



**CITY OF CHICO**  
**BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)**  
Regular Meeting Agenda  
January 30, 2012, 6:30 p.m.  
Municipal Center - 421 Main Street, Council Chamber

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*Materials related to an item on this Agenda are available for public inspection in the Park Division Office at 965 Fir Street during normal business hours or online at <http://www.chico.ca.us/>.*

**1. REGULAR COMMISSION MEETING**

- 1.1. Call to Order
- 1.2. Election of Chair and Vice Chair
- 1.3. Roll Call

**2. CONSENT AGENDA**

All matters listed under the Consent Agenda are to be considered routine and enacted by one motion.

- 2.1. Approval of Meeting Minutes

**Action:** Approve minutes of BPPC held on 12/12/11.

- 2.2. Consideration of a Permit for the Bidwell Bump Mountain Bike Race.

Applicant requests a permit to host a mountain bike race in Upper Park on established trails on 8/25/12. Routes would be on the north and south side of the park. This application is being considered by the Commission because the group is requesting the use of trails in Bidwell Park that are not considered intensive use areas. **Recommendation:** Approval of the permit use application with conditions.

- 2.3. Consideration of a Permit for a Wedding at City Plaza.

Applicant requests a permit to host a wedding in City Plaza on 6/30/12. This application requires BPPC consideration as the applicant is requesting the exclusive use of non-exclusive use area.

**Recommendation:** Approval of the permit use application with conditions.

**ITEMS REMOVED FROM CONSENT** – if any

**3. NOTICED PUBLIC HEARINGS** - None

**4. REGULAR AGENDA**

- 4.1. Consideration and Input to Internal Affairs Committee on Smoke-Free City Parks.

On 11/08/11, the Council's Internal Affairs Committee referred the issue of no-smoking in City parks to the BPPC for consideration and possible recommendation. The Policy Advisory Committee accepted public input on the issue at its 1/19/12 meeting. **Recommendation:** BPPC provide input and a recommendation to the City Council's Internal Affairs Committee. If the BPPC recommends additional restrictions, then staff suggests that the BPPC forward a list of considerations to help shape the policy.

- 4.2. Consideration of the Comanche Creek Greenway Management Plan, Comanche Creek Greenway Improvement Project, and Mitigated Negative Declaration.

The Comanche Creek Greenway includes property north and south of Comanche Creek between Midway and Estes Road. City staff have met regularly with the Southwest Neighborhood Association to develop a vision for the recreational use of the Greenway as documented in the Comanche Creek Greenway Management Plan and the Improvement Project. The documents will guide future management and improvements in Comanche Creek Greenway, making it accessible to the public as funding permits.

**Recommendation:** Park and Planning Staff recommend that Commission adopt Resolution 12-01: RESOLUTION OF THE BIDWELL PARK AND PLAYGROUND COMMISSION ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE COMANCHE CREEK GREENWAY MANAGEMENT PLAN AND COMANCHE CREEK GREENWAY IMPROVEMENT PROJECT; AND APPROVING BOTH THE PLAN AND PROJECT.

4.3. Consideration of demolition of current restroom and construction of new announcer box and storage area at Hooker Oak's Doryland Fields.

In October 2011, CARD completed construction of an upgraded, accessible restroom at Hooker Oak Recreation Area. The new restroom is ADA compliant and is also connected to the City of Chico sewer line. CARD now seeks to demolish the old restroom and announcer box and to construct a new building for storage and a new announcer area. The new building materials will match the new restroom facility.

**Recommendation:** Staff recommends BPPC approval of CARD's demolition of the Hooker Oak's Doryland Fields old announcer box and restroom and the construction of a building for a new announcer box and storage area.

4.4. Consideration of the Policy Advisory Committee's revision of the Park Donations Policy.

The PAC has met four times to review and make editions to the Park Donations Policy. At it's 1/19/12 PAC meeting, the Committee and staff finalized the donation policy for submittal to the BPPC.

**Recommendation:** PAC requests BPPC review and adoption of the Park Donation Policy to the BPPC for adoption.

4.5. Discussion of Committee Assignments and the 2012 Meeting Calendar.

BPPC members serve on the Policy Advisory, Natural Resources, Street Trees Committees and the City's ad hoc Bicycle Advisory Committee. The Committees allow more detailed consideration of issues. Findings or recommendations are then reported to the entire BPPC. Assignments are at the BPPC Chair's prerogative with staff recommendations. In addition, the Commission will consider the Committee and BPPC meeting schedules for 2012. **Recommendation:** Staff recommends that the BPPC make Committee Assignments; and review and approve 2012 calendar for Committee Meetings and BPPC Annual schedule.

## 5. **BUSINESS FROM THE FLOOR**

Members of the public may address the Commission at this time on any matter not already listed on the agenda; comments are limited to three minutes. The Commission cannot take any action at this meeting on requests made under this section of the agenda.

## 6. **REPORTS**

Items provided for the Commission's information and discussion. No action can be taken on any of the items unless the Commission agrees to include them to a subsequent posted agenda.

- 6.1. Special Report: Urban Forest and Street Tree Annual Report
- 6.2. Special Report: Annual Lessee Reports
- 6.3. Tree Committee Report – Clay Craig, Acting-Chair
- 6.4. Natural Resources Committee – Mary Brentwood, Chair
- 6.5. Policy Advisory Committee – Lisa Emmerich, Chair
- 6.6. Urban Forest Manager's Report - Denice Britton, Urban Forest Manager
- 6.7. Park and Natural Resources Manager's Report - Dan Efseaff, Park and Natural Resource Manager.

## 7. **ADJOURNMENT**

Adjourn to the next regular meeting on February 27, 2012 at 6:30 p.m. in the Council Chamber of the Chico Municipal Center building (421 Main Street, Chico, California).



Please contact the Park Division Office at (530) 896-7800 if you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation. This request should be received at least three working days prior to the meeting.

**CITY OF CHICO**  
**BIDWELL PARK AND PLAYGROUND COMMISSION (BPPC)**

Minutes of  
December 12, 2011 Regular Meeting

**1. REGULAR COMMISSION MEETING**

**1.1. Call to Order**

Chair Ober called the meeting to order at 6:30 pm.

**1.2. Roll Call**

**Commissioners present:**

Clay Craig  
Lisa Emmerich  
Mark Herrera  
Jim Mikles  
Jim Moravec  
Richard Ober

**Commissioners absent:** Mary Brentwood

**Staff present:** Dan Efseaff (Park and Natural Resource Manager), Ruben Martinez (General Services Director), Denice Britton (Urban Forest Manager), and Janice Heckerson (Administrative Assistant)

**2. CONSENT AGENDA**

**2.1. Approval of Meeting Minutes**

**Motion:** Approve minutes of BPPC regular meeting held on 11/28/11. **MADE BY:** Emmerich.  
**SECOND:** Craig. **AYES:** 6 (Emmerich, Mikles, Ober, Moravec, Craig, Herrera). **NOES:** 0. **ABSENT:** 1 (Brentwood)

**ITEMS REMOVED FROM CONSENT – NONE**

**3. NOTICED PUBLIC HEARINGS - NONE**

**4. REGULAR AGENDA**

**4.1. PG&E Request's Public Utility Easement (PUE) in Lower Bidwell Park for Support Pole Installation.**

PG&E requested a PUE to support a utility pole at the southwest corner of the intersection of Centennial and South Park Drive. The pole is currently leaning to the south and PG&E would install a support pole and guy wire. The City Council would have to grant an easement before the pole could be installed. Staff seeks a BPPC recommendation on whether to support the easement. If the BPPC supports the granting of the PUE, the GSD Director recommends additional conditions be added to the recommendation forwarded to Council.

Dan Blair, Government Relations Representative for PG&E, explained that the utility pole was originally supported by a tree that is no longer there, and that over time several

additional lines have been added from other utilities that rent from PG&E. Because of the tilt of the pole, the clearance under the utility lines has dropped down to 14'4", creating a potentially dangerous situation. PG&E has done a temporary wedge fix but must soon make it safe permanently or be fined. They want to work inline with BPPC policy.

PG&E offers two alternatives to correct the problem. Option One would install a 35 foot pole with a 15 foot lead guy and would need an encroachment into the Park. PG&E offered that this is most cost effective solution. Option Two would include the addition of two poles to reroute existing wires on an easement along the Centennial right of way. Mr. Blair opined that it may have more impact on Park usage.

Chair Ober said that the BPMMP guides us away from granting an easement, and this sets an undesirable precedent. Commissioner Emmerich asked how long the process would take or would it be expedited because of public safety. General Services Director Martinez said the shortest initial study is about three months. Commissioner Mikles suggested installing the line underground. Mr. Blair said underground is very expensive and applications take 4 to 6 years.

From the public - Ryan Brown asked if PG&E had thought of replacing the existing pole. Mr. Blair said they had, but any replacement pole would lack needed support for lines other utilities have added.

Chair Ober said there are already undesirable issues in that stretch of the Park. We would be creating a new policy so maybe neither option is good for either side. We either approve option 1 or deny it. PG&E could appeal BPPC's decision to take it to the Council.

**MOTION:** Option One not be allowed. **MADE BY:** Moravec. **SECOND:**Craig. **AYES:** 6 (Emmerich, Mikles, Ober, Herrera, Craig, Ober). **NOES:** 0. **ABSENT:** 1(Brentwood).

Chair Ober thinks this may be the time for the Policy Committee to develop an encroachment policy.

## **5. BUSINESS FROM THE FLOOR NONE**

## **6. REPORTS**

### **6.1. Urban Forest Manager's Report - Denice Britton**

Urban Forest Manager Britton said staff has been working on service requests and down limbs and hangers in addition to setting up the Christmas tree in City Plaza. They have reseeded the area around the labyrinth. There has been an increase in vandalism at Bidwell Bowl.

She discussed removal of some trees on the Bidwell Golf course with the course supervisor. Chair Ober asked if trees are dying as a result of other practices and use issues. Urban Forest Manager Britton said yes, two oaks are dead. One adjacent to Upper Park Road died of root loss and another oak died from road alignment as well as too much irrigation and some improper pruning a while ago. Managing a golf course in a blue oak area is difficult. They are now redirecting irrigation away from trees, removing ivy from trunks, and adjusting other management issues not just at the golf course but also at Five Mile and One Mile. Golf course is responsible for any work to be done on the course. Commissioner Herrera asked if this course has been found to have more impact on habitat than the disc golf course.

### **6.2 Park and Natural Resources Manager's Report - Dan Efseaff**

Park and Natural Resource Manager Efseaff reported that the proposal for an additional paragliding launch from Peregrine Point has been withdrawn and will not be going to committee. He noted that the BPPC will be getting an agenda item on Comanche Creek management plan for

the January meeting. Staff has developed a revised water testing method for Sycamore Pool that will save approximately \$29,000 a year. Internal Affairs Committee is asking BPPC to discuss a ban on smoking in parks. He provided an update on native grasses and trail work in Middle Park.

## 7. ADJOURNMENT

The meeting was adjourned at 7:55 p.m. to the next regular meeting on January 30, 2012 at 6:30 p.m. in the Council Chamber of the Chico Municipal Center building (421 Main Street, Chico, California).

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Date Approved:    /    /   .

Prepared By:

\_\_\_\_\_  
Janice Heckerson, Administrative Assistant

\_\_\_\_\_  
Date

Distribution: BPPC



DATE: 12/26/11  
TO: Bidwell Park and Playground Commission  
FROM: Jessica Erdahl, Senior Park Ranger  
SUBJECT: Consideration of a Permit for the Bidwell Bump Mountain Bike Race

### Recommendation

Staff recommends that the Commission approve the permit use application.

### Background

Applicant requests a permit to host a mountain bike race in Middle and Upper Park on established trails on August 25, 2012. The start and finish lines will be at Five Mile, with routes on the north and south side of the park. In previous years, the start line was at Parking Area B, resulting in congestion. The applicant expects approximately 175 participants and the event will include a 14.1 Mile and 9.3 mile cross country race as well as a 5 mile downhill race. This mountain bike race has been held in Bidwell Park in the past. The application is subject to City requirements for insurance coverage. This application is being considered by the Commission because the group is requesting the use of trails in Bidwell Park that are not considered intensive use areas.

### Discussion

Past permits require adherence to park rules and the applicant must also provide sufficient monitoring to keep bicycles on established trails, participants must wear a helmet and safe trail etiquette should be followed. Adequate signage must also be in place to notify other park users of the event and to ensure safe conditions for other trails users. The applicant will need to do a final inspection of the race courses at the conclusion of the event and remove all signs and litter associated with the event. If Middle and Upper Park trails are closed due to wet or unsafe conditions, the race course will need to be altered accordingly.

Mountain biking is a permissible use under the Bidwell Park Master Management Plan (BPMMP). The plan also notes that Upper Park is a protected area for non-intensive recreational uses and non-intensive wilderness compatible recreation shall be provided in Upper Park (O.Upper-2; I. Upper-1). The use of Upper Park trails for the race is considered an intensive use and requires BPPC approval.

While mountain biking is permissible under the BPMMP, there is the potential that a large event could become an intensive use and not compatible with wilderness activities. The numbers under this application are roughly similar to last year. Staff did not observe excessive trails damage and did not field any citizen complaints associated with the race last year, and anticipate monitoring the event this year. Staff recommends that the applicant cap the number of applicants to that listed on the permit (175).

### Distribution:

Kyle Hughes

### Attachments:

Application and permit for park use for the Bidwell Bump Mountain Bike Race  
2011 Park Permit and Park Use Evaluation

# City of Chico

## APPLICATION & PERMIT FOR PARK USE

General Services Department - Park Division  
965 Fir Street/ P.O. Box 3420  
Chico, CA 95927-3420  
(530) 896-7800 Fax: (530) 895-4731

### SECTION 1 - APPLICANT INFORMATION

Must be 18 or older • No glass beverage containers • Application fee due upon submittal •

**THIS RESERVATION IS NOT VALID UNTIL APPROVED BY THE PARK DIVISION.**

PLEASE PRINT:

KYLE HUGHES  
Name of Applicant/Contact Person

BIDWELL BUMP  
Organization Name (if applicable)

16 CHRISTOPHER ALAN LANE  
Home, Organization, or Company Address

CHICO CA 95928  
City, State, Zip

(925) 899-3138 (530) 966-2856  
Contact Phone # Alternate Phone #

Type of Event: PUBLIC  PRIVATE

SATURDAY, AUGUST 25<sup>TH</sup>, 2012  
Day and Date of Activity

From: 7<sup>00</sup> AM To: 5<sup>00</sup> PM  
Total Time Needed for Set-up, Event, and Clean-up

From: 9<sup>00</sup> AM To: 3<sup>00</sup> PM 175  
Time of Event Number of people

E-mail address info@thebidwellbump.com

Note: Park gates will not remain closed beyond normal opening time for any event with less than 1,000 people. All races with less than 1,000 people at One Mile must start before 8:30am. Street closure(s) subject to approval.

#### AREA REQUESTED: (Please check if requested)

Bidwell Bowl Amphitheater  
 Electricity (15 amp)

Note: Special conditions apply for amplified sound. R.08.263 CMC

Cedar Grove Picnic Area  Meadow  
 Electricity (15 amp)  30 amp Electrical Service  
tables, restroom area (circle) Water (public events only)

Children's Playground  
 Electricity (15 amp)-Pick up key on: \_\_\_\_\_ between 8:00 AM-4:30 PM  
 Water (public events only)  100 amp Electrical Service

City Plaza  
 Electricity (15 amp)  100 amp Electrical Service  
 Event Restrooms  Water (public events only)  
 Fountain - On  Fountain - Off  
 Meter Bags # \_\_\_\_\_  Sound Curtain

Council Ring  
 Fire Permit

Five Mile Picnic Area

One Mile Picnic/Barbeque Area - Water available

Oak Grove A  Oak Grove B  
 Sycamore Way Parking Lot Closure-Public Events ONLY  
 Electricity (15 amp) tables, trees, parking area, restroom area  
 Band Stand (15 amp) (circle above)  
 BBQ-Pick up key on: \_\_\_\_\_ between 8:00 AM - 4:30 PM

Depot Park

Electricity (15 amp)

Lower Bidwell Park (public events only): \_\_\_\_\_

Upper Bidwell Park (public events only): \_\_\_\_\_

Other (specify) (public events only): \_\_\_\_\_

Description of Event: BIDWELL BUMP MOUNTAIN BIKE RACE  
All participants will stay on trails, wear helmets, observe trail etiquette and  
all litter & associated trash from the race will be removed.

**FOR PARK RANGER ASSISTANCE, during event, CALL 530-897-4900 (Police Department Dispatch)**

### SECTION 2 - PERMIT FEES

Application Fee \$ 18.00 (Non-Refundable)  
 Reservation Fee \$ 86.00 (\$10.50 minimum, please call for quote)  
 Insurance Fee \$ 38.50 (\$38.50 to process outside insurance)  
 Vendor Fee # 10 \$ 55.00 (\$5.50 per vendor)  
 Additional Park Use Fees \$ \_\_\_\_\_ (see fee schedule)  
 Damage Deposit \$ 100.00 (\$100.00 refundable following acceptable clean-up of park)  
(Call Park Office for availability and fee schedule 80.020)

#### Additional fees for City Plaza use:

Event Restrooms \_\_\_\_\_ x (\$90.50) = \$ \_\_\_\_\_  
#days  
100 amp Electrical \_\_\_\_\_ x (\$28.50) = \$ \_\_\_\_\_  
#days

Total Fee Required: \$ 297.50

Fee due upon submittal of application \* Make Checks Payable to: City of Chico

City of Chico Cash Receipt No. \_\_\_\_\_ Paid: CK# 596 Date: 12/2/11 Received By: CP

Office	Permit File (original)	Park Ranger 1	Senior Park Ranger	Applicant	Fax (various)
Distribution:	Park Field Supervisor	Park Ranger 2	Landscape Inspector.	Risk Management (e-mail)	920 Fund

## SECTION 3

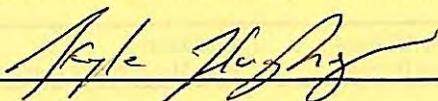
# CONDITIONS FOR PARK USE

**You Are Responsible for Knowing the Park Rules. Please Observe the Following:**

- Alcohol** Alcohol is not permitted in any City Park or Playground.
- BBQ's** Portable BBQ's may only be used next to existing BBQ's in Lower Bidwell Park and Five Mile Recreation Areas.
- Bicycles** Must observe all California vehicular codes including one-way streets. Riders are expected to be courteous and yield to equestrian and pedestrian traffic. Helmets must be worn at all times in Upper Park, except when on pavement. Riders must stay on designated trails. Bicycle riding is not allowed in Caper Acres or on the pool deck.
- Bounce Houses** Bounce houses and other similar play equipment, such as dunk tanks or water slides, are only permitted with a reservation and upon approval by the Park Division. The operators of this equipment must provide proof of insurance. Bounce houses are not allowed at Wildwood Park or Caper Acres.
- Campfires** No campfires allowed.
- Camping** No overnight camping allowed. Bidwell Park is a "day use park" only.
- Clean up** Permittee is required to completely clean up area at the conclusion of event. Additional garbage bags may be obtained from the General Services Department at time of reservation. (12R.04.180 CMC)
- Damages** Any damage to City property as a result of this event will be repaired at permittee's expense.
- Dogs** Dogs may be off leash from 5:30 AM until 8:30 AM in Lower Park -- All other times **dogs must be on a leash**. Along the north side of Upper Park Road, dogs may be "off leash" anytime. While "off leash," dogs must remain under control via master's voice. Dogs are not allowed in Caper Acres, One-Mile or Five-Mile swimming areas, or designated swimming holes in Upper Park.
- Electrical** All power extension cords, sound amplification equipment, and staging to be supplied by permittee. Permittee shall provide "tripping" prevention devices over power cords crossing any pathway.
- Fishing** Check California Fish and Game Regulations, <http://www.dfg.ca.gov/regulations/>, Freshwater Sport Fishing, Alphabetical List of Waters with Special Fishing Regulations, (20) Big Chico Creek. Horseshoe Lake: age 14 and over, catch and release; under 14: catch and keep.
- Gate Closures** Upper Park gate at parking area E is closed on Sundays and Mondays and during seasonal wet periods. Gates can be closed for approved special events.
- Glass** No glass beverage containers allowed in any City Park or Playground.
- Horses** Horses must stay on designated trails. Horses are not allowed in One-Mile or Five-Mile Recreation Areas. Horses must cross the creek at approved crossings. Safe and courteous riding is the Park standard.
- Noise** No loud or unusual noises are allowed, including: radios and headsets that can be heard over 50' away. Music/Amplified Sound at One-Mile Recreation Area, please, face all speakers away from Woodland Ave.
- Park Closures** Lower Park is closed from 12:00 am (midnight) until 5:00 am every day, unless directly and actively proceeding to a destination outside of the park. Upper Park is closed between the hours of 11:00 pm and 60 minutes before sunrise every day, unless posted otherwise.
- Signs/Defacing** Defacing of trees, benches, tables, any park fixtures, open ground, or paved roads/paths with markings, staples, tacks, or signs is prohibited. No pinatas, or accessories shall be affixed to trees. Only barricades, cones, or self standing devices may be used for these purposes.
- Smoking** No smoking in Upper Park from May 1st - November 1<sup>st</sup>. No smoking in City Plaza or Caper Acres any time.
- Swimming** While in the 1-Mile swim area compliance with lifeguards is required for public safety. Pool is open and lifeguards are on duty from Memorial Day through Labor Day.
- Vegetation** No taking, cutting or injury of any vegetation in the Park is allowed.
- Vehicle Traffic**
- While gates are closed, limited use of vehicles to set up for event is permitted. Vehicles must be in compliance with the one-way designation of the roadway, must yield to all other activities (walking, jogging, bicycling, and horseback riding), must travel with flashers on and may not exceed ten (10) miles per hour.
  - Permittee shall provide adequate signs and supervision to avoid conflicts between vehicles, bicycles, equestrians, and general public.
  - Only emergency vehicles will be allowed access through the area of South Park Drive which has been closed to motor vehicles.
  - No vehicles are permitted to travel or park on grass areas.

**\*I have read and agree to conform to the above rules and conditions:**

Signed: \_\_\_\_\_



**SECTION 4 – INSURANCE**

(to be determined by Park Office)

Required, Certificate of Insurance, meeting City standards must be received by: August 10, 2012  Not Required

Organization Named on Certificate of Insurance \_\_\_\_\_

Permittee shall supply, at least two (2) weeks in advance of the scheduled event, a Certificate of Insurance issued by a company licensed to do business in California with a Best's Insurance Guide rating of "B" or better ("A" rated if Company is unlicensed) which provides evidence of comprehensive and general liability coverage in the amount of \$1,000,000 combined single limit, with policy endorsements as follows:

- (1) Identification of permit applicant, identification of event, date of event.

**NOTE: NUMBERS 2 AND 3 MUST BE SEPARATE ENDORSEMENTS:**

- (2) The City of Chico, its officers, boards and commissions, and members thereof, its employees and agents are covered as additional insureds as respects to any liability arising out of the activities of the named insured.
- (3) The insurance coverages afforded by this policy shall be primary insurance as respects to the City of Chico, its officers, employees, or agents. Any insurance or self-insurance maintained by the City of Chico, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to it.
- (4) An unqualified statement that "The insurer will provide the City at least ten (10) days prior notice of cancellation or material change in coverage", standard Certificate of Insurance cancellation language is not acceptable

**THESE INSURANCE REQUIREMENTS ARE APPLICABLE TO:**

- (1) Public Assemblages per Title 12R.08.240, or
- (2) Exclusive use where:
  - (a) Amplified sound is used, or
  - (b) The number of people participating amount to 100 or more.

If insurance is required for your event, please contact Risk Management office at 530-879-7910, 530-895-4733 fax, or [riskmanagement@ci.chico.ca.us](mailto:riskmanagement@ci.chico.ca.us). Insurance may also be purchased through the City.

**Please Note:** Your reservation may be cancelled if the insurance is not approved at least two weeks prior to the scheduled event

**SECTION 5 - ACCEPTANCE OF CONDITIONS**

In signing this Permit, I agree to indemnify and hold the City of Chico and/or the Bidwell Park and Playground Commission free and clear of all claims of damage for injury to persons or property occurring in, upon or about Bidwell Park, and arising from my use of the park as noted above, and to defend any action against the City of Chico resulting from any such claim, without cost to the City.

**\*I certify that I have read this application thoroughly, followed any and all instructions, understand its contents, will comply with the attached "Conditions for Park Use", will adhere to any additional conditions set forth by this permit, and supplied true and correct information herein to the best of my knowledge and belief.**

X [Signature]  
Signature of Applicant

X 11-22-11  
Date

RETURN THIS FORM TO:

City of Chico - Park Division  
965 Fir Street  
P.O. Box 3420  
Chico, CA 95927-3420  
FAX 530-895-4731

**THIS RESERVATION IS NOT VALID UNTIL APPROVED BY THE PARK DIVISION.  
A copy of the approved application will be returned to you.**

**SECTION 6 – GENERAL SERVICES DIRECTOR AUTHORIZATION**

I certify that I have carefully reviewed this application pursuant to Title 12 and 12R of the Chico Municipal Code and hereby recommend that this permit be:

- Approved.
- Approved subject to listed additional condition(s) \_\_\_\_\_

- Denied by the General Services Director. Reason: \_\_\_\_\_
- Application fee waived (12R.08.100 CMC). Reason: \_\_\_\_\_
- Reservation fee waived (12R.08.250 CMC). Reason: \_\_\_\_\_
- Vendor fee waived (12R.08.250 CMC). Reason: \_\_\_\_\_
- Insurance fee waived (12R.08.240 CMC). Reason: \_\_\_\_\_
- Damage deposit fee waived (12R.08.260 CMC). Reason: \_\_\_\_\_
- Application approved by the Bidwell Park & Playground Commission. Date: \_\_\_\_\_
- Application denied by the Bidwell Park & Playground Commission. Reason: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of General Services Director

Date

# EVENT INFORMATION

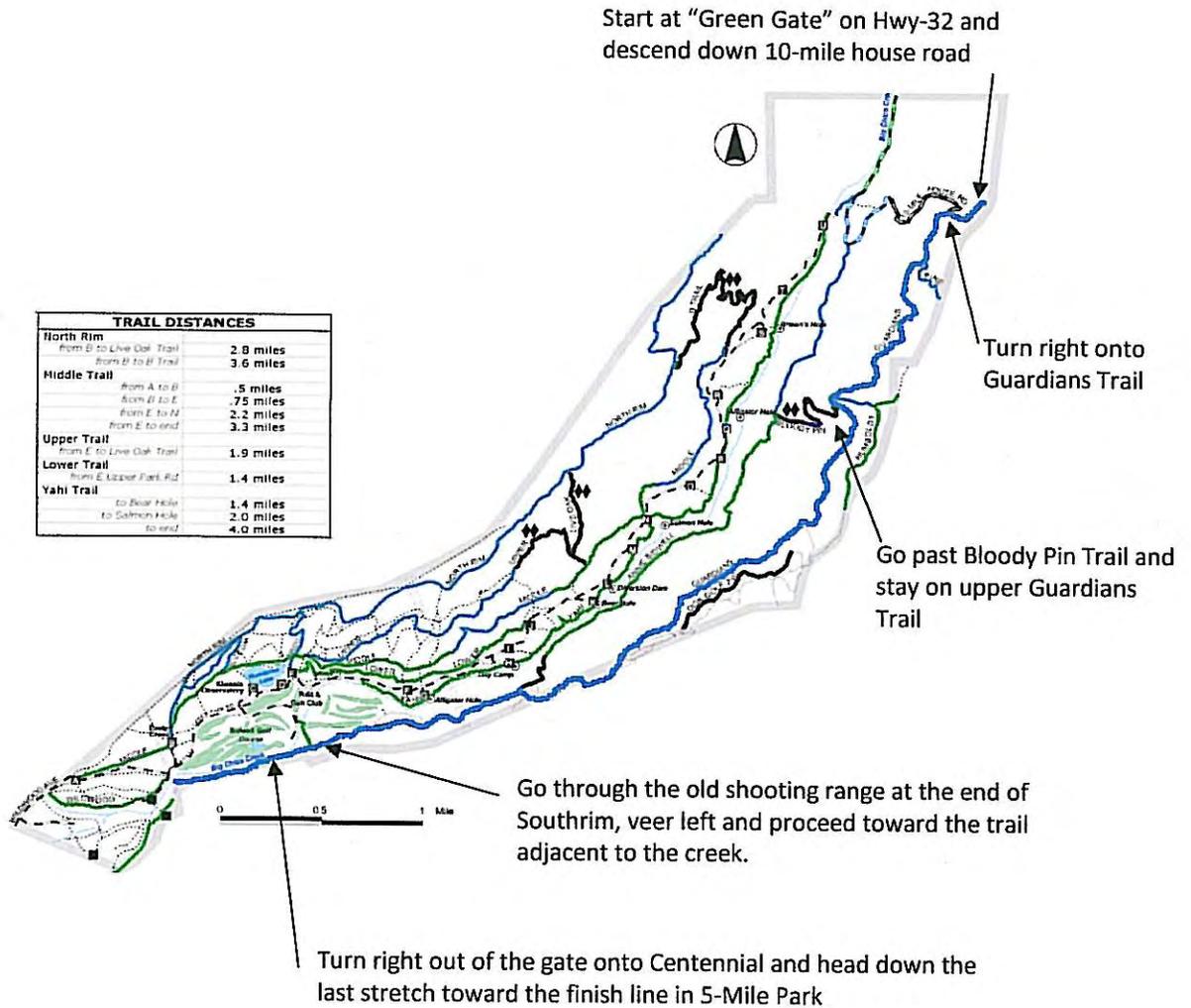
Please answer the following questions by circling "Yes" or "No"

Is this an annual event? How many years have you been holding this event? <u>3</u>	<input checked="" type="checkbox"/> Yes	No
Is there a patron admission, entry or participant fee(s) required? If yes please provide amounts: <u>\$20 - \$50</u>	<input checked="" type="checkbox"/> Yes	No
Will there be amplified sound/music at event? (Please see 'Conditions For Park Use') Specify type (microphone, band, radio, etc): _____ When will amplified sound/music be heard? Time from: _____ until: _____ amps needed _____ Note: 100 amp electrical service requires a certified electrician. Please describe the sound equipment that will be used for your event _____	Yes	<input checked="" type="checkbox"/> No
Will there be any entertainment apparatus? (Operator to provide proof of insurance) [ ] Bounce house [ ] Dunk tank [ ] Climbing wall [ ] Ropes Course [ ] Other: _____ Name of Operator: _____	Yes	<input checked="" type="checkbox"/> No
Will there be any vendors at this event? (No glass or alcohol permitted) If "yes" please note the number of vendors anticipated: <u>10</u> (submit a, separate, complete list) Does your event include food concession and/or preparation areas? If yes, please describe how food will be served and/or prepared: <u>deli sandwiches, chips &amp; drinks</u>	<input checked="" type="checkbox"/> Yes	No
Will event require that any part of the Park remain closed beyond the normal time of opening? Note: Park gates will not remain closed beyond normal opening time for any event with less than 1,000 people. All races with less than 1,000 people at One Mile must start before 8:30am. (Subject to approval by the General Services Department Director and/or Senior Park Ranger.) If "yes" please state which gate(s): _____ Time of closure from: _____ until: _____	Yes	<input checked="" type="checkbox"/> No
Will there be early entrance into the Park for setup? If "yes" when will monitors be at their position(s)? Time from: _____ until: _____ Note: Gate Monitors are required at the entrances and exits for early Park entrance.	Yes	<input checked="" type="checkbox"/> No
Will event require over night camping for security purposes? (authorized for a maximum of two people, 12R.04.340 CMC) If "yes" how many security personnel will be required?	Yes	<input checked="" type="checkbox"/> No
<b>Portable Restrooms:</b> You are required to provide portable restroom for events with 200+ participants at your event, in the immediate area of the event site which will be available to the public during your event. Restroom Company _____ Phone Number _____ Location of portable restrooms _____ Note: Restrooms shall be removed within 24 hrs after conclusion of event.	Yes	<input checked="" type="checkbox"/> No
<b>Sanitation and Recycling:</b> As an event organizer, you must properly dispose of waste and garbage throughout the term of your event and immediately upon conclusion of the event the area must be returned to a clean condition. For events with 200+ participants, additional trash and recycling cans are required. Number of Trash Cans _____ Number of Recycling Containers _____ Sanitation Company _____ Phone Number _____ Note: Sanitation containers shall be removed within 24 hrs after conclusion of event.	Yes	<input checked="" type="checkbox"/> No
Will your event include the use of any signs, banners or decorations? (Please see 'Conditions For Park Use') If yes, please describe type and location: _____ Note: All signs and banners shall be free standing and not affixed to Park property.	Yes	<input checked="" type="checkbox"/> No
Will water be needed during your event? Please provide your own hose and on/off switch. Note: Please request a water coupler key for City Plaza, Children's Playground and Cedar Grove.	Yes	<input checked="" type="checkbox"/> No
Do you request irrigation to be turned off before and during your event?	Yes	<input checked="" type="checkbox"/> No
<b>CITY PLAZA ONLY:</b> Vehicles are not allowed in City Plaza. Loading and unloading must occur from the streets. Meter bags may be obtained from the City by calling (530) 896-7800.		
Will vendors be placed on the perimeter sidewalks? If yes, a Vend, Peddle, Hawk permit must be obtained from the Engineering Division at 411 Main St, Chico, (530) 879-6900.	Yes	No
Will City street closure(s) be needed? A separate permit must be obtained from the Engineering Division at 411 Main Street, Chico, (530) 879-6900.	Yes	No

# SUPER-D COURSE — 5.5 MILES

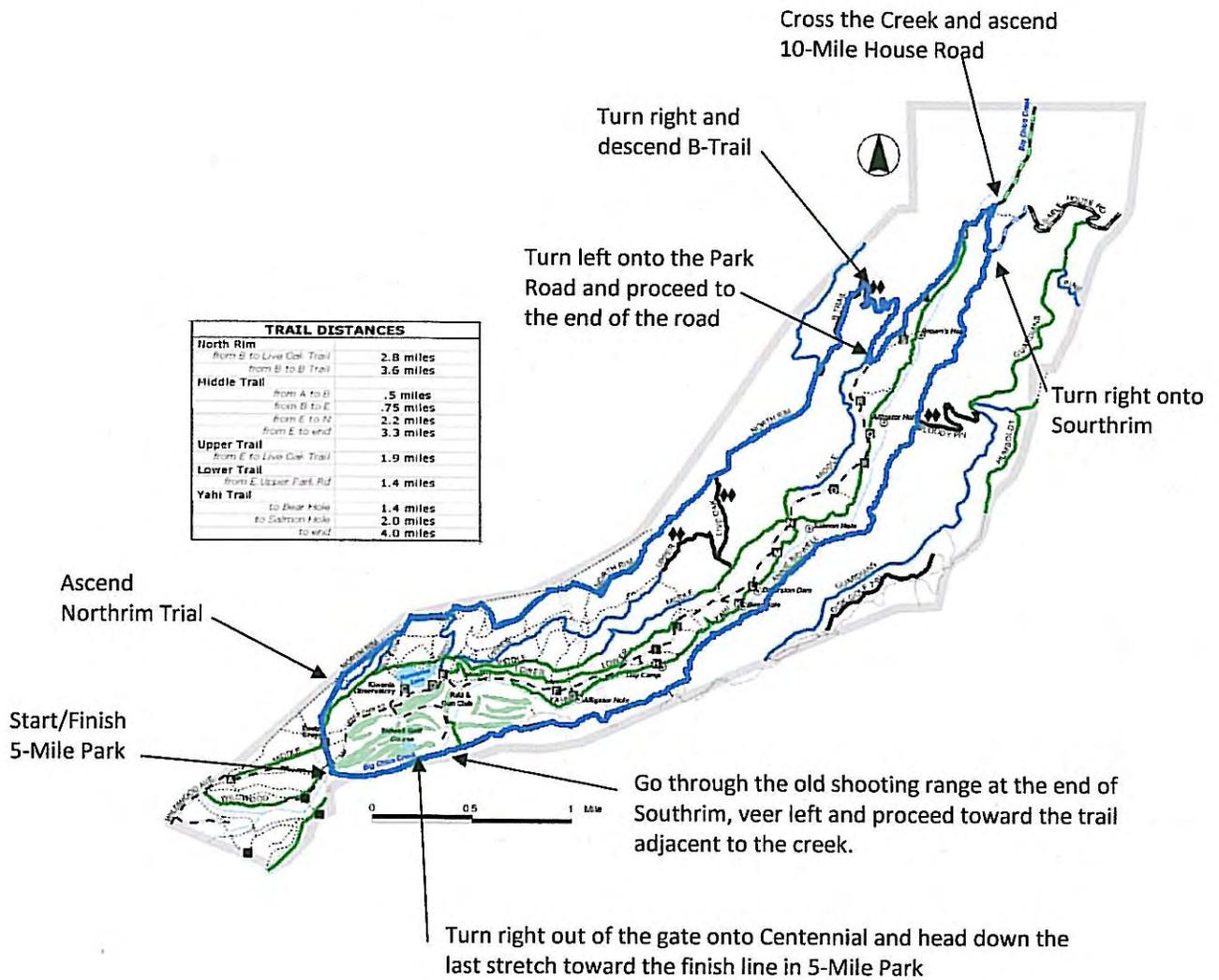
1,316FT ELEVATION LOSS, 128FT ELEVATION GAIN

10-MILE HOUSE ROAD → SOUTHRIM (ANNIE BIDWELL) → 5-MILE



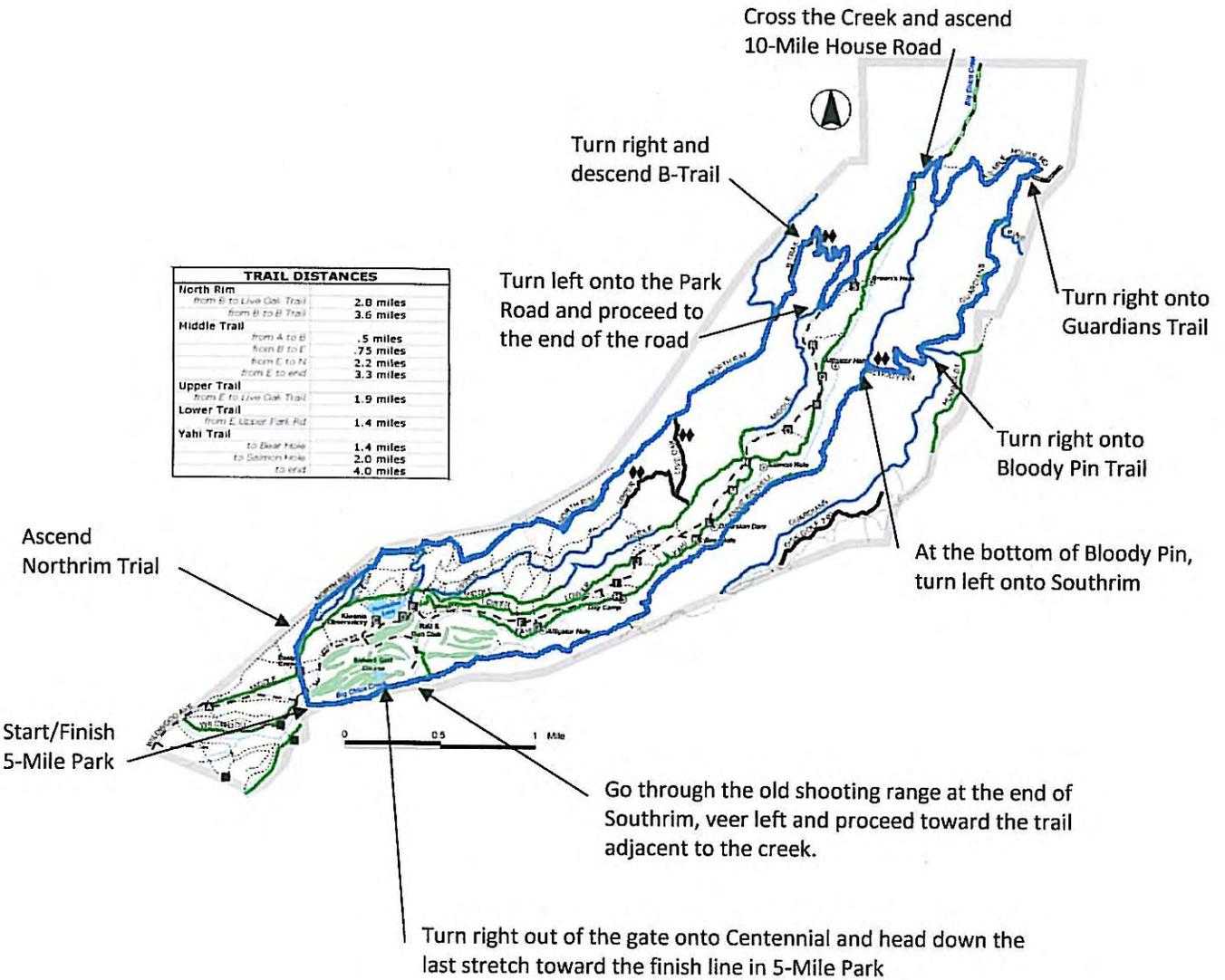
# SPORT COURSE — 9.3 MILES, 1,125FT OF CLIMBING

5-MILE PARK → NORTHRIM → B-TRAIL → PARK ROAD → 10-MILE HOUSE ROAD → SOUTHRIM (ANNIE BIDWELL) → 5-MILE



**PRO / EXPERT COURSE — 14.1 MILES, 1,995FT OF CLIMBING**

5-MILE PARK → NORTHRIM → B-TRAIL → PARK ROAD → 10-MILE HOUSE ROAD →  
 GUARDIANS → BLOODY PIN → SOUTHRIM (ANNIE BIDWELL) → 5-MILE



**City of Chico**  
**Park Permit and Park Use Evaluation**

General Services Department-Park Division

965 Fir Street

P.O. Box 3420

Chico, CA 95927

(530) 896-7800 Fax: (530) 895-4731

**Applicant Information**

Name of Applicant/Contact Person: Kyle Hughes

Organization:

Mailing Address: 16 Christopher Lane

City, State, Zip: Chico, CA 95928

Phone #: (925) 899-3138

**Event Information**

Name of Event: Bidwell Bump

Public  Private

Date of Event: August 27, 2011

Time of Event: 8 AM - 4 PM

Event Location: Middle and Upper Park

Type of Event: Bike Race

**Evaluator's Observations**

Anticipated # of Participants: 175

Estimated # of Participants: 125

Anticipated # of Vendors: 10

Total Vendors Present: 8

Event Restrooms Reserved: Yes  No

Event Restrooms Used: Yes  No

100 amp Electric Reserved: Yes  No

100 amp Electric Used: Yes  No

**Comments:** Well organized event. Communication was good throughout. There were no incidents of concern. Ranger Andrew assessed the race course before and after the race and there was no apparent damage.

