern Pond Turtle: Identify Habitat, Minimize Potential Impacts, and Mitigate in Consultation with DFG as Needed</p> <p>Before any ground-disturbing project activities begin, a qualified biologist shall confirm potential aquatic and nesting habitat in areas that could be altered or impacted by the Park Improvement Project. The City shall ensure, through coordination of the potential project design with the biologist, that the footprint of project features and construction zones, staging areas, and access routes avoid direct alteration of or indirect effects on suitable habitat for northwestern pond turtle to the extent feasible and practicable.</p>	City of Chico	City of Chico	Prior to construction	City of Chico	Implement prior to construction

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<p>If effects to pond turtle habitat cannot be avoided, measures shall be implemented to minimize unavoidable effects and the amount of habitat affected shall be minimized. Before beginning any project activities in such habitat, DFG shall be consulted to confirm that all feasible measures have been identified and implemented to avoid loss of pond turtles. Such measures shall include, but would not be limited to, relocating turtles to appropriate areas, installing fencing to exclude turtles from nesting in areas where ground disturbance would occur, conducting worker awareness training, and periodic biological monitoring. All measures deemed appropriate and feasible during this consultation with DFG shall be implemented.</p>	City of Chico	City of Chico	Prior to construction	City of Chico	Implement and monitor monthly during construction
<p>Mitigation Measure BIO-2f: Implement Measures to Protect Other Special-status Nesting Birds</p> <p>The following measures shall be implemented to minimize and mitigate the potential disturbance of nesting special-status birds (February to August).</p> <ul style="list-style-type: none"> ♦ The City shall design Park Improvement Projects to minimize disturbance and removal of nesting habitat for special-status nesting birds to the extent feasible and practicable. Nesting habitat that cannot be avoided shall be removed during the non-nesting season, to the extent feasible and practicable. 	City of Chico	City of Chico	Before and during construction during the breeding season of yellow warbler, yellow-breasted chat, and loggerhead shrike.	City of Chico	See below Implement during construction

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<p>♦ To avoid potential impacts to active nests of special-status birds, a qualified biologist shall conduct preconstruction surveys to identify active special-status bird nests within 500 feet of construction areas. The survey shall be conducted no more than 10 days before project activities begin. If an active nest is found, an appropriate buffer to minimize impacts shall be determined by a qualified biologist in coordination with DFG. No project activities shall commence within the buffer area until a qualified biologist confirms that the nest is no longer active or the birds are not dependent upon it. The size of the buffer may vary, depending on the nest location, nest stage, and construction activity.</p>	City of Chico	City of Chico	Before and during construction of a new bridge crossing over Big Chico Creek associated with implementation of the Trails Plan; before and during the construction of any components of the Cedar Grove Area Concept Plan located immediately adjacent to riparian forest.	City of Chico	Implement prior to construction
<p>Mitigation Measure BIO-3b: Implement Measures to Protect Riparian Forest</p> <p>The following measures shall be implemented to mitigate potential impacts on riparian forest associated with implementation of the Trails Plan and Cedar Grove Area Concept Plan:</p> <p>Trails Plan</p> <p>♦ The amount of riparian forest affected by construction of new bridges or other activities occurring in or near riparian forest during implementation of the Trails Plan shall be limited to the minimum necessary.</p> <p>♦ Any areas that require removal of riparian vegetation shall be restored with native riparian plant species.</p>	City of Chico	City of Chico	Before and during construction of a new bridge crossing over Big Chico Creek associated with implementation of the Trails Plan; before and during the construction of any components of the Cedar Grove Area Concept Plan located immediately adjacent to riparian forest.	City of Chico	Implement monthly during construction
					Implement once during construction
					Implement once following construction

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<ul style="list-style-type: none"> ♦ The City shall consult with DFG regarding the need for a Streambed Alteration Agreement before construction of any of the proposed bridges over Big Chico Creek. 					Implement prior to construction
<ul style="list-style-type: none"> ♦ If a Streambed Alteration Agreement is deemed necessary for Big Chico Creek crossings, the City shall obtain the agreement before the start of any construction affecting the bed or bank of Big Chico Creek and shall implement all measures that are conditions of the agreement. 					Implement prior to construction; monitor as indicated in agreement
Cedar Grove Area Concept Plan					
<ul style="list-style-type: none"> ♦ The Cedar Grove Area Concept Plan shall be implemented to avoid or minimize degradation of areas supporting riparian forest vegetation. High priority shall be given to protecting riparian communities from activities that cause compaction, erosion, vegetation removal, or other degradation according to Natural Community Implementation Strategy I, NC-1. 					Implement prior to, during and after construction
<ul style="list-style-type: none"> ♦ Where ground-disturbing activities occur in the immediate vicinity of riparian forest, exclusionary fencing shall be installed under the guidance of a qualified botanist along the outside edge of the riparian forest canopy before commencement of construction, to prevent workers and equipment from entering this sensitive habitat. 					Implement prior to and during construction; monitor monthly during construction

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ♦ If removal of riparian habitat is required for implementation of the concept plan, the amount shall be limited to the minimum necessary to achieve concept plan objectives. ♦ Any areas that require removal of riparian vegetation shall be restored with native riparian plant species. 	City of Chico	City of Chico	Before and during construction activities within or in the immediate vicinity of oak woodland habitat	City of Chico	Implement during construction
<p>Mitigation Measure BIO-3c: Implement Measures to Protect Oak Woodland</p> <p>The following measures shall be implemented to mitigate potential impacts on oak woodlands resulting from implementation of the Trails Plan and Horseshoe Lake Area Concept Plan:</p> <ul style="list-style-type: none"> ♦ Where possible, trails, improvements, and facilities shall be constructed outside of oak woodlands. The number of trails dissecting oak woodlands shall be minimized to the fewest number necessary to accomplish the goals of the site-specific Park Improvement Projects. The width of trails through oak woodlands shall be minimized and trails shall have clearly marked edges that discourage trail widening and deter users from straying off the designated trail ♦ Trails through oak woodlands that are decommissioned as part of a site-specific Park Improvement Project shall be reclaimed using barriers (such as boulders) to discourage continued use of these trails. 	City of Chico	City of Chico	Before and during construction activities within or in the immediate vicinity of oak woodland habitat	City of Chico	Implement following construction
					See below
					Implement during construction
					Implement during and following construction; monitor annually

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ♦ Grading, trenching, equipment storage, and other soil-disturbing or compacting activities shall not occur within the driplines of oak trees. New structures and impervious-surface materials shall not be placed in the driplines of oaks. ♦ To ensure that the driplines of oaks are not disturbed during construction, protective fencing shall be installed, under the guidance of a qualified botanist, certified arborist, or Registered Professional Forester, at least 1 foot beyond the outer edge of the driplines of all oaks that grow within the construction zones of the site-specific Park Improvement Projects, and no project activities shall be allowed within these exclusion zones, unless specifically required as part of project construction. ♦ The oak woodland management guidelines contained in Section 3 of the NRMP (Appendix C of the BPMMP) shall be implemented. These guidelines include recommendations for sustaining oak woodlands, initiating a burning program, and maintaining the oak landscape. 	City of Chico	City of Chico	Before and during construction of components of the Trails Plan and Horseshoe Lake Area Concept Plan that occur within the immediate vicinity of wildflower fields	City of Chico	Implement during and following construction; monitor monthly during construction Implement prior to and during construction; monitor monthly during construction
<p>♦ The following measures shall be implemented to minimize potential disturbances to wildflower field communities resulting from implementation of the Trails Plan and Horseshoe Lake Area Concept Plan:</p>	City of Chico	City of Chico	Before and during construction of components of the Trails Plan and Horseshoe Lake Area Concept Plan that occur within the immediate vicinity of wildflower fields	City of Chico	During and following construction
<p>Mitigation Measure BIO-3d: Implement Measures to Protect Wildflower Fields</p>	City of Chico	City of Chico	Before and during construction of components of the Trails Plan and Horseshoe Lake Area Concept Plan that occur within the immediate vicinity of wildflower fields	City of Chico	See below