Ranger Verbrugge checked the Guardian trail before and after the event and did not observe any damage that would have been caused by the event. Additionally, he walked the bloody pin trail, and part of the south rim trail afterwards and found no damage directly related to the event.

**Recommendations:** In the past the race has been held on Sunday when the gates to Upper Park Road are closed. For some reason this year it was on a Saturday. I recommended reverting back to a Sunday date to minimize the possibility of vehicle traffic/bike racer encounters.

**Refund Full Deposit:** Yes  No

**Evaluator:** Shane Romain

**Date:** 9-20-11

cc: Permit File

Senior Ranger

General Services Director

Applicant

S:\Admin\General\PERMITS\R.M. Insurance required applications and evaluations-end of event\\_2011\8-27-11 Bidwell Bump Mountain Bike Race\Bidwell\_Bump\_eval\_11.doc



DATE: December 28, 2011  
TO: Bidwell Park and Playground Commission  
FROM: Jessica Erdahl, Senior Park Ranger  
SUBJECT: Consideration of a Permit for a wedding ceremony in City Plaza

---

### Recommendation

Staff recommends that the Commission approve the permit use application on the condition that applicant adheres to conditions of the permit, including:

1. All trash and litter will be cleaned up immediately after the event.
2. Signs and decorations to be removed immediately after the event.
3. No signs or decorations to be attached or hung from City structures, trees, tree barriers, or vegetation.
4. Applicant to contact the General Services Department to obtain bags for parking meters for loading and unloading only.

### Background

Applicant requests a permit to host a wedding ceremony at City Plaza on June 30, 2012. This application requires BPPC consideration as the applicant is requesting the exclusive use of a non-exclusive use area.

### Discussion

Staff has received a permit application from Dionne Jackson to hold a wedding ceremony in City Plaza from 12:00 p.m. to 2:30 p.m., on Saturday June 30, 2012. Jackson has requested to use the area directly in front of the stage for seating, 100 chairs in total and the stage for the ceremony. She intends on using a small CD player or karaoke machine for her audio needs.

City Plaza is designated as an intensive use reservation area per 12R.08.040 of the Chico Municipal Code and Commission approval is required for private reservation permit requests. Historically, Plaza has been utilized as a venue for public events, with very few private reservations occurring. The applicant should be aware that park users may be using the Plaza concurrently, but are prohibited from knowingly interfering with the event. Staff does not anticipate any major conflicts or issues associated with the applicant's requests. Other than the conditions mentioned above, no other requirements are recommended.

### Distribution:

Dionne Jackson

### Attachments:

Application and permit for park use for a wedding

# City of Chico

## APPLICATION & PERMIT FOR PARK USE

General Services Department - Park Division  
965 Fir Street/ P.O. Box 3420  
Chico, CA 95927-3420  
(530) 896-7800 Fax: (530) 895-4731

### SECTION 1 - APPLICANT INFORMATION

Must be 18 or older • No glass beverage containers • Application fee due upon submittal •

THIS RESERVATION IS NOT VALID UNTIL APPROVED BY THE PARK DIVISION.

PLEASE PRINT:

Dionne Jackson  
Name of Applicant/Contact Person

Type of Event: PUBLIC  PRIVATE

Dionne Jackson  
Organization Name (if applicable)

6/30/12 Saturday  
Day and Date of Activity

4533 County Road G.  
Home, Organization, or Company Address

From: 10:00am To: 5 pm  
Total Time Needed for Set-up, Event, and Clean-up

Orland, CA 95963  
City, State, Zip

From: 11:00am To: 3:00pm 85  
Time of Event Number of people

(530) 321-4341 (530) 680-8598  
Contact Phone # Alternate Phone #

E-mail address mip92206@yahoo.com

Note: Park gates will not remain closed beyond normal opening time for any event with less than 1,000 people. All races with less than 1,000 people at One Mile must start before 8:30am. Street closure(s) subject to approval.

#### AREA REQUESTED: (Please check if requested)

- Bidwell Bowl Amphitheater
  - Electricity (15 amp)
- Note: Special conditions apply for amplified sound (12R.08.263 CMC)
- Cedar Grove Picnic Area  Meadow
  - Electricity (15 amp)  100 amp Electrical Service
  - tables, restroom area (circle)  Water (public events only)
- Children's Playground
  - Electricity (15 amp)-Pick up key on: \_\_\_\_\_ between 8:00 AM-4:30 PM
  - Water (public events only)  100 amp Electrical Service
- City Plaza
  - Electricity (15 amp)  100 amp Electrical Service
  - Event Restrooms  Water (public events only)
  - Fountain - On  Fountain - Off
  - Meter Bags # 4  Sound Curtain

- Council Ring
  - Fire Permit
- Five Mile Picnic Area
- One Mile Picnic/Barbeque Area - Water available
  - Oak Grove A  Oak Grove B
  - Sycamore Way Parking Lot Closure-Public Events ONLY
  - Electricity (15 amp) tables, trees, parking area, restroom area
  - Band Stand (15 amp) (circle above)
  - BBQ-Pick up key on: \_\_\_\_\_ between 8:00 AM - 4:30 PM
- Depot Park
  - Electricity (15 amp)
- Lower Bidwell Park (public events only): \_\_\_\_\_
- Upper Bidwell Park (public events only): \_\_\_\_\_
- Other (specify) (public events only): \_\_\_\_\_

Description of Event: wedding

FOR PARK RANGER ASSISTANCE, during event, CALL 530-897-4900 (Police Department Dispatch)

### SECTION 2 - PERMIT FEES

- Application Fee \$ 18.00 (Non-Refundable)
  - Reservation Fee \$ 10.50 (\$10.50 minimum, please call for quote)
  - Insurance Fee \$ \_\_\_\_\_ (\$38.50 to process outside insurance)
  - Vendor Fee # \_\_\_\_\_ \$ \_\_\_\_\_ (\$5.50 per vendor)
  - Additional Park Use Fees \$ \_\_\_\_\_ (see fee schedule)
  - Damage Deposit \$ ~~100~~ (\$100.00 refundable following acceptable clean-up of park)
- (Call Park Office for availability and fee schedule 80.020)

Additional fees for City Plaza use:	
Event Restrooms _____ x (\$90.50) = \$ _____	#days
100 amp Electrical _____ x (\$28.50) = \$ _____	#days

Total Fee Required: \$ \$28.50

Fee due upon submittal of application \* Make Checks Payable to: City of Chico

City of Chico Cash Receipt No. CR344028 Paid: CC 7836 Date: 12/12/11 Received By: CP

## SECTION 3

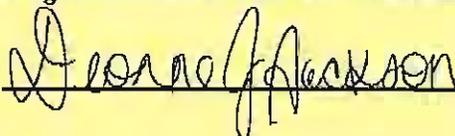
# CONDITIONS FOR PARK USE

### You Are Responsible for Knowing the Park Rules. Please Observe the Following:

<b>Alcohol</b>	Alcohol is not permitted in any City Park or Playground.
<b>BBQ's</b>	Portable BBQ's may only be used next to existing BBQ's in Lower Bidwell Park and Five Mile Recreation Areas.
<b>Bicycles</b>	Must observe all California vehicular codes including one-way streets. Riders are expected to be courteous and yield to equestrian and pedestrian traffic. Helmets must be worn at all times in Upper Park, except when on pavement. Riders must stay on designated trails. Bicycle riding is not allowed in Caper Acres or on the pool deck.
<b>Bounce Houses</b>	Bounce houses and other similar play equipment, such as dunk tanks or water slides, are only permitted with a reservation and upon approval by the Park Division. The operators of this equipment must provide proof of insurance. Bounce houses are not allowed at Wildwood Park or Caper Acres.
<b>Campfires</b>	No campfires allowed.
<b>Camping</b>	No overnight camping allowed. Bidwell Park is a "day use park" only.
<b>Clean up</b>	Permittee is required to completely clean up area at the conclusion of event. Additional garbage bags may be obtained from the General Services Department at time of reservation. (12R.04.180 CMC)
<b>Damages</b>	Any damage to City property as a result of this event will be repaired at permittee's expense.
<b>Dogs</b>	Dogs may be off leash from 5:30 AM until 8:30 AM in Lower Park -- All other times <b>dogs must be on a leash</b> . Along the north side of Upper Park Road, dogs may be "off leash" anytime. While "off leash," dogs must remain under control via master's voice. Dogs are not allowed in Caper Acres, One-Mile or Five-Mile swimming areas, or designated swimming holes in Upper Park.
<b>Electrical</b>	All power extension cords, sound amplification equipment, and staging to be supplied by permittee. Permittee shall provide "tripping" prevention devices over power cords crossing any pathway.
<b>Fishing</b>	Check California Fish and Game Regulations, <a href="http://www.dfg.ca.gov/regulations/">http://www.dfg.ca.gov/regulations/</a> , Freshwater Sport Fishing, <u>Alphabetical List of Waters with Special Fishing Regulations</u> , (20) Big Chico Creek. Horseshoe Lake: age 14 and over, catch and release; under 14: catch and keep.
<b>Gate Closures</b>	Upper Park gate at parking area E is closed on Sundays and Mondays and during seasonal wet periods. Gates can be closed for approved special events.
<b>Glass</b>	No glass beverage containers allowed in any City Park or Playground.
<b>Horses</b>	Horses must stay on designated trails. Horses are not allowed in One-Mile or Five-Mile Recreation Areas. Horses must cross the creek at approved crossings. Safe and courteous riding is the Park standard.
<b>Noise</b>	No loud or unusual noises are allowed, including: radios and headsets that can be heard over 50' away. Music/Amplified Sound at One-Mile Recreation Area, please, face all speakers away from Woodland Ave.
<b>Park Closures</b>	Lower Park is closed from 12:00 am (midnight) until 5:00 am every day, unless directly and actively proceeding to a destination outside of the park. Upper Park is closed between the hours of 11:00 pm and 60 minutes before sunrise every day, unless posted otherwise.
<b>Signs/Defacing</b>	Defacing of trees, benches, tables, any park fixtures, open ground, or paved roads/paths with markings, staples, tacks, or signs is prohibited. No pinatas, or accessories shall be affixed to trees. Only barricades, cones, or self standing devices may be used for these purposes.
<b>Smoking</b>	No smoking in Upper Park from May 1st - November 1. <sup>st</sup> No smoking in City Plaza or Caper Acres any time.
<b>Swimming</b>	While in the 1-Mile swim area compliance with lifeguards is required for public safety. Pool is open and lifeguards are on duty from Memorial Day through Labor Day.
<b>Vegetation</b>	No taking, cutting or injury of any vegetation in the Park is allowed.
<b>Vehicle Traffic</b>	<ul style="list-style-type: none"> <li>• While gates are closed, limited use of vehicles to set up for event is permitted. Vehicles must be in compliance with the one-way designation of the roadway, must yield to all other activities (walking, jogging, bicycling, and horseback riding), must travel with flashers on and may not exceed ten (10) miles per hour.</li> <li>• Permittee shall provide adequate signs and supervision to avoid conflicts between vehicles, bicycles, equestrians, and general public.</li> <li>• Only emergency vehicles will be allowed access through the area of South Park Drive which has been closed to motor vehicles.</li> <li>• No vehicles are permitted to travel or park on grass areas.</li> </ul>

**\*I have read and agree to conform to the above rules and conditions:**

Signed: \_\_\_\_\_



### SECTION 4 - INSURANCE

(to be determined by Park Office)

Required, Certificate of Insurance, meeting City standards must be received by: \_\_\_\_\_

Not Required

Organization Named on Certificate of Insurance \_\_\_\_\_

Permittee shall supply, at least two (2) weeks in advance of the scheduled event, a Certificate of Insurance issued by a company licensed to do business in California with a Best's Insurance Guide rating of "B" or better ("A" rated if Company is unlicensed) which provides evidence of comprehensive and general liability coverage in the amount of \$1,000,000 combined single limit, with policy endorsements as follows:

- (1) Identification of permit applicant, identification of event, date of event.

**NOTE: NUMBERS 2 AND 3 MUST BE SEPARATE ENDORSEMENTS:**

- (2) The City of Chico, its officers, boards and commissions, and members thereof, its employees and agents are covered as additional insureds as respects to any liability arising out of the activities of the named insured.
- (3) The insurance coverages afforded by this policy shall be primary insurance as respects to the City of Chico, its officers, employees, or agents. Any insurance or self-insurance maintained by the City of Chico, its officers, employees, or agents shall be in excess of the insurance afforded to the named insured by this policy and shall not contribute to it.
- (4) An unqualified statement that "The insurer will provide the City at least ten (10) days prior notice of cancellation or material change in coverage", standard Certificate of Insurance cancellation language is not acceptable

**THESE INSURANCE REQUIREMENTS ARE APPLICABLE TO:**

- (1) Public Assemblages per Title 12R.08.240, or
- (2) Exclusive use where:
  - (a) Amplified sound is used, or
  - (b) The number of people participating amount to 100 or more.

If insurance is required for your event, please contact Risk Management office at 530-879-7910, 530-895-4733 fax, or [riskmanagement@ci.chico.ca.us](mailto:riskmanagement@ci.chico.ca.us). Insurance may also be purchased through the City.

Please Note: Your reservation may be cancelled if the insurance is not approved at least two weeks prior to the scheduled event

### SECTION 5 - ACCEPTANCE OF CONDITIONS

In signing this Permit, I agree to indemnify and hold the City of Chico and/or the Bidwell Park and Playground Commission free and clear of all claims of damage for injury to persons or property occurring in, upon or about Bidwell Park, and arising from my use of the park as noted above, and to defend any action against the City of Chico resulting from any such claim, without cost to the City.

\*I certify that I have read this application thoroughly, followed any and all instructions, understand its contents, will comply with the attached "Conditions for Park Use", will adhere to any additional conditions set forth by this permit, and supplied true and correct information herein to the best of my knowledge and belief.

X *Lorijackson*  
Signature of Applicant

X 12.12.11  
Date

RETURN THIS FORM TO:

City of Chico - Park Division  
965 Fir Street  
P.O. Box 3420  
Chico, CA 95927-3420  
FAX 530-895-4731

THIS RESERVATION IS NOT VALID UNTIL APPROVED BY THE PARK DIVISION.  
A copy of the approved application will be returned to you.

### SECTION 6 - GENERAL SERVICES DIRECTOR AUTHORIZATION

I certify that I have carefully reviewed this application pursuant to Title 12 and 12R of the Chico Municipal Code and hereby recommend that this permit be:

- Approved.
- Approved subject to listed additional condition(s) \_\_\_\_\_

- Denied by the General Services Director. Reason: \_\_\_\_\_
- Application fee waived (12R.08.100 CMC). Reason: \_\_\_\_\_
- Reservation fee waived (12R.08.250 CMC). Reason: \_\_\_\_\_
- Vendor fee waived (12R.08.250 CMC). Reason: \_\_\_\_\_
- Insurance fee waived (12R.08.240 CMC). Reason: \_\_\_\_\_
- Damage deposit fee waived (12R.08.260 CMC). Reason: \_\_\_\_\_
- Application approved by the Bidwell Park & Playground Commission. Date: \_\_\_\_\_
- Application denied by the Bidwell Park & Playground Commission. Reason: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of General Services Director

Date

# EVENT INFORMATION

Please answer the following questions by circling "Yes" or "No"

Is this an annual event? How many years have you been holding this event? _____	Yes	<input type="radio"/> No
Is there a patron admission, entry or participant fee(s) required? If yes please provide amounts: _____	Yes	<input type="radio"/> No
Will there be amplified sound/music at event? (Please see 'Conditions For Park Use') Specify type (microphone, band, radio, etc): <u>Microphone, radio possibly band.</u> When will amplified sound/music be heard? Time from: <u>11am</u> until: <u>5pm</u> amps needed _____ Note: 100 amp electrical service requires a certified electrician. <u>11am</u> Please describe the sound equipment that will be used for your event: <u>Microphone, speakers</u>	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Will there be any entertainment apparatus? (Operator to provide proof of insurance) [ ] Bounce house [ ] Dunk tank [ ] Climbing wall [ ] Ropes Course [ ] Other: _____ Name of Operator: _____	Yes	<input type="radio"/> No
Will there be any vendors at this event? (No glass or alcohol permitted) If "yes" please note the number of vendors anticipated: _____ (submit a, separate, complete list) Does your event include food concession and/or preparation areas? If yes, please describe how food will be served and/or prepared: _____	Yes	<input type="radio"/> No
Will event require that any part of the Park remain closed beyond the normal time of opening? Note: Park gates will not remain closed beyond normal opening time for any event with less than 1,000 people. All races with less than 1,000 people at One Mile must start before 8:30am. (Subject to approval by the General Services Department Director and/or Senior Park Ranger.) If "yes" please state which gate(s): _____ Time of closure from: _____ until: _____	Yes	<input type="radio"/> No
Will there be early entrance into the Park for setup? If "yes" when will monitors be at their position(s)? Time from: _____ until: _____ Note: Gate Monitors are required at the entrances and exits for early Park entrance.	Yes	<input type="radio"/> No
Will event require over night camping for security purposes? (authorized for a maximum of two people, 12R.04.340 CMC) If "yes" how many security personnel will be required? _____	Yes	<input type="radio"/> No
<b>Portable Restrooms:</b> You are required to provide portable restroom for events with 200+ participants at your event, in the immediate area of the event site which will be available to the public during your event. Restroom Company _____ Phone Number _____ Location of portable restrooms _____ Note: Restrooms shall be removed within 24 hrs after conclusion of event.	Yes	<input type="radio"/> No
<b>Sanitation and Recycling:</b> As an event organizer, you must properly dispose of waste and garbage throughout the term of your event and immediately upon conclusion of the event the area must be returned to a clean condition. For events with 200+ participants, additional trash and recycling cans are required. Number of Trash Cans _____ Number of Recycling Containers _____ Sanitation Company _____ Phone Number _____ Note: Sanitation containers shall be removed within 24 hrs after conclusion of event.	Yes	<input type="radio"/> No
Will your event include the use of any signs, banners or decorations? (Please see 'Conditions For Park Use') If yes, please describe type and location: <u>decorations - balloons</u>	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Note: All signs and banners shall be free standing and not affixed to Park property.		
Will water be needed during your event? Please provide your own hose and on/off switch. Note: Please request a water coupler key for City Plaza, Children's Playground and Cedar Grove.	Yes	<input type="radio"/> No
Do you request irrigation to be turned off before and during your event?	Yes	<input type="radio"/> No
<b>CITY PLAZA ONLY:</b> Vehicles are not allowed in City Plaza. Loading and unloading must occur from the streets. Meter bags may be obtained from the City by calling (530) 896-7800.		
Will vendors be placed on the perimeter sidewalks? If yes, a Vend, Peddle, Hawk permit must be obtained from the Engineering Division at 411 Main St, Chico, (530) 879-6900.	Yes	<input type="radio"/> No
Will City street closure(s) be needed? A separate permit must be obtained from the Engineering Division at 411 Main Street, Chico, (530) 879-6900.	Yes	<input type="radio"/> No

**From:** Dee Dee Jackson <mip92206@yahoo.com>  
**To:** Jessica Erdahl <jerdahl@ci.chico.ca.us>  
**Date:** 12/27/2011 8:33 PM  
**Subject:** Re: Wedding Application

Hello Jessica,

I would like to reserve the city plaza from 12pm- 2:30pm. I would like to have the ceremony begin at 1pm and it should last roughly 30 mins but to be on the safe side I will say 1 hour. Then I would use the hour before the wedding and after for setup and take down. I will be using the stage to get married on therefore I will not be getting a gazebo. I would like 50 chairs to the front left of the stage and 50 front right off the stage. I will be placing an aisle runner down the middle of the chairs. Basically, we wouldn't be using anything past the water fountains. I will be renting a few small stands to put flowers on near the stage. Also we will be using a cd player or karaoke machine to play music for the ceremony.

Thank you very much for your help. I really hope my request is approved.

Please let me know if you need further information.

-Dionne Jackson  
530-321-4341

On Dec 15, 2011, at 10:31 AM, "Jessica Erdahl" <jerdahl@ci.chico.ca.us> wrote:

> Hello Dionne,  
>  
> I will need the following information from you in order to process your application:  
>  
> 1. Complete description of the event including, location/# of chairs, gazebo, etc.  
> 2. Accurate time for set-up, event, and breakdown.  
> 3. Completed attached diagram of area requested for exclusive use.  
>  
> Please don't hesitate to call if you have any questions. The more information we have, the better.  
>  
> Thanks,  
>  
>  
>  
> Jessica Erdahl  
> Senior Park Ranger  
> General Services Department / City of Chico  
> 965 Fir Street, Chico CA 95928  
> 530-896-7834 / 530-624-0973  
> jerdahl@ci.chico.ca.us  
> www.chico.ca.us  
>  
> "In every walk with nature  
> one receives far more than he seeks."  
> -John Muir  
>  
>  
>



## BPPC Staff Report

Meeting Date 1/30/12

DATE: 01/23/12  
TO: Bidwell Park and Playground Commission  
FROM: Jessica Erdahl, Senior Park Ranger and Dan Efseaff, Park and Natural Resource Manager  
SUBJECT: Consideration and Input to Internal Affairs Committee on Smoke-Free City Parks

### Recommendation

Staff recommends that the Bidwell Park and Playground Commission (BPPC) provide input and a recommendation to the City Council's Internal Affairs Committee on smoking prohibitions in City parks. If the BPPC recommends additional restrictions, then staff suggests that the BPPC forward a list of considerations to the Internal Affairs Committee to help shape the policy.

### Background

Staff received a request from the City Council's Internal Affairs Committee requesting that the Bidwell Park and Playground Commission (BPPC) provide input and make recommendations on smoking prohibitions in City parks. On 09/07/11, the City Council received a letter from the American Lung Association (ALA) requesting consideration of a comprehensive policy to protect the public from outdoor secondhand smoke exposure and to reduce tobacco product waste in public areas. The Council forwarded the letter to the Internal Affairs Committee for consideration and review.

At the 11/08/11 Internal Affairs Committee meeting, a motion was made by Councilmember Holcombe and seconded by Councilmember Evans to: 1) refer the issue of no-smoking in City parks to the BPPC for consideration and possible recommendation; 2) allow time for additional input from the DCBA, Chamber of Commerce and other agencies regarding no-smoking within 20 ft. of a business entryway; and 3) to return the matter of littering back to the Internal Affairs Committee for further discussion. The 11/08/11 Internal Affairs Committee Report is attached for reference (Attachment A).

### Discussion

Smoking prohibitions in parks and public areas have been implemented by many California agencies in order to reduce health risks associated with secondhand smoke, reduce tobacco related litter and decrease hazards associated with accidental fires. The City of Chico currently has several smoking prohibited areas, including several park areas. The most recently added park, adopted in 2009, is City Plaza. During the discussion, the Commission recommended approval of making City Plaza a smoke-free facility, noting the possibility of expanding the no smoking prohibition to other City parks in the future.

In addition to City Plaza, smoking is currently prohibited in portions of Bidwell Park. Smoking is prohibited in Caper Acres (Chapter 12R.16.070). Smoking is prohibited in designated areas in Middle and Upper Bidwell Park (excluding the Bidwell Municipal Golf Course, the Chico Rod and Gun Club, and inside an enclosed vehicle) from May 1 to November 1.

Current regulations allow the Bidwell Park and Playground Commission by resolution to designate other non-smoking areas if determined a fire hazard area and requires appropriate signs. Pertinent sections (Chapter 8.28 and Sections, 12R.04.230, 12R.04.235, of Title 12R) of the Chico Municipal Code (CMC) are attached as part of the Internal Affairs Report in Attachment A.

State law, prohibits smoking within 20 feet from entryways, exits, or operable windows of all public buildings, within 25 feet of tot lots and playgrounds, and within a building owned, occupied, or leased by a government agency.

Recently (August 2011), the Chico Area Recreation and Parks District (CARD) adopted smoking prohibitions at all CARD facilities (3.103.13, adopted City Code, CMC 12R.04.230).

At its 1/19/12 meeting, the Policy Advisory Committee (PAC) and Staff solicited public input on considerations and options for a BPPC recommendation on smoking prohibitions in City parks. The PAC received input from local students involved with Kids Leading Everyone Against Nicotine (KLEAN) on the dangers of second-smoke to humans and the amount of litter caused by cigarette butts. Shelly Bransky from the American Lung Association (ALA) discussed their campaign, the

chemicals found in cigarettes and the effects of second-hand smoke. The PAC discussed the issues that arise with enforcing such a ban. Ms. Bransky described the ALA's help with the education campaign as CARD adopted the district-wide smoking ban.

Although there is considerable uncertainty about how the prohibition could take shape, Staff asked the PAC to explore the impacts on the Park of: 1) status quo (no change), 2) additional restrictions (in additional areas and/or times that smoking is prohibited); or 3) a comprehensive ban. Input at the PAC meeting revealed the following considerations:

- Impact of cost to the Parks Division for implementation (signs, education, enforcement),
- Enforcement and compliance concerns,
- Whether any allowance should be made for the Rod and Gun Club and the Golf Course (See comment below),
- Concern about infringement of personal rights,
- Consistency of the rules across City properties to minimize confusion,
- Consideration of smoking inside vehicles that are inside the park (for example, under the current smoking restrictions for fire; smoking is acceptable in a car, would it be if it was banned? Would it if the car was moving? Parked?),
- Whether a rationale for the ban would need to be developed for smoking in open areas, and
- Improved esthetics, reduced litter, and reduced fire danger.

The idea of designated smoking areas was briefly considered, but there were concerns about how they would be selected and the negative impacts of such a concentrated use. The PAC indicated that these considerations should be forwarded to the Internal Affairs Committee as they consider a policy. Implications on Parks very much depend on where it is in the code.

Staff has solicited input from the Chico Rod and Gun Club and the Bidwell Park Municipal Golf Course regarding more stringent smoking regulations. The Rod and Gun Club noted that they do not allow members or participants to smoke indoors. As of 1/24/12, the Golf Course, which allows smoking year round outside, did not have any initial comments on the issue, but the information was forwarded to other members who may comment on the issue.

There is generally good compliance with the current restrictions; although during the 2011 calendar year, rangers issued 9 citations and 184 warnings for smoking in prohibited areas. Staff noted that many of the violations were at City Plaza, with additional violations occurring in Upper Park swimming holes. Partial bans may create confusion on where smoking is prohibited.

It may help provide health benefits to areas not currently covered (for example, there are no smoking restrictions near Sycamore Pool, even though it is a very popular play area). Adequate signage and clear boundaries would have to be established for clarity and to gain park user compliance. A comprehensive ban tends to be easier for the public to understand, but would require additional signage and enforcement. No analysis on the legal implications has been completed on this request.

The California Department of Forestry and Fire Protection (CAL FIRE) has identified areas in Upper Bidwell Park, as well as adjacent areas as very high hazard fire severity zones. Although fire danger tends to be the highest during the months of June-October, factors such as dry conditions, wind and fuel volume can lead to hazardous fire dangers even during the winter months. Prohibition with good compliance would reduce the fire danger associated with smoking.

The Bidwell Park Master Management Plan (BPMMP) does little to address this topic, although it does note the importance of protecting, preserving and enhancing the air quality in Bidwell Park and states that activities within the Park should not adversely affect air quality within the Park and surrounding areas (O. AQ-1, O. AQ-3). An argument can be made on the positive effects of a ban on aesthetics, reduced fire hazards and litter, and the reduction of potential secondhand smoke health impacts to other park users.

Staff stated that changes will need to be made in the City's regulations in regard implementing a ban and this would be done at the Council level and require City Attorney review.

### **Fiscal Impact**

Installation of signs depicting smoke free areas will be required. Additional enforcement and education responsibilities

and costs (such as signage, news releases, information on the City website, notification on the park permit application and direct interaction with park users) are likely but uncertain without additional information about how a program would be initiated (for example, the installation of one new sign costs approximately \$60).

### **Analysis**

Based on public input to date, Staff can find few negative impacts to the Park regarding the banning of smoking in the Park and Greenways. Input suggests concerns over costs, enforcement, and the larger legal questions. Currently, smoking is allowed in some areas that receive high use by sensitive park users (Sycamore Pool, some areas of Children's Playground and Hooker Oak) that seem appropriate for further restrictions. The development of restrictions to partial areas of the Park should be tied in with current code definitions rather than create new designations. We anticipate that a comprehensive smoking ban across the Park or all City owned properties will have to reflect community-wide concerns. If the BPPC recommends additional restrictions, then staff suggests that a list of considerations be forwarded to the Internal Affairs Committee to help shape the policy.

### **Distribution**

American Lung Association:  
Shelly Brantley and DeAnne Blankenship, 10 Landing Circle, Suite 1, Chico, CA 95973

### **Attachments**

Internal Affairs Minutes of 11/08/11  
Internal Affairs Committee Report 11/08/11



## Internal Affairs Committee Report

DATE: NOVEMBER 8, 2011

TO: CITY COUNCIL

FROM: INTERNAL AFFAIRS COMMITTEE

RE: **REPORT ON INTERNAL AFFAIRS COMMITTEE MEETING HELD ON NOVEMBER 8, 2011**

<u>Committee Present:</u> Chair Walker Councilmember Evans Councilmember Holcombe	<u>Staff Present:</u> City Manager Burkland Assistant City Manager Rucker City Attorney Barker	City Clerk Presson Administrative Analyst Brinkley
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### *ITEMS REQUIRING COUNCIL ACTION*

#### **REGULAR AGENDA**

- A. **Consideration of Request from American Lung Association for Comprehensive Policy Regarding Smoke Free Areas** – By letter received September 7, 2011, the American Lung Association (ALA) requested that the City Council consider a comprehensive policy to protect the public from outdoor secondhand smoke exposure and to reduce tobacco product waste in public areas. At its meeting of September 20, 2011 the City Council referred the request to the Internal Affairs Committee for consideration and review. **(Report: City Manager Dave Burkland)**

**Recommendation:** *The Committee should determine whether the City Council should consider an amendment to the Chico Municipal Code prohibiting smoking in outdoor places and imposing more stringent regulations regarding tobacco product waste.*

City Manager, Dave Burkland reviewed the staff report regarding the request for a comprehensive policy to protect the public from outdoor secondhand smoke exposure and to reduce tobacco product waste in public areas. At its meeting of September 20, 2011 the City Council referred the request to the Internal Affairs Committee. City Manager Burkland stated that he would like additional input from other agencies, such as Chico Area Recreation District (CARD), Downtown Business Association (DCBA) and the Chamber of Commerce.

There was discussion regarding current state and local laws that prohibit smoking in certain public areas and littering.

Shelly Brantly of the American Lung Association addressed the Committee. She spoke regarding the Association's request, adding that CARD recently adopted a no-smoking policy in all of their parks. She added that they are not against a person's right to smoke. They are just asking smokers to not smoke in parks and in business entryways, citing that eighty eight percent of Californians are non-smokers.

Several students involved in Kids Leading Everyone Against Nicotine (KLEAN) addressed the Committee. They also addressed their concerns regarding secondhand smoke, littering, hazards to children and the environment related to smoking.

Heather Keag, Executive Director of the DCBA reported that many of the downtown businesses have endorsed the no-smoking in business entryways. However, they have concerns on how it will be enforced and who will enforce it. Also, the bar community is requesting to move slowly on the matter. As far as the cleanliness aspect, all the businesses are in support of keeping the downtown clean. Some have suggested increasing the number of receptacles. At this time, the DCBA is not quite ready to take a stance on the ban on smoking within 20 ft. of a business entryway. Essentially

what the City would be creating is a smoke free downtown because the sidewalks would be smoke free.

A motion was made by Councilmember Holcombe and seconded by Councilmember Evans to 1) refer the issue of no-smoking in City parks to the Bidwell Park and Playground Commission for consideration and possible recommendation; 2) allow time for additional input from the DCBA, Chamber of Commerce and other agencies regarding no-smoking within 20 ft. of a business entryway; and 3) to return the matter of littering back to the Internal Affairs Committee for further discussion.

The motion carried 3-0.

**B. Business from the Floor**

Mark Steiman, Professor at CSUC and member of the Butte Environmental Council addressed the Committee regarding community gardens and his desire to have the Committee discuss this issue.

- C. **Adjournment and Next Meeting** - The meeting adjourned at 9:00 a.m. to the next regular Internal Affairs Committee meeting scheduled for Tuesday, December 13, 2011, at 8:00 a.m. in Conference Rm. No.1.

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Dani Brinkley, Administrative Analyst

Distribution:

City Council (7), Council Office copy, City Manager, Building & Development Services Dir, Fire Chief, Chief of Police, Capital Project Services Dir, Finance Director, Traffic Engineer



## Internal Affairs Agenda Report

Meeting Date: November 8, 2011

TO: Internal Affairs Committee  
FROM: City Manager David Burkland (896-7201)  
RE: Request from American Lung Association for Comprehensive Policy Regarding Smoke Free Areas

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### REPORT IN BRIEF:

By letter received September 7, 2011, the American Lung Association (ALA) requested that the City Council consider a comprehensive policy to protect the public from outdoor secondhand smoke exposure and to reduce tobacco product waste in public areas (Attachment A). At its meeting of September 20, 2011 the City Council referred the request to the Internal Affairs Committee for consideration and review.

#### Recommendation:

The Committee should determine whether the City Council should consider an amendment to the Chico Municipal Code prohibiting smoking in outdoor places and imposing more stringent regulations regarding tobacco product waste.

### FISCAL IMPACT:

Prohibiting the disposal of tobacco product waste would require the removal of existing smoking waste receptacles and the installation of signs depicting areas where smoking is no longer permitted. In areas where smoking would be permitted, waste receptacles may need to be installed. Some signage requirements associated with nuisance abatement efforts may result in the expenditure of existing department resources. Many of the requirements of an amended ordinance would require voluntary compliance. In some cases, minimal enforcement resources may be required by Code Enforcement. Any major new expense associated with signage or enforcement requirements would require City Council approval. If new regulations are implemented, grants would be sought to offset any costs borne by the City.

A strong educational program would also be required. Grants may be available to support public education and promotion of a comprehensive outdoor smoking ordinance. Public education may be provided through the ALA, the City website, community access channel, local papers, Park Division staff, and staff from Chico Area Recreation and Park District (CARD).

### BACKGROUND:

Smoking is currently prohibited in designated areas of Bidwell Park from May 1 to November 1 annually, and within the city plaza. Per state law, smoking is prohibited 20 feet from entryways, exits, or operable windows of all public buildings and within 25 feet of tot lots and playgrounds. Smoking is prohibited within a building owned and occupied, or leased and occupied, by the state, county, or city. Chapter 8.28 and Sections 12R.04.230 and 12R.04.235 of Title 12R of the Chico Municipal Code are attached for reference (Attachment B).

The ALA is requesting a policy prohibiting smoking in all of Bidwell Park, within 25 feet of all business entryways, and in all outdoor dining and bar areas. The ALA is also requesting the addition of strict litter policies regarding tobacco product waste and has provided a sample ordinance (Attachment C).

### DISCUSSION:

The California Constitution grants cities the police power to enact ordinances and regulations that protect the health, safety, welfare and morals of their citizens. Under California law, local communities have great flexibility in adopting smoking laws. State law expressly provides local jurisdictions with the authority to expand upon state smoking regulations.

RE: Request for Comprehensive Policy Regarding Smoke Free Areas

Meeting Date: November 8, 2011

Page 2

Staff recommends that if the Committee wishes to pursue this issue further, that it solicit input from community groups representing businesses, health care and enforcement, such as the Bidwell Park and Playground Commission, Public Health, Enloe Hospital, CARD, Chamber of Commerce, and DCBA.

**PUBLIC CONTACT:**

None



Dave Burkland, City Manager

**DISTRIBUTION:**

City Clerk (16)

American Lung Association:

Shelly Brantley and DeAnne Blankenship, 10 Landing Circle, Suite 1, Chico, CA, 95973

**ATTACHMENTS:**

A - Letter dated September 7, 2011 and background information from the American Lung Association

B - Chapter 8.28 and Section 12R.04.230 and 12R.04.235 of Title 12R of the Chico Municipal Code

C - Sample Ordinance from the American Lung Association

**FILE:** PS-10-42-1-2



OFFICE OF THE  
CITY MANAGER

411 Main Street - 3rd Floor (530) 896-7200  
P.O. Box 3420 Fax (530) 895-4825  
Chico, CA 95927 <http://www.ci.chico.ca.us>

January 13, 2012

At its meeting of November 8, 2011, the Internal Affairs Committee of the Chico City Council (Councilmembers Evans, Holcombe and Walker) considered a letter from the American Lung Association (ALA) requesting a comprehensive policy to protect the public from outdoor secondhand smoke. The ALA requests that smoking be prohibited in all of Bidwell Park, within 25 feet of all business entryways, and in all outdoor dining and bar areas. The ALA letter is attached for your reference.

The Chico Municipal Code currently prohibits smoking within city plaza and in designated areas of Bidwell Park from May 1st to November 1st annually. Per state law, smoking is prohibited within 20 feet of entryways, exits, or operable windows of all state, county and city (public) buildings and within 25 feet of tot lots and playgrounds. Smoking is also prohibited within a building owned and occupied, or leased and occupied by the state, county or city.

You are receiving this letter because the Internal Affairs Committee wishes to solicit input from groups representing businesses and health care professionals in order to formulate its recommendation to the City Council in regard to the ALA request. If you would like to submit written input regarding the ALA request, please do so via letter or email by February 8, 2012. You are also invited to bring your ideas and comments to the Internal Affairs Committee on February 14, 2012 at 8:00 a.m.

Mailing address:

Internal Affairs Committee  
Attn: Annalisa Dillard  
PO Box 3420  
Chico, CA 95927

Email:

[adillard@ci.chico.ca.us](mailto:adillard@ci.chico.ca.us)

Internal Affairs Meeting:

Council Chamber Building  
Conference Room No. 1  
421 Main Street  
February 14, 2012 - 8:00 a.m.

If you have any questions, feel free to contact me at 896-7201, or [dburklan@ci.chico.ca.us](mailto:dburklan@ci.chico.ca.us).

Sincerely,

*originals signed*

David Burkland, City Manager

Distribution: Butte County Public Health Department; Enloe Hospital; Chico Chamber of Commerce; Downtown Chico Business Association; Chico Area Recreation and Park District; California State University, Chico

cc: Chief of Police, General Services Director, City Attorney

(Attachment)



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RECEIVED  
SEP 07 2011  
CITY CLERK  
CITY OF CHICO

September 7, 2011

10 Landing Circle  
Suite 1  
Chico, CA 95973  
530-345-5864 phone  
530-345-6035 fax

The Honorable Ann Schwab, Mayor  
c/o Chico City Clerk  
City of Chico  
P.O. Box 3420  
Chico, CA 95927

lungusa.org/california

Dear Mayor Schwab,

On behalf of the American Lung Association in California and the California Health Collaborative, we are writing to request the City of Chico consider a comprehensive policy to protect the public from outdoor secondhand smoke exposure and reduce tobacco litter in public areas.

We encourage you to protect Chico residents from secondhand smoke in outdoor public places where people gather, such as parks, recreation areas, restaurant & bar patios, and entryways. To that end, we ask you to consider a policy to:

- Prohibit smoking in Bidwell Park
- Prohibit smoking within 25 feet of business entryways
- Prohibit smoking in outdoor dining and bar areas

Despite strong smoke-free laws in California, there are still many people who are exposed to secondhand smoke. This includes families enjoying Bidwell Park, customers and employees trying to access stores and services, and wait staff and outdoor dining guests; many of whom will receive exposure that exceeds the current U.S. Environmental Protection Agency's limit on fine particulate matter pollution. And even just a short exposure to secondhand smoke can trigger an asthma attack and breathing problems for people with chronic lung disease.

We are also concerned with the environmental impact tobacco litter has in our community. Cigarette butts soil our sidewalks and parks, and chemicals from cigarette filters bleed into soils and waterways. In addition, butts have been found in the mouths of small children and in the stomachs of wildlife.

Many California cities have passed policies to protect citizens from outdoor secondhand smoke and butt litter. We thank you for considering the same.

Sincerely,

  
Shelly Brantley, MPA  
Project Director

  
DeAnne Blankenship, MPH  
Program Manager

DATE 9/7/11 AGENDA COUN 7  
ADD. INFO CM ✓ ACM CA  
GSD CP/SD ASD CLK PSD  
BDS/ HR/IR/ F/IND COP FC  
HNSD File OTHER

## **Frequently Asked Questions**

### **Why do we need smoke-free entryway policies?**

We need smoke-free entryway policies to protect the public from secondhand smoke. When California passed the landmark Smoke-Free Workplace Act (AB 13), which made virtually all indoor workplaces smoke-free, it was a huge step toward protecting the public from secondhand smoke. However, smokers now congregate in entryways, creating an unhealthy zone that everyone coming or going must enter.

People inside the building are also at risk. Smoke around entryways can drift into the buildings or be sucked in by powerful ventilation systems.

Californians want smoke-free outdoor air. Of those polled, 82 percent of nonsmokers and 59 percent of smokers agree that workplaces should designate smoke-free zones around all building entrances.

California Assembly Bill 846, which went into effect January 1, 2004, prohibits smoking within 20 feet of entryways and windows of all city, county or state owned or leased buildings in the state. All workers, not just government employees, deserve to have this protection around their workplace.

Smoke-free entryway policies are good for business. They keep entryways free from loitering so that customers or clients are greeted with a more professional atmosphere when entering office buildings or other businesses. Besides, 82 percent of Californians don't smoke so most customers or clients don't want to smell or breathe in smoke as they enter the building.

### **What is the concern about secondhand smoke?**

In 1993, the Environmental Protection Agency classified secondhand smoke as a Class A carcinogen, putting it in the same category as asbestos and radon. Class A carcinogens are known to cause cancer in humans.

Secondhand smoke contains more than 4,000 chemicals, including nicotine, arsenic, benzene, formaldehyde, and carbon monoxide. Many of these chemicals are poisonous and deadly.

Secondhand smoke kills nearly 3,000 nonsmokers each year from lung cancer in the United States and another 35,000 to 62,000 from coronary heart disease.

Exposure to secondhand smoke can have immediate health consequences, including eye, nose and throat irritation, as well as asthma attacks and breathing problems in people with chronic lung disease.

Secondhand smoke is especially harmful to children and has been linked to sudden infant death syndrome, low birth rates, acute lower respiratory infections, middle ear infections, asthma and other respiratory ailments.

### **Isn't it safe to smoke outside?**

We used to think it was safe to smoke outdoors and encouraged smokers to step outside. While smoke does dissipate more quickly outdoors, studies conducted by former Environmental Protection Agency researcher James Repace and others show the deadly particles linger in the air long enough to be breathed into the lungs. The fact is secondhand smoke is not safe, not even outdoors.

### **Why is 20 feet the minimum distance required?**

Researcher James Repace and other environmental tobacco smoke experts at the University of California at Berkeley and the University of California at San Francisco agree that 20 feet from a doorway is adequate to protect from the carcinogenic particles in secondhand smoke.

It is consistent with the state law which currently prohibits smoking within 20 feet of the entryways of all city, county or state owned or leased buildings in the state.

### **Do smoke-free entryway policies work?**

Cities, counties and businesses across California are finding that smoke-free entryway policies work with 26 percent of government jurisdictions and 23 percent of private businesses already having smoke-free entryway policies in place that range from 20 to 50 feet.

Cities include: Albany, Berkeley, Davis, Fremont, Oakland, Palo Alto, Pleasanton, Rancho Cucamonga, Sacramento, San Fernando, San Ramon, Santa Barbara, and Union City.

Counties include: Marin, Shasta, San Mateo, Santa Barbara, and Yolo.

Many hospitals, health centers and other businesses have smoke-free entryway policies, including Kaiser Permanente, St. Joseph's Hospital, Colusa Regional

Medical Center, Darin Camerena Health Center, Foothill Community Clinics, Cathay Bank and Mechanics Bank.

The State of California passed a smoke-free entryway law which protects the entryways of all city, county or state owned or leased buildings. This law, California Assembly Bill 846, bans smoking within 20 feet of the entryways, operable windows, and ventilation systems of these buildings.

### **How do we enforce smoke-free entryway policies?**

For those cities, counties and businesses that have already passed smoke-free entryway ordinances, enforcement has not been an issue. The key components of enforcement and compliance are signage and public awareness. In the vast majority of cases, smoke-free entryway policies are self-enforcing. When people see the no-smoking signs they don't smoke there.

### **Are smoke-free laws fair to smokers?**

Smoke-free laws are fair to smokers. Both federal and state courts have determined there is no legal right to smoke. These policies do not keep smokers from smoking, they just restrict where smoking can occur just as other laws restrict where activities can occur in public. We aren't allowed to drink alcohol in entryways either. We live in a society where millions of people have to coexist together, so we must set policies that protect the rights of all people. The public has a right not to be subjected to a deadly substance.

### **Are there any other benefits?**

Another benefit of smoke-free policies is they help to reduce tobacco use, the number one preventable cause of death and disease in this country. Smoke-free policies encourage smokers to quit and make it easier for those trying to quit to succeed. They also help to reduce tobacco use by de-glamorizing smoking and making it less attractive to young people.

**The**  
**CENTER** FOR TOBACCO POLICY & ORGANIZING

 **AMERICAN  
LUNG  
ASSOCIATION.**  
of California  
[www.californialung.org/thecenter](http://www.californialung.org/thecenter)

**KLEAN Students Scour Bidwell Park for Cigarette Butt Litter**

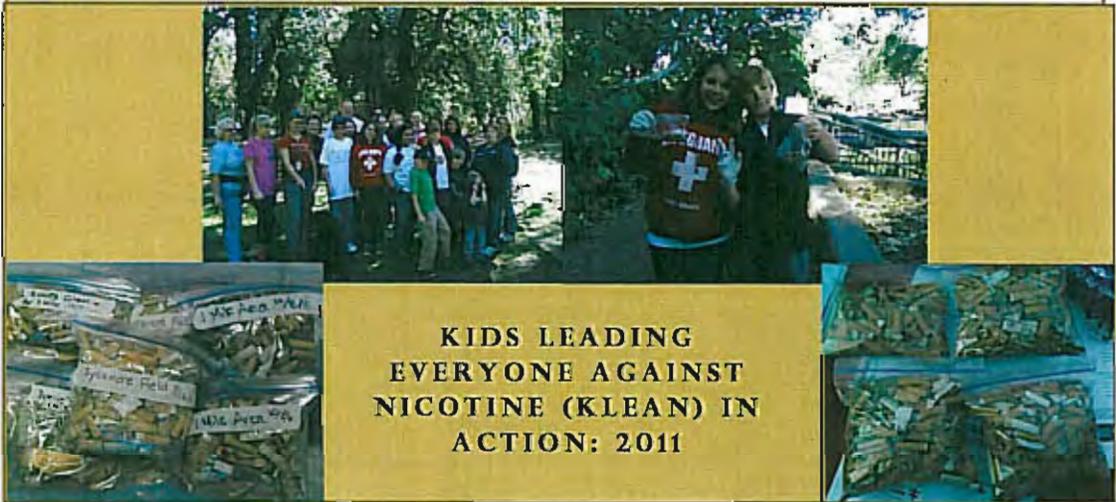
A group of students from Chico Junior, Marsh, and Bidwell Junior High schools participated in three park clean up events in 2010 and 2011, with the goal of removing cigarette butts from local parks, including Bidwell Park. The volunteers picked up cigarette butt litter from around benches and picnic tables, along trails, in parking lots, and playground areas. The KLEAN (Kids Leading Everyone Against Nicotine) students collected hundreds of cigarette butts during each clean up event.



*These cigarette butts were collected by student volunteers in Bidwell Park in 2011.*

**Why Smoke-Free Parks?**

- Secondhand smoke contains hundreds of chemicals known to be toxic or carcinogenic, including formaldehyde, benzene, cadmium, and arsenic.
- Short-term exposure to tobacco smoke *outdoors* can trigger asthma attacks, migraines, and allergic reactions.
- Cigarette butts in parks create unsightly litter that can wash into storm drains and end up in local waterways.
- Chemicals from non-biodegradable cigarette filters also leach into the soil.
- Young children can pick up cigarette butts and put them in their mouth.



**KIDS LEADING EVERYONE AGAINST NICOTINE (KLEAN) IN ACTION: 2011**

KLEAN is working with the American Lung Association in California on Fresh Air Chico, a project to encourage Chico city leaders to adopt a smoke-free parks policy to reduce secondhand smoke exposure and reduce cigarette butt litter.

*Fresh Air Chico*



**AMERICAN LUNG ASSOCIATION**  
IN CALIFORNIA

Paid for by Prop. 99, the Tobacco Tax Initiative, under Grant No. 10-10197

# CLEARING THE AIR



The Science Surrounding Outdoor Tobacco Smoke

AMERICAN LUNG ASSOCIATION

**Question: Why is exposure to tobacco smoke outdoors a problem?**

**Answer: Tobacco smoke contains dangerous chemicals.**

Secondhand smoke contains hundreds of chemicals known to be toxic or carcinogenic, including formaldehyde, benzene, vinyl chloride, arsenic ammonia and hydrogen cyanide.(2)

**Answer: Tobacco smoke is toxic, no matter where you are.**

The California Air Resources Board (CARB) has identified environmental tobacco smoke, or secondhand smoke, as a toxic air contaminant that may cause and/or contribute to death or serious illness. (1)

There is no risk-free level of secondhand smoke exposure. Even brief exposure can be dangerous. (2)



**Answer: Even outside, non-smokers are exposed to secondhand smoke and breathe in the dangerous chemicals found in tobacco smoke.**

"A nonsmoker who is 1 or 2 feet away from a single burning cigarette, can easily inhale pollution that is 10 times greater, on average, than background "clean" levels...However, with multiple smokers present, the average levels could be 20, 30, or 50+ times greater than background." (3)



According to controlled experiments at the University of Maryland in Baltimore County, outdoor tobacco smoke levels did not approach background levels either for fine particles or carcinogens until about 23 feet from the source.(4)

Outdoor tobacco smoke concentrations dissipate rapidly after smoking ceases outdoors. But during smoking, levels may be as high as secondhand smoke indoors, especially in close proximity to smokers. (5)

**Sources:**

1. California Identifies Second-Hand Smoke as a "Toxic Air Contaminant." California Air Resources Board
2. U.S. Department of Health and Human Services. The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General.
3. Klepeis, Neil and Wayne Ott, and Paul Switzer. 2007. Real-time measurement of outdoor tobacco smoke particles.
4. Repace, James L. 2005. "Measurements of Outdoor Air Pollution From Secondhand Smoke on the UMBC Campus."
5. Repace, James L. 2008. "Outdoor Smoking Ban Studies and Policies." William Mitchell Law Review, Inc.

This flyer is funded by CA Dept. of Public Health under contract #10-10203  
Designed by Brady Kennedy, 2010, for American Lung Association, Chico, CA | (530)345-5864



## Smokefree Recreation Areas

# List of Municipalities that Restrict Smoking in Recreation Areas

March 2011

Cities and counties in California have always been at the forefront of protecting residents from exposure to secondhand smoke. Local communities led the way on smokefree indoor workplace laws and are leading the way once again with local laws to protect residents from secondhand smoke exposure in recreation areas, including parks, beaches and trails. While California state law only restricts smoking within 25 feet of tot lots and playgrounds, municipalities are not preempted from passing a stronger law to prohibit smoking within all recreation areas.

As of January 1, 2011, 273 municipalities in California have restricted smoking in at least some recreation areas beyond state law. The below table lists all of these cities and counties and divides the policies into three categories:

- (1) **Municipalities that prohibit smoking in all recreation areas**  
There are 123 municipalities with this type of policy. This is the strongest type of restriction because no designated smoking areas are allowed, ensuring that residents will not be exposed to secondhand smoke in all recreation areas.
- (2) **Municipalities that restrict smoking in all recreation areas but allow designated smoking areas**  
There are 35 municipalities with this type of policy. Examples of this type of policy include allowing designated smoking areas that meet certain conditions in all parks or only in specific areas of certain parks. The policies do a lot to protect people from secondhand smoke, but mean that people can continue to be exposed to secondhand smoke in certain parts of recreation areas.
- (3) **Municipalities that restrict smoking in some recreation areas**  
There are 115 municipalities with this type of policy. These policies range from only restricting smoking at beaches to restricting smoking within certain recreation areas during fire season to only restricting smoking at specific parks or skate parks. While these ordinances do protect people from secondhand smoke exposure in some recreation areas, there is still more that can be done to restrict smoking at and protect residents from secondhand smoke in all recreation areas.

For more information about smokefree recreation areas and other restrictions on smoking in outdoor areas, visit [www.center4tobaccopolicy.org/localpolicies-outdoorareas](http://www.center4tobaccopolicy.org/localpolicies-outdoorareas). These resources include information on the need for and benefits of these policies, a list of cities and counties that have adopted comprehensive outdoor secondhand smoke ordinances and answers to tough questions about smokefree outdoor policies.

Source: The list of cities and counties in this document is based on a review of county codes and city municipal codes, compiled in the American Lung Association in California's *State of Tobacco Control 2010: California Local Grades* report available at [www.lungusa.org/associations/states/california/advocacy/light-/state-of-tobacco-control-2010.html](http://www.lungusa.org/associations/states/california/advocacy/light-/state-of-tobacco-control-2010.html). This report provides grades on local tobacco control policies for all cities and counties in California. One of the categories is restricting smoking in recreation areas and points are awarded based on the strength of the smoking restrictions.

**List of Municipalities that Restrict Smoking in Recreation Areas (continued)**

County	Prohibit Smoking in All Recreation Areas	Restrict Smoking in All Recreation Areas but Allow Designated Smoking Areas	Restrict Smoking in Some Recreation Areas
Alameda County	Alameda County Albany Emeryville Hayward Oakland San Leandro Union City	Berkeley	Dublin Livermore
Alpine County			Alpine County
Amador County			Ione Jackson
Butte County			Chico Paradise
Colusa County			Colusa County
Contra Costa County	Clayton Contra Costa County Martinez Pinole Richmond		Concord Danville San Ramon Walnut Creek
Del Norte County	Crescent City		
El Dorado County		El Dorado County	Placerville
Fresno County	Clovis Firebaugh Fresno Mendota Orange Cove Reedley		Kerman Kingsburg Selma
Humboldt County	Blue Lake Eureka		Arcata
Imperial County			Calexico
Inyo County			Bishop Inyo County
Kern County			California City Delano Shafter
Kings County			Lemoore
Lake County	Lakeport		
Lassen County			Susanville

**List of Municipalities that Restrict Smoking in Recreation Areas (continued)**

County	Prohibit Smoking in All Recreation Areas	Restrict Smoking in All Recreation Areas but Allow Designated Smoking Areas	Restrict Smoking in Some Recreation Areas
Los Angeles County	Alhambra Baldwin Park Beverly Hills Calabasas Carson Cerritos Claremont Culver City El Monte Gardena Glendale Glendora Hawthorne Huntington Park Inglewood La Habra Heights La Verne Lomita Long Beach Los Angeles County Malibu Manhattan Beach Monterey Park Pasadena Redondo Beach Rolling Hills Rosemead San Dimas San Fernando San Gabriel Santa Clarita Santa Monica South Pasadena Temple City Walnut	Burbank Los Angeles Palmdale Rancho Palos Verdes	Arcadia Avalon Azusa Diamond Bar El Segundo Hermosa Beach Irwindale La Puente Maywood Monrovia Palos Verdes Estates Pico Rivera Pomona Sierra Madre Torrance
Madera County			Chowchilla Madera Madera County
Marin County	Marin County Novato Ross San Anselmo		Fairfax
Mariposa County			Mariposa County
Mendocino County	Fort Bragg Ukiah		
Merced County			Atwater Merced
Mono County	Mammoth Lakes		
Monterey County	Gonzales Pacific Grove		Carmel-by-the-Sea Monterey Sand City
Napa County	Napa		American Canyon St. Helena

**List of Municipalities that Restrict Smoking in Recreation Areas (continued)**

<b>County</b>	<b>Prohibit Smoking in All Recreation Areas</b>	<b>Restrict Smoking in All Recreation Areas but Allow Designated Smoking Areas</b>	<b>Restrict Smoking in Some Recreation Areas</b>
Nevada County	Nevada City	Grass Valley Truckee	Nevada County
Orange County	Fountain Valley Laguna Beach Laguna Hills Laguna Woods Seal Beach	Dana Point Irvine San Clemente	Cypress Fullerton Huntington Beach Laguna Niguel Lake Forest Los Alamitos Mission Viejo Newport Beach Orange County
Placer County	Roseville		Placer County
Plumas County			Plumas County
Riverside County	Banning Corona Palm Desert Temecula	Eastvale Menifee Moreno Valley Norco Riverside Riverside County Wildomar	Coachella Desert Hot Springs Indio La Quinta Murrieta Palm Springs Perris
Sacramento County		Sacramento	Elk Grove Folsom Rancho Cordova Sacramento County
San Bernardino County	Adelanto Apple Valley Colton Loma Linda Rancho Cucamonga Redlands Yucaipa		Chino Chino Hills Fontana Montclair San Bernardino San Bernardino County Upland
San Diego County	Chula Vista Del Mar El Cajon Encinitas Escondido Imperial Beach Lemon Grove National City San Diego County Solana Beach Vista	Carlsbad Coronado La Mesa Oceanside Poway San Diego San Marcos	
San Francisco County	San Francisco		
San Joaquin County			Lathrop Lodi San Joaquin County
San Luis Obispo County	Arroyo Grande Atascadero Pismo Beach San Luis Obispo		Grover Beach Morro Bay Paso Robles San Luis Obispo County

**List of Municipalities that Restrict Smoking in Recreation Areas (continued)**

County	Prohibit Smoking in All Recreation Areas	Restrict Smoking in All Recreation Areas but Allow Designated Smoking Areas	Restrict Smoking in Some Recreation Areas
San Mateo County	Belmont Menlo Park Pacifica Redwood City San Mateo County	Burlingame	Brisbane
Santa Barbara County	Carpinteria	Santa Barbara County	Santa Barbara
Santa Clara County	Palo Alto San Jose Santa Clara County Saraloga		Cupertino Milpitas Mountain View
Santa Cruz County	Capitola Watsonville	Santa Cruz Scotts Valley	Santa Cruz County
Sierra County			Sierra County
Siskiyou County			Mount Shasta Siskiyou County Weed
Solano County		Vacaville	Fairfield Solano County
Sonoma County	Healdsburg Petaluma Santa Rosa Sebastopol Windsor		Cotati
Stanislaus County		Riverbank	Ceres Modesto Oakdale Turlock
Sutter County	Yuba City		
Tehama County			Red Bluff
Trinity County			Trinity County
Tulare County			Dinuba Tulare Tulare County
Ventura County	Camarillo Moorpark Simi Valley	Ojai	Thousand Oaks Ventura
Yolo County	Winters	Woodland	Davis Yolo County
Yuba County		Yuba County	

## TABLE OF COMPREHENSIVE OUTDOOR SECONDHAND SMOKE ORDINANCES

The 37 cities and counties in California with comprehensive ordinances are listed below, which details each outdoor area where a community prohibits smoking in its ordinance. When there are limitations or exceptions to completely prohibiting smoking in the seven outdoor areas, it is noted with a footnote.

CITY / COUNTY	OUTDOOR AREA WHERE SMOKING IS PROHIBITED						
	Dining Areas	Entryways	Public Events	Recreation Areas	Service Areas	Sidewalks	Worksites
<b>Sebastopol</b> August 2010	X	X	X	X	X		X
<b>Eureka</b> July 2010	X	X	X	X	X	X*	X
<b>San Luis Obispo</b> April 2010	X*	X	X	X	X	X	X
<b>Camarillo</b> April 2010	X	X	X	X	X	X*	X
<b>Pinole</b> April 2010	X	X	X	X	X		
<b>Santa Barbara County</b> April 2010	X*	X	X*	X	X		
<b>San Francisco</b> March 2010	X*	X*	X*	X	X		
<b>San Leandro</b> December 2009	X	X	X	X	X		X
<b>Del Mar</b> December 2009	X	X	X	X	X	X	X
<b>Moorpark</b> September 2009	X	X	X*	X	X	X	X
<b>Richmond</b> June 2009	X	X	X	X	X		
<b>Martinez</b> April 2009	X	X	X	X	X		X
<b>Pasadena</b> October 2008	X	X	X	X	X		
<b>Glendale</b> October 2008	X*	X	X	X	X		X
<b>Dublin</b> October 2008	X	X	X*	X*	X		
<b>Thousand Oaks</b> July 2008	X*	X	X*	X*	X		
<b>Loma Linda</b> June 2008	X	X	X	X	X	X	X
<b>Albany</b> May 2008	X*	X	X	X	X	X*	X
<b>Hayward</b> May 2008	X	X	X*	X	X	X	

*continued on the next page*

\*Eureka – sidewalk prohibitions only apply to Eureka boardwalk

\*San Luis Obispo – allows designated smoking areas that meet certain criteria in outdoor seating of bars that do not serve food

\*Camarillo – only applies to sidewalks designated by city resolution

\*Santa Barbara County – allows exemptions for smoking to be allowed at free standing bars and 25% of outdoor seating at restaurants

\*Santa Barbara County – only applies to outdoor concerts, sporting events, plays and similar performances

\*San Francisco – for outdoor dining areas of bars, the ordinance only restricts smoking within 10 feet of entrances and windows

\*San Francisco – for building entrances, exits and windows, smoking is allowed at the curb outside the building or if there is no curb, smoking is prohibited within 15 feet

\*San Francisco – only specifically prohibits smoking at farmer's markets, but smoking is also prohibited at public events that are held in other locations where smoking is prohibited, such as in parks

\*Moorpark – allows exceptions for an outdoor special event subject to approval by the community development director

\*Glendale - allows for creation of designated smoking section in outdoor dining

\*Dublin – allows for creation of designated smoking areas at public events

\*Dublin - recreation areas does not include community parks

\*Thousand Oaks – allows restaurants to apply for a permit for a designated outdoor smoking section if certain conditions are met

\*Thousand Oaks – allows for creation of designated smoking areas at public events

\*Thousand Oaks – smoking prohibitions only apply to recreational areas under the city's authority; city parks are under a separate jurisdiction

\*Albany – allows exceptions for permitting smoking in outdoor areas at stand-alone bars if certain conditions are met

\*Albany – only prohibits smoking on sidewalks adjacent to school property and sidewalks on Solano Avenue between San Pablo Avenue and the City of Berkeley jurisdictional border

\*Hayward – allows for creation of designated smoking areas at public events

**TABLE OF COMPREHENSIVE OUTDOOR SECONDHAND SMOKE ORDINANCES (continued)**

CITY / COUNTY	OUTDOOR AREA WHERE SMOKING IS PROHIBITED						
	Dining Areas	Entryways	Public Events	Recreation Areas	Service Areas	Sidewalks	Worksites
<b>Novato</b> April 2008	X*	X	X	X	X		X
<b>Berkeley</b> December 2007	X	X		X	X	X*	X
<b>Ross</b> December 2007	X	X	X	X	X		
<b>Belmont</b> October 2007	X	X	X	X	X		X
<b>El Cajon</b> August 2007	X	X	X	X	X	X	X
<b>Blue Lake</b> June 2007	X*	X	X*	X	X		
<b>Temecula</b> May 2007	X	X	X	X	X		X
<b>Burbank</b> April 2007	X*	X	X	X*	X*	X*	
<b>Baldwin Park</b> February 2007	X	X	X*	X	X		
<b>Emeryville</b> December 2006	X	X	X	X	X		
<b>Laguna Woods</b> November 2006	X*	X	X	X	X		
<b>Marin County</b> November 2006	X*	X	X	X	X		X
<b>Contra Costa County</b> October 2006	X	X	X	X	X		
<b>Santa Monica</b> October 2006	X	X	X*	X	X	X*	
<b>Mammoth Lakes</b> June 2006	X	X	X	X	X		X
<b>Santa Rosa</b> June 2006	X	X	X	X	X*	X*	
<b>Calabasas</b> February 2006	X	X	X	X	X	X	X
<b>Davis</b> March 1993	X	X	X	X*	X		

\*Novato – allows exceptions for permitting smoking in outdoor areas at stand-alone bars if certain conditions are met

\*Berkeley – only prohibits smoking on sidewalks in commercial areas

\*Blue Lake – allows exemptions for smoking to be allowed at bars

\*Blue Lake – allows for designated smoking areas at public events

\*Burbank – allows restaurants to apply for a designated outdoor smoking section that can cover up to 40% of dining area

\*Burbank – allows for creation of designated smoking areas in recreation areas

\*Burbank – service areas prohibition does not include individual bus stops in public rights-of-way

\*Burbank – only prohibits smoking on sidewalks in downtown Burbank

\*Baldwin Park – only prohibits smoking at farmer's markets

\*Laguna Woods - only applies to restaurants, not bars

\*Marin County – allows exceptions for permitting smoking at outdoor dining at bars if certain conditions are met

\*Santa Monica – only prohibits smoking at farmer's markets

\*Santa Monica – only applies to sidewalks at the Third Street Promenade

\*Santa Rosa – service areas prohibition only includes downtown transit mall

\*Santa Rosa – only applies to sidewalks at Comstock mall and Jeju Way

\*Davis – only applies to open space areas that are used for recreation

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The Center for Tobacco Policy & Organizing • American Lung Association in California  
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October 2010

## Chapter 8.28

### SMOKING REGULATIONS\*

**Section:**

<b>8.28.004</b>	<b>Purpose.</b>
<b>8.28.008</b>	<b>Findings.</b>
<b>8.28.010</b>	<b>Definitions.</b>
<b>8.28.020</b>	<b>Smoking prohibited in city buildings and facilities.</b>
<b>8.28.030</b>	<b>Prohibition of smoking in enclosed areas.</b>
<b>8.28.050</b>	<b>Prohibition and regulation of smoking in places of employment.</b>
<b>8.28.055</b>	<b>Prohibition of smoking in outdoor cafes.</b>
<b>8.28.060</b>	<b>Exceptions to smoking prohibitions and regulations.</b>
<b>8.28.070</b>	<b>Signs and notices.</b>
<b>8.28.080</b>	<b>Administration and implementation.</b>
<b>8.28.090</b>	<b>Violations.</b>
<b>8.28.100</b>	<b>Penalties.</b>
<b>8.28.110</b>	<b>Nonretaliation.</b>
<b>8.28.120</b>	<b>Smoking prohibited by other applicable laws.</b>
<b>8.28.130</b>	<b>Severability.</b>

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\*Prior ordinance history: Ords. 1671 and 1886.

**8.28.004 Purpose.**

This chapter is adopted pursuant to the municipal affairs provisions of the city charter for the purpose of prohibiting smoking in most enclosed places open to the public in order to reduce the hazards which smoking causes to those persons involuntarily exposed to side-stream and secondhand smoke, and for the further purpose of prohibiting and regulating smoking in places of employment also for the protection of those employees who are involuntarily exposed to side-stream or secondhand smoke.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.008 Findings.**

The city council finds as follows:

- A. That tobacco smoke is a major contributor to indoor air pollution;
- B. That breathing side-stream or secondhand tobacco smoke is a cause of disease, including lung cancer in nonsmokers;
- C. That persons at special risk from the breathing of side-stream or secondhand smoke include pregnant women, children, elderly persons, persons with cardiovascular disease, persons with impaired respiratory function, including asthmatics, and persons with obstructive airway disease;
- D. That health hazards induced by breathing side-stream or secondhand smoke include lung cancer, respiratory infection, decreased exercise tolerance, decreased respiratory function, bronchoconstriction, broncho-spasm and ear infections in children;
- E. That persons who suffer ill effects from breathing side-stream or secondhand smoke may experience a loss of job productivity or may be forced to take periodic sick leave because of adverse reactions to same; and

- F. That by reason of the foregoing, the smoking of tobacco or other weed or plant is hazardous to the health of the general public.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.010 Definitions.**

Unless the contrary is stated or clearly appears from the context, the following definitions shall govern the construction of the words and phrases used in this chapter:

- A. "Bar" means any establishment open to and used by the general public which is devoted to the service of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages, and any portion of such establishment, including any portion of a restaurant, which is devoted to the service of alcoholic beverages, in which the service of food is only incidental to the consumption of such beverages and which is within an enclosed area which separates the bar from the other areas of the establishment.
- B. "Employee" means any person who regularly performs services for an employer either for compensation or as a noncompensated volunteer.
- C. "Employer" means any person, partnership, corporation, unincorporated association and/or any nonprofit organization which employs or otherwise uses the services of one or more employees.
- D. "Enclosed area" means all space between a floor and ceiling which is enclosed on all sides by solid walls, windows or other impermeable surfaces which extend from the floor to the ceiling except for doors or similar openings used for ingress or egress.
- E. "Health officer" means the city health officer; provided, that where the city council has consented by ordinance or resolution to the enforcement of public health laws in the city by the Butte County health officer, the term "health officer" shall mean the Butte County health officer.
- F. "Place of employment" means any enclosed area under the control of an employer which employees normally frequent during the course of employment, including but not limited to, work areas, individual and group offices, employee lounges, restrooms, conference rooms, classrooms and employee cafeterias and hallways.
- G. "Public place" means any establishment or facility area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, health facilities, professional offices, public transportation facilities, recreation and sports facilities, restaurants, retail food production and marketing establishments, retail service establishments, retail stores and theaters.
- H. "Restaurant" means any establishment or portion of an establishment, other than a bar or portion of a restaurant used as a bar, which is open to and used by the general public and which is devoted to the service of food and/or beverages.
- I. "Smoking" means the carrying or holding of a lighted cigarette, cigar, pipe, or other similar smoking device or equipment, or emitting or exhaling the smoke of a cigarette, cigar, pipe, or other similar smoking device or equipment.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.020 Smoking prohibited in city buildings and facilities.**

Smoking shall be prohibited in all enclosed areas of any building or facility owned or operated by the city, except that smoking shall be permitted in city buildings or facilities leased to other persons when not otherwise prohibited by the provisions of this chapter.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.030 Prohibition of smoking in enclosed areas.**

- A. Except as otherwise hereinafter provided by this chapter, smoking shall be prohibited in the enclosed areas of all public places located within the city, including but not limited to the enclosed areas of the following public places:
1. The hallways, waiting rooms, examination rooms, rooms used for treatment, wards and semi-private rooms of health facilities, including but not limited to, hospitals, clinics, physical therapy facilities, doctors' offices and dentists' offices;
  2. Any portion of a grocery store, supermarket or other retail food marketing establishment which is open to and used by the general public;
  3. Any portion of a museum, gallery or library which is open to and used by the general public;
  4. Any portion of a theater, auditorium, or hall which is open to the general public, and used for exhibiting a motion picture, live theatrical performance, lecture, musical recital or similar performance;
  5. Any portion of a building owned and/or operated by a public agency or entity which is open to and used by the general public and is subject to the jurisdiction of the city;
  6. Any elevator or restroom open to and used by the general public;
  7. Any bus, taxicab or other means of public transportation which is subject to the jurisdiction of the city, and any ticket, boarding or waiting area of a public transit depot;
  8. Any common area in an apartment building, condominium, congregate care facility, nursing home or day care facility;
  9. Any recreation or sports facility, including but not limited to gymnasiums, enclosed swimming pools, roller skating and ice skating rinks, bowling alleys, pool halls, health spas and other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic activities or witness sports events;
  10. Any service line where one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money;
  11. Any restaurant or bar; and
  12. Any other business or establishment or portion of a business or establishment which is open to and used by the general public, including but not limited to retail stores, hotels and motels.
- B. Notwithstanding the provisions of this section, the owner, operator, manager or other person who controls the enclosed area of any establishment described in this section may declare the entire establishment as a nonsmoking area.

(Adopted by initiative, dated 11/3/92 (part); amended by initiative, dated 11/5/96)

**8.28.050 Prohibition and regulation of smoking in places of employment.**

It shall be the responsibility of employers to provide a smoke free work place for all employees. To carry out this responsibility each employer operating a place of employment within the city shall, on or before February 1, 1993, adopt, make known, implement and maintain a smoking policy prohibiting smoking within all enclosed places located at a place of employment without exception. This includes common work areas, individual and group offices, employee lounges, employee restrooms, conference rooms, classrooms, employee cafeterias, hallways and all other enclosed facilities. The smoking policy required by this section shall be communicated to all employees within three

weeks of its adoption and employers shall supply a written copy of such smoking policy upon request of any existing or prospective employee.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.055 Prohibition of smoking in outdoor cafés.**

Smoking shall be prohibited in all outdoor cafés authorized to serve alcoholic beverages pursuant to a licence granted under Chapter 14.70.

(Ord. 2409 §1)

**8.28.060 Exceptions to smoking prohibitions and regulations.**

Notwithstanding anything herein to the contrary, the following areas shall not be subject to the smoking prohibitions and regulations provided for in this chapter:

- A. Private residences, other than portion of a private residence used as a child care or health care facility;
- B. Hotel and motel rooms rented to guests;
- C. Retail stores that deal exclusively in the sale of tobacco and smoking paraphernalia;
- D. Restaurant, hotel and motel conference or meeting rooms, and other assembly rooms when being used for private functions.

(Adopted by initiative, dated 11/3/92 (part), amended by initiative, dated 11/5/96)

**8.28.070 Signs and notices.**

"No Smoking" signs, with letters of not less than one inch in height or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle not less than four inches in diameter with a red bar across it), shall be conspicuously posted in every enclosed area where smoking is prohibited by this chapter, by the owner, operator, manager or other person having control of such enclosed area. In addition, every restaurant shall have posted at every restaurant entrance a conspicuous sign clearly stating that smoking is prohibited in the restaurant.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.080 Administration and implementation.**

- A. The health officer shall administer the provisions of this chapter and may, at the health officer's sole discretion, take any of the following actions to enforce the provisions of this chapter:
  - 1. Service of a notice upon a person violating the provisions of this chapter requiring the correction of such violation;
  - 2. Commencement of a civil action in a court of appropriate jurisdiction to enjoin violation of the provisions of this chapter or otherwise require compliance herewith; and
  - 3. Initiation of criminal proceedings to assess any of the penalties hereinafter provided by this chapter.
- B. The health officer or fire chief may require, when an enclosed area or place of employment is undergoing an otherwise mandated inspection, a "self-certification" from the owner, manager, operator or other person having control of such area or place of employment that the enclosed area or place of employment fully complies with the requirements of this chapter.
- C. The owner, manager, operator or other person having control of an enclosed area or place of employment shall inform any person violating this chapter, or any employer's

- smoking policy adopted pursuant to this chapter of the appropriate provisions hereof.
- D. A private citizen may also commence a civil action in a court of appropriate jurisdiction to enjoin violation of this chapter or otherwise require compliance herewith.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.090 Violations.**

- A. It is unlawful for any person who owns, manages, operates or otherwise controls the use of any enclosed area or place of employment subject to the provisions of this chapter to fail or refuse to:
1. Adopt or implement the employer's no smoking policy required by this chapter;
  2. Provide or post the signs or give the notices required by this chapter; or
  3. Otherwise comply with any other requirements of this chapter.
- B. It is unlawful for any person to smoke in any area in which smoking is prohibited by the provisions of this chapter.
- C. It is unlawful for any person to mutilate or destroy any signs posted pursuant to the provisions of this chapter.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.100 Penalties.**

Any person who violates the provisions of this chapter shall be guilty of an infraction and upon conviction thereof, shall be punished by:

- A. A fine, not exceeding \$100, for the first violation;
- B. A fine, not exceeding \$200, for the second violation occurring within the same year, and
- C. A fine, not exceeding \$500, for the third and any additional violation occurring within the same year.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.110 Nonretaliation.**

No employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any right afforded by this chapter.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.120 Smoking prohibited by other applicable laws.**

This chapter shall not be interpreted or construed to permit smoking where it is otherwise prohibited by other applicable laws or regulations.

(Adopted by initiative, dated 11/3/92 (part))

**8.28.130 Severability.**

If any provisions or clause of this chapter or the application thereof to any person or circumstances is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions or clauses of this chapter or application thereof which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this chapter are declared to be severable.

(Adopted by initiative, dated 11/3/92 (part))

not limited to, any pistol, revolver, rifle, gun, flare gun, paint ball gun, zip gun, spring gun, air gun, BB or pellet gun, rocket, rocket launcher, rocket propelled projectile launcher, slingshot, wrist rocket, bow and arrow, or crossbow or compound bow designed to propel an arrow.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03)

**12R.04.230 Smoking - Prohibited in designated areas from May 1st to November 1st annually.**

Except as otherwise provided or permitted by these rules, no person, between the first day of May and the following first day of November of any calendar year, shall light matches, smoke cigars, pipes, cigarettes or any other smoking device or instrument or carry in or upon or across the area herein designated any lighted cigars, pipes, cigarettes or other lighted flammable material. Such areas designated as the nonsmoking areas are described as follows:

A. That portion of Bidwell Park described as follows:

Beginning at the most northerly corner of Bidwell Park in the center of Chico Creek, and running thence west and southwesterly along the north boundary of such park to the westerly line of Manzanita Avenue, projected northerly, thence easterly along the last mentioned Manzanita Avenue to the centerline of Lindo Channel; thence northeasterly up the center of Lindo Channel to the center of Big Chico Creek at the confluence of such channel and Big Chico Creek; thence northeasterly up the center of Chico Creek to the point of beginning saving and excepting therefrom that portion of Bidwell Park commonly known as the Bidwell Municipal Golf Course, the facilities of the Chico Rod and Gun Club, and inside an enclosed vehicle;

B. Such other areas as the Bidwell Park and Playground Commission may by resolution determine as fire hazard areas and so designate by appropriate signs.

(Res. No. 19 93-94 §2 (part))

**12R.04.235 Smoking - Prohibited in Plaza Park**

No person shall light or carry in any lighted cigar, pipe, cigarette or other smoking device within Plaza Park, or on the sidewalks adjacent to and surrounding Plaza Park.

(Res. No. 68-09)

**12R.04.240 Fireworks - Prohibited.**

No person shall possess or discharge any fireworks in any city park or playground.

(Res. No. 19 93-94 §2 (part), Res. No. 39 02-03)

**12R.04.250 Hang-gliding and para-gliding.**

A. Hang-gliding. No person shall participate in the sport of hang-gliding within the boundaries of any city park or playground.

B. Para-gliding. Para-gliding in Bidwell Park is permitted as follows:

A. No person shall para-glide in Bidwell Park without first obtaining a permit from the park director. Permit applications shall be filed in the office of the park director. The park director shall issue permits only to pilots who provide evidence of current membership in the United States Hang Gliding and Para-gliding Association (USHPA) and possess, at a minimum, a USHPA intermediate rating of Para 3. A permit may also be issued to a pilot who is a member of USHPA and has a beginner rating of Para 2, subject to the condition that a pilot with a Para 2 rating may only para-glide

**SAMPLE ORDINANCE SUBMITTED BY THE AMERICAN LUNG ASSOCIATION**

**AN ORDINANCE OF THE CITY OF CHICO  
AMENDING TITLE [ ] OF THE CHICO MUNICIPAL CODE TO REGULATE  
SMOKING IN OUTDOOR PLACES**

The City Council of the City of Chico does ordain as follows:

**SECTION I. FINDINGS.**

The City Council of the City of Chico hereby finds and declares as follows:

WHEREAS, tobacco use causes death and disease and continues to be an urgent public health challenge, as evidenced by the following:

- Tobacco-related illness is the leading cause of preventable death in the United States,<sup>1</sup> accounting for about 443,000 deaths each year;<sup>2</sup> and
- Scientific studies have concluded that tobacco use can cause chronic lung disease, coronary heart disease, and stroke, in addition to cancer of the lungs, larynx, esophagus, and mouth;<sup>3</sup> and
- Some of the most common types of cancers including stomach, liver, uterine cervix, and kidney are related to tobacco use;<sup>4</sup> and

WHEREAS, secondhand smoke has been repeatedly identified as a health hazard, as evidenced by the following:

- The U.S. Surgeon General concluded that there is no risk-free level of exposure to secondhand smoke;<sup>5</sup> and
- The California Air Resources Board placed secondhand smoke in the same category as the most toxic automotive and industrial air pollutants by categorizing it as a toxic air contaminant for which there is no safe level of exposure;<sup>6</sup> and

<sup>1</sup>US Department of Health and Human Services, Centers for Disease Control and Prevention. *Targeting Tobacco Use: The Nation's Leading Cause of Preventable Death*. 2008, p. 2. Available at: [www.cdc.gov/nccdphp/publications/aag/pdf/osh.pdf](http://www.cdc.gov/nccdphp/publications/aag/pdf/osh.pdf).

<sup>2</sup>US Department of Health and Human Services, Centers for Disease Control and Prevention. "Smoking-Attributable Mortality, Years of Potential Life Lost, and Productivity Losses — United States, 2000-2004." *Morbidity and Mortality Weekly Report*, 57(45): 1226-1228, 2008. Available at: [www.cdc.gov/mmwr/preview/mmwrhtml/mm5745a3.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5745a3.htm).

<sup>3</sup>US Department of Health and Human Services, Centers for Disease Control and Prevention. *Targeting Tobacco Use: The Nation's Leading Cause of Preventable Death*. 2008, p. 2. Available at: [www.cdc.gov/nccdphp/publications/aag/pdf/osh.pdf](http://www.cdc.gov/nccdphp/publications/aag/pdf/osh.pdf).

<sup>4</sup>Leistikow B, Zubair K, et al. "Male Tobacco Smoke Load and Non-Lung Cancer Mortality Associations in Massachusetts." *BMC Cancer*, 8:341, 2008. Available at: [www.biomedcentral.com/1471-2407/8/341](http://www.biomedcentral.com/1471-2407/8/341).

<sup>5</sup>US Department of Health and Human Services, Office of the Surgeon General. *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. 2007. Report highlights available at: [www.surgeongeneral.gov/library/secondhandsmoke/factsheets/factsheet7.html](http://www.surgeongeneral.gov/library/secondhandsmoke/factsheets/factsheet7.html).

<sup>6</sup>Resolution 06-01, Cal. Air Resources Bd. (2006) at 5. Available at: [www.arb.ca.gov/regact/ets2006/res0601.pdf](http://www.arb.ca.gov/regact/ets2006/res0601.pdf); See California Environmental Protection Agency, Air Resources Board. *News Release, California Identifies Secondhand Smoke as a "Toxic Air Contaminant."* Jan. 26, 2006. Available at: [www.arb.ca.gov/newsrel/nr012606.htm](http://www.arb.ca.gov/newsrel/nr012606.htm).

## **SAMPLE ORDINANCE SUBMITTED BY THE AMERICAN LUNG ASSOCIATION**

- The California Environmental Protection Agency included secondhand smoke on the Proposition 65 list of chemicals known to the state of California to cause cancer, birth defects, and other reproductive harm;<sup>7</sup> and

WHEREAS, exposure to secondhand smoke causes death and disease, as evidenced by the following:

- Secondhand smoke is responsible for as many as 73,000 deaths among nonsmokers each year in the United States;<sup>8</sup> and
- Exposure to secondhand smoke increases the risk of coronary heart disease by approximately thirty percent;<sup>9</sup> and
- Secondhand smoke exposure causes lower respiratory tract infections, such as pneumonia and bronchitis in as many as 300,000 children in the United States under the age of 18 months each year;<sup>10</sup> and exacerbates childhood asthma;<sup>11</sup> and

WHEREAS, tobacco use and exposure to secondhand smoke impose great social and economic costs, as evidenced by the following:

- The total annual economic burden of smoking in the United States is \$193 billion;<sup>12</sup> and
- From 2001-2004, the average annual health care expenditures attributable to smoking were approximately \$96 billion;<sup>13</sup> and
- The medical and other costs to nonsmokers due to exposure to secondhand smoke were estimated at over \$10 billion per year in the United States in 2005;<sup>14</sup> and
- The total annual cost of smoking in California was estimated at \$475 per resident or \$3,331 per smoker per year, for a total of nearly \$15.8 billion in smoking-related

<sup>7</sup> California Environmental Protection Agency, Office of Environmental Health Hazard Assessment. *Chemicals Known to the State to Cause Cancer or Reproductive Toxicity*. 2006, p. 8 & 17. Available at: [www.oehha.ca.gov/prop65/prop65\\_list/files/P65single081106.pdf](http://www.oehha.ca.gov/prop65/prop65_list/files/P65single081106.pdf).