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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ◆ Before the start of construction activities associated with implementation of specific trail sections identified in the Trails Plan and the Horseshoe Lake Area Concept Plan, the City shall retain a qualified botanist to map the location and extent of wildflower fields in specific areas proposed for construction. 					Implement during construction; monitor as indicated above
<ul style="list-style-type: none"> ◆ Whenever possible, trail segments, site improvements, facilities and other design features shall be located to minimize impacts to wildflower fields. 					Implement prior to and during construction; inspect monthly during construction
<ul style="list-style-type: none"> ◆ Exclusionary fencing shall be installed under the guidance of a qualified botanist before commencement of construction to keep workers and equipment from disturbing wildflower field habitat intended to be preserved on the project sites (some areas may be lost, consistent with site design). 					Implement prior to and during construction; inspect monthly during construction
<ul style="list-style-type: none"> ◆ The number of trails dissecting wildflower fields shall be minimized to the fewest number necessary to accomplish the goals of the site-specific Park Improvement Projects. 					Implement prior to and during construction
<ul style="list-style-type: none"> ◆ Trails through wildflower fields shall be as narrow as possible and shall have clearly marked edges that discourage trail widening and deter users from straying off the designated trail. 					Implement prior to and during construction

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<ul style="list-style-type: none"> Existing trails through wildflower fields that will not be retained as part of the site-specific Park Improvement Projects shall be reclaimed using barriers (such as boulders) to discourage use of these trails. If these reclaimed trails fail to revegetate on their own over time, re-seeding may be considered. 					Prior to, during and after construction; monitor annually
<ul style="list-style-type: none"> Permanent signage shall be installed at kiosks located at the Horseshoe Lake Area Concept Plan site to inform Park users of the presence and sensitivity of the wildflower field community and discourage visitors from off-trail use and trampling of vegetation. 					Install after construction; monitor annually

Mitigation Measure BIO-4: Implement Measures to Protect Jurisdictional Wetlands

<p>The following measures shall be implemented to mitigate impacts on waters of the United States:</p> <ul style="list-style-type: none"> Before the implementation of specific components of the Trails Plan and Horseshoe Lake Area Concept Plan that occur in the immediate vicinity of wetlands or other waters of the United States, a delineation of waters of the United States, including wetlands, that would be affected by the proposed projects shall be made by qualified biologists through the formal Section 404 wetland delineation process. The delineation shall be submitted to and verified by USACE. 	City of Chico	City of Chico	Before and concurrent with any component of the Trails Plan and Horseshoe Lake Area Concept Plan that involve ground-disturbing activities in or near jurisdictional wetlands and/or waters of the state	City of Chico	Implement prior to construction
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Mitigation Measure	Party Responsible for Implementation	Funding Responsibility	Implementation Trigger/Timing	Agency Responsible for Monitoring	Frequency
<ul style="list-style-type: none"> ◆ If, based on the verified delineation, it is determined that fill of waters of the United States would result from implementation of any of the site-specific Park Improvement Projects, authorization for such fill shall be secured from USACE through the Section 404 permitting process. 					Implement prior to construction
<ul style="list-style-type: none"> ◆ The acreage of waters of the United States, including wetlands, that would be adversely affected by project construction shall be replaced or restored/enhanced on a "no net loss" basis in accordance with USACE regulations and City General Plan Policy OS. G-9. Habitat restoration, enhancement, and/or replacement shall be at a location and by methods agreeable to USACE, as determined during the Section 404 permitting process. 					Implement prior to construction
<ul style="list-style-type: none"> ◆ Purchasing credits at a mitigation bank is the City's preferred method of mitigation. 					Implement prior to construction
<ul style="list-style-type: none"> ◆ Concurrently with the CWA Section 404 permit, the City shall obtain CWA Section 401 Clean Water Certification from the Central Valley RWQCB before project implementation. 					Implement prior to construction
<ul style="list-style-type: none"> ◆ The City shall also coordinate with the Central Valley RWQCB regarding any wetland features that are not subject to USACE jurisdiction under Section 404 of the CWA, but may be subject to State regulation under the Porter Cologne Act. All conditions required by the RWQCB as part of the Section 401 Water Quality Certification process or Porter Cologne permitting process shall be implemented. 					Implement prior to construction

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CULTURAL RESOURCES					
Mitigation Measure CUL-1: Protect Historic and Unique Archaeological Resources from Impacts	City of Chico	City of Chico	During final design of projects and during construction activities	City of Chico	See below
<p>The City shall implement the following mitigation to reduce potential direct impacts on historic and unique archaeological resources:</p> <ul style="list-style-type: none"> ♦ Consistent with the policies of the BPMMP, a qualified archaeologist shall conduct a cultural resources assessment of the proposed project site during project planning and design. For the Trails Plan, this can be accomplished on a segment by segment basis. ♦ If cultural resources are documented in the planning area, they shall be evaluated for their significance. ♦ If it has been determined by a qualified archaeologist that a cultural resource is significant, the project shall be designed or redesigned to avoid these cultural resources to the greatest extent feasible. ♦ If avoidance of significant sites is not feasible, mitigation in the form of data recovery shall be applied to archaeological sites. 					
Mitigation Measure CUL-2b: Protect Human Remains from Vandalism and Inadvertent Destruction	City of Chico	City of Chico	During construction activities	City of Chico	Implement during construction
<p>In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities related to implementation of the Trails Plan, Horseshoe Lake Area Concept Plan and Cedar Grove Area</p>					

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<p>Concept Plan Projects, all such activities in the vicinity of the find shall be halted immediately and the City or the City's designated representative shall be notified. The City shall immediately notify the county coroner and a qualified professional archaeologist. The coroner shall examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in detail in the California Public Resources Code Section 5097.9. The City or its appointed representative (Park Director) and the professional archaeologist shall consult with a Most Likely Descendant (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine whether additional burials could be present in the vicinity.</p>					

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HYDROLOGY					
Mitigation Measure HYDRO-1b: Comply with Water Quality Standards and Waste Discharge Requirements When required, the City shall obtain a General Permit for Discharges of Storm Water associated with Construction Activity (Construction General Permit), which pertains to water pollution resulting from project construction. In compliance with permit requirements, the City shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) before commencement of construction activities. The SWPPP will incorporate BMP's to prevent, or reduce to the greatest extent feasible, adverse effects on water quality from erosion and sedimentation. In addition, all new trails shall be designed, constructed, and maintained per the City's Trails Manual.	City of Chico	City of Chico	Before commencement of construction activities	City of Chico	Implement and monitor as indicated in SWPPP
NOISE					
Mitigation Measure Noise-1: Construction Related Noise The following measures shall be implemented to mitigate for construction noise control associated with the Trails Plan, Horseshoe Lake Area Concept Plan and Cedar Grove Area Concept Plan: ♦ Construction equipment shall be properly maintained and equipped with noise control, such as mufflers, in accordance with manufacturers' specifications	City of Chico	City of Chico	During construction of Park Improvement Projects	City of Chico	N/A
					N/A

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<ul style="list-style-type: none"> ♦ Construction activities shall be limited to the hours of 7:00 a.m.-9:00 p.m., Monday through Saturday, and to 10:00 a.m.-6:00 p.m. on Sundays and holidays. ♦ Construction equipment shall be arranged to minimize travel adjacent to occupied residences and turned off during prolonged periods of non-use. 					N/A
					N/A