<sup>8</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Fact Sheet – Secondhand Smoke*. 2006. Available at: [www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/secondhand\\_smoke/general\\_facts/index.htm](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/general_facts/index.htm).

<sup>9</sup> Barnoya J and Glantz S. “Cardiovascular Effects of Secondhand Smoke: Nearly as Large as Smoking.” *Circulation*, 111: 2684-2698, 2005. Available at: [www.circ.ahajournals.org/cgi/content/full/111/20/2684](http://www.circ.ahajournals.org/cgi/content/full/111/20/2684).

<sup>10</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Targeting Tobacco Use: The Nation’s Leading Cause of Preventable Death*. 2008, p. 2. Available at: [www.cdc.gov/nccdphp/publications/aag/pdf/osh.pdf](http://www.cdc.gov/nccdphp/publications/aag/pdf/osh.pdf).

<sup>11</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Fact Sheet – Secondhand Smoke*. 2006. Available at: [www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/secondhand\\_smoke/general\\_facts/index.htm](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/general_facts/index.htm).

<sup>12</sup> Centers for Disease Control and Prevention. *News Release, Slightly Lower Adult Smoking Rates*. 2008. Available at: [www.cdc.gov/media/pressrel/2008/r081113.htm](http://www.cdc.gov/media/pressrel/2008/r081113.htm).

<sup>13</sup> Centers for Disease Control and Prevention. *News Release, Slightly Lower Adult Smoking Rates*. 2008. Available at: [www.cdc.gov/media/pressrel/2008/r081113.htm](http://www.cdc.gov/media/pressrel/2008/r081113.htm).

<sup>14</sup> Behan DF, Eriksen MP and Lin, Y. *Economic Effects of Environmental Tobacco Smoke*. Schaumburg, IL: Society of Actuaries, 2005, p. 2. Available at: [www.soa.org/files/pdf/ETSReportFinalDraft\(Final%203\).pdf](http://www.soa.org/files/pdf/ETSReportFinalDraft(Final%203).pdf).

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costs in 1999 alone;<sup>15</sup> and

- California's Tobacco Control Program saved the state and its residents \$86 billion in health care expenditures between the year of its inception, 1989, and 2004, with savings growing yearly;<sup>16</sup> and

WHEREAS, exposure to secondhand smoke anywhere has negative health impacts, and exposure to secondhand smoke does occur at significant levels outdoors, as evidenced by the following:

- Levels of secondhand smoke exposure outdoors can reach levels attained indoors depending on direction and amount of wind and number and proximity of smokers;<sup>17</sup> and
- Irritation from secondhand smoke begins at levels as low as 4 micrograms per cubic meter, and in some outdoor situations this level can be found as far away as 13 feet from the burning cigarette;<sup>18</sup> and
- To be completely free from exposure to secondhand smoke in outdoor places, a person may have to move nearly 25 feet away from the source of the smoke, about the width of a two lane road;<sup>19</sup> and
- Studies on a cruise ship have found that even while cruising at 20 knots and with unlimited air volume, outdoor smoking areas contained carcinogens in nearly the same amounts as inside the ship's casino where smoking was allowed;<sup>20</sup> and

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<sup>15</sup> Max W, Rice DP, Zhang X, et al. *The Cost of Smoking in California, 1999*. Sacramento, CA: Tobacco Control Section, California Department of Health Services, 2002, p. 74. Available at: <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1026&context=ctcre>.

<sup>16</sup> Lightwood JM, Dinno A and Glantz SA. "Effect of the California Tobacco Control Program on Personal Health Care Expenditures." *PLoS Med*, 5(8): e178, 2008. Available at: [www.plosmedicine.org/article/info:doi/10.1371/journal.pmed.0050178](http://www.plosmedicine.org/article/info:doi/10.1371/journal.pmed.0050178).

<sup>17</sup> Klepeis NE, Ott WR, and Switzer P. *Real-Time Monitoring of Outdoor Environmental Tobacco Smoke Concentrations: A Pilot Study*. San Francisco: University of California, San Francisco and Stanford University, 2004, p. 34, 80. Available at: [http://exposurescience.org/pub/reports/Outdoor\\_ETS\\_Final.pdf](http://exposurescience.org/pub/reports/Outdoor_ETS_Final.pdf); See also Klepeis NE, Ott WR and Switzer P. "Real-Time Measurement of Outdoor Tobacco Smoke Particles." *Journal of Air and Waste Management Association*, 57: 522-534, 2007. Available at: [www.ashaust.org.au/pdfs/OutdoorSHS0705.pdf](http://www.ashaust.org.au/pdfs/OutdoorSHS0705.pdf).

<sup>18</sup> Junker MH, Danuser B, Monn C, et al. "Acute Sensory Responses of Nonsmokers at Very Low Environmental Tobacco Smoke Concentrations in Controlled Laboratory Settings." *Environmental Health Perspectives*, 109(10): 1046-1052, 2001. Available at: [www.pubmedcentral.nih.gov/picrender.fcgi?artid=1242082&blobtype=pdf](http://www.pubmedcentral.nih.gov/picrender.fcgi?artid=1242082&blobtype=pdf); Repace JL. "Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles." *William Mitchell Law Review*, 34(4): 1621-1638, 2008. Available at: <http://tobacco.health.usyd.edu.au/site/supersite/contact/pdfs/WilliamMitchellRepace.pdf>.

<sup>19</sup> Repace JL. "Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles." *William Mitchell Law Review*, 34(4): 1621-1638, 2008. Available at: <http://tobacco.health.usyd.edu.au/site/supersite/contact/pdfs/WilliamMitchellRepace.pdf>.

<sup>20</sup> Repace JL. "Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles." *William Mitchell Law Review*, 34(4): 1621-1638, 2008. Available at: <http://tobacco.health.usyd.edu.au/site/supersite/contact/pdfs/WilliamMitchellRepace.pdf>.

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WHEREAS, creating smokefree areas helps protect the health of the 86.7% of Californians who are nonsmokers;<sup>21</sup> and

WHEREAS, state law prohibits smoking within 25 feet of playgrounds and tot lots and expressly authorizes local communities to enact additional restrictions;<sup>22</sup> and state law prohibits smoking within 20 feet of entryways and operable windows of government buildings;<sup>23</sup> and

WHEREAS, there is no Constitutional right to smoke;<sup>24</sup>

NOW THEREFORE, it is the intent of the City Council, in enacting this ordinance, to provide for the public health, safety, and welfare by discouraging the inherently dangerous behavior of smoking around non-tobacco users, especially children; by protecting the public from exposure to secondhand smoke where they live, work, and play; by reducing the potential for children to wrongly associate smoking with a healthy lifestyle; and by affirming and promoting a healthy environment in and around the City's outdoor places.

**SECTION II.** Chapter [ ] of the Chico Municipal Code is hereby amended to read as follows:

**Sec. [ ] (\*1).** **DEFINITIONS.** The following words and phrases, whenever used in this chapter shall have the meanings defined in this section unless the context clearly requires otherwise:

(a) "Dining Area" means any area, including streets and sidewalks, which is available to or customarily used by the general public or an Employee, and which is designed, established, or regularly used for consuming food or drink.

(b) "Employee" means any Person who is employed or retained as an independent contractor by any Employer or Nonprofit Entity in consideration for direct or indirect monetary wages or profit, or any Person who volunteers his or her services for an Employer or Nonprofit Entity.

(c) "Employer" means any business or Nonprofit Entity that retains the service of one or more Employees.

(d) "Enclosed Area" means an area in which outside air cannot circulate freely to all parts of the area, and includes an area that has:

<sup>21</sup>Hong M, Barnes RL and Glantz SA. *Tobacco Control in California 2003-2007: Missed Opportunities*. San Francisco: Center for Tobacco Control Research and Education, 2007, p. 9. Available at: <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1074&context=ctcre>.

<sup>22</sup>Cal. Health & Safety Code § 104495 (West 2008).

<sup>23</sup>Cal. Gov't Code § 7597 (West 2008).

<sup>24</sup>Public Health Law & Policy, Technical Assistance Legal Center. *There Is No Constitutional Right to Smoke*. 2005. Available at: [http://talc.phlaw.org/pdf\\_files/0051.pdf](http://talc.phlaw.org/pdf_files/0051.pdf).

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- (1) any type of overhead cover whether or not that cover includes vents or other openings and at least three (3) walls or other vertical boundaries of any height whether or not those boundaries include vents or other openings; or
- (2) four (4) walls or other vertical boundaries that exceed six (6) feet in height whether or not those boundaries include vents or other openings.

(e) “Nonprofit Entity” means any entity that meets the requirements of California Corporations Code section 5003 as well as any corporation, unincorporated association or other entity created for charitable, religious, philanthropic, educational, political, social or similar purposes, the net proceeds of which are committed to the promotion of the objectives or purposes of the entity and not to private gain. A government agency is not a Nonprofit Entity within the meaning of this chapter.

(f) “Parking Area” means a parking lot or any other area designated or primarily used for parking vehicles of Persons accessing a Recreational Area.

(g) “Person” means any natural person, cooperative association, Nonprofit Entity, personal representative, receiver, trustee, assignee, or any other legal entity including government agencies.

(h) “Reasonable Distance” means a distance of twenty(20) feet in any direction from an area in which Smoking is prohibited by law.

(i) “Recreational Area” means any area that is publicly or privately owned and open to the general public for recreational purposes, regardless of any fee or age requirement. The term “Recreational Area” includes but is not limited to parks, picnic areas, playgrounds, sports fields, golf courses, walking paths, gardens, hiking trails, bike paths, horseback riding trails, swimming pools, roller- and ice-skating rinks, and skateboard parks.

(j) “Service Area” means any publicly or privately owned area, including streets and sidewalks, that is designed to be used or is regularly used by one or more Persons to receive a service, wait to receive a service or to make a transaction, whether or not such service or transaction includes the exchange of money. The term “Service Area” includes but is not limited to information kiosks, automatic teller machines (ATMs), ticket lines, bus stops or shelters, mobile vendor lines or cab stands.

(k) “Smoke” means the gases, particles, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the byproducts, except when the combusting or vaporizing material contains no tobacco or nicotine and the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term “Smoke” includes, but is not limited to, tobacco smoke, electronic cigarette vapors, and marijuana smoke.

(l) “Smoking” means engaging in an act that generates Smoke, such as for example: possessing a lighted pipe, lighted hookah pipe, operating an electronic cigarette, a lighted cigar, or a lighted cigarette of any kind; or; or lighting or igniting of a pipe, cigar, hookah

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pipe, or cigarette of any kind.

(m) "Unenclosed Area" means any area that is not an Enclosed Area.

**Sec. [ ] (\*2) . PROHIBITION OF SMOKING IN UNENCLOSED AREAS**

(a) Smoking is prohibited in the Unenclosed Areas of the following places within the City of Chico, except places where Smoking is already prohibited by state or federal law, in which case those laws apply:

- (1) Recreational Areas, including Parking Areas;
- (2) Service Areas; and
- (3) Dining Areas.

(b) Nothing in this chapter prohibits any Person, Employer, or Nonprofit Entity with legal control over any property from prohibiting Smoking on any part of such property, even if Smoking is not otherwise prohibited in that area.

**Sec. [ ] (\*3) . REASONABLE SMOKING DISTANCE REQUIRED**

(a) Smoking in all Unenclosed Areas shall be prohibited within a Reasonable Distance from any doorway, window, opening, crack, or vent into an Enclosed Area in which Smoking is prohibited by law, except while actively passing on the way to another destination and provided Smoke does not enter any Enclosed Area in which Smoking is prohibited.

(b) Smoking in Unenclosed Areas shall be prohibited within a Reasonable Distance from any Unenclosed Areas in which Smoking is prohibited under Sec. [ ] (\*2) of this chapter, except while actively passing on the way to another destination and provided Smoke does not enter any Unenclosed Area in which Smoking is prohibited.

**Sec. [ ] (\*4) . OTHER REQUIREMENTS AND PROHIBITIONS**

(a) No Person, Employer, or Nonprofit Entity shall knowingly permit Smoking in an area which is under the legal or de facto control of the Person, Employer or Nonprofit Entity and in which Smoking is prohibited by law, unless otherwise required by state or federal law.

(b) No Person, Employer, or Nonprofit Entity shall knowingly or intentionally permit the presence or placement of ash receptacles, such as, for example, ash trays or ash cans, within an area under the legal or de facto control of the Person, Employer or Nonprofit Entity and in which Smoking is prohibited by law, including, without limitation, within a Reasonable Distance required by this chapter from any area in which Smoking is prohibited. Notwithstanding the foregoing, the presence of ash receptacles in violation of this subsection shall not be a defense to a charge of Smoking in violation of any provision of this chapter.

(c) No Person shall dispose of used Smoking or tobacco product waste within the boundaries of an area in which Smoking is prohibited, including inside the perimeter of any

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Reasonable Distance required by this chapter.

(d) A Person, Employer, or Nonprofit Entity that has legal or de facto control of an Unenclosed Area in which Smoking is prohibited by this chapter shall post a clear and unambiguous "No Smoking" or "Smokefree" sign at a conspicuous point within the Unenclosed Area. The signs shall have letters of no less than one inch in height and shall include the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it). Signs posted on the exterior of buildings to comply with this section shall include the Reasonable Distance requirement set forth in Sec. [ ] (\*3) ]. At least one sign with the City phone number where complaints can be directed must be conspicuously posted in each place in which Smoking is prohibited. For purposes of this section, the City Manager or his/her designee shall be responsible for the posting of signs in regulated facilities owned or leased in whole or in part by the City. Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of Smoking in violation of any other provision of this chapter.

(e) No Person, Employer, or Nonprofit Entity shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another Person who seeks to attain compliance with this chapter.

(f) Each instance of Smoking in violation of this chapter shall constitute a separate violation. For violations other than for Smoking, each day of a continuing violation of this chapter shall constitute a separate violation.

**Sec. [ ] (\*5) ]. PENALTIES AND ENFORCEMENT.**

(a) The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.

(b) Each incident of Smoking in violation of this chapter is an infraction subject to a one hundred dollar (\$100) fine or otherwise punishable pursuant to section [ ] of this code. Other violations of this chapter may, in the discretion of the City Prosecutor, be prosecuted as infractions or misdemeanors when the interests of justice so require. Enforcement of this chapter shall be the responsibility of [ ]. In addition, any peace officer or code enforcement official also may enforce this chapter.

(c) Violations of this chapter are subject to a civil action brought by the City of Chico, punishable by a civil fine not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1,000) per violation.

(d) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter shall also constitute a violation of this chapter.

(e) Any violation of this chapter is hereby declared to be a nuisance.

(f) In addition to other remedies provided by this chapter or by other law, any violation of this chapter may be remedied by a civil action brought by the City Attorney, including, but

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not limited to, administrative or judicial nuisance abatement proceedings, civil or criminal code enforcement proceedings, and suits for injunctive relief.

(g) Except as otherwise provided, enforcement of this chapter is at the sole discretion of the City. Nothing in this chapter shall create a right of action in any Person against the City or its agents to compel public enforcement of this chapter against private parties.

(h) Any Person acting for the interests of itself, its members, or the general public may bring a civil action to enjoin a violation of this chapter by an Employer or Nonprofit Entity or to enjoin repeat violations of this article by an individual.

**SECTION III. STATUTORY CONSTRUCTION & SEVERABILITY.** It is the intent of the City Council of the City of Chico to supplement applicable state and federal law and not to duplicate or contradict such law and this ordinance shall be construed consistently with that intention. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Chico hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof independently, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.



## Staff Report

Meeting Date 01/30/12

DATE: 1/15/2012  
TO: Bidwell Park and Playground Commission  
FROM: Meredith Williams, Associate Planner, Planning Services Department and Dan Efseaff, Park and Natural Resources Manager, Park Division  
SUBJECT: 4.2 Comanche Creek Greenway Management Plan, Comanche Creek Greenway Improvement Project, and Mitigated Negative Declaration

### RECOMMENDATION

Staff recommends that the Bidwell Park and Playground Commission (Commission) adopt Resolution 12-01 (**Attachment A**), which:

- 1) *Adopts the proposed Mitigated Negative Declaration and Monitoring Program;*
- 2) *Approves the Comanche Creek Greenway Management Plan; and*
- 3) *Approves the Comanche Creek Greenway Improvement Project.*

### BACKGROUND

The Comanche Creek Greenway includes property north and south of Comanche Creek between Midway and Estes Road. This property is designated Primary and Secondary Open Space and is currently unimproved and has restricted public access. As funding permits, the City intends to improve the site to allow public access and to create an amenity for the surrounding neighborhoods, employment centers, and the greater Chico community.

Since 2009, City staff has met regularly with the Southwest Neighborhood Creeks, Parks, and Open Space Action Group to draft a plan for future recreational use of the Greenway. This effort has resulted in development of the draft Comanche Creek Greenway Management Plan (Management Plan) (**Attachment B**) and the Comanche Creek Greenway Improvement Project (Greenway Project) (**Attachment C**). These draft documents are consistent with the Chico 2030 General Plan and the Southwest Neighborhood Plan, which specifically call for improvements to the Greenway.

An environmental review of the Management Plan and Greenway Project included preparation of an initial study and a mitigated negative declaration and monitoring program. A 30-day public comment period for the environmental documents ended on Friday, January 20th. One comment letter (**Attachment D**) on the documents was received during this period.

### DISCUSSION

#### Management Plan

Management plans for parks, greenways, and open spaces are necessary to direct proactive management goals, set priorities, and minimize conflicts between various uses. The 2011-2012 Commission Work Plan identifies the Comanche Creek Greenway (Item 7.d) as a priority area to develop management plan concepts.

The draft Management Plan (**Attachment B**) will guide maintenance priorities, vegetation management activities, and allowed uses in the Greenway. The Management Plan provides a limited, focused approach

to guide activities for the initial public opening of the Greenway, and the Plan is anticipated to be updated as use of the site changes over time. Several days of volunteer work on the site have already helped with removal of invasive species and clearing trails. Volunteer efforts will continue to be an important part of the site's management program.

### Greenway Project

Implementation of the Greenway Project (**Attachment C**) would enhance public access to the Greenway and expand bicycle and pedestrian circulation in southwest Chico. The Greenway Project includes project goals, a description of the project site, a site improvement diagram, an explanation of the diagram's components, and guidance for implementation of improvements. The site improvement diagram depicts the location and type of recreational features envisioned for the Greenway, including a bicycle bridge over Comanche Creek, a paved bicycle path, trails, parking areas, signs, kiosks, benches and picnic tables. Exact locations for features will be determined through site-specific engineering at the time of implementation, likely to occur in phases as funding permits.

Public comments on the proposed Greenway Project have been generally positive, particularly in support of the bicycle/pedestrian bridge and path. The proposed Greenway improvements were presented at a public workshop held on July 12, 2011, and were supported by the Bicycle Advisory Committee at its meeting on November 2, 2011. Questions have arisen about specific aspects of the improvements, such as path dimensions and alignments. Staff believes these details would be best addressed when engineering plans are developed as a part of project implementation.

### Environmental Review

An initial study (**Attachment E**) has been prepared for the project to evaluate potential environmental impacts associated with implementation of the Management Plan and Greenway Project. The initial study identified potentially significant environmental issues in the following categories: Air Quality, Biological Resources, and Cultural Resources. The mitigation measures identified in the mitigated negative declaration will reduce these potential impacts to less-than-significant levels. Please refer to the attached initial study for a complete description of the environmental setting and a discussion of potential impacts. Staff received one comment letter (**Attachment D**) on the environmental document. Any additional comments received may be addressed at the Commission's January 30, 2012 meeting.

Section 1.40 of the Chico Municipal Code and Title 14, Section 15074 of State Guidelines require that the following findings be made to adopt a proposed mitigated negative declaration:

*After considering the proposed mitigated negative declaration, all comments made in connection therewith, and the staff recommendations thereon, the decision-making body shall approve the mitigated negative declaration if it finds, on the basis of the initial study, comments received and other information contained in the administrative record that:*

- 1. There is no substantial evidence of a fair argument that the project will have a significant effect on the environment;*
- 2. The mitigated negative declaration reflects the independent judgment and analysis of the City of Chico; and*
- 3. The document has been prepared in conformance with the provisions of the California Environmental Quality Act and the Chico Municipal Code, Chapter 1.40 "Environmental Review Guidelines."*

These findings are included in the attached Resolution 12-01 (**Attachment A**).

## **FISCAL IMPACT**

Over the past two years, there has been a significant investment of City and community resources in planning the Comanche Creek Greenway, and these efforts are summarized in the Management Plan, the Greenway Project, and the environmental document. At this time, no funding sources have been identified to implement the Greenway Project, the Management Plan, or to conduct ongoing maintenance of the site. However, adoption of the Mitigated Negative Declaration and approval of the Management Plan and the Greenway Project would demonstrate an investment in the site that could support future opportunities to secure grants or other funding opportunities.

## **PUBLIC NOTICE**

A large display ad regarding the Notice of Intent and the Commission meeting was published in the Chico Enterprise Record on December 20, 2011, and the Notice of Intent was mailed to interested parties and adjacent property owners. As mentioned above, the proposed Greenway Project was presented at a public workshop on July 12, 2011 and to the Bicycle Advisory Committee on November 2, 2011. In addition, staff participated in over forty meetings with the Southwest Neighborhood Creeks, Parks and Open Space Action Group.

### **Attachments:**

- A) Resolution
  - Exhibit I: Project Area Plat*
  - Exhibit II: Proposed Mitigated Negative Declaration and Monitoring Program*
- B) Comanche Creek Greenway Management Plan
- C) Comanche Creek Greenway Improvement Project
- D) Comment Letter on the Environmental Document
- E) Initial Study

**Distribution:** BPPC, SP Tillman, SCE Greenlaw, ACE Jukkola, PD Wolfe

1 RESOLUTION NO. 12-01

2 RESOLUTION OF THE BIDWELL PARK AND PLAYGROUND COMMISSION  
3 ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING  
4 PROGRAM FOR THE COMANCHE CREEK GREENWAY MANAGEMENT PLAN AND  
5 COMANCHE CREEK GREENWAY IMPROVEMENT PROJECT; AND APPROVING BOTH  
6 THE PLAN AND PROJECT

7 WHEREAS, the property north and south of Comanche Creek between Midway and Estes Road  
8 is hereby referred to as the Comanche Creek Greenway (Greenway) as depicted in Exhibit I, attached  
9 and incorporated into this resolution; and

10 WHEREAS, the Greenway is currently unimproved and public access to the site is restricted; and

11 WHEREAS, City staff has drafted a Comanche Creek Greenway Management Plan  
12 (Management Plan) to serve as a guide for maintenance, vegetation management activities, and allowed  
13 uses in the Greenway that will be implemented as funding permits; and

14 WHEREAS, City staff has worked with neighboring residents, businesses, and other interested  
15 parties to develop the Comanche Creek Greenway Improvement Project (Greenway Project) to enhance  
16 public access to the Greenway and expand bicycle and pedestrian circulation in southwest Chico,  
17 creating an amenity for the surrounding neighborhoods and the greater Chico community; and

18 WHEREAS, the Greenway Project would include features such as a bicycle bridge over  
19 Comanche Creek, a paved bicycle path, trails, parking areas, signs, kiosks, benches, and picnic tables,  
20 likely to be implemented in phases as funding permits; and

21 WHEREAS, the Bidwell Park and Playground Commission (Commission) considered the initial  
22 study, proposed Mitigated Negative Declaration, the Management Plan, the Greenway Project, and  
23 public comments at a noticed public hearing held on January 30, 2012.

24 NOW, THEREFORE, BE IT RESOLVED BY THE BIDWELL PARK AND PLAYGROUND  
25 COMMISSION:

- 26 1. That the Commission finds that the mitigation measures as set forth in Exhibit II, entitled  
27 "Mitigated Negative Declaration and Mitigation Monitoring Program", attached and  
28 incorporated into this resolution, will substantially reduce or avoid the described environmental  
impacts of implementing the Greenway Project and Management Plan to less-than-significant  
levels.

- 1 2. That the Commission, after considering the proposed Mitigated Negative Declaration, all  
2 comments made in connection therewith, and the recommendations of City staff, finds on the  
3 basis of the whole record before it that:
- 4 a. There is no substantial evidence of a fair argument that the Management Plan and the  
5 Greenway Project may have a significant effect on the environment;
  - 6 b. The Mitigated Negative Declaration reflects the City’s independent judgement and  
7 analysis; and
  - 8 c. The document has been prepared in conformance with the provisions of the California  
9 Environmental Quality Act and the Chico Municipal Code, Chapter 1.40,  
10 “Environmental Review Guidelines.”
- 11 3. That the Commission hereby adopts the Mitigated Negative Declaration and Mitigation  
12 Monitoring Program set forth in Exhibit II.
- 13 4. That the Commission finds that the Management Plan and the Greenway Project are consistent  
14 with the Chico 2030 General Plan and the Chico Municipal Code.
- 15 5. That based on the above findings, the Commission hereby approves the Management Plan and  
16 Greenway Project.
- 17 6. That the Commission hereby specifies that the materials and documents which constitute the  
18 record of proceedings upon which its decision is based are located at the City of Chico General  
19 Services Department.

20 THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the Commission held on  
21 January 30, 2012, by the following vote:

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NOES:  
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ABSTAIN:  
ATTEST:

APPROVED AS TO FORM:

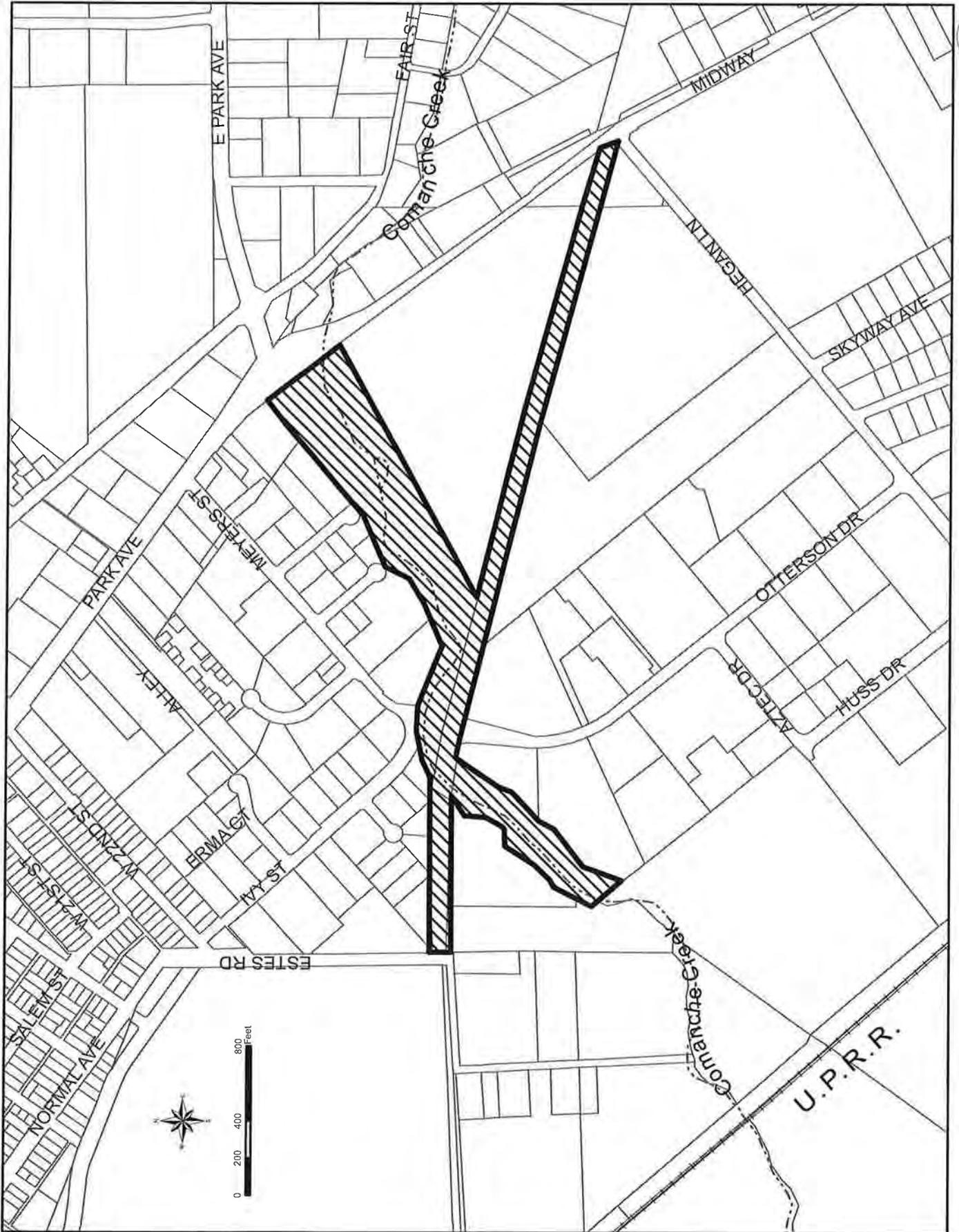


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DAN EFSEAFF  
BPPC Secretary

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Alicia M. Rock  
Assistant City Attorney



Plat to Accompany Resolution 12-01

Comanche Creek Greenway



EXHIBIT **I**



## MITIGATED NEGATIVE DECLARATION & MITIGATION MONITORING PROGRAM CITY OF CHICO PLANNING SERVICES DEPARTMENT

Based upon the analysis and findings contained within the attached initial study, a mitigated negative declaration is proposed by the City of Chico Planning Services Department for the following project:

**PROJECT NAME AND NUMBER:** Comanche Creek Greenway Improvement Project

**APPLICANT'S NAME:** City of Chico, Chico, CA

**PROJECT LOCATION:** Chico, California (APNs 039-420-001, 039-620-028, 039-060-021 & 039-410-013)

### **PROJECT DESCRIPTION:**

The project includes the Comanche Creek Greenway Improvement Project and the Comanche Creek Greenway Management Plan, which references the Comanche Creek Vegetation Management Plan prepared by DC&E in 2008. The Improvement Project is to implement the community's vision to enhance non-intensive recreation in the Comanche Creek Greenway and connect bicycle facilities in Southwest Chico. The Project diagram depicts the general locations for site improvements which include a paved bicycle path, a bicycle bridge over Comanche Creek, trails, parking areas, signs, kiosks, benches and picnic tables. Exact locations for features will be determined through site-specific engineering at the time of implementation. Full implementation of the improvements will likely occur in phases, as funding permits. Management of the site will be directed by the Comanche Creek Greenway Management Plan which guides the maintenance, vegetation management activities, and allowed uses of the site. The vegetation management, specifically, will also be guided by the Vegetation Management Plan.

The attached initial study indicates that there is no substantial evidence, in light of the whole record before the agency, that the project will have a significant effect on the environment if the following mitigation measures are adopted and implemented for each identified impact:

### **MITIGATION MEASURE C.1 (Air Quality)**

To minimize fugitive dust and exhaust emissions during construction activities, the following shall be included with all construction plans, documents and construction contract requirements for the project:

- a. Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil conditions, and wind exposure.
- b. Prior to, during, and at the end of construction, all active and inactive construction areas will be treated sufficiently to minimize fugitive dust emissions. If necessary, apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days) to control dust emissions. Fugitive dust emissions are considered dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces.
- c. Limit vehicle speeds to 15 mph on unpaved roads.
- d. Suspend land clearing, grading, earth moving, or excavation activities when wind speeds exceed 20 mph.
- e. If applicable, apply non-toxic binders (e.g. latex acrylic copolymer) to exposed areas after cut and fill operation and hydroseed the area.
- f. Cover inactive storage piles.
- g. Sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities.

- h. During active construction phases, a publicly visible sign will be posted at the construction site with the name and telephone number of the person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD rules 200 and 205 (Nuisance and Fugitive Dust Emissions).
- i. Exhaust emissions shall be minimized by maintaining equipment in good repair and proper tune according to the manufacturer's specifications.
- j. If construction activities occur during smog season (May-October), equipment will not be allowed to idle for long periods of time.

**Mitigation Monitoring C.1 (Air Quality):** *Timing/Implementation:* During Construction  
*Responsible Party:* City of Chico Capital Project Services and Planning Services Department staff.

**MITIGATION MEASURE D.1 (Biology - Plants)**

Informational signage shall be installed at entrances to the Comanche Creek Greenway. These signs would inform park users of the presence and sensitivity of natural vegetative communities and discourage visitors from off-trail use and trampling of vegetation.

**Mitigation Monitoring D.1 (Biology - Plants):** *Timing/Implementation:* As part of project development  
*Responsible Party:* City of Chico Capital Project Services and Planning Services Department staff.

**MITIGATION MEASURE D.2 (Biology - Valley Elderberry Longhorn Beetle)**

Pre-construction training of work crews by a qualified biologist shall be required. Site-specific VELB avoidance plans must include the following measures:

- A. All elderberry shrubs shall be avoided during construction activities by establishing a 25-foot buffer around any elderberry plants containing stems measuring 1-inch or greater at ground level.
- B. Elderberry shrubs shall be fenced or flagged during construction activities.
- C. Signs shall be erected along the edge of the avoidance area with the following information:  
"This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment."
- D. Prior to commencement of construction, contractors and work crews shall be briefed on the need to avoid damaging elderberry plants and the possible penalties for not complying with these requirements.
- E. The project shall not result in impacts, including damage, removal or modification, to elderberry shrubs.

**Mitigation Monitoring D.2 (Biology - Valley Elderberry Longhorn Beetle):**

*Timing/Implementation:* Prior to commencement of, and during, construction activities the mitigation measure will be verified on construction contracts and through field inspections.  
*Responsible Party:* City of Chico Capital Project Services and Planning Services Departments staff.

**MITIGATION MEASURE D.3 (Biology – Giant Garter Snake)**

Pre-construction training of work crews by a qualified biologist, restrictions on the timing of upland habitat modifications, and a preconstruction survey shall be required.

As GGS is a state listed species, the project shall obtain approval from the DFG per the California Endangered Species Act. This approval shall be contingent on a determination that the proposed project would remain consistent with DFG performance standards relative to mitigating potential impacts to GGS.

Pursuant to USFWS “Standard Avoidance and Minimization Measures During Construction Activities in Giant Garter Snake Habitat,” the applicant shall:

1. Confine movement of heavy equipment to existing roadways to minimize habitat disturbance.
2. Construction activity within potentially sensitive basking areas will be conducted between May 1 and October 1. This is the active period for GGS and direct mortality is lessened, because snakes are expected to move and avoid danger. Between October 2 and April 30, the USFWS Sacramento Office shall be contacted to determine if additional measures are required to minimize and avoid take.
3. Confine clearing to the minimal area necessary to facilitate construction activities.
4. Personnel shall receive USFWS-approved worker environmental awareness training. This training shall instruct workers to recognize GGS and its habitat.
5. Twenty-four hours prior to construction, the area will be surveyed for GGS. The survey shall be repeated any time construction activities lapse for two weeks or more. If a specimen is encountered during construction, activities in the vicinity will cease until appropriate corrective measures have been implemented, or it has been determined that the snake will not be harmed. Any sightings or incidental takes shall be reported to the USFWS immediately.
6. After completion of construction activities, temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas will be restored to pre-project conditions. Restoration may include replanting appropriate plant species along the banks of the creek or within the creek’s channel.

**Mitigation Monitoring D.3 (Biology - Giant Garter Snake):** *Timing/Implementation:*

Throughout construction *Responsible Party:* City of Chico Planning Services and Capital Projects Department staff

**MITIGATION MEASURE D.4 (Biology - Hawks, Owls, Kites and Migratory Birds)**

Prior to construction and/or tree removal (if required) that is scheduled within rapture nesting season (February 1<sup>st</sup> – August 31<sup>st</sup>), a qualified biologist will survey the project site to identify active nests within 500 feet of the project area. The survey will 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 will be avoided by establishment of appropriate buffers. No project activity will commence within the buffer area until a qualified biologist confirms that the nest is no longer active. DFG guidelines recommend implementation of 500 foot buffers, but the size of the buffer may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist may be required if the activity has potential to adversely affect the nest.

**Mitigation Monitoring D.4 (Biology - Hawks, Owls, Kites and Migratory Birds):**

*Timing/Implementation:* Before and during construction taking place during the breeding season

of tree-nesting raptors *Responsible Party:* City of Chico Planning Services and Capital Projects Department staff

**MITIGATION MEASURE E.1 (Cultural Resources):** During all ground disturbing activities associated with the installation of bridge footings, a professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County will be present on site to monitor construction activities.

Additionally, if during all ground disturbing activities, any potentially prehistoric, protohistoric, and/or historic cultural resources are encountered, the supervising contractor shall cease all work within 10 feet of the find (100 feet for human remains) and notify the City. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained to evaluate the significance of the find. City staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. If human remains are uncovered, the project team shall notify the Butte County Coroner pursuant to Section 7050.5 of California's Health and Safety Code. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the City, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the City to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.

**Mitigation Monitoring E.1 (Cultural Resources):** *Timing/Implementation:* During all ground disturbing activities. *Responsible Party:* City of Chico Capital Project Services and Planning Services Department staff.

Prepared by:



Meredith Williams, Associate Planner  
Planning Services Department

12/15/11

Date

Adopted by:

\_\_\_\_\_

Bidwell Park and Playground Commission

\_\_\_\_\_

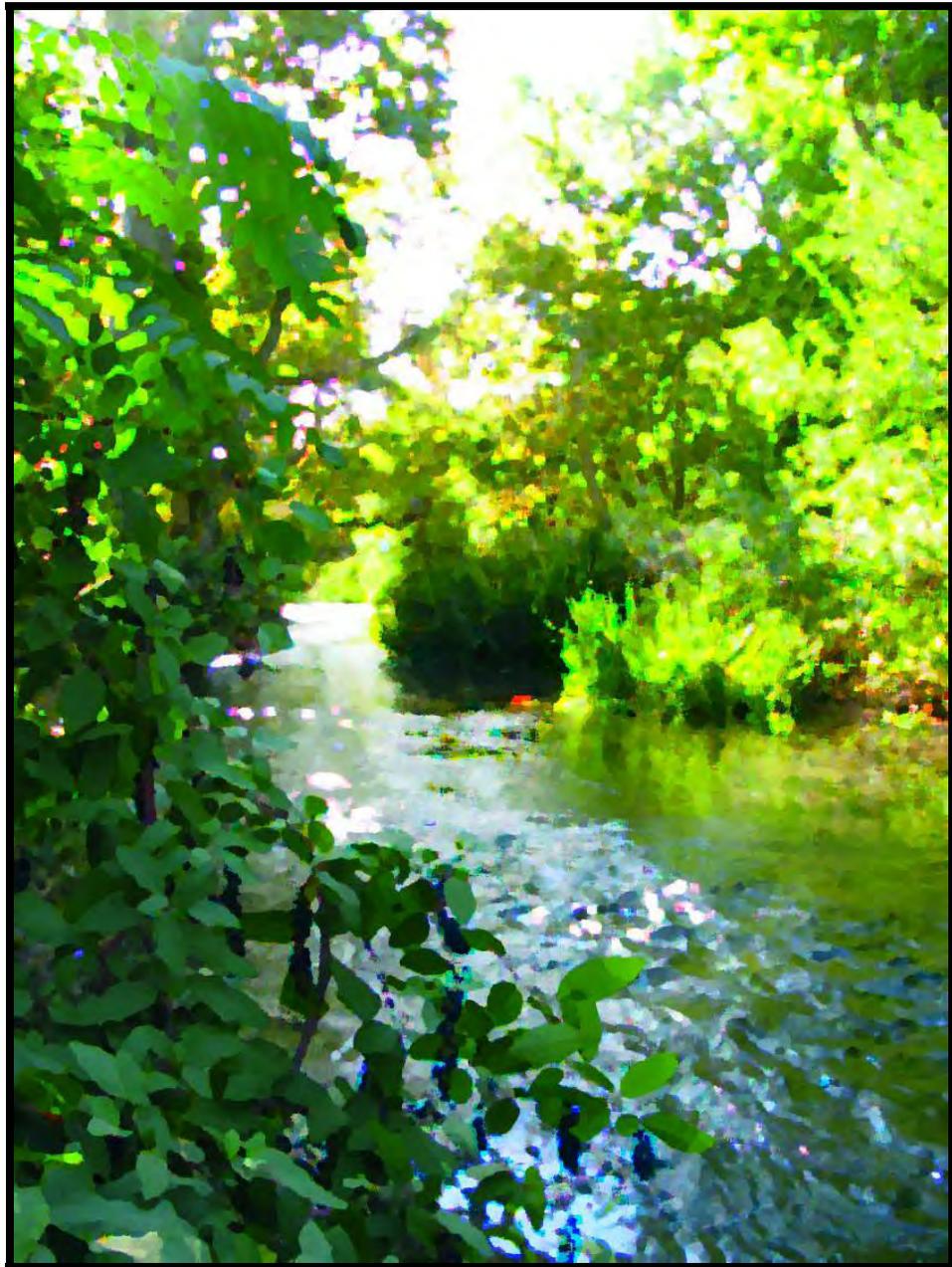
Date

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# Comanche Creek Greenway Management Plan

Chico, California

December 14, 2011



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## City of Chico

General Services Department – Parks Division

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**Suggested citation:**

City of Chico. 2011. Comanche Creek Management Plan. Chico, California. Draft (12/6/11). General Services Department, Parks Division. Chico, California.

## I. INTRODUCTION

The City of Chico owns approximately 20 acres along Comanche Creek Greenway, shown in **Figure 1**. The City intends to enhance the site as a greenway providing habitat, public access to the creek, and a link in the City-wide circulation system, as described in the Comanche Creek Greenway Improvement Project document.

This management plan builds on the information contained in the Comanche Creek Vegetation Management Plan (CCVMP), prepared in 2008 (DCE 2008). The CCVMP is a detailed management guide for conservation, rehabilitation, enhancement and protection of the native resources in and along Comanche Creek. It will be referenced from this plan for specific information about vegetation management of the site.

### A. Purpose of the Management Plan

This plan provides a limited, focused approach to guide management and appropriate activities for the initial public opening of the Greenway. When possible, this plan will rely on existing sources of information (CRA 2007; DCE 2008; GCI 2007). The plan assumes that limited improvements have been made to the site to allow public access to the largely unimproved Greenway.

Under the adaptive management approach that governs this document, this plan will change over time as new information is integrated into the site management. For example, as the Comanche Creek Greenway Improvement Project is implemented, this plan will be updated to include the additional uses and improvements to the site.

### B. Vision, Goals, Objectives, and Implementation Strategies

This plan provides an adaptive guide for immediate management of the site, and estimates operational costs for implementation. The cost estimates may provide a basis for seeking funding.

**Table 1. Goals, Objectives, and Considerations for the Comanche Creek Management Plan.**

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<b>Plan Goals and Objectives</b>
<ul style="list-style-type: none"><li>• Consider management of site resources to allow public access.</li><li>• Define appropriate public access opportunities (parking, gates, trails, signage, education and volunteer opportunities), and activities on the site.</li><li>• Develop costs associated with site management and identify potential funding sources.</li><li>• Identify potential partners and resources to aid with site management.</li></ul>

---

<b>Site Specific Considerations</b>
<ul style="list-style-type: none"><li>• Consider measures with features noted in the Comanche Creek Greenway Improvement Project (City of Chico, 2011).</li><li>• Encourage natural processes on site and minimize impacts to the creek as a wildlife corridor.</li><li>• Minimize impacts to the creek bank from increased activities and soil erosion.</li><li>• Incorporate measures that minimize the potential for homeless encampments.</li><li>• Consider initial low cost improvements to parking, trails, and installation of informational signage to enhance public access.</li></ul>

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**Site Specific Considerations**

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- Acknowledge that long-term improvements and funding sources for ongoing maintenance will be identified as the Improvement Project is implemented.
- 

**C. Funding**

No funding sources have been identified to implement this plan. The fiscal and staffing impacts of the project (especially regular maintenance) will be an important consideration and may determine the actions on the site. An estimate of costs associated with this plan is provided in Section IV below.

**D. Partners, Roles, and Responsibilities**

The City of Chico owns and manages the property. The City of Chico Parks Division has the lead responsibility for property management and implementation. Staff prepared this plan with input from the Southwest Chico Neighborhood Creeks Action Group (“Southwest Neighborhood Group”). City Staff from Planning Services and Housing and Neighborhood Services provide support and guidance for the Neighborhood Group. Surrounding businesses and neighborhoods have expressed interest in expanding access to the site as well as improving site conditions.

**II. SITE DESCRIPTION**

It is beyond the scope of this document to provide a comprehensive evaluation of the physical and biological resources on site. However, understanding of the site setting is important for making good resource decisions. This document only provides a brief summary of the main site attributes; more details are available in other documents (DCE 2008; GCI 2007; CRA 2007; City of Chico 2011a and 2011b; and NSR 2010).

The approximately 20-acre site lies between Estes Road and Midway (**Figure 1**). The site consists of dense riparian woodland, scrub, aquatic and other habitats along a 0.6 mile long corridor of Comanche Creek. Surrounding the site are largely urbanized lands to the north, east, and southwest, agricultural land to the west, and annual grasslands and woodlands to the immediate south. The site’s resources and characteristics such as geology, soil, topography, hydrology, water quality, geomorphology, and public access are summarized below in Table 2.

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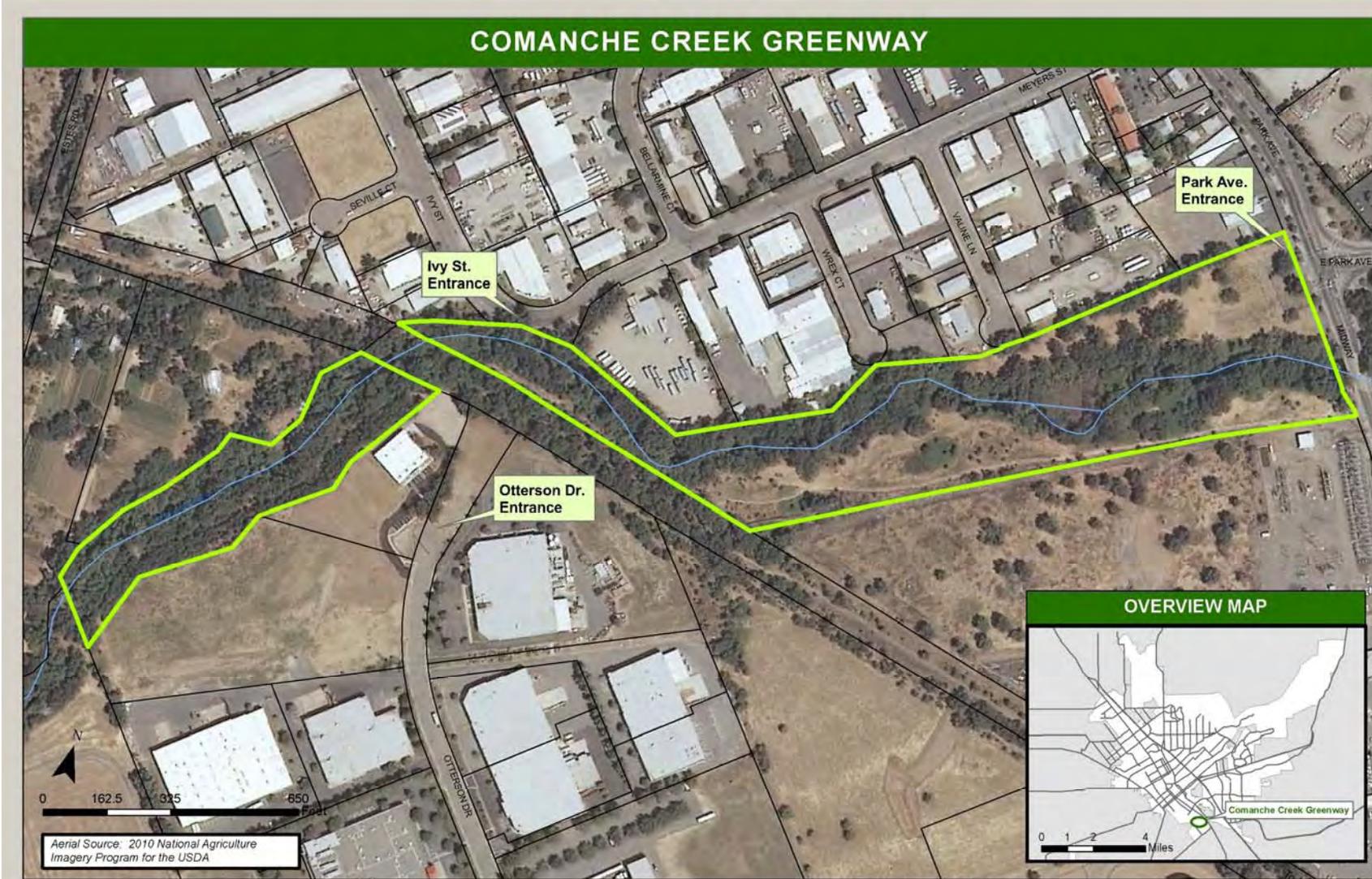


Figure 1 Comanche Creek Location and Boundaries

**Table 2. Summary of Pertinent Site Features**

Issue	Site Description
Geographical Setting and Property Location	Approximately, 20 acres along Comanche Creek, west of the intersection of Park Avenue/Midway and East Park Avenue. Approximately 3,500 lineal feet of the Comanche Creek channel lies within these two parcels.
Land-use History and Zoning	The General Plan designations for the site are Primary Open Space immediately around the creek and Secondary Open Space on the remainder of the site. Several cement pads that supported farm granaries are present on the site pointing to the past farming history. These structures were abandoned but left standing in the late 1970s, but only the pads remain today. The site is traversed by a railway right of way, which is no longer in use. Although the tracks have been removed the earthen embankment for the railway remains quite prominent.
Adjoining Properties and Potential Issues	Surrounding the site are largely urbanized lands to the north, east, and southwest, residential-agricultural land to the west, and annual grasslands and woodlands to the immediate south.
Soil Properties	Detailed soil information is available in the 2010 wetland delineation (NSR 2010) of the site and from NRCS soil maps and descriptions.
Topography	Detailed topography for the creek channel is depicted on Figure 3 of the wetland delineation study (NSR 2010).
Hydrology	Historically, Comanche Creek was an intermittent stream draining the Doe Mill Ridge until the construction of the Parrott-Phelan agricultural diversion (No. 50) on Butte Creek. Today, Comanche Creek receives additional water from this diversion as well as storm water run-off from Chico's urban areas, making it more hydrologically similar to a perennial stream than an ephemeral body of water. The creek has been deepened and rip-rap placed in locations.
Geomorphology	Some erosion/deposition occurs within the creek channel, but is limited by the nature of the water source (diverted water from Butte Creek). Flow velocity and sediment source is limited, although some erosion is evident along the creek. Outside of the channel, landforms are stable.
Vegetation	The site consists of dense riparian woodland and scrub, valley oak woodland, and non-native ruderal grassland. While most of the Plan area contains a mixture of native and non-native species which reflect the relatively high degree of past disturbance, segments of the creek corridor remain in excellent condition with an almost exclusive cover of native species. Notably, there are a number of large valley oak, California sycamore, and Fremont cottonwood trees dispersed along the corridor.

Although no occurrences of special status plant species have been reported in the California Natural Diversity Database (CNDDB) within the immediate vicinity of the site, the riparian habitat is considered to have a remote to low potential for occurrence.

Targeted invasive species in the riparian woodland zone include Himalayan blackberry, periwinkle, English ivy, arundo, and tree of heaven. The freshwater marsh occurring in Comanche Creek is dominated by non-native plants, predominately Himalayan blackberry. The dominant non-native species to control in the valley oak woodland is the Himalayan blackberry. However, existing stands of periwinkle and poison hemlock should also be controlled. Native grassland species are rapidly being lost to thickets of Himalayan blackberry, poison hemlock, Johnson grass, and dallisgrass, and the spread of native and non-native saplings. Recently (2010), staff have observed puncturevine on site.

Issue	Site Description
Wildlife	The aquatic and terrestrial habitats of the creek corridor and woodlands support a diverse assemblage of plant and animal species, providing important protective cover and serving as movement corridors for fish and wildlife. The grasslands also provide habitat for a variety of wildlife species, although the establishment and spread of several highly invasive species such as Himalayan blackberry and areas of soil compaction, caused by human activity, compromise their habitat value. Several special status species have a low to moderate potential for occurring on the site, and there is a high potential for some occurrence of valley elderberry longhorn beetle.
Public Access and Recreational Uses	The site has had restricted access since public acquisition. However, several dirt trails cross the site, and homeless camps are a recurring phenomenon. Currently, public access on site requires permission and occurs only through periodic tours or volunteer cleanup efforts. Homeless encampments are common, and the site is part of regular encampment surveys and clean-up efforts.

### III. CONCEPTUAL SITE MODEL

The Conceptual Site Model (CSM) synthesizes and crystallizes what is already known about a site that is pertinent to decision-making. CSMs use available information to distill what is known about a site to develop management strategies or to identify additional information needed to achieve project goals.

CSMs evolve as projects progress. At any given point in time, the maturity of the CSM reflects the level of site understanding and the amount of information and complexity of analysis required to support the decisions that need to be made. This Plan includes a simple model that lays out the current understanding of the site and the rationale for management decisions. This conceptual site model:

- 1) Presents our understanding of the physical and biological factors that influence site ecology and how it integrates with management objectives,
- 2) Describes uncertainty and information needs (data gaps), and
- 3) Outlines our management strategy and identifies recreational and ecological benefits

The principles described in this section will guide the implementation of this plan.

#### A. Adaptive Management Approach

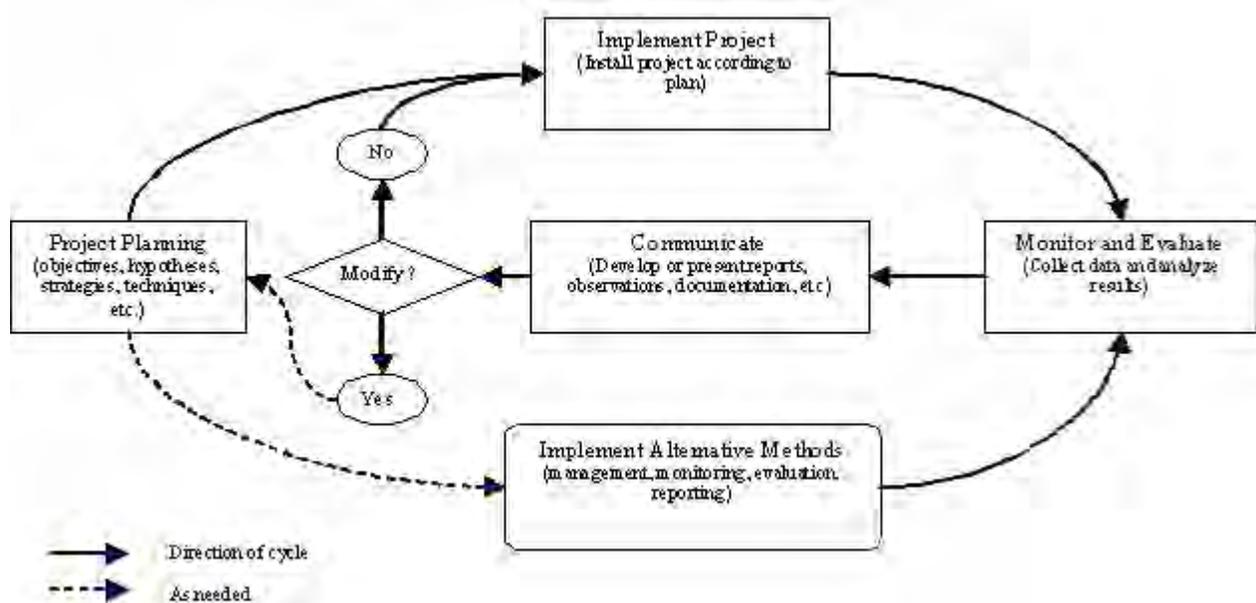
This project will be implemented using an adaptive management approach (Figure 2). While there are many definitions of adaptive management, they share similar elements. Adaptive management is a decision process for continually improving management policies and practices by learning from the outcomes of operational programs. Adaptive Management promotes flexible decision making that can be adjusted in the face of uncertainties as outcomes from management actions and other events become better understood. Careful monitoring of these outcomes helps to adjust policies or operations as part of an iterative learning process.

Resource management policy will acknowledge uncertainty and accommodate course corrections that arise from changing conditions, or new information gathered during

implementation. Evaluating the success of management strategies is vital for long-term successful restoration and natural resource management.

**Figure 2** is a diagram of a general adaptive management cycle, showing the feedback between project planning with its objectives and hypotheses, implementation, monitoring, and evaluation.

As applied to this project, the cycle begins with Project Planning and is followed by implementation. Routine monitoring and evaluation occur throughout the year. Communication will also occur with an annual report that briefly summarizes progress and notable observations or changes on the site. This management plan will be updated as the need for significant management changes arises.



**Figure 2. Adaptive Management Model**

## B. Identification of Pertinent Site Features and Factors

The site features with the most critical management implications include:

### Site environmental conditions

- The presence of year round water and good soil creates conditions near the creek similar to a year-round riparian area (rather than an ephemeral creek).
- The site supports a number of large specimen riparian trees (valley oak and California sycamore).
- The vegetation and creek provides a wildlife corridor across an increasingly urban landscape.

### Likely successional patterns

- The Vegetation Management Plan (DCE 2008) notes that while the dense thickets of Himalayan blackberry and other non-native species currently limit

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plant diversity along much of the Creek, much of the riparian habitat continues to provide important wildlife resources to a wide variety of species.

- Non-native annuals dominate open areas competing with native woody species that may colonize the area.
- The potential for special status plant species to be found on site is low (DCE 2008).
  - Adobe lily, Ahart's paronychia, fox sedge, and round leaf filare were identified as having a moderate potential for occurrence (GCI 2007).
  - About 18 special status animal species have a low to moderate potential to be found on site (DCE 2008). The valley elderberry longhorn beetle, Swainson's hawk, and white-tailed kite were judged to have a high potential of using a portion of the site; giant garter snake, and burrowing owl were noted as having a moderate potential (GCI 2007).
- The site's good soils and ample moisture support a wide variety of native plants with good recruitment; however, favorable site conditions also make the site prone to invasion by a variety of non-native plants. While there is some lasting legacy from the mature native trees on site; over time, plants such as Himalayan blackberry and ailanthus threaten the site's biological integrity. If left unmanaged, invasive plants are likely to continue displacing native plants, and becoming more difficult and costly to remove.

#### Public Access

- Neighborhood interest in site access is high.
- Numerous surveys, vegetation management efforts, and removal of homeless encampments have occurred on the site.

### **C. Management strategies**

Based on our understanding of the site, we recommend the following strategies:

- Develop basic infrastructure improvements to educate users and minimize conflicts, minimize unauthorized use of the property, and ease maintenance over the long-term.
- Use aggressive management efforts on priority invasive plants.
- Use measures to protect existing native seedlings (mulch, plant protectors, weed control, and potentially some supplemental irrigation).
- Consider targeted plantings of native woody plants in areas of poor recruitment.
- Consider the planting of understory plants such as native grasses and forbs to increase the wildlife value and beauty of the site, decrease the potential for invasion by new plants, increase native plant cover, and increase wildlife habitat diversity.
- Allow public use of the site to help in the timely reporting of homeless encampments.
- Consider non-intensive recreational uses that minimize the disruption to wildlife that use this corridor.
- Increase ranger patrol efforts to enforce rules and discourage unauthorized uses, increase safety, and educate users.
- Promote a pack it in, pack it out and low environmental impact ethic.

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- Use neighborhood volunteers and citizen support to supplement property management efforts.
- Develop initial minor improvements to provide public access with minimal cost.
- Utilize an adaptive management approach that incorporates new information and evolving site goals in future versions of this document.

#### **IV. MANAGEMENT IMPLEMENTATION**

##### **A. Regulatory Compliance and Issues**

This plan is considered for the Initial Study and Mitigated Negative Declaration for the Comanche Creek Greenway Improvement Project to comply with the California Environmental Quality Act (CEQA). Other permits such as a floodway encroachment permit or stream bank alteration permit will not be required. Herbicide applications will be applied according to the label, and subject to county herbicide permitting and reporting requirements.

##### **B. Public Access and Appropriate Activities**

Given current site conditions, non-intensive uses are the most appropriate for the site. The Bidwell Park Master Management Plan (EDAW 2008) defines non-intensive uses as uses that generally do not result in substantial disturbance or removal of natural (e.g., plants, wildlife, soils, and hydrology), cultural, visual, aesthetic or other resources individually or cumulatively. Non-intensive uses are non-motorized activity that:

- Offers constructive, restorative, and pleasurable human benefits and fosters appreciation and understanding of open space and its purpose
- Is compatible with other passive recreation uses
- Does not significantly impact natural, cultural, scientific, or agricultural values
- Requires only minimal visitor facilities and services directly related to safety and minimizes passive recreation impacts

Examples of non-intensive uses include use of well-designed multi-use trails in sensitive areas and limited amounts of off-trail foot traffic in non-sensitive areas; fishing (as per DFG regulation), and nature observation. Dogs will be allowed on leash. Activities prohibited include overnight camping, alcohol, intensive recreation uses, motorized activity, or any activity that alters the site or requires equipment installation. Because of the sometimes swift moving water, steep slopes, dense vegetation, and underwater debris and hazards, swimming on site will not be encouraged. Public access to the site will be limited to hours consistent with other greenways (closed between 12:00 am and 5:00 am).

Improvements related to this plan are planned only for the Park Avenue entrance to the property, with parking and access allowed on the north side of the creek and access allowed on the south side of creek (walking across the Park/Midway Bridge). Access from Otterson Drive will also be allowed, and a sign will be placed there. Access from other areas or additional trash cans or doggie pot locations will be developed later. These future features are depicted in the Comanche Creek Greenway Improvement Project (City of Chico 2011a).

## C. Resource Protection

### 1. Vegetation Management and Restoration

The CCVMP (DCE 2008) acts as a guide for vegetation management on the site, including eradication of invasive species and planting of native plant species.

The plan notes 6 invasive plants of greatest concern on the site and provides treatment, disposal, and follow-up management details. The plants identified (DCE 2008) are:

- English ivy, (*Hedera helix*, *H. canariensis*)
- Giant reed (*Arundo donax*)
- Himalaya blackberry (*Rubus armeniacus*)
- Periwinkle (*Vinca major*)
- Poison-hemlock (*Conium maculatum*)
- Tree-of-heaven (*Ailanthus altissima*).

The CCVMP divides the vegetation management into 3 phases: short (invasive plant removal), medium (revegetation and maintenance), and long-term (maintenance) recommendations. It recommends that consultants and contractors carry out the major initial work with the California Conservation Corps (CCCs) assisting with removal and planting, and volunteers be used for the initial invasive removal and on-going efforts.

To carry out this plan, aggressive short-term efforts should be carried out over a 3 year period. These efforts will help make the site more visitor-friendly and allow for easier access for the public and patrols.

If only minimal funding is available, volunteers should be used to clear and remove roots and herbicide applied to any re-sprouts. Work should proceed from the eastern edge of the site. Initial treatment for blackberry and tree of heaven began in 2011 with volunteer days in the spring (on the blackberry) followed by an herbicide application (on re-sprouting blackberry and tree of heaven).

If funding is available, planting woody species should be considered in areas that have poor natural regeneration or bare areas that require erosion protection measures. In addition, in many areas existing native plants may benefit from the application of mulch, weed control around the plants, and the installation of plant protectors. The removal of asphalt and debris (such as at the Park Avenue entrance) would allow for plantings to enhance the site and should be considered as part of future improvements. A native grass planting is also recommended along pathways and areas that are likely to be mowed on a regular basis.

## D. Site Improvements and Infrastructure

The focus of this document is to allow near term public access to the Greenway. Some basic improvements will be necessary or at least considered for granting public access to the site (Figure 1). These improvements include:

- Re-gravel and grade parking lot;
- Install site signage (identifying the property and providing an information kiosk/bulletin board for greenway rules);

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- Remove a section of fence and install bollards or a chicane to allow pedestrian access (and restrict vehicles);
- Grade/import material to allow better emergency vehicle access across the site from the gate on the south side of the creek;
- Install and service a trash can and doggie pot bag dispenser in the main parking area;
- Make appropriate traffic signal and intersection changes (an asphalt apron from the intersection into the parking lot, which is not considered in the cost estimate).

Larger scale improvements are considered as part of the Comanche Creek Improvement Project which envisions trails, features that enhance public access, safety, resource protection, circulation, and non-intensive recreation (such as information and directional signs, picnic areas, and a pedestrian/bicycle bridge across the creek).

### **E. Maintenance and Operations**

Currently, City staff visits the site on an as needed basis with homeless encampment surveys and clean-up, mowing, and fence repairs the most frequent activities. In 2011, the City has begun addressing elements of the vegetation plan for the site, through the use of volunteer days (spring and fall) and an herbicide application to treat tree of heaven and blackberry (fall).

Even with minimal improvements, opening the site will require additional maintenance efforts for health and safety reasons. These include more regular mowing and clean-up, trash pick up, trail repairs, more aggressive vegetation management; and maintenance on signage and fencing. Increased ranger patrols will also help with enforcement of rules and education.

### **F. Public Safety and Emergency Services**

Emergency and patrol vehicles may access the site from the Park Ave and Otterson Drive entrances but full access is limited. Some areas of the site are only accessible by foot. Flooding is not anticipated, so contingency plans beyond those already in place are not needed. While the increased public presence on site may alter fire patterns and the number of reported accidents, no significant changes in fire or medical personnel response are anticipated. The site will be subject to closure under hazardous conditions (fire, flood, etc.). As use of the site evolves, Parks staff will coordinate with and seek input from the Fire and Police Departments.

Security issues will evolve as the site receives more use. While issues that are common in other greenways are likely to occur at the site, the following issues are anticipated to be the greatest concerns:

- Illegal camping – The City conducts periodic illegal camp clean-ups. Although in the long run more public use will likely discourage camps, the number of complaints is likely to increase initially with increased interactions.
- Dogs - Leash and pet waste issues will likely be an issue. Consistent enforcement and education will help minimize such issues.
- Trash – Increased public use may increase the amount of trash on the site.

A regular presence, patrol, and education of users will help minimize conflicts. Ideally, a Ranger should patrol the area once during the morning and evening shifts daily during the recreation season. However, a more modest schedule (2-3 times a week) is assumed for purposes of the budget.

### G. Monitoring and Reporting

As part of the adaptive management approach, staff will conduct an annual review of the site to evaluate responses and develop adjustments. The annual review will document changes in our understanding of the site and changes to management. The information will be reported to the public and shared with the Bidwell Park and Playground Commission. Significant future changes to the site would be incorporated into a revised management plan.

### H. Outreach and Education

Because of neighborhood interest, citizens that frequent the site will be important stewardship allies. Rangers will conduct outreach efforts to explain the rules and recruit volunteers to aid with clean-up and vegetation efforts. This may take the form of tours, signage, mailers, or meetings. In addition, staff will explore the potential for Park Watch volunteers at the site. Use of the site for educational purposes is an appropriate use and groups will need to work with the site for access and projects.

### I. Funding

Funding has yet to be identified for the site management as described in this plan. To consider the fiscal impacts of implementing this plan, rough cost estimates are provided in Table 3 below for the 1) Installation of basic infrastructure improvements, and 2) Estimated annual operating and maintenance costs. Baseline assumptions for these costs are presented in Appendix I.

**Table 3. Rough Cost Estimates for Plan Implementation.**

Task No.	Task	Description	Timing	Estimated Total
1	Installation of basic infrastructure improvements	Material, equipment, and labor necessary to improve gate access for pedestrians, bollard, kiosk (1), 2 doggy-pot dispensers, and signs. Trash cans (2), parking lot improvements.	Initial cost.	\$9,000 - \$12,000
2	Estimated annual operating and maintenance costs	Includes yearly maintenance of trail head parking, modest time (2 hours x 3 days a week for trash removal, vegetation maintenance, infrastructure repair, outreach, and supporting volunteer days).	Annual estimate for first 3 years.	\$15,000 - \$25,000

## V. SUMMARY

This document provides an interim management plan for the Comanche Creek Greenway, including a guide to activities on site and anticipated City duties. The plan uses an adaptive management approach and is anticipated to be updated as the site changes over time. The site is well suited for non-intensive recreational uses that

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capitalize on the natural resources of the property. Basic improvements will be necessary to reduce user conflicts, educate visitors, and ease maintenance duties. A cost estimate is provided for the installation of improvements and maintenance over time. Volunteer efforts will be incorporated into the site management.

**VI. REFERENCES**

[CRA] Cultural Resource Associates. 2007. An Archaeological Evaluation of the Guillon-Hegan Lane Project, Chico, Butte County, California.

City of Chico. 2011a. Comanche Creek Greenway Improvement Plan.

City of Chico. 2011b. Initial Study for the Comanche Creek Greenway Improvement Plan. Under development. Chico, California.

[DCE] Design, Community and Environment. 2008. Comanche Creek Vegetation Plan. Submitted to the City of Chico. August 1, 2008. Berkeley, California.

[GCI] Gallaway Consulting, Inc. 2007. Biological Resource Assessment. Hegan Lane Property, Butte County, CA. Prepared for Guillon Inc. Chico, California.

[NSR] North State Resources. 2010. Comanche Creek Study Area, Delineation of Waters of the United States. June 11, 2010. Prepared for: City of Chico, Housing and Neighborhood Services Department. Chico, CA 95927

[USDA-SCS]. United States Department of Agriculture, Soil Conservation Service. 1972. Soil Survey of Yolo County, California. In cooperation with University of California Agricultural Experiment Station. Washington, D.C.

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**Appendix I - Cost Estimates and Assumptions.**

The following worksheets provide the details used to develop the cost estimates for 1) Installation of Basic Infrastructure, and 2) Annual Maintenance Costs. The assumptions for these estimates are provided below.

1) Installation of Basic Infrastructure

Assumptions:

- Regravel (import base rock) and grade parking lot.
- Install site signage at the Park Avenue and Otterson Drive entrances to identify the property. One information kiosk/bulletin board for greenway rules would be installed at the Park Avenue entrance.
- Remove a section of fence and install bollards or a chicane to allow pedestrian access (and restrict vehicles) on both sides of creek on the east side of the property.
- Grade or import material to allow better emergency vehicle access across the site from the gate on the south side of the creek (mostly near the railroad embankment).
- Install and service a trash can and doggie pot bag dispenser in the main parking area at the Park Avenue entrance.
- Includes materials and equipment needed for installation.
- Includes labor (preparation, installation, and supervision).
- Depending on the lag time, a more refined estimate with updated material and labor costs, should be used to develop a project budget.

2) Annual Maintenance Costs

Assumptions:

- The values represent an average annual estimate for the first 3 years.
- The quantity of materials includes the replacement lifespan. For example, since a doggie pot dispenser lasts about 10 years, the quantity indicates an annual average of 0.1. To replace two dispensers the annual fraction becomes 0.2. In any one year, vandalism or inadvertent damage may require a more frequent replacement, but the estimate provides a normalized average.
- Annual minor re-grading and repair of the parking lot (depending on usage, a more extensive repair or import of material is required typically every 5-10 years).
- Install site signage at the East entrance and at (identifying the property and providing 1 information kiosk/bulletin board for greenway rules).
- Labor assumptions include:
  - Time for overall supervision and 3-4 site visits for the Park and Natural Resource Manager, plus minimal time for outreach, planning, and review.
  - Field Supervisor and Senior Maintenance provide 1 hour/month for supervision.
  - The time estimate for Maintenance Workers provide for a modest 2 hours per week estimate during the off season (November to April) and 4 hours

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per week during the peak season (May to October). Included is time for annual maintenance on the parking lot and signs, 2 days to supervise workdays, and mowing the site 2-3 times a year.

- The Administrative Analyst/Volunteer Coordinator will coordinate 2-3 workdays.
- Rangers are assumed to spend on average 2 hours in the off-season and 5 in the peak season associated with the site. Time includes patrol, developing and posting signs, and education of the public.
- When travel time is considered, the time estimates are extremely modest and represent a baseline estimate to care for the site. An estimate of optimal coverage (for example, daily visits from the rangers during the peak season) will increase the estimate on the order of \$5,000 to \$10,000.

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**CITY OF CHICO  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS AND MAINTENANCE DIVISION  
DAILY OPERATIONS WORK ORDER**

PROGRAM	DESCRIPTION	ADMIN. PROCEDURE	CREW SIZE
	Cost Estimate	150-6	2-4

DATE: \_\_\_\_\_ LOCATION: Proposed Commanche Creek Infrastructure Improvements

CLASSIFICATION	EMPLOYEE	NUMBER OF HOURS	HR. RATE	TOTAL
Mgt	Dan Eiseaff Natural resources Manger	4	\$ 50.43	\$ 201.72
Field Supervisor		4	\$ 49.62	\$198.48
Sr Maint Wkr		24	\$ 39.28	\$471.36
Sr Maint Wkr		24	\$ 39.28	\$785.60
Maint Wkr		40	\$ 34.16	\$785.68
Maint Wkr		40	\$ 34.16	\$ 956.48
Admin Analyst			\$ 42.06	\$ -
Ranger				
		<b>TOTAL</b>		<b>\$3,399.32</b>

EQUIPMENT USED (DESCRIBE)	NUMBER OF HOURS	HR. RATE	TOTAL
Grader	8	51	\$ 408.00
Loader	6	30	\$ 180.00
Water Truck	3	\$35.00	\$ 105.00
Roller	3	20	60
		<b>TOTAL</b>	<b>\$ 753.00</b>

MATERIALS (DESCRIBE)	QTY	COST	TOTAL
Doggi Pot Dispenser	2	\$329.00	\$658.00
Trash Can With Holder	2	\$168.00	\$336.00
Kiosk	1	\$2,196.00	\$2,196.00
Signs	2	\$100.00	\$200.00
Concrete	24 bags	\$2.00	\$48.00
Base Rock	48 Tons	\$12.75	\$612.00
Fence Posts	4	\$19.99	\$79.96
Tension Bars	4	\$3.99	\$15.96
Tension bands	20	\$0.79	\$15.80
Post Caps	4	\$1.19	\$4.76
		<b>TOTAL</b>	<b>\$4,166.48</b>
		<b>Sub Total</b>	<b>\$8,318.80</b>
Contingency 10%			<b>\$ 831.88</b>
<b>GRAND TOTAL</b>			<b>\$9,150.68</b>

DESCRIPTION Install Signs, Build gate openings & Improve Parking Area

ACTION TAKEN: \_\_\_\_\_

**-DRAFT-**

**CITY OF CHICO  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS AND MAINTENANCE DIVISION**

**DAILY OPERATIONS WORK ORDER**

PROGRAM	DESCRIPTION	ADMIN. PROCEDURE	CREW SIZE
Parks	Cost Estimte	150-6	2-4

DATE: \_\_\_\_\_ LOCATION: Proposed Commanche Creek Annual Maintanance C

CLASSIFICATION	EMPLOYEE	NUMBER OF HOURS	HR. RATE	TOTAL
Mgt	Park and Natural Resources Manger	8	\$ 50.43	\$ 403.44
Field Supervisor		12	\$ 49.62	\$ 595.44
Sr Maint Wkr		12	\$ 39.28	\$ 471.36
Sr Maint Wkr			\$ 39.28	\$ -
Maint Wkr		156	\$ 34.16	\$ 5,328.96
Maint Wkr		32	\$ 34.16	\$ 1,093.12
Admin Analyst		24	\$ 42.06	\$ 1,009.44
Ranger		182	\$ 32.00	\$ 5,824.00
	<b>TOTAL</b>			\$ 14,725.76

SERVICES	QTY	COST	TOTAL
Herbicide Application	5	\$ 500.00	\$ 2,500.00
CCC Contract	4	\$ 250.00	\$ 1,000.00
	<b>TOTAL</b>		\$ 3,500.00

EQUIPMENT USED (DESCRIBE)	NUMBER OF HOURS	HR. RATE	TOTAL
Grader	2	\$ 51.00	\$ 102.00
Loader	1	\$ 30.00	\$ 30.00
Water Truck	2	\$ 35.00	\$ 70.00
Roller	2	\$ 20.00	\$ 40.00
	<b>TOTAL</b>		\$ 242.00

MATERIALS (DESCRIBE)	QTY	COST	TOTAL
Doggi Pot Dispenser	0.2	\$ 329.00	\$ 65.80
Trash Can With Holder	0.2	\$ 168.00	\$ 33.60
Kiosk	0.1	\$ 2,196.00	\$ 219.60
Signs	0.5	\$ 100.00	\$ 50.00
Concrete	2.8	\$ 2.00	\$ 5.60
Base Rock	4.8	\$ 12.75	\$ 61.20
Fence Posts	0.4	\$ 19.99	\$ 8.00
Tension Bars	0.4	\$ 3.99	\$ 1.60
Tension bands	2	\$ 0.79	\$ 1.58
Post Caps	0.4	\$ 1.19	\$ 0.48
	<b>TOTAL</b>		\$ 447.45
	<b>Sub Total</b>		\$ 15,415.21
	Contingency 10%		\$ 1,541.52
	<b>Grand Total</b>		\$ 16,956.73

DESCRIPTION Install Signs, Build gate openings & Improve Parking Area

ACTION TAKEN: \_\_\_\_\_

# Comanche Creek Greenway IMPROVEMENT PROJECT



City of Chico 2012

## INTRODUCTION

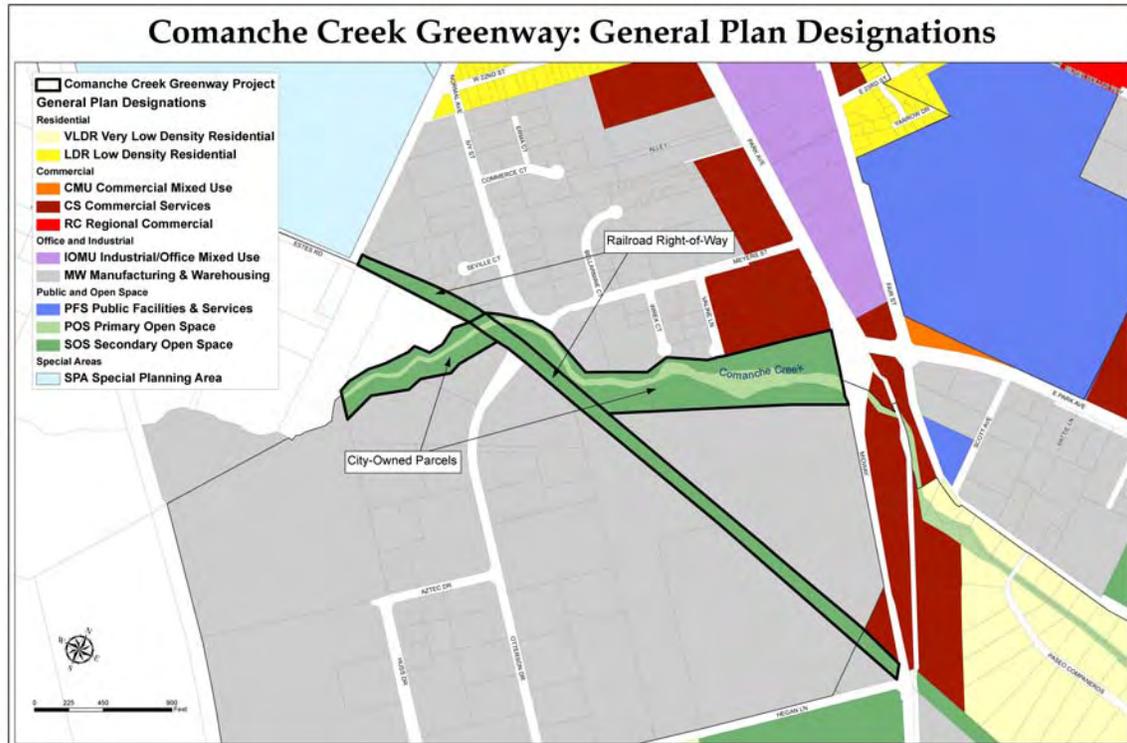
The City of Chico owns approximately 20 acres along Comanche Creek between Midway and the Union Pacific Railroad line, referred to herein as the Comanche Creek Greenway. Currently, the land is undeveloped, and public access to the site is restricted. The City intends to improve the site and create an amenity for the surrounding neighborhoods, employment centers, and the greater Chico community. The Comanche Creek Greenway Improvement Project will provide public access to the Greenway and expand bicycle and pedestrian circulation in southwest Chico.

This document includes a description of the site, overall goals for the Comanche Creek Greenway, a site improvement diagram, an explanation of the diagram's components, and guidance for implementation of the improvement project. The improvement diagram depicts the location and type of recreational features envisioned for the site. Ongoing maintenance and management of the site is covered in the Comanche Creek Greenway Management Plan, a complementary document. The City's General Plan indicates that a future study may call for a roadway connection to cross the site. This possibility does not, however, affect implementation of the Project, which simply addresses recreational site improvements. Likewise, implementation of this Project, does not preclude a roadway connection.

The Southwest Neighborhood Creeks, Parks & Open Space Action Group worked closely with City staff in the development of the project. The Group's members represent diverse stakeholder perspectives including bicyclists, employees, environmentalists, business and landowners, and neighborhood residents. Their input was collected and incorporated over a two year period consisting of meetings, site visits, a workshop on possible uses and design of the site, and lastly, review of this document.

## SETTING

The 20-acres of City-owned property in the Comanche Creek Greenway consists of two parcels with General Plan designations of Primary Open Space, immediately around the creek, and Secondary Open Space for the remaining area (see **Figure 1**). Approximately 3,500 lineal feet of the Comanche Creek channel lies within these two parcels. Public access to the property has been restricted since its acquisition by the City. Nevertheless, several dirt trails cross the site, and homeless camps are a recurring phenomenon.



**Figure 1**

Comanche Creek drains the Doe Mill Ridge and is primarily fed by water from the Parrott-Phelan agricultural diversion from Butte Creek. Storm water run-off from the Chico urban area also feeds into Comanche Creek. Dense riparian woodland and scrub covers the Comanche Creek channel, which is bordered by areas of valley oak woodland and nonnative annual grassland. The aquatic and terrestrial habitats of the creek corridor and woodlands support numerous plant and animal species, providing important protective cover and serving as movement corridors for fish and wildlife. The habitat value of the site as a whole has been compromised, however, by soil compaction from human activity and by the spread of several highly invasive species, such as Himalayan blackberry and nonnative annual grasses.

**Figure 2** shows the site's location within the greater Chico area. The site is bound to the immediate north, east, and south by industrial development. An agricultural-residential settlement within Butte County lies to the west. The Southwest Chico Neighborhood lies further to the north, beyond the Meyers Street industrial area, and its residents consider Comanche Creek to be a neighborhood amenity as noted in the Southwest Chico Neighborhood Plan. The Greenway is well situated for recreational use by surrounding neighbors and employees in one of Chico's primary job centers, both of whom have expressed interest in gaining access to the site and improving conditions on the property. In addition to being a relaxing, recreational destination for adjacent neighborhoods, the site also has the potential to attract regional visitors and to provide improved connectivity in the City-wide circulation system. Future studies of circulation in the area of the Comanche Creek Greenway will include analysis of the major intersection at Midway



- Orient activity toward the creek to activate the creek edge
- Connect the area to a regional bicycle/pedestrian network

The Southwest Neighborhood Plan also includes the following recommendations specific to the Comanche Creek area:

- Natural materials, minimal intervention, and passive use should guide the design of open space and pathways.
- Encourage bicycle commuting, employee break/lunch areas, walking/bicycling paths, picnic tables, and a clean, sustainable natural habitat. Recreational uses along the creeks will serve to increase surveillance.
- Remove invasive species and replace with native plants to increase visual access while stabilizing the banks.
- Minimize impervious surfaces, driveways and parking area coverage.
- A Class I, multi-use pathway should be constructed along Comanche Creek, and connect to the envisioned regional rails-to-trails system. A pedestrian and bicycle bridge over Comanche creek accessed from Ivy Street should be considered along with the path alignment.

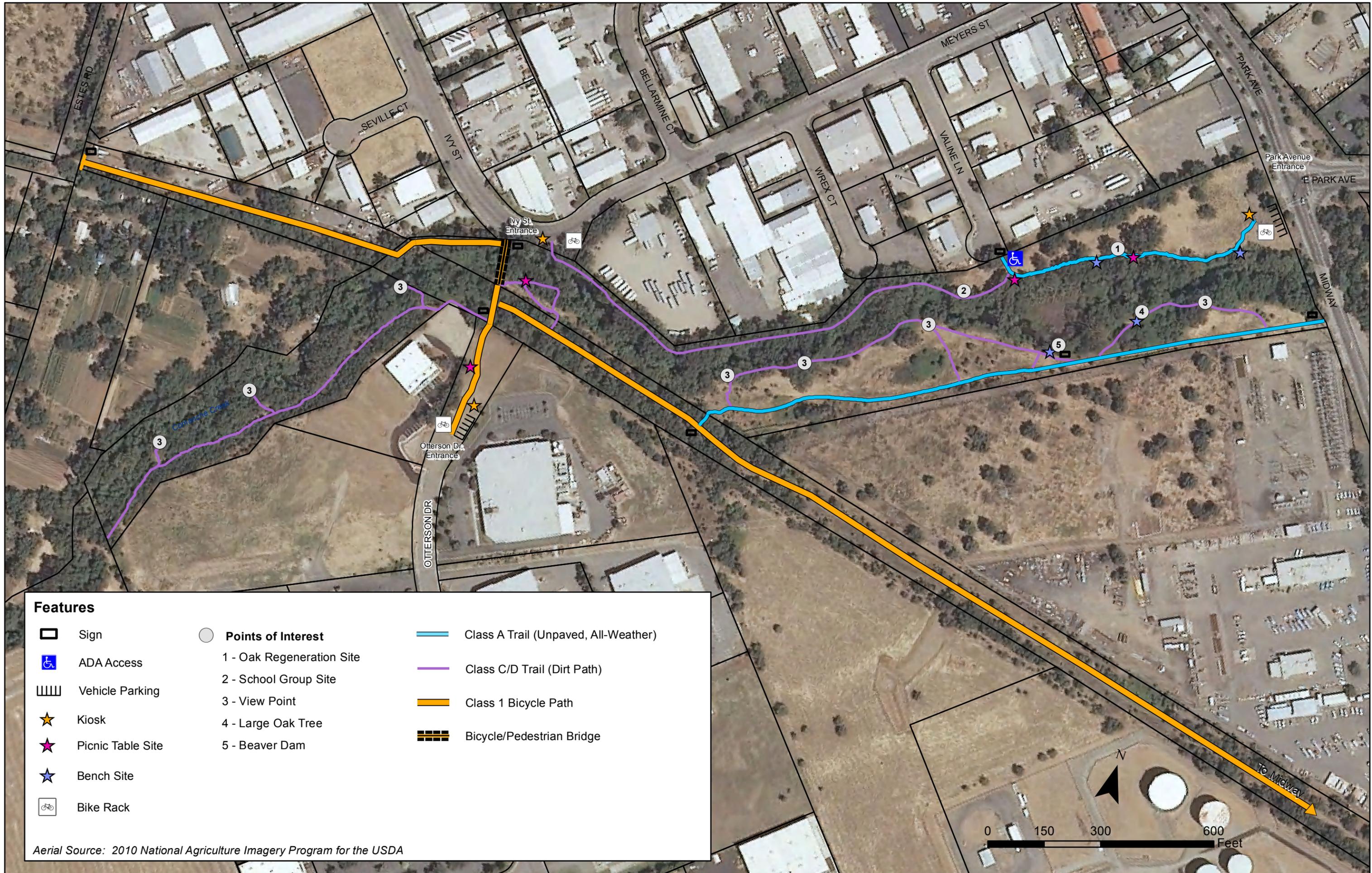
These goals and recommendations are reflected in the Improvement Diagram (**Figure 3**) which is described below.

## **IMPROVEMENT DIAGRAM**

The Improvement Diagram (**Figure 3**) on the following page depicts the site improvements envisioned for the Comanche Creek Greenway. While the Diagram is generally self-explanatory, more detailed descriptions of its features are provided below for clarification. The Diagram and the descriptions below will guide the design of detailed engineering and building plans for construction of the site improvements.

Features shown on the diagram include:

- I. Trails – The Diagram provides a general indication of trail locations, but exact alignments will be determined through site specific engineering. The City of Chico Bidwell Park Trails Manual includes descriptions of trail classifications that are appropriate for trails on the Comanche Creek Greenway. The Trails Manual will be used in development and maintenance of the Comanche Creek trails. The Comanche Creek Greenway Management Plan also provides guidance on maintaining the site’s trails. Two classifications of trails will be developed and maintained on the site:
  - i. *Class A Trails* – These paths are intended to be unpaved, all-weather paths that could accommodate both pedestrian and bicycle activity. The Class A trails will be at least 3 feet wide and have a surface material of granular stone or other durable and permeable material.



**Features**

- |   |                   |   |                           |  |                                      |
|---|-------------------|---|---------------------------|--|--------------------------------------|
|  | Sign              |  | <b>Points of Interest</b> |  | Class A Trail (Unpaved, All-Weather) |
|  | ADA Access        | 1 - Oak Regeneration Site   |                           |  | Class C/D Trail (Dirt Path)          |
|  | Vehicle Parking   | 2 - School Group Site   |                           |  | Class 1 Bicycle Path                 |
|  | Kiosk             | 3 - View Point  |                           |  | Bicycle/Pedestrian Bridge            |
|  | Picnic Table Site | 4 - Large Oak Tree  |                           |  |                                      |
|  | Bench Site        | 5 - Beaver Dam  |                           |  |                                      |
|  | Bike Rack         |   |                           |  |                                      |

Aerial Source: 2010 National Agriculture Imagery Program for the USDA

**Figure 3**

- ii. *Class C/D Trails* – The Class C/D trails will remain dirt paths that are cleared of vegetation, but otherwise unimproved. They will allow visitor access to the creek, but will not negatively encroach into the sensitive high water area of the creek. As specified in the Bidwell Park Trails Manual, sections of Class C trails may be assigned a Class D designation in areas with scenic values or particular trail qualities that necessitate exemption from specific Class C standards.
- II. Paved Bicycle Path – A paved Class I bicycle path will cross the Greenway, connecting Ivy Street to Otterson Drive. This bicycle path will continue east to the Midway and west to Estes Road, following the former railroad right-of-way properties to which access must be acquired. The path will provide a bicycle and pedestrian connection that will improve regional bicycle and pedestrian circulation. This bicycle path is identified as a planned facility in the 2008 Chico Urban Area Bike Plan, which is a part of the 2030 General Plan.

The Class I bicycle path will have a 12-foot right-of-way (8 feet paved and 2 feet of graded shoulder on each side). The bicycle path on the former railroad right-of-way will include a reference to the historic railroad that once ran across the properties for the Diamond Match Company connecting Stirling City to Chico. This reference could be made through artwork, signs, a bench, or other trailside amenity. To maintain safety along this bicycle path, vegetation will be cleared from the path area, and some lighting will be installed along the path. Lighting would be in the form of full cutoff LED fixtures to minimize light pollution and reduce energy demands.

- III. Bicycle/Pedestrian Bridge – Critical to implementation of the paved bicycle/pedestrian path is the installation of a bridge for bicyclists and pedestrians to cross Comanche Creek between Ivy Street and Otterson Drive. This bridge will allow pedestrians and bicyclists from the Southwest Chico Neighborhood and the Myers Street industrial area to connect with the Hegan Lane industrial area to the south. This bridge is a key component in achieving the goals of improving public access and circulation on the site, as well as improving multi-modal connectivity within the City. The bridge will not accommodate vehicles, other than those used for maintenance or emergency response.
- IV. Vehicle Parking – Vehicle parking will be available at the two main entrances to the site: at the north end of Otterson Drive and at the west end of East Park Avenue. Because the area will be used primarily for bicycle circulation and by the local neighbors for non-intensive recreation, few vehicle spaces (three to ten per parking area) will be needed. One accessible parking space will be provided in each vehicle parking area. The vehicle parking areas will also include associated features such as informative signs and waste/recycling collection bins. Some landscaping will be added to the parking areas to soften the transition between parking areas and open space.

- V. Bicycle Parking – While many bicyclists will traverse the Greenway without stopping, others will want to park their bicycles and explore the site on foot. Bicycle parking will, therefore, be provided in the vehicular parking areas. In addition, the Ivy Street entrance to the site will also include a bicycle parking rack for visitors arriving at the Greenway from the north.
  
- VI. Picnic Tables, Benches, Kiosks and Points of Interest – The locations for picnic tables and benches shown on the Diagram were selected for their scenic qualities. Most of these sites are located along the Class C/D trails on the north and south sides of the creek. These areas will provide restful destinations for visitors to enjoy the site. Accepting donated benches or picnic tables can be considered at the time of implementation. A maintenance program to “adopt a table or bench” could also be considered to help maintain the features over time. Site maintenance is covered further in the Comanche Creek Greenway Management Plan.

Also shown on the Diagram are kiosks to be installed at the three main entrances to the Greenway. The kiosks will be large signs that introduce the site, include maps and educational information, and provide space for posting notices related to the site. Other Points of Interest indicated on the Diagram will highlight scenic viewpoints along the creek or noteworthy natural features. No improvements are intended for these locations.

- VII. Signs – Signs will be installed in several locations throughout the site to identify the Greenway, explain its allowed uses, help visitors navigate the site, or highlight unique, scenic features. The signs will be constructed in a simple style in keeping with the use of the site for open space and non-intensive recreation.
  
- VIII. ADA Access – An accessible entrance (compliant with the Americans with Disabilities Act) to the site will be created at the end of Valine Lane. The sidewalk on the Valine Lane cul-de-sac will be modified and connected to an accessible path that leads to a site near the creek that includes an accessible picnic table.

## **IMPROVEMENT PROJECT IMPLEMENTATION**

The Improvement Diagram (**Figure 3**) depicts the general location and types of features to be installed in the Greenway. It does not include detailed materials selections or engineering designs. For example, the general location for a picnic table may be shown on the Diagram, but the type of table and its exact location will not be determined until detailed engineering designs are prepared.

Project implementation may occur in stages, as funding permits. Full implementation of this Improvement Project would include all six of the following suggested sub-projects:

- 1) Vehicle parking areas and kiosks
- 2) Trail improvements
- 3) Bicycle/pedestrian bridge
- 4) Benches and picnic tables
- 5) ADA accessible entrance
- 6) Class I bicycle path on former railroad right-of-way

The associated environmental review for this Improvement Project addresses complete implementation of the above six sub-projects. Additional environmental review would need to be considered for future additions or changes to the site. Successful implementation of these projects depends not only on securing funding for design and construction, but for maintenance costs as well. A funding mechanism to support ongoing maintenance of the improvement features will be identified. The complementary Comanche Creek Greenway Management Plan explains the site's operations, maintenance, allowed uses, and vegetation management. Over time, the Management Plan may be modified as necessary to respond to changing site conditions.

January 16, 2012

Meredith Williams  
City of Chico  
P.O. Box 3420  
Chico, CA 95927

**RE: Comanche Creek Greenway Improvement Project**

Dear Meredith,

I have a few comments regarding invasive plants and their control as described in several of the documents. Appendix 3 identified several annual weeds that are frequently spread by human activities, including yellow starthistle and bur-chervil. Although their presence on the site was not quantified, any activities during the time when there are mature seeds are likely to spread these weeds. I encourage park management to consider the addition of California Invasive Plant Council's (Cal-IPC) recently released *Preventing the Spread of Invasive Plants; Best Management Practices for Land Managers* (available at <http://www.cal-ipc.org/ip/prevention/landmanagers.php>) as a reference document and management tool for the Interim Management Plan. Also, as many of these annual weeds can be hand-pulled before they set seed, it would be appropriate to include them as potential volunteer projects.

There are several plants for which the identification among the various documents conflict. For example, a plant is identified as Yellow Iris (*Iris pseudacorus*) in Appendix 2 page 4 (Delineation of Waters of U.S.) and as Japanese Iris (*Iris ensata*) in Appendix 3 page 13 (Vegetation Management Plan). Correct identification does matter in this case as *Iris pseudacorus* is on the Cal-IPC invasive plant inventory (described there as "... a fast-growing and rapidly-spreading invasive plant that can out-compete other wetland plants, forming almost impenetrable thickets, in much the same way as cattails do.", while *Iris ensata* (almost if not always purple in color, by the way) is not considered to be invasive. Assuming that it is Yellow Iris (or as it is more commonly called, Yellowflag Iris), it should probably be included as a weed to control in the Interim Management Plan, as it has significantly expanded its density in Comanche Creek within the last few years.

The same identification discrepancy also exists for Smartweed— *Polygonum lapathifolium* (Appendix 2 page 7) versus *Polygonum amphibium* (Appendix 3 page 13). Although neither is currently included on the Cal-IPC inventory, some Smartweed species have become invasive; therefore, correct identification is important.

Sincerely,  
Susan Mason  
P.O. Box 3036  
Chico, CA 95927

Cc: Dan Efseaff, City of Chico

**City of Chico**  
**INITIAL STUDY**  
Environmental Review  
Comanche Creek Greenway, Chico, CA

**ROUTE TO:**

- City of Chico – Capital Project Services, Building and Development Services, General Services, Police, Fire Departments
- All Trustee and Responsible Agencies (USFW, RWQCB, Reclamation Board, DFG, et al)
- State Clearinghouse

**1. Project Description**

- A. Project Name:** Comanche Creek Greenway Improvement Project
- B. Project Location:** The project site is located in the southwest portion of the City of Chico, south of Myers Street and north of Otterson Drive, between the Midway and Estes Road.
- C. Type of Application(s):** Park Division and Capital Improvement Project
- D. Assessor's Parcel Number (APN):** 039-420-001, 039-620-028, 039-060-021 & 039-410-013
- E. City Zoning:** OS-1 (Primary Open Space) and OS-2 (Secondary Open Space)  
**City General Plan:** Primary Open Space and Secondary Open Space
- F. Environmental Setting:** The 29.6-acre site is bound to the immediate north and south by industrial development. To the east, the site is bounded by Midway, an arterial roadway, and to the west by an agricultural-residential settlement within Butte County. The Southwest Chico residential neighborhood lies further to the north, beyond the Meyers Street industrial area. Currently, the land is undeveloped, and public access to the site is restricted. Nevertheless, several dirt trails cross the site, and evidence of illegal camping is a recurring phenomenon.

The project site is level, at an elevation of approximately 190 feet. The site is traversed by two properties (totaling 9.7 acres) that once supported a section of the Southern Pacific Railroad and extend approximately 325 feet into Butte County. Although the tracks have been removed, the earthen embankment for the railway remains quite prominent. The site is also crossed by approximately 3,500 lineal feet of Comanche Creek, a waterway draining the Doe Mill Ridge that is predominately fed by water directed to it from the Parrott-Phelan agricultural diversion from Butte Creek. Prior to the construction of the Parrott-Phelan agricultural diversion on Butte Creek, Comanche Creek was an intermittent stream. Storm water run-off from the Chico urban area also feeds into Comanche Creek.

A dense riparian woodland and scrub covers the Comanche Creek channel, which is bordered by areas of valley oak woodland and nonnative grassland that has previously been disturbed. The aquatic and terrestrial habitats of the creek corridor and woodlands support numerous plant and animal species, providing important protective cover and serving as movement corridors for fish and wildlife. The grasslands also provide habitat for a variety of wildlife species, although their habitat value has been compromised by the spread of several highly invasive species, such as Himalayan blackberry, and by soil compaction from human activity. To date, there have been several efforts to remove invasive species onsite.

For further details about the environmental setting, please see the "Comanche Creek Greenway Management Plan" (**Attachment 1**), as well as the "Comanche Creek Study Area  
Attachment E

Delineation of Waters of the United States”, prepared by North State Resources, Inc (**Attachment 2**).

- G. Project Description:** The project includes the Comanche Creek Greenway Improvement Project and the Comanche Creek Greenway Management Plan (**Attachment 1**), which references the Comanche Creek Vegetation Management Plan prepared by DC&E in 2008 (**Attachment 3**). Full implementation of the Comanche Creek Greenway Improvement Project would achieve goals from the adopted Southwest Neighborhood Plan relating to enhanced public access to Comanche Creek and improved circulation around and across the creek. The Comanche Creek Management Plan may be updated in the future to reflect minor changes in the operations or management of the Greenway. Any such future updates will be subject to subsequent environmental review when appropriate.

The Improvement Project reflects the community’s vision to enhance non-intensive recreation in the Comanche Creek Greenway and connect bicycle facilities in Southwest Chico. The Project diagram (see below) depicts the general locations for site improvements. Exact locations for features will be determined in conjunction with field surveys at the time of implementation. Full implementation of the improvements will likely occur in phases, as funding permits.

Improvement features shown on the diagram include:

I. Trails – The diagram provides a general indication of trail locations, but exact alignments will be determined through site specific engineering. The City of Chico Bidwell Park Trails Manual includes descriptions of trail classifications that are appropriate for trails on the Comanche Creek property. The Trails Manual will be used in development and maintenance of the Comanche Creek trails. The Comanche Creek Greenway Management Plan will also provide guidance on maintaining the site’s trails. Two classifications of trails will be developed and maintained on the site:

i. Class A Trails – These paths are intended to be unpaved, all-weather paths that could accommodate both pedestrian and bicycle activity. The Class A trails will be at least 3 feet wide and have a surface material of granular stone or other durable and permeable material.

ii. Class C/D Trails – The Class C/D trails will remain dirt paths that are cleared of vegetation, but otherwise unimproved. They will allow visitor access to the creek, but will not negatively encroach into the sensitive high water area of the creek. As specified in the Bidwell Park Trails Manual, sections of Class C trails may be assigned a Class D designation in areas with scenic values or particular trail qualities that necessitate exemption from specific Class C standards.

II. Paved Bicycle Path – A paved Class I bicycle path will cross the Greenway, connecting Ivy Street to Otterson Drive. This bicycle path will continue east to the Midway and west to Estes Road, following the former railroad right-of-way properties to which access must be acquired. The path will provide a bicycle and pedestrian connection that will improve regional bicycle and pedestrian circulation. This bicycle path is identified as a planned facility in the 2008 Chico Urban Area Bike Plan, which is a part of the 2030 General Plan. Creation of the Class I bicycle path outside of the City-owned Comanche Creek property would require acquisition of an easement on the former railroad right-of-way properties. Approximately 325 feet at the eastern end of this right-of-way property is outside the City limits, so an encroachment and maintenance agreement will need to be made with Butte County. The project work in this area would comply with all Butte County requirements.

The Class I bicycle path would have a right-of-way of 12-feet (8 feet paved and 2 feet of graded shoulder on each side). Design of the Class I bicycle path on the former railroad right-of-way would include a reference to the railroad that once ran across the properties, connecting Stirling City to Chico for the Diamond Match Company. This reference could be made through artwork, signs, a bench, or other trailside amenity. To maintain safety along

this bicycle path, vegetation will be cleared from the path area, and lighting will be installed along the path.

III. Bicycle/Pedestrian Bridge – Critical to implementation of the paved bicycle/pedestrian path is the installation of a bridge for bicyclists and pedestrians to cross Comanche Creek between Ivy Street and Otterson Drive. This bridge will allow pedestrians and bicyclists from the Southwest Chico Neighborhood and the Meyers Street industrial area to connect with the Hegan Lane industrial area to the south. This bridge is a key component in achieving the goals of improving public access and circulation on the site, as well as improving multi-modal connectivity within the City. The bridge will not accommodate vehicles, other than those used for maintenance or emergency response.

IV. Vehicle Parking – Vehicle parking will be available at the two main entrances to the site, at the north end of Otterson Drive, and at the west end of East Park Avenue. Because the area will be used primarily for bicycle circulation and by the neighbors for non-intensive recreation, only ten or fewer spaces will be needed in each parking area. One accessible parking space will be provided in each vehicle parking area. The vehicle parking areas will also include associated features such as informative signs and waste/recycling collection bins. Some landscaping will be added to the parking areas to soften the transition between parking areas and open space.

V. Bicycle Parking – While many bicyclists will traverse the property without stopping, others will want to park their bicycle and explore the site on foot. Bicycle parking will, therefore, be provided in the vehicular parking areas. In addition, the Ivy Street entrance to the site will also include a bicycle parking rack for visitors arriving to the property from the north.

VI. Picnic Tables, Benches, Kiosks and Points of Interest – The locations shown on the Diagram for picnic tables and benches were selected for their scenic qualities. Most of these sites are located along the Class C/D trails on the north and south sides of the creek. These areas will provide restful destinations for visitors to enjoy the site. Accepting donated benches or picnic tables can be considered at the time of implementation. A maintenance program to “adopt a table or bench” could also be considered to help maintain the features over time. Site maintenance is covered in detail in the Management Plan for Comanche Creek.

Also shown on the Diagram are kiosks to be installed at the three main entrances to the property. The kiosks will be large signs that introduce the site, include maps and educational information, and provide space for posting notices related to the site. Other Points of Interest indicated on the Diagram will highlight scenic viewpoints along the creek or noteworthy natural features. No improvements are intended for these locations as a part of this Project.

VII. Signs – Signs will be installed in several locations throughout the site to identify the property, explain its allowed uses, help visitors navigate the site, and highlight unique, scenic features. The signs will be constructed in a simple style in keeping with the use of the site for open space and non-intensive recreation.

VIII. ADA Access – An accessible entrance (compliant with the Americans with Disabilities Act) to the site will be created at the end of Valine Lane. The sidewalk on the Valine Lane cul-de-sac will be modified and connected to an accessible path that leads to a site near the creek that includes an accessible picnic table.

Management of the site will be directed by the Comanche Creek Greenway Management Plan (**Attachment 1**) which guides the maintenance, vegetation management activities, and allowed uses of the site. The vegetation management, specifically, will be guided by the Vegetation Management Plan (**Attachment 3**).

Implementation of the project is intended to avoid the potential for environmental impacts by minimizing infrastructure, thoughtfully aligning trails, utilizing existing rights-of-way, connecting the community, and managing invasive vegetation. The proposed project is consistent with the City's 2030 General Plan, and therefore it will not introduce any new impacts that were not anticipated by the General Plan Environmental Impact Report (EIR).

The proposed project is also consistent with the Southwest Neighborhood Plan and the City's Chico Urban Area Bicycle Plan. It will be implemented in a manner that is consistent with the Municipal Code.

**H. Public Agency Approvals:**

U.S. Army Corps of Engineers: Any dredging or filling of waters of the US requires a Clean Water Act Section 404 permit. The installation of the clear-span bicycle bridge across Comanche Creek may require a permit.

Regional Water Quality Control Board (RWQCB), Central Valley Region: If the project requires a Section 404 permit, then it will also be subject to the Clean Water Act Section 401 Water Quality Certification process.

California Department of Fish and Game: The proposed clear-span bridge across Comanche Creek, would require acquisition of a Streambed Alteration Agreement or a waiver thereof (per Section §1600 of the California Fish and Game Code).

U.S. Fish and Wildlife Service: Biological Opinion, or Concurrence of Not Likely to Adversely Effect, through Section 7 (ESA) Consultation; this includes NOAA National Marine Fisheries Service (NMFS). The creation of an accessible picnic site and a hiking trail on the north side of Comanche Creek and the installation of a clear-span bridge across Comanche Creek may require concurrence from USFWS that the proposed project's construction activities would not result in impacts to the valley elderberry longhorn beetle.

California Reclamation Board: Encroachment Permit

Butte County Air Quality Management District: Compliance with District regulations

Butte County – Extra-territorial encroachment and maintenance agreement

**I. Applicant/Proponent:** City of Chico, P.O. Box 3420, Chico, CA 95927

**J. Prepared By:** Meredith Williams, Associate Planner, City of Chico Planning Services Department, 411 Main Street, Chico, CA 95928



**Project Diagram**



Figure 3

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

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

**PLANNING DIRECTOR DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- [ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- [ ] I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- [ ] I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

  
Date

Meredith Williams, Associate Planner  
Printed Name

For Mark Wolfe, Planning Services Director

## 2. EVALUATION OF ENVIRONMENTAL IMPACTS

- Responses to the following questions and related discussion indicate if the proposed project will have or potentially have a significant adverse impact on the environment.
- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question.
- All answers must take account of the whole action involved: off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operation impacts.
- Once it has been determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant and no mitigation is identified that would reduce the impact to a less-than significant level. If there is at least one "Potentially Significant Impact" entry when the determination is made an EIR is required.
- Negative Declaration: "Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The initial study will describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 4, "Earlier Analysis," may be cross-referenced).
- Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 155063(c)(3)(D)]. Earlier analyses are discussed in Section 4 at the end of the checklist.
- Initial studies may incorporate references to information sources for potential impacts (e.g. the general plan or zoning ordinances, etc.). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list attached, and other sources used or individuals contacted are cited in the discussion.

- The explanation of each issue should identify the significance criteria or threshold, if any, used to evaluate each question, and the mitigation measure identified, if any, to reduce the impact to less than significant.

A. Aesthetics: Would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista, including scenic roadways as defined in the General Plan, or a Federal Wild and Scenic River (Big Chico Creek)?				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings visible from a state scenic highway?			X	
3. Affect lands preserved under a scenic easement or contract?				X
4. Substantially degrade the existing visual character or quality of the site and its surroundings including the scenic quality of the foothills as addressed in the General Plan?			X	
5. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

**DISCUSSION:**

**A1.** The project site is not in the vicinity of a federally-designated Wild and Scenic River, nor is the site adjacent to any scenic roadways. The project site is not in the vicinity of the foothills or subject to the foothill design standards of the Chico General Plan. **No Impact.**

**A2.** The project site does not contain scenic resources. The site is void of any structures and is not visible from a state scenic highway. Only small trees directly in the path of the Class 1 bicycle path and the bicycle/pedestrian bridge will be removed, and all trees will be avoided to the greatest extent possible. In addition, new trees will be planted in the vehicle parking areas and as a part of the project’s vegetation management activities. **Less Than Significant** impact.

**A3.** There are no scenic preserves or easements in the vicinity of the project site. **No Impact.**

**A4.** The project site is flat and not in the foothills or visible from the foothills. The improvements (benches, picnic tables, landscaping, bicycle racks, trails, etc.) are limited in size, intensity, and scope and would not degrade the existing character of the site or its surroundings. The intent of the improvements, as well as the vegetation management efforts, is to enhance the visual character of the site. Therefore, the improvements are considered to have a **Less Than Significant** impact.

**A5.** For public safety, limited lighting may be installed in certain areas of the Comanche Creek Greenway, particularly along the Class 1 bicycle path. Lighting would be in the form of full cutoff LED fixtures to minimize light pollution and reduce energy demands. Because the lighting would be limited in quantity and designed to minimize light pollution, potential impacts to views in the area would be **Less Than Significant.**

B. Agriculture and Forest Resources: Would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown				X

on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	X
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code Section 4526, or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	X
4. Result in the loss of forest land or conversion of forest land to non-forest use?	X
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	X

**DISCUSSION:**

**B.1-B.5:** The project would not convert or cause the loss of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or forest land to non-agricultural use. The site is not zoned for agricultural or timber uses, nor is it in a Williamson Act contract. **No Impact.**

<b>C. Air Quality: Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Conflict with or obstruct implementation of the applicable air quality plans (e.g. Northern Sacramento Valley Planning Area 2009 Triennial Air Quality Attainment Plan, Chico Urban Area CO Attainment Plan, and Butte County Air Quality Management District Indirect Source Review Guidelines)?			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
4. Expose sensitive receptors to substantial pollutant concentrations?			X	
5. Create objectionable odors affecting a substantial number of people?				X

**DISCUSSION:**

**C.1, C.2, C.4, C.5:** The project area is identified for the proposed use in the City's 2030 General Plan, and is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. The project is designed to improve pedestrian and bicycling conditions in the area, thus providing an alternative to vehicle use. Since the project site would be visited by a small number of vehicles, it could create a nominal source of vehicle exhaust emissions, but no long-term, significant air quality impacts related to vehicle emissions are expected to occur. The project would not create significant objectionable odors, nor would it expose sensitive receptors to substantial concentrations of criteria pollutants. Therefore, potential air quality impacts are expected to be at levels considered **Less Than Significant.**

**C.3:** The project would be implemented in compliance with all federal, state, and local regulations regarding air quality. According to the Butte County Air Quality Management District (BCAQMD), Butte County is a designated a federal and state non-attainment area for ozone and particulate matter. According to the general screening criteria established by the BCAQMD CEQA Air Quality Handbook, a project of this nature would result in emissions less that the Level A threshold of significance for criteria pollutants. The project will, therefore, comply with applicable standard mitigation measures from the Handbook. The emissions of criteria pollutants generated by the project would primarily occur during construction activities, such as grading and construction vehicle operation. These activities could create a temporary increase in fugitive dust emissions on the project site and within the immediate vicinity of the project site. Most of the dust generated would be large enough to quickly settle. The City’s Grading Ordinance requires dust suppression measures to be included on all grading plans, but the amount of grading is not expected to be significant due to the limited amount of ground disturbance proposed. Therefore, through adherence to applicable standards and regulations, including implementation of the mitigation measures listed below, potential air quality impacts would be maintained at a level that is **Less Than Significant with Mitigation**.

**MITIGATION MEASURE C.1 (Air Quality):**

To minimize fugitive dust and exhaust emissions during construction activities, the following shall be included with all construction plans, documents and construction contract requirements for the project:

- a. Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil conditions, and wind exposure.
- b. Prior to, during, and at the end of construction, all active and inactive construction areas will be treated sufficiently to minimize fugitive dust emissions. If necessary, apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days) to control dust emissions. Fugitive dust emissions are considered dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces.
- c. Limit vehicle speeds to 15 mph on unpaved roads.
- d. Suspend land clearing, grading, earth moving, or excavation activities when wind speeds exceed 20 mph.
- e. If applicable, apply non-toxic binders (e.g. latex acrylic copolymer) to exposed areas after cut and fill operation and hydroseed the area.
- f. Cover inactive storage piles.
- g. Sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities.
- h. During active construction phases, a publicly visible sign will be posted at the construction site with the name and telephone number of the person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall also be visible to ensure compliance with BCAQMD rules 200 and 205 (Nuisance and Fugitive Dust Emissions).
- i. Exhaust emissions shall be minimized by maintaining equipment in good repair and proper tune according to the manufacturer’s specifications.
- j. If construction activities occur during smog season (May-October), equipment will not be allowed to idle for long periods of time.

**Timing/Implementation:** During Construction

**Responsible Party:** City of Chico Capital Project Services and Planning Services Department staff.

D. Biological Resources. Would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species as listed and mapped in the General Plan Draft EIR or other local or regional plans, policies, or regulations, or by the California		X		

Department of Fish and Game or U.S. Fish and Wildlife Service?

2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the General Plan Draft EIR or other local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.	x
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	x
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	x
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	x
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan.	x

DISCUSSION:

**D.1-D.2 & D.4-D.6:**

Several biological studies of the site have been conducted for this and other projects in the vicinity, including the Vegetation Management Plan (**Attachment 3**) for the site that was created by Design, Community & Environment in August 2008 with the goal to conserve, rehabilitate, and protect the native resources of the Comanche Creek Greenway. Other relevant biological studies include those conducted for the Hegan Lane Storm Drain Outfall project (SCH#2010022050), the Otterson Drive Extension project (SCH#99032036), and for the Butte County Mosquito and Vector Control project (SCH# 2009102092), whose collective project areas largely overlap with this project area.

The proposed project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts that were not identified by the General Plan EIR. Implementation of the Comanche Creek Greenway Improvement Project would involve installation of non-intensive recreation features. These improvements would be supported by activities to eradicate invasive species and plant native species that would improve the overall habitat value of the site. Potential impacts related to construction of the site's trails and recreation features would be minor and short-term in terms of intensity and duration. Staging areas for construction will be located away from sensitive biological resources, habitat, and water features.

The project activity with the most potential to impact biological resources would be the installation of a clear-span bicycle/pedestrian bridge over Comanche Creek. To protect resources, the City will comply with California Department of Fish and Game (DFG) requirements, pursuant to §1600 et seq. of the Fish and Game Code for any activities affecting bed, bank or associated riparian vegetation of the stream prior to construction. If found to be necessary, the City would obtain a Streambed Alteration Agreement and adhere to all conditions, as well as incorporate any requirements from other state and federal agencies responsible for special-status biological resources that may occur in the project area. Compliance with agency requirements will reduce potential biological impacts associated with the bridge to a **Less Than Significant** level.

The potential biological impacts of the remaining project components are discussed below in separate sections addressing 1) *natural communities and flora*, 2) *fauna*, and 3) *wetlands*. The project is consistent with all approved local, regional and state habitat conservation plans and would not conflict with the City's tree protection ordinance.

### ***Natural Communities and Flora***

While a number of special-status plant and animal species have been reported or are suspected to occur in the Chico vicinity, according to the Vegetation Management Plan, none have been reported in the project area.

Sensitive natural communities in the project area that are of particular concern include the riparian woodland and scrub and the valley oak woodlands. These are recognized as sensitive natural communities for two reasons:

- 1) The riparian woodland and scrub has been compromised by the abundance of invasive exotics, yet native tree species still form the dominant cover along most of the Creek. The middle reach contains an almost completely native cover in some locations in both the overstory and understory vegetation.
- 2) Valley oak woodlands are spreading along the periphery of the riparian corridor, dominated by young valley oak trees. Although not yet recorded by the California Natural Diversity Database (CNDDDB), valley oak woodlands are typically monitored because of their continuing loss as a result of clearing for urban and agricultural development, flood control improvements, and other land modifications.

Although no occurrences of special-status plant species have been reported within the immediate vicinity of the project area, habitat along the creek is considered to have a remote to low potential occurrence for the following plants from the California Native Plant Society Inventory of Rare and Endangered Plants: Adobe lily, Ahart's Paronychia, California beaked Rush, Columbian watermeal, and Red Bluff dwarf rush. Planned restoration for the site with a variety of native plantings will improve the habitat potential of the site. Controlling invasive species could include herbicide application that would comply with federal and state requirements and would be carefully controlled to avoid desired native vegetation and protect the aquatic habitat of Comanche Creek. The ephemeral and dynamic nature of vegetation growth presents the potential for an impact associated with project construction even though there are no known occurrences of special status plant species on the project site. Avoidance of special-status plants and sensitive habitat as well as implementation of the Comanche Creek Greenway Management Plan would reduce any potentially significant impacts on special-status plant species from the project to a **Less Than Significant** level.

In addition, the following measure (D.1) shall be applied to further reduce potential direct and indirect impacts on special-status plant species and sensitive natural communities as a result of implementation of the Comanche Creek Greenway Improvement Project:

#### MITIGATION D.1 (Biology - Plants)

Informational signage shall be installed at entrances to the Comanche Creek Greenway. These signs would inform park users of the presence and sensitivity of natural vegetative communities and discourage visitors from off-trail use and trampling of vegetation.

**Timing/Implementation:** As part of project development

**Responsible Party:** City of Chico Capital Project Services and Planning Services Department staff.

### ***Fauna***

Based on a review of records maintained by the CNDDDB, documents pertaining to the biological resources in the Chico vicinity, a field reconnaissance survey, and habitat assessment, a total of 18 special-status animal species have the potential to occur within the project area. Those with a low to moderate potential for occurrence include: Central Valley spring/fall/late fall-run Chinook salmon, Central Valley steelhead, foothill yellow-legged frog, giant garter snake, northwestern pond turtle, ferruginous hawk, greater sandhill crane, Lawrence's goldfinch, Lewis' woodpecker, loggerhead shrike, Swainson's hawk, western burrowing owl, greater western mastiff bat, pacific western big-eared bat, pale Townsend's big-eared bat, and yuma myotis bat. Two additional species have a high potential for occurring in the project area: Valley Elderberry Longhorn Beetle and whitetailed kite. Lastly, other raptors and migratory birds could potentially occur within the project area.

Northwestern pond turtle has been reported near Comanche Creek in the past, and marginally suitable habitat was observed along the creek. It is possible that this species disperses along Comanche Creek and may occasionally disperse into the surrounding uplands to establish nests during the breeding season. There is a possibility that spring-run and fall-run Chinook salmon disperse along the creek, although the previously intermittent nature of Comanche Creek most likely precluded presence of anadromous species. There is a remote possibility that foothill yellow-legged frog and other amphibians may occur in or disperse along Comanche Creek. Although these species have not been reported in the immediate vicinity or the up-gradient watersheds, marginally suitable habitat occurs where the creek provides pools, riffles, and retreat habitat. Foothill yellow-legged frog is completely restricted to aquatic habitat. There is a remote possibility that a number of special-status bat species occur in the abandoned building adjacent to the eastern edge of the project area although no surveys have confirmed its presence.

The project will require consultation with state and federal agencies responsible for special-status animal species. Any permit requirements that result from this consultation will be followed to reduce potential impacts to special-status animal species to **Less Than Significant**. The additional mitigation measures (D.2, D.3, and D.4 below) will further reduce impacts on the following species.

The Valley Elderberry Longhorn Beetle (VELB), a species listed as Federally Threatened, has a high potential to occur on the site. Therefore as a part of the project, the improvement features will be installed to avoid any identified Elderberry stands. In addition, the habitat for VELB will be enhanced through implementation of the Comanche Creek Vegetation Management Plan, which includes protection of existing elderberry plants, removal of invasive exotics, and natural regeneration and spread of elderberry plants along the riparian corridor. Nonetheless, the following measure (D.2) will be taken to reduce any impact on VELB habitat to **Less Than Significant with Mitigation**.

#### MITIGATION D.2 (Biology - Valley Elderberry Longhorn Beetle)

Pre-construction training of work crews by a qualified biologist shall be required. Site-specific VELB avoidance plans must include the following measures:

- A. All elderberry shrubs shall be avoided during construction activities by establishing a 25-foot buffer around any elderberry plants containing stems measuring 1-inch or greater at ground level.
- B. Elderberry shrubs shall be fenced or flagged during construction activities.
- C. Signs shall be erected along the edge of the avoidance area with the following information: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment."
- D. Prior to commencement of construction, contractors and work crews shall be briefed on the need to avoid damaging elderberry plants and the possible penalties for not complying with these requirements.
- E. The project shall not result in impacts, including damage, removal or modification, to elderberry shrubs.

**Timing/Implementation:** Prior to commencement of, and during, construction activities the mitigation measure will be verified on construction contracts and through field inspections.

**Responsible Party:** City of Chico Capital Project Services and Planning Services Departments staff.

#### Giant Garter Snakes

Riparian woodlands typically do not provide suitable habitats for the Giant Garter Snake (GGS), so the potential for occurrence of GGS along the project reach of Comanche Creek is low. There remains, however, a possibility that this species could occasionally use Comanche Creek as a hydrologic corridor. The use of a clear span bridge will obviate the need for working in the creek channel, and the minor amount of ground disturbance needed for construction of the project is not likely to result in impacts to GGS habitat. Any potential impacts to GGS habitat would be reduced to **Less Than Significant through compliance with agency requirements and mitigation measure D.3**.

#### MITIGATION D.3 (Biology – Giant Garter Snake)

Pre-construction training of work crews by a qualified biologist, restrictions on the timing of upland habitat modifications, and a preconstruction survey shall be required.

As GGS is a state listed species, the project shall obtain approval from the DFG per the California Endangered Species Act. This approval shall be contingent on a determination that the proposed project would remain consistent with DFG performance standards relative to mitigating potential impacts to GGS. Pursuant to USFWS "Standard Avoidance and Minimization Measures During Construction Activities in Giant Garter Snake Habitat," the applicant shall:

1. Confine movement of heavy equipment to existing roadways to minimize habitat disturbance.
2. Construction activity within potentially sensitive basking areas will be conducted between May 1 and October 1. This is the active period for GGS and direct mortality is lessened, because snakes are expected to move and avoid danger. Between October 2 and April 30, the USFWS Sacramento Office shall be contacted to determine if additional measures are required to minimize and avoid take.
3. Confine clearing to the minimal area necessary to facilitate construction activities.
4. Personnel shall receive USFWS-approved worker environmental awareness training. This training shall instruct workers to recognize GGS and its habitat.
5. Twenty-four hours prior to construction, the area will be surveyed for GGS. The survey shall be repeated any time construction activities lapse for two weeks or more. If a specimen is encountered during construction, activities in the vicinity will cease until appropriate corrective measures have been implemented, or it has been determined that the snake will not be harmed. Any sightings or incidental takes shall be reported to the USFWS immediately.
6. After completion of construction activities, temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas will be restored to pre-project conditions. Restoration may include replanting appropriate plant species along the banks of the creek or within the creek's channel.

**Timing/Implementation:** Throughout construction

**Responsible Party:** City of Chico Planning Services and Capital Projects Department staff

#### Hawks, Owls, and Migratory Birds

All project activities will be in compliance with the Migratory Bird Treaty Act. The minor nature of construction for the Comanche Creek Greenway Improvement Project is not likely to result in impacts to nesting raptors and migratory birds. Historical occurrences of the threatened Swainson's Hawk have been recorded within 10 miles of the project site, and Swainson's Hawks are known to forage within up to 10 miles of nesting sites. The project site does not, however, meet the criteria established by the Department of Fish and Game for suitable foraging habitat for Swainson's hawk. Typically, the hawk forages in agricultural fields that are being harvested, disced, mowed or irrigated. Any potential direct impacts to Swainson's Hawks will be avoided through the application of mitigation measure D.4 below. Measure D.4 will be taken to reduce the potential for impacts to all nesting raptors and migratory birds to **Less Than Significant with Mitigation**.

#### MITIGATION D.4 (Biology - Hawks, Owls, Kites and Migratory Birds)

Prior to construction and/or tree removal (if required) that is scheduled within rapture nesting season (February 1<sup>st</sup> – August 31<sup>st</sup>), a qualified biologist will survey the project site to identify active nests within 500 feet of the project area. The survey will 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 will be avoided by establishment of appropriate buffers. No project activity will commence within the buffer area until a qualified biologist confirms that the nest is no longer active. DFG guidelines recommend implementation of 500 foot buffers, but the size of the buffer may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist may be required if the activity has potential to adversely affect the nest.

**Timing/Implementation:** Before and during construction taking place during the breeding season of tree-nesting raptors

**Responsible Party:** City of Chico Planning Services and Capital Projects Department staff

#### **Wetlands**

**D.3:** A Delineation of Waters of the United States (Wetland Delineation) on the project site was prepared and verified in 2010 (**Attachment 2**). The delineation identified a total of 5.41 acres of waters of the United States within the study area, occurring as perennial stream (3.86 acres), fresh emergent wetland (0.07 acre), riparian scrub wetland (0.98 acre), and riparian wetland (0.50 acre). The project includes installation of a clear-span bicycle/pedestrian bridge whose alignment would avoid potential impacts to waters of the US to the greatest extent feasible. The potential impacts to waters of the US from the bridge installation would be addressed through consultation with the United States Army Corps of Engineers, the Regional Water Quality Control Board, and the California DFG, and through any required permits, possibly including a Streambed Alteration Agreement. If a Streambed Alteration Agreement is deemed necessary for a Comanche Creek crossing, the City shall obtain the agreement before the start of any construction affecting the bed or bank of Comanche Creek and shall implement all conditions of the agreement. Adherence to permitting requirements from these agencies would reduce any potentially significant impacts on wetlands (the banks and streambed of Comanche Creek) associated with implementation of the project to a **Less Than Significant** level.

<b>E. Cultural Resources. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Cause a substantial adverse change in the significance of an historical resource as defined in PRC Section 15064.5?				<b>X</b>
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to PRC Section 15064.5?		<b>X</b>		
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			<b>X</b>	
4. Disturb any human remains, including those interred outside of formal cemeteries?			<b>X</b>	

**DISCUSSION:**

**E.1:** The project site is vacant and has no historical resources. **No Impact.**

**E.2-4:** The project is consistent with the City's 2030 General Plan, and is not anticipated to result in any new impacts beyond those identified in the General Plan EIR. The City of Chico General Plan (Figure CRHP-1) depicts the site as an area of high archaeological sensitivity; however, no archaeological features are known or suspected to exist within the project boundaries. Any prehistoric sites or historic structures which might have once existed in the project area are likely to have been previously disturbed through prior agricultural activities, bulldozing, and episodes of development and demolition, including ditch excavation and railroad construction. All of the original railroad materials have been removed or demolished (including tracks, ties, and other components), and sections of the raised surface of the alignment have been flattened and re-contoured.

On September 19, 2011, the City solicited a records search from the Northeast Information Center of the California Historical Resources Information System. According to their response letter dated October 3, 2011 (**Attachment 4**), no historic or prehistoric sites have been recorded in the project area, but the project vicinity is considered to be highly sensitive for cultural resources. On September 29, 2011, City staff met with a representative of the Mechoopda Indian Tribe of the Chico Rancheria who then presented the proposed project to the Tribal Council of Elders for review. The Council raised no concerns about this project, but requested an archaeological study of the project area and expressed their interest in protecting the area's natural resources.

Several cultural resource studies, including pedestrian surveys of the site, have previously been conducted for other projects with largely similar project areas. For example, the Hegan Lane Storm Drain Outfall project (SCH#2010022050), the Butte County Mosquito and Vector Control District project (SCH#2009102092), and the Otterson Drive Extension Draft EIR (SCH#99032036) studied largely the

same project area (see **Attachment 5**) and were negative for historic or prehistoric resources. The few portions of the proposed project area that were not included in the above mentioned surveys were either heavily disturbed by railroad construction and removal, or are not proposed for ground disturbance as a part of this project.

Construction of the trails and related non-intensive recreational features will require minimal excavation in the form of minor grading and trenching of the top 1-foot to 18-inches of surface material, not exceeding that of previous construction and agricultural operations. These activities are therefore unlikely to result in the disturbance of potential cultural resources. Construction of the bicycle bridge will require installation of footings to a greater depth, likely to approximately 20 feet. Despite the trail work being minor, a possibility exists for disruption of subsurface prehistoric materials during construction, particularly in the isolated locations of the bridge footings. Therefore, the following mitigation measure will be required to ensure impacts to cultural resources are **Less Than Significant with Mitigation**.

Mitigation Measure E.1 (Cultural Resources): During all ground disturbing activities associated with the installation of bridge footings, a professional archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County will be present on site to monitor construction activities.

Additionally, if during all ground disturbing activities, any potentially prehistoric, protohistoric, and/or historic cultural resources are encountered, the supervising contractor shall cease all work within 10 feet of the find (100 feet for human remains) and notify the City. A professional archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained to evaluate the significance of the find. City staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. If human remains are uncovered, the project team shall notify the Butte County Coroner pursuant to Section 7050.5 of California’s Health and Safety Code. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the City, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the City to be appropriate shall be implemented pursuant to the terms of the archaeologist’s report. The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.

**Timing/Implementation:** During all ground disturbing activities.

**Responsible Party:** City of Chico Capital Project Services and Planning Services Department staff.

<b>F. Geology/Soils: Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42)				<b>x</b>
b. Strong seismic ground shaking?				<b>x</b>
c. Seismic-related ground failure, including liquefaction?				<b>x</b>
d. Landslides?				<b>x</b>

2. Result in substantial soil erosion or the loss of topsoil?	X
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	X
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	X
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, or is otherwise not consistent with the Chico Nitrate Action Plan or policies for sewer service control?	X

**DISCUSSION:**

**F.1a-d, F.3, & F.4:** No construction of habitable structures are proposed as part of the project, and therefore the improvements proposed at this site will not expose people or structures to a potential substantial adverse geologic effect, including the risk of loss, injury or death from the Alquist-Priolo Earthquake Fault Zone nor any known earthquake fault, strong seismic groundshaking, seismic-related ground failure, including liquefaction or collapse, lateral spreading, subsidence, or on-site or off-site landslides. There is, therefore, **No Impact**.

**F.2:** The project site has Chico loam soil which is not highly-erosive soil. Furthermore, the project involves the installation of additional native plants that would help retain top soil. Construction activities would result in limited disturbance to the site's existing grade. All construction activities will be required to comply with the City of Chico's Grading Ordinance, which requires site-specific erosion control measures be incorporated into project activities to control erosion and sedimentation. The project will also be required to implement Best Management Practices, as specified in the City's adopted Storm Drainage Master Plan (2000), to limit erosion and sedimentation impacts in compliance with NPDES General Construction Permits. As a result of compliance with these requirements, as well as adherence to Mitigation Measure C.1 (Air Quality), impacts to soil erosion or loss of topsoil will be **Less Than Significant**.

**F.5:** No septic tanks or waste disposal systems are proposed or will be affected by project-related activities, therefore **No Impact**.

<b>G. Greenhouse Gas Emissions. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**DISCUSSION:** In 2006 and 2007, the State of California adopted AB 32 and SB 97 which established greenhouse gas (GHG) emission reduction targets and determined that GHG emissions, as they relate to global climate change, are a source of adverse environmental impacts in California. In 2006, the City of Chico City Council signed the U.S. Conference of Mayor's Climate Protection Agreement confirming the City's commitment to reduce greenhouse gas (GHG) emissions. To assist the City in implementing the U.S. Mayor's Agreement, the City conducted a communitywide greenhouse gas emissions inventory and is currently developing a Climate Action Plan (CAP) aimed at meeting GHG reduction targets.

No local or state legislation, however, has identified a significance threshold for GHG emissions generated by an individual proposed project or a standard methodology for analyzing a project's impacts related to GHG emissions, global climate change, or the goals of AB 32. While the emissions of one single project would not cause significant global climate change, GHG emissions from multiple projects throughout the world could result in a cumulative impact concerning global climate change.

The impact that GHG emissions have on global climate change does not vary if the emissions are generated from stationary, mobile, or area sources, or if they are generated in one region versus another. Thus, consistency with the state's requirements for GHG emissions reductions is the best current metric for determining whether the proposed project would significantly contribute to global warming. Therefore, if the proposed project substantially impairs the state's ability to conform with the AB 32 mandate to reduce GHG emissions, then the impact of the project would be cumulatively considerable (i.e., significant).

**G.1-G.2:** The project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts beyond those identified in the General Plan EIR. The proposed project would implement the Comanche Creek Greenway Improvement Project, adding non-intensive recreation and bicycle/pedestrian facilities to the Comanche Creek site. Although the site is not expected to be a destination for many vehicles, it could be visited by a small number of vehicles, and therefore could create a nominal source of new GHG emissions from motor vehicles. However, the proposed improvements include pedestrian/bicycle connections between jobs and housing that would likely reduce vehicle use in the area, thereby resulting in a net reduction in GHG emissions levels as compared to the existing conditions.

Construction of the improvements, including the operation of construction equipment, would temporarily generate a small amount of additional GHG emissions, predominantly in the form of CO<sub>2</sub>. In comparison with criteria air pollutants, such as ozone and PM<sub>10</sub>, CO<sub>2</sub> and other GHG emissions persist in the atmosphere for a much longer period of time. While GHG emissions generated by these construction activities may be considered new, they would be temporary in nature and would not be considered substantial given the project's small size and its overall benefit in promoting alternative modes of transportation. Development of this project would result in neither a significant impact on the environment, nor in the City's inability to meet applicable GHG emission reduction plans, policies or regulations. GHG emissions associated with the project would, therefore, be **Less Than Significant**.

<b>H. Hazards/ Hazardous Materials. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
2. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List) and, as a result, would it create a significant hazard to the public or the environment?				X
5. For a project located within the airport land use plan, would the project result in a safety hazard for people residing or working in the project area?				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or				X

working in the project area?

7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? X

8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? X

**DISCUSSION:**

**H.1 – H.4:** The project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. There are no existing or proposed schools within a quarter mile of the site. The project site is not listed as a hazardous materials site on the Cortese list pursuant to Government code Section 65962.5. The project would create recreational facilities where there would be no storage of hazardous materials on-site. Any herbicide or fertilizer application for vegetation management would be applied by trained personnel in compliance with federal and state regulations and would be carefully controlled to avoid desired native vegetation and to protect the aquatic habitat of Comanche Creek. Railroad right-of-ways can sometimes leave residual contaminants such as petroleum byproducts in the underlying soil; however, standard remediation includes capping the soil with an impervious surface such as asphalt. The Class I bicycle path proposed to be located along the former railroad right-of-way would be paved with asphalt, reducing potential exposure to any residual contaminants that might remain from the former railroad use to a **Less Than Significant Impact**.

**H.5 - H.6:** The Chico Municipal Airport is approximately six miles north of the project site. The small, private Ranchoero airstrip is located outside the city limits, approximately three miles west of the project site. The project site is not located in an airport land use plan area. **No Impact**.

**H.7–H.8:** The proposed facility would not conflict with, or impair implementation of any emergency response or evacuation plans. The site is surrounded by urban uses on three sides, with agriculture to the west, and the area is within the service area of the City of Chico Fire Department. **No Impact**.

I. Hydrology/ Water Quality. Would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements?			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?)				X
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage			X	

systems or provide substantial additional sources of polluted runoff?		
6. Otherwise substantially degrade water quality?	X	
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		X
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	X	
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	X	
10. Inundation by seiche, tsunami, or mudflow?		X

**DISCUSSION:**

**I.1:** The project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. The project would construct non-intensive recreation trails and supporting facilities adjacent to the northern and southern banks of Comanche Creek, and would install a Class I bike path, including a clear-span bicycle/pedestrian bridge, over Comanche Creek. As described in the Biological Resources Section of this initial study, the project would be required to adhere to any permitting requirements of responsible state and federal agencies. In addition, the project would be required to demonstrate compliance with applicable standard mitigation and monitoring programs as adopted by the Chico Municipal Code. The project would be required to implement a Storm Water Pollution Prevention Plan. The project plans and specifications would also be reviewed for compliance with the City's Storm Water Management Program per the Phase II, National Pollution Discharge Elimination System MS4 storm water program. Through adherence to all applicable permits, standards, and regulations, the project would result in potential hydrology and water quality impacts that would be considered **Less Than Significant**.

**I.2:** The project would not add any new points of groundwater extraction, nor would the project substantially interfere with groundwater recharge. **No Impact.**

**I.3 – I.6:** The project would be designed and implemented in a manner that ensures avoidance of potential impacts to waters of the US through erosion, siltation, flooding, or surface runoff. The existing drainage pattern of Comanche Creek will not be altered as the only work proposed will be located outside of the channel's ordinary high water mark in the form of a clear-span bicycle/pedestrian bridge, and that work will be done subject to a DFG Streambed Alteration Agreement. Storm water runoff associated with the project's minimal addition of impervious surfaces draining to Comanche Creek is anticipated to be minor because the project's impervious areas would be limited to the paved bicycle/pedestrian facilities. Most of the proposed improvements are pervious or small, such as dirt trails, landscaping, and signage, and therefore, would not modify the existing hydrology of the site. Watering of new native plants would primarily take place during the summer months until the plants are established (typically for 3 years).

Final drainage plans will be reviewed by the Capital Project Services Department for conformance with adopted engineering standards. Prior to commencement of construction activities, the City will ensure that the applicable standard practices have been implemented and included in all relevant construction contracts. Furthermore, the City will ensure the acquisition of appropriate permits and project approvals from the relevant agencies with jurisdiction over the site's hydrologic conditions. Through adherence to all applicable permits, standards, and regulations, any potential hydrology and water quality impacts associated with the project would be considered **Less Than Significant**.

**I.7 – I.9:** Comanche Creek is not one of the streams regulated by Central Valley Flood Protection Board according to Table 8.1 in Title 23 of the California Code of Regulations. Much of the project site is, however, located within a 100-year floodplain area, as delineated by Federal Emergency Management Agency. Although the project would occur partially within a designated flood hazard area, it would not include construction of dwellings, buildings or other occupied structures. The clear-span bridge of Comanche Creek would include supporting structures located outside of the 100-year floodplain. All project facilities would be

required to adhere to applicable federal and state design standards pertaining to construction within flood hazard areas, and therefore would result in **Less Than Significant** flood-related hydrologic impacts.

**I.10:** The project site is inland and has little to no slope, so it is not in an area at risk for tsunamis, mudflows or seiche. **No impact.**

<b>J. Land Use and Planning. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Be inconsistent with General Plan or Specific Plan policies, or zoning regulations?				<b>X</b>
2. Physically divide an established community?				<b>X</b>
3. Conflict with any applicable Resource Management or Resource Conservation Plan?				<b>X</b>
4. Result in substantial conflict with the established character, aesthetics or functioning of the surrounding community?				<b>X</b>
5. Be a part of a larger project involving a series of cumulative actions?				<b>X</b>
6. Result in displacement of people or business activity?				<b>X</b>

**DISCUSSION:**

The project is consistent with the City's 2030 General Plan, and therefore it will not introduce any new impacts that were not anticipated by the General Plan EIR. The project site is designated Primary Open Space and Secondary Open Space in the General Plan and is located within the corresponding OS1 (Primary Open Space) and OS2 (Secondary Open Space) zoning districts. The Primary Open Space designation and zoning only apply to the creek channel where no improvements are proposed other than the clear-span bicycle/pedestrian bridge. The remaining non-intensive recreational improvements would be installed in the area designated Secondary Open Space, which is described in the General Plan as including, "both intensive and non-intensive recreational activities, such as parks, lakes, golf courses, and trails".

**J.1 – J.6:** The project would be consistent with General Plan policies on open space, creeks, and greenways and with the City Municipal Code regarding open space. This project would create a more cohesive, connected community by providing a direct, safe route for bicyclists and pedestrians to travel through an area where such a link has been lacking. The Class 1 bicycle path in this project is shown as a "Planned Facility" in the 2008 Chico Urban Area Bicycle Plan (CUABP), which also includes the goal of "providing safe and direct routes for cyclists between and through residential neighborhoods, commercial areas, schools, and other major destinations within the Chico Urban Area." The Issues Section of the CUABP states that the "chief issue facing the planning and implementation of bikeways in the Chico Urban Area the physical barriers to bicycle travel". Comanche Creek is an example of such a physical barrier.

The project would enhance the aesthetics, character and function of the existing site and provide an amenity for the surrounding community. The Community Design Element of the Chico General Plan and the City's Design Guidelines Manual include policies and guidelines about creekside settings and pedestrian/bicycling facilities that are adhered to in this project. In particular, Goal 2 in the Community Design Element calls for enhanced bike trails, pedestrian paths, creekside corridors, and public access to creeks, all of which are part of the proposed project. The project helps implement the Southwest Neighborhood Plan which includes goals and recommendations for the Comanche Creek site that are consistent with the Comanche Creek Greenway Improvement Project. The project would not be a part of a larger project involving a series of cumulative actions.

Overall with regards to land use and planning, the project would have **No Impact**.

<b>K. Mineral Resources. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				<b>X</b>
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				<b>X</b>

**DISCUSSION:**

**K.1 – K.2:** The project would not result in the loss of availability of a known mineral resource or mineral resource recovery site. Mineral resources are not associated with the project or located on the project site.  
**No Impact.**

<b>L. Noise. Would the project or its related activities result in:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Exposure of residents in new hotels, motels, apartment houses, and dwellings (other than single-family dwellings) to interior noise levels (CNEL) higher than 45 dBA in any habitable room with windows closed?				<b>X</b>
2. Exposure of sensitive receptors (residential, parks, hospitals, schools) to exterior noise levels of 65 dBA Ldn or higher?			<b>X</b>	
3. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			<b>X</b>	
4. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			<b>X</b>	
5. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			<b>X</b>	
6. For a project located within the airport land use plan, would the project expose people residing or working in the project area to excessive noise levels?				<b>X</b>
7. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				<b>X</b>

**DISCUSSION:**

**L.1 - L.2:** The project is not residential in nature. The project area is primarily adjoined by lands zoned for and used as industrial. There are no operational aspects of the project which would indicate any significant or unusual noise levels, therefore there is **No Impact**.

**L.3:** The project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. All construction-related activity increases the noise levels in a project vicinity for a temporary period. Project contractors and volunteers will be required to comply with Chapter 9.38 of the Chico Municipal Code, which sets forth the City's standards for construction-

generated noise and limits the hours of construction activities within the City. Therefore, there is a **Less Than Significant Impact**.

**L.4:** The project site is primarily surrounded by industrial uses. Once construction activities have ceased, the day-to-day operations of the project will create ambient noises that are minor in nature from visitors to the site. This noise would be limited in time and scope therefore there will be a **Less Than Significant Impact** to nearby residential properties, of which there are few.

**L.5:** Temporary increases in noise levels may occur as part of project construction. Activities involved in construction, and the operation of the site must adhere to the City's noise standards, as identified in sections 19.60.080 and 9.38.060 of the Chico Municipal Code, which limit the amount of noise being generated during specific hours of the day. Following these standards will ensure a **Less Than Significant Impact**.

**L.6 – L.7:** The Municipal Airport is approximately six miles north of the project site, with the smaller Ranchoero airport about three miles to the west. Thus, the site is not located within an airport land use plan and there will be **No Impact** regarding people or land uses at the Municipal Airport or within the vicinity of a private airstrip

<b>M. Open Space/Recreation. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Affect lands preserved under an open space contract or easement?				<b>X</b>
2. Affect an existing or potential community recreation area?			<b>X</b>	
3. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			<b>X</b>	
4. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			<b>X</b>	

**DISCUSSION:**

**M.1:** The site is designated Primary Open Space and Secondary Open Space on the General Plan Land Use Diagram, and there are no existing open space contracts or easements that would be compromised by the project. **No Impact**.

**M.2 – M.4:** The project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. The intent of the project is to improve and restore the project site to create a community non-intensive recreation area at a location where public access is currently restricted. The creation of additional non-intensive recreation space through the proposed project could lessen the deterioration associated with unauthorized use of the site, as well as reduce the intensity of use and deterioration at other existing recreation facilities and parks in the City. Aside from temporary construction-related impacts, there will be no adverse effect on the environment. There would be a **Less Than Significant** impact with respect to these issues.

<b>N. Population and Housing. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				<b>X</b>
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				<b>X</b>
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				<b>X</b>
4. Conflict with General Plan population growth rates for its planning areas in conjunction with other recently approved development?				<b>X</b>

DISCUSSION:

**N.1- N.4:** The project does not involve the construction of residential dwellings and will not affect housing or population growth rates. The project site is devoid of residences/housing that could be displaced by the proposed improvements. **No Impact.**

<b>O. Public Services. Would the project or its related activities have an effect upon or result in a need for altered governmental services in any of the following areas:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Fire protection?			<b>X</b>	
2. Police protection?			<b>X</b>	
3. Schools?				<b>X</b>
4. Parks and recreation facilities? (See Section J Open Space/Recreation)			<b>X</b>	
5. Maintenance of public facilities, including roads, canals, etc.?			<b>X</b>	
6. Other government services?			<b>X</b>	

DISCUSSION:

**O.1- O.2:** The project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. The project site is within the existing service area of municipal fire and police services. The location is regularly visited by the police due to transient activities. With the site improvements, increased legal use of the property is expected, which has the potential to reduce the number of police calls needed. Therefore, impacts to these city services will be **Less Than Significant.**

**O.3:** The intent of the project is to improve the site to increase non-intensive recreational opportunities for the surrounding neighborhood. The project does not include any residences, so there will be **No Impact** on school services.

**O.4 – O.6:** The City owned parcels in the project area are already being lightly maintained by the City's General Services Department. Once the improvements are completed, additional routine maintenance will need to be performed. In addition to the City's maintenance services, the neighbors will host regular volunteer days to supplement the upkeep of the site. Therefore, this impact is **Less Than Significant.**

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

**DISCUSSION:**

**P.1- P.6:** The project is consistent with the City's 2030 General Plan, including the Chico Urban Area Bicycle Plan in the Circulation Element. The project is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. The project would not include any development (housing, commercial, etc.) that would create significant new vehicular trips. A small number of vehicles could visit the site, but the site's use as a vehicle destination is anticipated to be very low. The *Trip Generation* manual from the Institute of Transportation Engineers does not list a Greenway or Open Space as a land use. The most similar land use listed is County Parks, but its description includes activities and trip generation rates that are more intensive than those anticipated for the Comanche Creek Greenway. Nevertheless, applying the County Park trip generation rates to the Greenway does not show that this project would cause traffic volumes on the surrounding roadways to exceed those anticipated by the General Plan and its associated EIR.

The project would include installation of a Class I bicycle path and a bicycle/pedestrian bridge over Comanche Creek, thereby improving the connectivity of bicycle circulation in the area and reducing the number of vehicle trips to the employment center at Hegan Lane. Additionally, by providing separate and improved facilities for pedestrians and bicyclists, there would be fewer disruptions in the flow of vehicular traffic through the project area.

The project has no impact on air traffic patterns, is not expected to require additional services from the B-Line transit system, and will not introduce any circulation design hazards. In fact, the project is intended to reduce existing hazards by providing separated, safe facilities for bicyclists and pedestrians that are currently lacking. The installation of the proposed facilities would also improve emergency access to the site because the bollards on the clear span bridge could be removed to accommodate smaller emergency vehicles. **No Impact.**

<b>Q. Utilities. Would the project or its related activities:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Substantially effect or result in a need for new facilities for natural gas, electricity, water for domestic use and fire protection, telephone, or other communication utilities?			<b>X</b>	
2. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				<b>X</b>
3. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				<b>X</b>
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				<b>X</b>
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			<b>X</b>	
6. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				<b>X</b>
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			<b>X</b>	
8. Comply with federal, state, and local statutes and regulations related to solid waste?			<b>X</b>	

**DISCUSSION:**

**Q.1-6:** The project is consistent with the City's 2030 General Plan and is not anticipated to result in any new impacts beyond those identified by the General Plan EIR. The project would not result in the need for new water lines, natural gas, telephone or other communications in the vicinity. The project will require a minimal water supply for watering new landscaping and occasional maintenance of the public furniture. This water may be supplied by a watering vehicle. Existing infrastructure is in place to make site-specific electrical connections for necessary safety lighting along the proposed bicycle path. The project will not create a demand for wastewater or solid waste treatment services and, therefore, does not require the construction of additional storm drain or waste water facilities. There would be a **Less Than Significant** impact with respect to these issues.

**Q.7-Q.8:** Green waste from the site will be recycled at the City of Chico green recycling location near the Chico Municipal Airport. Available capacity exists at the City's landfill to accommodate the waste generated by the project. Potential impacts would be **Less Than Significant**.

**3. MANDATORY FINDINGS OF SIGNIFICANCE**

Pursuant to Section 15382 of the State EIR Guidelines, a project shall be found to have a significant effect on the environment if any of the following are true:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict		<b>X</b>		

the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

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2. The project has possible environmental effects which are individually limited but cumulatively considerable. (Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current and probable future projects. x

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3. The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly. x

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#### DISCUSSION:

**A-C:** Based on the preceding environmental analysis, and with the incorporation of measures identified through this environmental review into the project, potential impacts related to air quality, biological resources, and cultural resources will be mitigated to ensure that this project will not result in direct or indirect adverse effects on human beings or the environment, nor create cumulative impacts.

#### **4. REFERENCES:**

- City of Chico General Plan, 2011.
- Draft Environmental Impact Report for Chico General Plan. City of Chico, 2010.
- City of Chico Municipal Code.
- Southwest Neighborhood Plan and associated Initial Study/Mitigated Negative Declaration. City of Chico, 2009.
- CEQA Air Quality Handbook. Butte County Air Quality Management District, 2008.
- Chico Urban Area Bicycle Plan. City of Chico, 2008.
- Trip Generation, 7<sup>th</sup> Edition. Institute of Transportation Engineers, 2003.
- Department of Toxic Substances Control's Hazardous Waste and Substances Site (Cortese) List - Website
- Federal Emergency Management Agency Map, 1998.
- Farmland Mapping and Monitoring Program – Website
- Guillen-Hegan Storm Drain Outfall Initial Study/Mitigated Negative Declaration, City of Chico, State Clearinghouse #2010022050.
- Butte County Mosquito and Vector Control District Substation Initial Study/Mitigated Negative Declaration, City of Chico, State Clearinghouse #2009102092.
- Otterson Drive Extension Draft EIR, City of Chico, State Clearinghouse #99032036.

Note: The above referenced information is available for public review at the City of Chico Planning Services Department, 411 Main Street, Chico, California.

#### **5. ATTACHMENTS**

1. Interim Comanche Creek Greenway Management Plan, City of Chico, 2012
2. Comanche Creek Study Area Delineation of Waters of the United States, prepared by North State Resources, Inc., 2010.
3. Comanche Creek Vegetation Management Plan, prepared by Design, Community & Environment, 2008
4. October 3, 2011 letter from the Northeast Information Center of the California Historical Resources Information System
5. Map of project areas for previous related cultural resource studies

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# Interim Comanche Creek Management Plan

Chico, California

**December 14, 2011**



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**City of Chico**

**General Services Department – Parks Division**

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Chico, CA 95927

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**ATTACHMENT 1**

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**Appendix I.** Cost Estimates and Assumptions.

**Suggested citation:**

City of Chico. 2011. Interim Comanche Creek Management Plan. Chico, California. Draft (12/6/11).  
General Services Department, Parks Division. Chico, California.

## I. INTRODUCTION

The City of Chico owns approximately 20 acres along Comanche Creek Greenway, shown in **Figure 1**. The City intends to enhance the site as a greenway providing habitat, public access to the creek, and a link in the City-wide circulation system, as described in the Comanche Creek Greenway Improvement Project document.

This management plan builds on the information contained in the Comanche Creek Vegetation Management Plan (CCVMP), prepared in 2008 (DCE 2008). The CCVMP is a detailed management guide for conservation, rehabilitation, enhancement and protection of the native resources in and along Comanche Creek. It will be referenced from this plan for specific information about vegetation management of the site.

### A. Purpose of the Interim Management Plan

This plan provides management guidance for the site. This interim plan provides a limited, focused approach to guide management and appropriate activities for the initial public opening of the Greenway. When possible, this plan will rely on existing sources of information (CRA 2007; DCE 2008; GCI 2007). The plan assumes that limited improvements have been made to the site to allow public access to the largely unimproved Greenway.

Under the adaptive management approach that governs this document, this plan will change over time as new information is integrated into the site management. For example, as the Comanche Creek Greenway Improvement Project is implemented, this plan will be updated to include the additional uses and improvements to the site.

### B. Vision, Goals, Objectives, and Implementation Strategies

This plan provides an interim, adaptive guide for immediate management of the site, and estimates operational costs for implementation. The cost estimates may provide a basis for seeking funding.

**Table 1. Goals, Objectives, and Considerations for the Comanche Creek Management Plan.**

<b>Plan Goals and Objectives</b>
<ul style="list-style-type: none"><li>• Consider management of site resources to allow public access.</li><li>• Define appropriate public access opportunities (parking, gates, trails, signage, education and volunteer opportunities), and activities on the site.</li><li>• Develop costs associated with site management and identify potential funding sources.</li><li>• Identify potential partners and resources to aid with site management.</li></ul>
<b>Site Specific Considerations</b>
<ul style="list-style-type: none"><li>• Consider measures with features noted in the Comanche Creek Greenway Improvement Project (City of Chico, 2011).</li><li>• Encourage natural processes on site and minimize impacts to the creek as a wildlife corridor.</li><li>• Minimize impacts to the creek bank from increased activities and soil erosion.</li><li>• Incorporate measures that minimize the potential for homeless encampments.</li></ul>

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**Site Specific Considerations**

---

- Consider initial low cost improvements to parking, trails, and installation of informational signage to enhance public access.
  - Acknowledge that long-term improvements and funding sources for ongoing maintenance will be identified as the Improvement Project is implemented.
- 

**C. Funding**

No funding sources have been identified to implement this plan. The fiscal and staffing impacts of the project (especially regular maintenance) will be an important consideration and may determine the actions on the site. An estimate of costs associated with this plan is provided in Section IV below.

**D. Partners, Roles, and Responsibilities**

The City of Chico owns and manages the property. The City of Chico Parks Division has the lead responsibility for property management and implementation. Staff prepared this interim plan with input from the Southwest Chico Neighborhood Creeks Action Group (“Southwest Neighborhood Group”). City Staff from Planning Services and Housing and Neighborhood Services provide support and guidance for the Neighborhood Group. Surrounding businesses and neighborhoods have expressed interest in expanding access to the site as well as improving site conditions.

**II. SITE DESCRIPTION**

It is beyond the scope of this document to provide a comprehensive evaluation of the physical and biological resources on site. However, understanding of the site setting is important for making good resource decisions. This document only provides a brief summary of the main site attributes; more details are available in other documents (DCE 2008; GCI 2007; CRA 2007; City of Chico 2011a and 2011b; and NSR 2010).

The approximately 20-acre site lies between Estes Road and Midway (**Figure 1**). The site consists of dense riparian woodland, scrub, aquatic and other habitats along a 0.6 mile long corridor of Comanche Creek. Surrounding the site are largely urbanized lands to the north, east, and southwest, agricultural land to the west, and annual grasslands and woodlands to the immediate south. The site’s resources and characteristics such as geology, soil, topography, hydrology, water quality, geomorphology, and public access are summarized below in Table 2.

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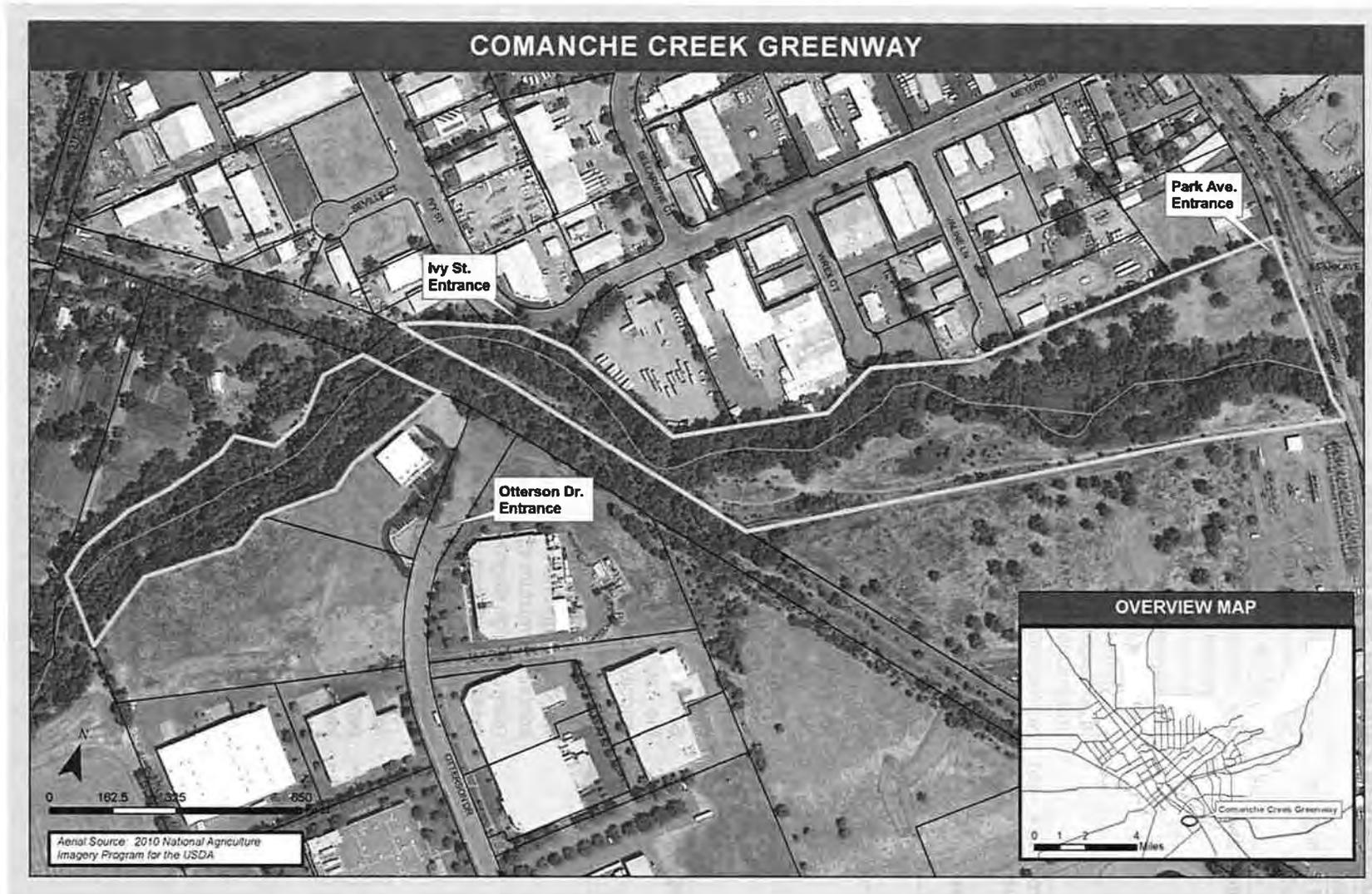


Figure 1 Comanche Creek Location and Boundaries

**Table 2. Summary of Pertinent Site Features**

Issue	Site Description
Geographical Setting and Property Location	Approximately, 20 acres along Comanche Creek, west of the intersection of Park Avenue/Midway and East Park Avenue. Approximately 3,500 lineal feet of the Comanche Creek channel lies within these two parcels.
Land-use History and Zoning	The General Plan designations for the site are Primary Open Space immediately around the creek and Secondary Open Space on the remainder of the site. Several cement pads that supported farm granaries are present on the site pointing to the past farming history. These structures were abandoned but left standing in the late 1970s, but only the pads remain today. The site is traversed by a railway right of way, which is no longer in use. Although the tracks have been removed the earthen embankment for the railway remains quite prominent.
Adjoining Properties and Potential Issues	Surrounding the site are largely urbanized lands to the north, east, and southwest, residential-agricultural land to the west, and annual grasslands and woodlands to the immediate south.
Soil Properties	Detailed soil information is available in the 2010 wetland delineation (NSR 2010) of the site and from NRCS soil maps and descriptions.
Topography	Detailed topography for the creek channel is depicted on Figure 3 of the wetland delineation study (NSR 2010).
Hydrology	Historically, Comanche Creek was an intermittent stream draining the Doe Mill Ridge until the construction of the Parrott-Phelan agricultural diversion (No. 50) on Butte Creek. Today, Comanche Creek receives additional water from this diversion as well as storm water run-off from Chico's urban areas, making it more hydrologically similar to a perennial stream than an ephemeral body of water. The creek has been deepened and rip-rap placed in locations.
Geomorphology	Some erosion/deposition occurs within the creek channel, but is limited by the nature of the water source (diverted water from Butte Creek). Flow velocity and sediment source is limited, although some erosion is evident along the creek. Outside of the channel, landforms are stable.
Vegetation	The site consists of dense riparian woodland and scrub, valley oak woodland, and non-native ruderal grassland. While most of the Plan area contains a mixture of native and non-native species which reflect the relatively high degree of past disturbance, segments of the creek corridor remain in excellent condition with an almost exclusive cover of native species. Notably, there are a number of large valley oak, California sycamore, and Fremont cottonwood trees dispersed along the corridor.

Although no occurrences of special status plant species have been reported in the California Natural Diversity Database (CNDDDB) within the immediate vicinity of the site, the riparian habitat is considered to have a remote to low potential for occurrence.

Targeted invasive species in the riparian woodland zone include Himalayan blackberry, periwinkle, English ivy, arundo, and tree of heaven. The freshwater marsh occurring in Comanche Creek is dominated by non-native plants, predominately Himalayan blackberry. The dominant non-native species to control in the valley oak woodland is the Himalayan blackberry. However, existing stands of periwinkle and poison hemlock should also be controlled. Native grassland species are rapidly being lost to thickets of Himalayan blackberry, poison hemlock, Johnson grass, and dallisgrass, and the spread of native and non-native saplings. Recently (2010), staff have observed puncturevine on site.

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<b>Issue</b>	<b>Site Description</b>
Wildlife	The aquatic and terrestrial habitats of the creek corridor and woodlands support a diverse assemblage of plant and animal species, providing important protective cover and serving as movement corridors for fish and wildlife. The grasslands also provide habitat for a variety of wildlife species, although the establishment and spread of several highly invasive species such as Himalayan blackberry and areas of soil compaction, caused by human activity, compromise their habitat value. Several special status species have a low to moderate potential for occurring on the site, and there is a high potential for some occurrence of valley elderberry longhorn beetle.
Public Access and Recreational Uses	The site has had restricted access since public acquisition. However, several dirt trails cross the site, and homeless camps are a recurring phenomenon. Currently, public access on site requires permission and occurs only through periodic tours or volunteer cleanup efforts. Homeless encampments are common, and the site is part of regular encampment surveys and clean-up efforts.

**III. CONCEPTUAL SITE MODEL**

The Conceptual Site Model (CSM) synthesizes and crystallizes what is already known about a site that is pertinent to decision-making. CSMs use available information to distill what is known about a site to develop management strategies or to identify additional information needed to achieve project goals.

CSMs evolve as projects progress. At any given point in time, the maturity of the CSM reflects the level of site understanding and the amount of information and complexity of analysis required to support the decisions that need to be made. This Plan includes a simple model that lays out the current understanding of the site and the rationale for management decisions. This conceptual site model:

- 1) Presents our understanding of the physical and biological factors that influence site ecology and how it integrates with management objectives,
- 2) Describes uncertainty and information needs (data gaps), and
- 3) Outlines our management strategy and identifies recreational and ecological benefits

The principles described in this section will guide the implementation of this plan.

**A. Adaptive Management Approach**

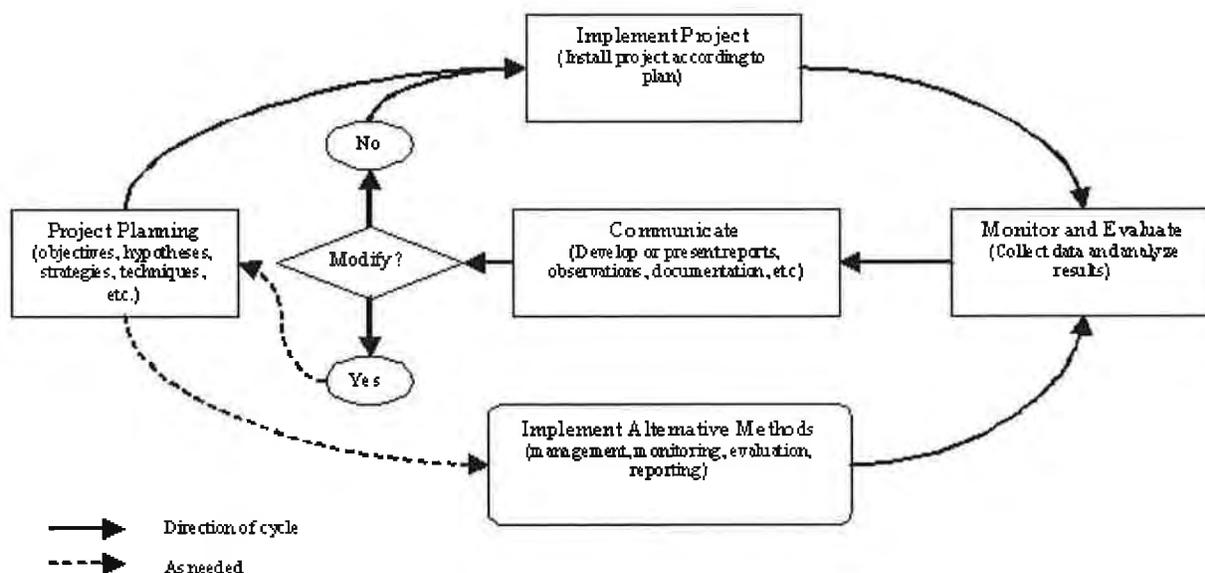
This project will be implemented using an adaptive management approach (Figure 2). While there are many definitions of adaptive management, they share similar elements. Adaptive management is a decision process for continually improving management policies and practices by learning from the outcomes of operational programs. Adaptive Management promotes flexible decision making that can be adjusted in the face of uncertainties as outcomes from management actions and other events become better understood. Careful monitoring of these outcomes helps to adjust policies or operations as part of an iterative learning process.

Resource management policy will acknowledge uncertainty and accommodate course corrections that arise from changing conditions, or new information gathered during

implementation. Evaluating the success of management strategies is vital for long-term successful restoration and natural resource management.

**Figure 2** is a diagram of a general adaptive management cycle, showing the feedback between project planning with its objectives and hypotheses, implementation, monitoring, and evaluation.

As applied to this project, the cycle begins with Project Planning and is followed by implementation. Routine monitoring and evaluation occur throughout the year. Communication will also occur with an annual report that briefly summarizes progress and notable observations or changes on the site. This management plan will be updated as the need for significant management changes arises.



**Figure 2. Adaptive Management Model**

### **B. Identification of Pertinent Site Features and Factors**

The site features with the most critical management implications include:

#### Site environmental conditions

- The presence of year round water and good soil creates conditions near the creek similar to a year-round riparian area (rather than an ephemeral creek).
- The site supports a number of large specimen riparian trees (valley oak and California sycamore).
- The vegetation and creek provides a wildlife corridor across an increasingly urban landscape.

#### Likely successional patterns

- The Vegetation Management Plan (DCE 2008) notes that while the dense thickets of Himalayan blackberry and other non-native species currently limit

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plant diversity along much of the Creek, much of the riparian habitat continues to provide important wildlife resources to a wide variety of species.

- Non-native annuals dominate open areas competing with native woody species that may colonize the area.
- The potential for special status plant species to be found on site is low (DCE 2008).
  - Adobe lily, Ahart's paronychia, fox sedge, and round leaf filare were identified as having a moderate potential for occurrence (GCI 2007).
  - About 18 special status animal species have a low to moderate potential to be found on site (DCE 2008). The valley elderberry longhorn beetle, Swainson's hawk, and white-tailed kite were judged to have a high potential of using a portion of the site; giant garter snake, and burrowing owl were noted as having a moderate potential (GCI 2007).
- The site's good soils and ample moisture support a wide variety of native plants with good recruitment; however, favorable site conditions also make the site prone to invasion by a variety of non-native plants. While there is some lasting legacy from the mature native trees on site; over time, plants such as Himalayan blackberry and ailanthus threaten the site's biological integrity. If left unmanaged, invasive plants are likely to continue displacing native plants, and becoming more difficult and costly to remove.

### Public Access

- Neighborhood interest in site access is high.
- Numerous surveys, vegetation management efforts, and removal of homeless encampments have occurred on the site.

### **C. Management strategies**

Based on our understanding of the site, we recommend the following strategies:

- Develop basic infrastructure improvements to educate users and minimize conflicts, minimize unauthorized use of the property, and ease maintenance over the long-term.
- Use aggressive management efforts on priority invasive plants.
- Use measures to protect existing native seedlings (mulch, plant protectors, weed control, and potentially some supplemental irrigation).
- Consider targeted plantings of native woody plants in areas of poor recruitment.
- Consider the planting of understory plants such as native grasses and forbs to increase the wildlife value and beauty of the site, decrease the potential for invasion by new plants, increase native plant cover, and increase wildlife habitat diversity.
- Allow public use of the site to help in the timely reporting of homeless encampments.
- Consider non-intensive recreational uses that minimize the disruption to wildlife that use this corridor.
- Increase ranger patrol efforts to enforce rules and discourage unauthorized uses, increase safety, and educate users.
- Promote a pack it in, pack it out and low environmental impact ethic.

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- Use neighborhood volunteers and citizen support to supplement property management efforts.
- Develop initial minor improvements to provide public access with minimal cost.
- Utilize an adaptive management approach that incorporates new information and evolving site goals in future versions of this document.

#### **IV. MANAGEMENT IMPLEMENTATION**

##### **A. Regulatory Compliance and Issues**

This plan is considered for the Initial Study and Mitigated Negative Declaration for the Comanche Creek Greenway Improvement Project to comply with the California Environmental Quality Act (CEQA). Other permits such as a floodway encroachment permit or stream bank alteration permit will not be required. Herbicide applications will be applied according to the label, and subject to county herbicide permitting and reporting requirements.

##### **B. Public Access and Appropriate Activities**

Given current site conditions, non-intensive uses are the most appropriate for the site. The Bidwell Park Master Management Plan (EDAW 2008) defines non-intensive uses as uses that generally do not result in substantial disturbance or removal of natural (e.g., plants, wildlife, soils, and hydrology), cultural, visual, aesthetic or other resources individually or cumulatively. Non-intensive uses are non-motorized activity that:

- Offers constructive, restorative, and pleasurable human benefits and fosters appreciation and understanding of open space and its purpose
- Is compatible with other passive recreation uses
- Does not significantly impact natural, cultural, scientific, or agricultural values
- Requires only minimal visitor facilities and services directly related to safety and minimizes passive recreation impacts

Examples of non-intensive uses include use of well-designed multi-use trails in sensitive areas and limited amounts of off-trail foot traffic in non-sensitive areas; fishing (as per DFG regulation), and nature observation. Dogs will be allowed on leash. Activities prohibited include overnight camping, alcohol, intensive recreation uses, motorized activity, or any activity that alters the site or requires equipment installation. Because of the sometimes swift moving water, steep slopes, dense vegetation, and underwater debris and hazards, swimming on site will not be encouraged. Public access to the site will be limited to hours consistent with other greenways (closed between 12:00 am and 5:00 am).

Improvements related to this interim plan are planned only for the Park Avenue entrance to the property, with parking and access allowed on the north side of the creek and access allowed on the south side of creek (walking across the Park/Midway Bridge). Access from Otterson Drive will also be allowed, and a sign will be placed there. Access from other areas or additional trash cans or doggie pot locations will be developed later. These future features are depicted in the Comanche Creek Greenway Improvement Project (City of Chico 2011a).

## C. Resource Protection

### 1. Vegetation Management and Restoration

The CCVMP (DCE 2008) acts as a guide for vegetation management on the site, including eradication of invasive species and planting of native plant species.

The plan notes 6 invasive plants of greatest concern on the site and provides treatment, disposal, and follow-up management details. The plants identified (DCE 2008) are:

- English ivy, (*Hedera helix*, *H. canariensis*)
- Giant reed (*Arundo donax*)
- Himalaya blackberry (*Rubus armeniacus*)
- Periwinkle (*Vinca major*)
- Poison-hemlock (*Conium maculatum*)
- Tree-of-heaven (*Ailanthus altissima*).

The CCVMP divides the vegetation management into 3 phases: short (invasive plant removal), medium (revegetation and maintenance), and long-term (maintenance) recommendations. It recommends that consultants and contractors carry out the major initial work with the California Conservation Corps (CCCs) assisting with removal and planting, and volunteers be used for the initial invasive removal and on-going efforts.

To carry out this plan, aggressive short-term efforts should be carried out over a 3 year period. These efforts will help make the site more visitor-friendly and allow for easier access for the public and patrols.

If only minimal funding is available, volunteers should be used to clear and remove roots and herbicide applied to any re-sprouts. Work should proceed from the eastern edge of the site. Initial treatment for blackberry and tree of heaven began in 2011 with volunteer days in the spring (on the blackberry) followed by an herbicide application (on re-sprouting blackberry and tree of heaven).

If funding is available, planting woody species should be considered in areas that have poor natural regeneration or bare areas that require erosion protection measures. In addition, in many areas existing native plants may benefit from the application of mulch, weed control around the plants, and the installation of plant protectors. The removal of asphalt and debris (such as at the Park Avenue entrance) would allow for plantings to enhance the site and should be considered as part of future improvements. A native grass planting is also recommended along pathways and areas that are likely to be mowed on a regular basis.

### D. Site Improvements and Infrastructure

The focus of this document is to allow near term public access to the Greenway. Some basic improvements will be necessary or at least considered for granting public access to the site (Figure 1). These improvements include:

- Re-gravel and grade parking lot;
- Install site signage (identifying the property and providing an information kiosk/bulletin board for greenway rules);

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- Remove a section of fence and install bollards or a chicane to allow pedestrian access (and restrict vehicles);
- Grade/import material to allow better emergency vehicle access across the site from the gate on the south side of the creek;
- Install and service a trash can and doggie pot bag dispenser in the main parking area;
- Make appropriate traffic signal and intersection changes (an asphalt apron from the intersection into the parking lot, which is not considered in the cost estimate).

Larger scale improvements are considered as part of the Comanche Creek Improvement Project which envisions trails, features that enhance public access, safety, resource protection, circulation, and non-intensive recreation (such as information and directional signs, picnic areas, and a pedestrian/bicycle bridge across the creek).

### **E. Maintenance and Operations**

Currently, City staff visits the site on an as needed basis with homeless encampment surveys and clean-up, mowing, and fence repairs the most frequent activities. In 2011, the City has begun addressing elements of the vegetation plan for the site, through the use of volunteer days (spring and fall) and an herbicide application to treat tree of heaven and blackberry (fall).

Even with minimal improvements, opening the site will require additional maintenance efforts for health and safety reasons. These include more regular mowing and clean-up, trash pick up, trail repairs, more aggressive vegetation management; and maintenance on signage and fencing. Increased ranger patrols will also help with enforcement of rules and education.

### **F. Public Safety and Emergency Services**

Emergency and patrol vehicles may access the site from the Park Ave and Otterson Drive entrances but full access is limited. Some areas of the site are only accessible by foot. Flooding is not anticipated, so contingency plans beyond those already in place are not needed. While the increased public presence on site may alter fire patterns and the number of reported accidents, no significant changes in fire or medical personnel response are anticipated. The site will be subject to closure under hazardous conditions (fire, flood, etc.). As use of the site evolves, Parks staff will coordinate with and seek input from the Fire and Police Departments.

Security issues will evolve as the site receives more use. While issues that are common in other greenways are likely to occur at the site, the following issues are anticipated to be the greatest concerns:

- Illegal camping – The City conducts periodic illegal camp clean-ups. Although in the long run more public use will likely discourage camps, the number of complaints is likely to increase initially with increased interactions.
- Dogs - Leash and pet waste issues will likely be an issue. Consistent enforcement and education will help minimize such issues.
- Trash – Increased public use may increase the amount of trash on the site.

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A regular presence, patrol, and education of users will help minimize conflicts. Ideally, a Ranger should patrol the area once during the morning and evening shifts daily during the recreation season. However, a more modest schedule (2-3 times a week) is assumed for purposes of the budget.

**G. Monitoring and Reporting**

As part of the adaptive management approach, staff will conduct an annual review of the site to evaluate responses and develop adjustments. The annual review will document changes in our understanding of the site and changes to management. The information will be reported to the public and shared with the Bidwell Park and Playground Commission. Significant future changes to the site would be incorporated into a revised management plan.

**H. Outreach and Education**

Because of neighborhood interest, citizens that frequent the site will be important stewardship allies. Rangers will conduct outreach efforts to explain the rules and recruit volunteers to aid with clean-up and vegetation efforts. This may take the form of tours, signage, mailers, or meetings. In addition, staff will explore the potential for Park Watch volunteers at the site. Use of the site for educational purposes is an appropriate use and groups will need to work with the site for access and projects.

**I. Funding**

Funding has yet to be identified for the site management as described in this plan. To consider the fiscal impacts of implementing this plan, rough cost estimates are provided in Table 3 below for the 1) Installation of basic infrastructure improvements, and 2) Estimated annual operating and maintenance costs. Baseline assumptions for these costs are presented in Appendix I.

**Table 3. Rough Cost Estimates for Plan Implementation.**

<b>Task No.</b>	<b>Task</b>	<b>Description</b>	<b>Timing</b>	<b>Estimated Total</b>
1	Installation of basic infrastructure improvements	Material, equipment, and labor necessary to improve gate access for pedestrians, bollard, kiosk (1), 2 doggy-pot dispensers, and signs. Trash cans (2), parking lot improvements.	Initial cost.	\$9,000 - \$12,000
2	Estimated annual operating and maintenance costs	Includes yearly maintenance of trail head parking, modest time (2 hours x 3 days a week for trash removal, vegetation maintenance, infrastructure repair, outreach, and supporting volunteer days).	Annual estimate for first 3 years.	\$15,000 - \$25,000

**V. SUMMARY**

This document provides an interim management plan for the Comanche Creek Greenway, including a guide to activities on site and anticipated City duties. The plan uses an adaptive management approach and is anticipated to be updated as the site changes over time. The site is well suited for non-intensive recreational uses that

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capitalize on the natural resources of the property. Basic improvements will be necessary to reduce user conflicts, educate visitors, and ease maintenance duties. A cost estimate is provided for the installation of improvements and maintenance over time. Volunteer efforts will be incorporated into the site management.

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**Appendix I - Cost Estimates and Assumptions.**

The following worksheets provide the details used to develop the cost estimates for 1) Installation of Basic Infrastructure, and 2) Annual Maintenance Costs. The assumptions for these estimates are provided below.

1) Installation of Basic Infrastructure

Assumptions:

- Regravel (import base rock) and grade parking lot.
- Install site signage at the Park Avenue and Otterson Drive entrances to identify the property. One information kiosk/bulletin board for greenway rules would be installed at the Park Avenue entrance.
- Remove a section of fence and install bollards or a chicane to allow pedestrian access (and restrict vehicles) on both sides of creek on the east side of the property.
- Grade or import material to allow better emergency vehicle access across the site from the gate on the south side of the creek (mostly near the railroad embankment).
- Install and service a trash can and doggie pot bag dispenser in the main parking area at the Park Avenue entrance.
- Includes materials and equipment needed for installation.
- Includes labor (preparation, installation, and supervision).
- Depending on the lag time, a more refined estimate with updated material and labor costs, should be used to develop a project budget.

2) Annual Maintenance Costs

Assumptions:

- The values represent an average annual estimate for the first 3 years.
- The quantity of materials includes the replacement lifespan. For example, since a doggie pot dispenser lasts about 10 years, the quantity indicates an annual average of 0.1. To replace two dispensers the annual fraction becomes 0.2. In any one year, vandalism or inadvertent damage may require a more frequent replacement, but the estimate provides a normalized average.
- Annual minor re-grading and repair of the parking lot (depending on usage, a more extensive repair or import of material is required typically every 5-10 years).
- Install site signage at the East entrance and at (identifying the property and providing 1 information kiosk/bulletin board for greenway rules).
- Labor assumptions include:
  - Time for overall supervision and 3-4 site visits for the Park and Natural Resource Manager, plus minimal time for outreach, planning, and review.
  - Field Supervisor and Senior Maintenance provide 1 hour/month for supervision.
  - The time estimate for Maintenance Workers provide for a modest 2 hours per week estimate during the off season (November to April) and 4 hours

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per week during the peak season (May to October). Included is time for annual maintenance on the parking lot and signs, 2 days to supervise workdays, and mowing the site 2-3 times a year.

- The Administrative Analyst/Volunteer Coordinator will coordinate 2-3 workdays.
- Rangers are assumed to spend on average 2 hours in the off-season and 5 in the peak season associated with the site. Time includes patrol, developing and posting signs, and education of the public.
- When travel time is considered, the time estimates are extremely modest and represent a baseline estimate to care for the site. An estimate of optimal coverage (for example, daily visits from the rangers during the peak season) will increase the estimate on the order of \$5,000 to \$10,000.

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**CITY OF CHICO  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS AND MAINTENANCE DIVISION  
DAILY OPERATIONS WORK ORDER**

PROGRAM	DESCRIPTION	ADMIN. PROCEDURE	CREW SIZE
	Cost Estimte	150-6	2-4

DATE: \_\_\_\_\_ LOCATION: Proposed Comanche Creek Infrastructure Improvements

CLASSIFICATION	EMPLOYEE	NUMBER OF HOURS	HR. RATE	TOTAL
Mgt	Dan Eفسةaff Natural resources Manger	4	\$ 50.43	\$ 201.72
Field Supervisor		4	\$ 49.62	\$ 198.48
Sr Maint Wkr		24	\$ 39.28	\$ 471.36
Sr Maint Wkr		24	\$ 39.28	\$ 785.60
Maint Wkr		40	\$ 34.16	\$ 785.68
Maint Wkr		40	\$ 34.16	\$ 956.48
Admin Analyst			\$ 42.06	\$ -
Ranger				
		<b>TOTAL</b>		<b>\$ 3,399.32</b>

EQUIPMENT USED (DESCRIBE)	NUMBER OF HOURS	HR. RATE	TOTAL
Grader	8	51	\$ 408.00
Loader	6	30	\$ 180.00
Water Truck	3	\$35.00	\$ 105.00
Roller	3	20	60
		<b>TOTAL</b>	<b>\$ 753.00</b>

MATERIALS (DESCRIBE)	QTY	COST	TOTAL
Doggi Pot Dispenser	2	\$329.00	\$658.00
Trash Can With Holder	2	\$168.00	\$336.00
Kiosk	1	\$2,196.00	\$2,196.00
Signs	2	\$100.00	\$200.00
Concrete	24 bags	\$2.00	\$48.00
Base Rock	48 Tons	\$12.75	\$612.00
Fence Posts	4	\$19.99	\$79.96
Tension Bars	4	\$3.99	\$15.96
Tension bands	20	\$0.79	\$15.80
Post Caps	4	\$1.19	\$4.76
		<b>TOTAL</b>	<b>\$4,166.48</b>
		<b>Sub Total</b>	<b>\$8,318.80</b>
Contingency 10%			\$ 831.88
<b>GRAND TOTAL</b>			<b>\$9,150.68</b>

DESCRIPTION Install Signs, Build gate openings & Improve Parking Area

ACTION TAKEN: \_\_\_\_\_

**-DRAFT-**

**CITY OF CHICO  
DEPARTMENT OF PUBLIC WORKS  
OPERATIONS AND MAINTENANCE DIVISION**

**DAILY OPERATIONS WORK ORDER**

PROGRAM	DESCRIPTION	ADMIN. PROCEDURE	CREW SIZE
Parks	Cost Estimte	150-6	2-4

DATE: \_\_\_\_\_ LOCATION: Proposed Commanche Creek Annual Maintenance C

CLASSIFICATION	EMPLOYEE	NUMBER OF HOURS	HR. RATE	TOTAL
Mgt	Park and Natural Resources Manger	8	\$ 50.43	\$ 403.44
Field Supervisor		12	\$ 49.62	\$ 595.44
Sr Maint Wkr		12	\$ 39.28	\$ 471.36
Sr Maint Wkr			\$ 39.28	\$ -
Maint Wkr		156	\$ 34.16	\$ 5,328.96
Maint Wkr		32	\$ 34.16	\$ 1,093.12
Admin Analyst		24	\$ 42.06	\$ 1,009.44
Ranger		182	\$ 32.00	\$ 5,824.00
	<b>TOTAL</b>			\$ 14,725.76

SERVICES	QTY	COST	TOTAL
Herbicide Application	5	\$ 500.00	\$ 2,500.00
CCC Contract	4	\$ 250.00	\$ 1,000.00
	<b>TOTAL</b>		\$ 3,500.00

EQUIPMENT USED (DESCRIBE)	NUMBER OF HOURS	HR. RATE	TOTAL
Grader	2	\$ 51.00	\$ 102.00
Loader	1	\$ 30.00	\$ 30.00
Water Truck	2	\$ 35.00	\$ 70.00
Roller	2	\$ 20.00	\$ 40.00
	<b>TOTAL</b>		\$ 242.00

MATERIALS (DESCRIBE)	QTY	COST	TOTAL
Doggi Pot Dispenser	0.2	\$ 329.00	\$ 65.80
Trash Can With Holder	0.2	\$ 168.00	\$ 33.60
Kiosk	0.1	\$ 2,196.00	\$ 219.60
Signs	0.5	\$ 100.00	\$ 50.00
Concrete	2.8	\$ 2.00	\$ 5.60
Base Rock	4.8	\$ 12.75	\$ 61.20
Fence Posts	0.4	\$ 19.99	\$ 8.00
Tension Bars	0.4	\$ 3.99	\$ 1.60
Tension bands	2	\$ 0.79	\$ 1.58
Post Caps	0.4	\$ 1.19	\$ 0.48
	<b>TOTAL</b>		\$ 447.45

<b>Sub Total</b>			\$ 15,415.21
Contingency 10%			\$ 1,541.52
<b>Grand Total</b>			\$ 16,956.73

DESCRIPTION      Install Signs, Build gate openings & Improve Parking Area

ACTION TAKEN: \_\_\_\_\_

# **Comanche Creek Study Area**

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## **Delineation of Waters of the United States**

**June 11, 2010**

**Prepared for:**  
City of Chico  
Housing and Neighborhood Services Department  
411 Main Street  
Chico, CA 95927

**Prepared by:**  
North State Resources, Inc.  
500 Orient Street, Ste. 150  
Chico, CA 95928  
(530) 345-4552

51241

# Comanche Creek Study Area

## Delineation of Waters of the United States

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Appendix A	Routine Wetland Delineation Data Forms
Appendix B	Representative Photographs

## **Section 1 Summary**

On behalf of the City of Chico (City), North State Resources, Inc. (NSR) conducted a delineation of waters of the United States within the 26.27-acre Comanche Creek study area (study area). The study area is located along Comanche Creek, which is also locally known as Edgar Slough. The field delineation was conducted by NSR on May 6, 7, 9, and 18, 2010. A total of 5.41 acres of waters of the United States were mapped within the study area. Waters of the United States occur as perennial stream (3.86 acres; 5,377 linear feet), fresh emergent wetland (0.07 acre), riparian scrub wetland (0.98 acre), and riparian wetland (0.50 acre).

This delineation of waters of the United States is subject to verification by the U.S. Army Corps of Engineers (USACE). NSR advises all parties to treat the information contained herein as preliminary until the USACE provides written verification of the boundaries of its jurisdiction.

## **Section 2 Project Location**

The study area encompasses a portion of Comanche Creek, adjoining embankments, and portions of adjoining terrace that lie between the intersection of Park Avenue and Midway, and the Union Pacific railroad tracks; approximately one mile west of Highway 99. This location corresponds to portions of Section 1, 2, and 36, Township 21 North and 22 North, Range 1 East of the *Chico, California* U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 1).

### **2.1 Proximity to Major Highways and Streets**

The study area is accessed from Otterson Drive which is the main entrances to the Hegan Lane Business Park. From Highway 99, take the Park Avenue/Skyway exit, and travel west on East Park Avenue for approximately 0.75 mile to the T-intersection with the Midway. Turn south (left) and travel about 0.25 mile to Hegan Lane. Turn west (right) on Hegan Lane and travel about 0.25 mile to Otterson Drive. Turn north (right) onto Otterson Drive and travel about 0.25 mile to the cul-de-sac at the end of Otterson Drive. Park on the street, and walk north to the study area via a trail that runs along the east edge of the Butte County Mosquito and Vector Control District substation that is presently under construction.

### **2.2 USGS Hydrologic Unit**

The study area is located within the *Lower Butte Watershed* USGS Hydrologic Map Unit (Cataloging Unit Number 18020105).

## Section 3 Environmental Setting

### 3.1 Current/Recent Land Use

The study area includes Comanche Creek and an undeveloped riparian corridor owned by the City that is bisected by a former Union Pacific right-of-way. The former right-of-way follows the old Southern Pacific railroad tracks to Magalia that was abandoned and removed in the 1970s. Comanche Creek flows year-round due to irrigation diversions from Butte Creek. There are several abandoned water holding structures (cylindrical vaults) on the southern terrace about 500 feet downstream of the Midway Bridge. The study area receives significant public use and is also subject to unauthorized camping.

The land to the west of the study area is an unincorporated, agricultural and rural-residential area. All remaining adjacent lands are within the corporate boundaries of the City and are zoned mostly as Light Manufacturing.

### 3.2 Site Topography and Elevation

The elevation of the study area is approximately 190–200 feet above mean sea level.

### 3.3 Climate

Climate within the study area is as follows:

**Type.** The study area is characterized by a Mediterranean climate with cool, wet winters and hot, dry summers.

**Precipitation.** Precipitation in the study area primarily falls as rain. Average annual rainfall is approximately 26 inches (Western Regional Climate Center 2010).

**Air Temperature.** Air temperatures in the study area range between an average January high of 54 °F, and an average July high of 96 °F. The year-round average high is approximately 75 °F (Western Regional Climate Center 2010).

**Growing Season.** The average growing season (i.e., 70 percent probability of air temperature 28 °F or higher) in the study area is 325 days and occurs between February and December. The soil temperature regime is thermic (U.S. Department of Agriculture Soil Conservation Service 2010).

### 3.4 Hydrology/Hydrologic Features

Comanche Creek runs the length of the study area. Comanche Creek is also locally known as Edgar Slough because Comanche Creek, which was historically a natural and intermittent stream, is also part of the Comanche Creek/Crouch Ditch irrigation delivery system. The Parrott-Phelan Diversion Dam is the primary diversion for the Comanche Creek/Crouch Ditch irrigation delivery system. The

Parrott-Phelan Diversion Dam was constructed on Butte Creek east of the Skyway in the early 1900s, and a canal was dug connecting it to one of the historical channels of Comanche Creek at a point east of Chico.

Presently, the Parrott-Phelan Diversion Dam is operated by the California Department of Water Resources (DWR) as Diversion #50, and is the primary source of the year-round flows in Comanche Creek. During the irrigation season, April to September, the mean daily flows at Diversion #50 range from 90 cubic feet per second (cfs) to 40 cfs. During the winter, flows can be lower than 5 cfs. Within the study area, there are several city storm drains that empty to Comanche Creek.

The raised berm of the old railroad is a restraint to channel meander. East of the railroad right-of way there is an active meander section where the overall channel is over 200 feet wide. The average width of the active channel upstream of the right-of-way is 40 feet and narrows to about 15 feet wide at the downstream end of the study area. The banks are reinforced with rip-rap at numerous points and at the downstream end the study area channel is incised about 15 feet.

Approximately 600 feet from the downstream end of the study area, there is an abandoned bridge that has a wooden-board dam incorporated into the steel bridge posts. The dam boards are still in place and the creek elevation drops about four feet below the dam. The creek channel narrows to about 15 feet wide at this point.

About 500 feet west of the Midway Bridge, there are four cylindrical concrete vaults that appeared to function at one time as water holding or water treatment structures. The abandoned vaults are 15 feet in diameter, and stand 30 inches above ground. The covers are concrete and the depth of the vaults is unknown.

### 3.5 Soil Map Units

The soil map units within the study area and vicinity are described in *Soil Survey of Butte Area, California, Parts of Butte and Plumas Counties* (U.S. Department of Agriculture, Natural Resources Conservation Service 2006). Soil map units in the study area and vicinity are shown in Figure 2. Two soil map units are identified within the study area; these are described below:

- **Chico loam, 0 to 1 percent slopes (445).** This soil unit is a deep loam (greater than 80 inches) that drains well and is not hydric.
- **Charger fine sandy loam, 0 to 1 percent slopes (447).** This soil unit is a deep sandy loam (greater than 80 inches) that drains well and is not hydric.

### 3.6 Habitat Types

Habitat types were classified based on the descriptions provided in *A Guide to Wildlife Habitats of California* (Mayer and Laudenslayer 1988). The habitat types occurring within the study area include riverine, fresh emergent wetland, valley foothill riparian, valley oak woodland, and annual grassland.

## Riverine

Riverine habitat is present as the flowing channel of Comanche Creek. The substrate is gravel and sand, and the channel is incised throughout most of the study area. There is a canopy of riparian vegetation adjacent to most of the riverine habitat in the study area. Included within the riverine habitat are numerous small inclusions of fresh emergent wetland vegetation.

## Fresh Emergent Wetland

Fresh emergent wetland habitat occurs as a mosaic throughout the active channel of Comanche Creek within the study area. Upstream of the former railroad right-of-way, the active channel widens to over 100 feet and larger patches of this habitat are present. This habitat is characterized by moderate to dense patches of emergent and submergent wetland plant species. Within the study area the dominant species include yellow iris (*Iris pseudacorus*, OBL<sup>1</sup>), hanging sedge (*Carex pendula*), and broadleaf cattail (*Typha latifolia*, OBL).

Hanging sedge is not listed in Reed (1988), yet it is known to be invasive in the Pacific Northwest and thrives in saturated soils (Wilson et al. 2008). Hanging sedge also is not included in the Jepson Manual (Hickman 1993), but its occurrence in Comanche Creek has been recently documented (Janeway 2005). Comanche Creek is one of only two locations in California where documented vouchers of hanging sedge have been collected.

## Valley Foothill Riparian

Valley foothill riparian habitat occurs along the entire length of Comanche Creek, except for a short section at the downstream end of the study area. Valley foothill riparian habitat is generally characterized as a dense multi-layered canopy with a dense understory. Throughout most of the study area this habitat is confined to a narrow band rooted along the incised banks and extending less than 50 feet onto the adjoining terrace. Dominant trees include valley oak (*Quercus lobata*, FAC), Fremont cottonwood (*Populus fremontii*, FACW), red willow (*Salix laevigata*, UPL) white alder (*Alnus rhombifolia*, FACW), Oregon ash (*Fraxinus latifolia*, FACW). Dominant shrubs and herbaceous species include Himalayan blackberry (*Rubus discolor*, FAC), arroyo willow (*Salix lasiolepis*, FACW), narrow leaf willow (*S. exigua*, OBL), buttonbush (*Cephalanthus occidentalis*, OBL), common rush (*Juncus effusus*, FACW), Santa Barbara sedge (*Carex barbarae*, FACW), mugwort (*Artemisia douglasii*, FACW), California rose (*Rosa californica*, FAC), California pipevine (*Aristolochia californica*, UPL), and California grape (*Vitis californica*, FACW).

## Valley Oak Woodland

Valley oak woodland habitat occurring within the study area is dominated by mature valley oak, and tree-of-heaven (*Ailanthus altissima*, FACU) is also present in scattered clusters. Shrubs in this habitat include Himalayan blackberry, blue elderberry (*Sambucus mexicana*, FAC), and poison-oak

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<sup>1</sup> Wetland indicator status for plant species is based on National List of Plant Species That Occur in Wetlands: California (Region 0) (Reed 1988) and includes the following categories:

Obligate Wetland (OBL) – Plants that occur almost always in wetlands

Facultative Wetland (FACW) – Plants that usually occur in wetlands, but also occur in non-wetlands (i.e., uplands)

Facultative (FAC) – Plants with a similar likelihood of occurring in both wetlands and uplands

Facultative Upland (FACU) – Plants that usually occur in uplands, but also occur in wetlands

Obligate Upland (UPL) – Plants that occur almost always in uplands

(*Toxicodendron diversilobum*, UPL). The grasses and herbaceous plants occurring in this habitat are similar to those present in the annual grassland plant community.

## **Annual Grassland**

Annual grassland within the study area is associated with openings within the woodland habitat and openings created by disturbance (e.g., access roads). Tree canopies are absent from this habitat which is characterized by a moderate to dense herbaceous layer. Dominant species include wild oat (*Avena barbata*, UPL), ripgut brome (*Bromus diandrus*, UPL), soft brome (*Bromus hordeaceus*, FACU-), Mediterranean rye (*Lolium multiflorum*, UPL), winter vetch (*Vicia villosa*, UPL), yellow star thistle (*Centaurea solstitialis*, UPL), red-stemmed filaree (*Erodium cicutarium*, UPL), and bur clover (*Medicago polymorpha*, UPL).

Within this grassland habitat there are scattered areas of disturbance with dense stands of johnsongrass (*Sorghum halepense*, FACU) and milk-thistle (*Silybum marianum*, UPL).

# **Section 4      Methods**

## **4.1    Field Delineation**

The site routine delineation of waters of the United States within the study area was based on field observations of positive indicators for hydrophytic vegetation, hydrology, and hydric soils for wetlands; and on indicators of an ordinary high water mark (OHWM) for other waters of the United States. This methodology is consistent with the approach outlined in the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (U. S. Army Corps of Engineers 2008) and USACE regulations. Taxonomic nomenclature for plant species is in accordance with *The Jepson Manual* (Hickman 1993). Wetland indicator status for plant species was confirmed using Reed (1988), and the “50/20 Rule” was applied to determine plant dominance (U. S. Army Corps of Engineers 2008). The presence of primary and/or secondary wetland hydrology indicators was documented for each wetland feature. Frequency and extent of flooding at sites was also evaluated by reviewing historical data (approved) and recent (provisional) Comanche Creek flow data recorded by the DWR at the Parrott-Phelan Diversion Dam gage (Department of Water Resources 2010).

A soil pit was dug in each representative wetland feature documented in the study area. Soil pits were dug to a depth sufficient to document the presence or confirm the absence of hydric soil indicators. Soils were examined in order to assess field indicators of hydric soils. Positive indicators of hydric soils were observed in the field in accordance with the criteria outlined in *Field Indicators of Hydric Soils in the United States* (Hurt and Vasilas 2006). Soil colors were determined using a Munsell® soil color chart. The hydric status of each soil map unit occurring within the study area was reviewed using the *Web Soil Service* (U.S. Department of Agriculture Natural Resources Conservation Service 2010). At least one set of data points was selected to best represent the wetland feature type and the adjacent uplands. At the request of the City, data points were also placed in several slight depressional areas on the southern terrace to document wetland or upland status.

Delineation of “other waters” was based on presence of an OHWM as defined in USACE regulations (33 CFR 328.3 and 33 CFR 328.4) and whether the feature qualified as tributary to navigable waters of the United States. Physical characteristics of an OHWM include, but are not limited to, a natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, presence of litter and debris, leaf litter disturbed or washed away, scour, deposition, presence of bed and bank, and water staining.

A total of 20 data points representing each feature type and associated uplands were characterized and documented throughout the study area. Field observations were conducted on May 6, 7, 9, and 18, 2010. Routine wetland determination data forms are presented in Appendix A.

The boundaries of delineated features and the data point locations were mapped using a Trimble Pathfinder Pro XH Global Positioning System (GPS) capable of sub-foot accuracy. Where the use of the GPS was not practicable, the features were delineated by hand onto ortho-rectified color aerial photographs. After the field delineation, the GPS data were overlain onto an aerial photograph of the study area to generate the delineation map (Figure 3).

## Section 5 Results

The boundaries and acreages of waters of the United States within the study area are illustrated in Figures 3. Waters of the United States within the study area occupy a total of 5.41 acres and include perennial stream (Comanche Creek), fresh emergent wetland, riparian scrub wetland, and riparian wetland. An acreage summary of waters of the United States is presented in Table 1. Representative photographs of waters of the United States are provided in Appendix B.

**Table 1. Acreage Summary of Waters of the United States**

<b>Waters of the United States</b>	<b>Total Acreage</b>	<b>Total Linear Feet</b>
<b><i>Other Waters</i></b>		
Perennial Stream	<b>3.86</b>	5,377
<b><i>Wetlands</i></b>		
Fresh Emergent Wetland	0.070	N/A
Riparian Scrub Wetland	0.980	N/A
Riparian Wetland	0.500	N/A
<b>Total Wetlands</b>	<b>1.550</b>	N/A
<b>Total Waters of the United States</b>	<b>5.41</b>	<b>5,377</b>

## 5.1 Characterization of Delineated Features

### Other Waters

#### *Perennial Stream*

Perennial streams are features that have a continuous flow of water that include a ground water component in addition to precipitation and sheet flow. Although historically subject to intermittent flow, Comanche Creek is currently a perennial stream due to the irrigation flows from the Parrott-Phelan Diversion Dam on Butte Creek. The substrate is dominated by cobble and gravel, and the banks within the OHWM support narrow bands of emergent vegetation. The flowing channel during the irrigation months (April to September) averages about 40 feet wide and 30 inches deep upstream of the former railroad right-of-way.

### Wetlands

All of the delineated wetland features occur upstream of the former railroad right-of-way where the overall channel and floodplain is wider. These features are part of the overall complex of dense riparian vegetation that occurs along Comanche Creek throughout the study area. All of the wetland feature types are frequently flooded by Comanche Creek and are inundated for long enough duration to support hydrophytic vegetation. Wetland hydrology is provided during winter floods and during the increased flows throughout the irrigation season. Drift deposits, drainage patterns, and stream gage data provide evidence of this hydrology. Hydric soil criteria are met through the observation of surface water and the location on vegetated sand/gravel bars. Representative photographs of these wetland feature types are provided in Appendix B.

#### *Riparian Scrub Wetland*

Riparian scrub wetland is distinguished by areas within the channel that are dominated by shrubby willows (arroyo and sandbar willow) and Himalayan blackberry. Buttonbush is also common within riparian scrub wetland. Narrow bands of yellow iris and hanging sedge are scattered on the edge of riparian scrub wetland.

#### *Riparian Wetland*

Riparian wetland is distinguished from riparian scrub wetland by the presence of riparian trees that are rooted within the active channel and form a canopy layer above the willows and Himalayan blackberry. Typical trees include Fremont cottonwood, Oregon ash, and red willow. Other species include valley oak and California grape.

#### *Fresh Emergent Wetland*

Fresh emergent wetlands occur within the slow-moving portions of the channel and are distinguished by the presence of the yellow iris and hanging sedge. Fresh emergent wetland features occur throughout the study area as inclusions of the other wetland types, and as inclusions at the edges of the perennial stream (Comanche Creek). Other typical plants include broadleaf cattail and smartweed (*Polygonum lapathifolium*).

## Section 6 Conclusion

A total of 5.41 acres of waters of the United States were delineated within the study area. Waters of the United States identified within this report are subject to verification by the USACE. NSR advises all interested parties to treat the information contained herein as preliminary pending written verification of jurisdictional boundaries by the USACE.

## Section 7 References

- Department of Water Resources. 2010. PARROT DIV FROM BUTTE CREEK (BPD) stream gauge. Accessed online on June 3, 2010 from the California Data Exchange Center at [http://cdec.water.ca.gov/cgi-progs/staMeta?station\\_id=bpd](http://cdec.water.ca.gov/cgi-progs/staMeta?station_id=bpd)
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- U.S. Department of Agriculture Natural Resources Conservation Service. 2010. Web Soil Survey: Natural Resources Conservation Service.
- Western Regional Climate Center. 2010. Chico Experiment Station, California (041715). Period of record monthly climate summary: 1/8/1906 to 12/31/2009. Available at <http://www.wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca1715> (cited June 6, 2010).
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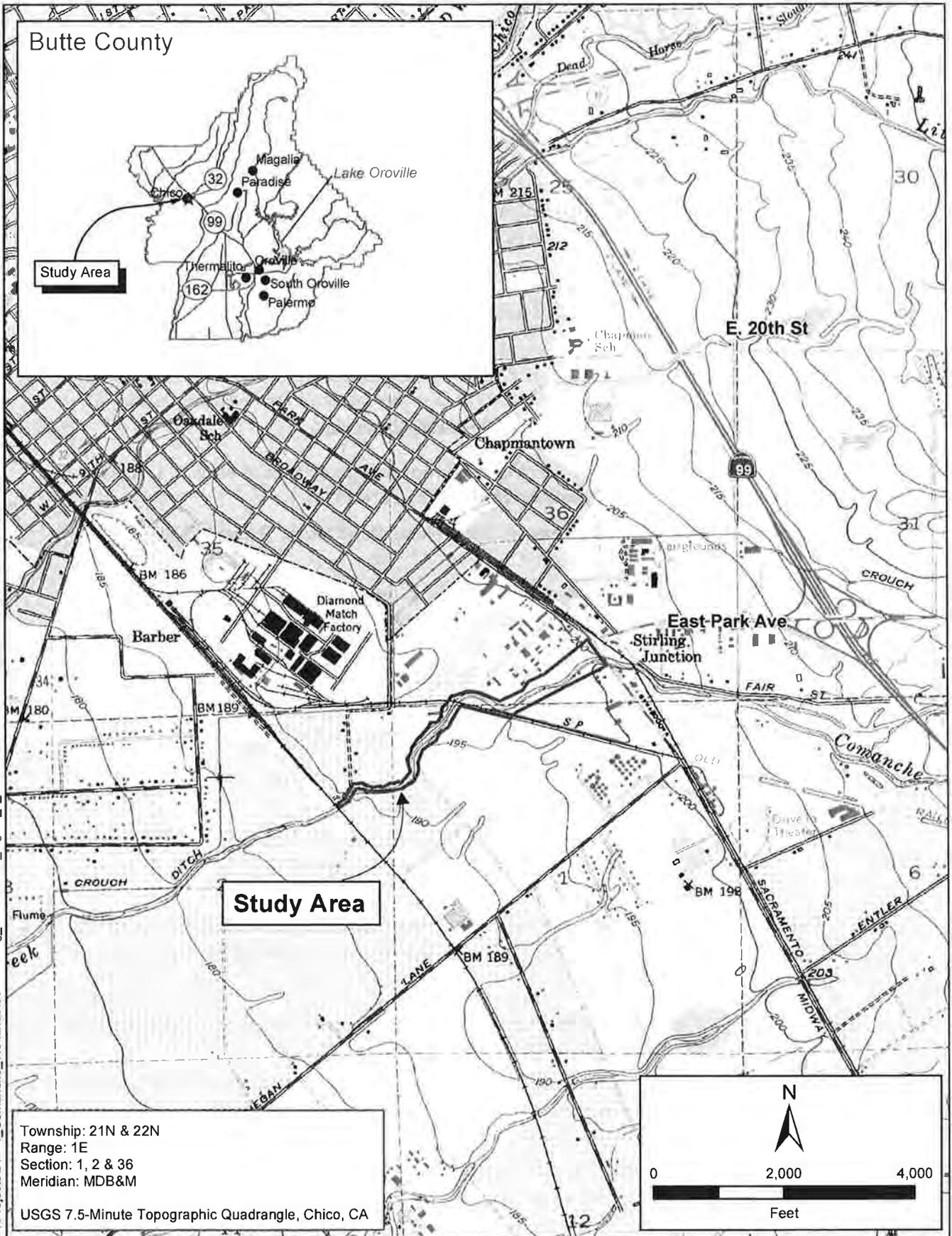
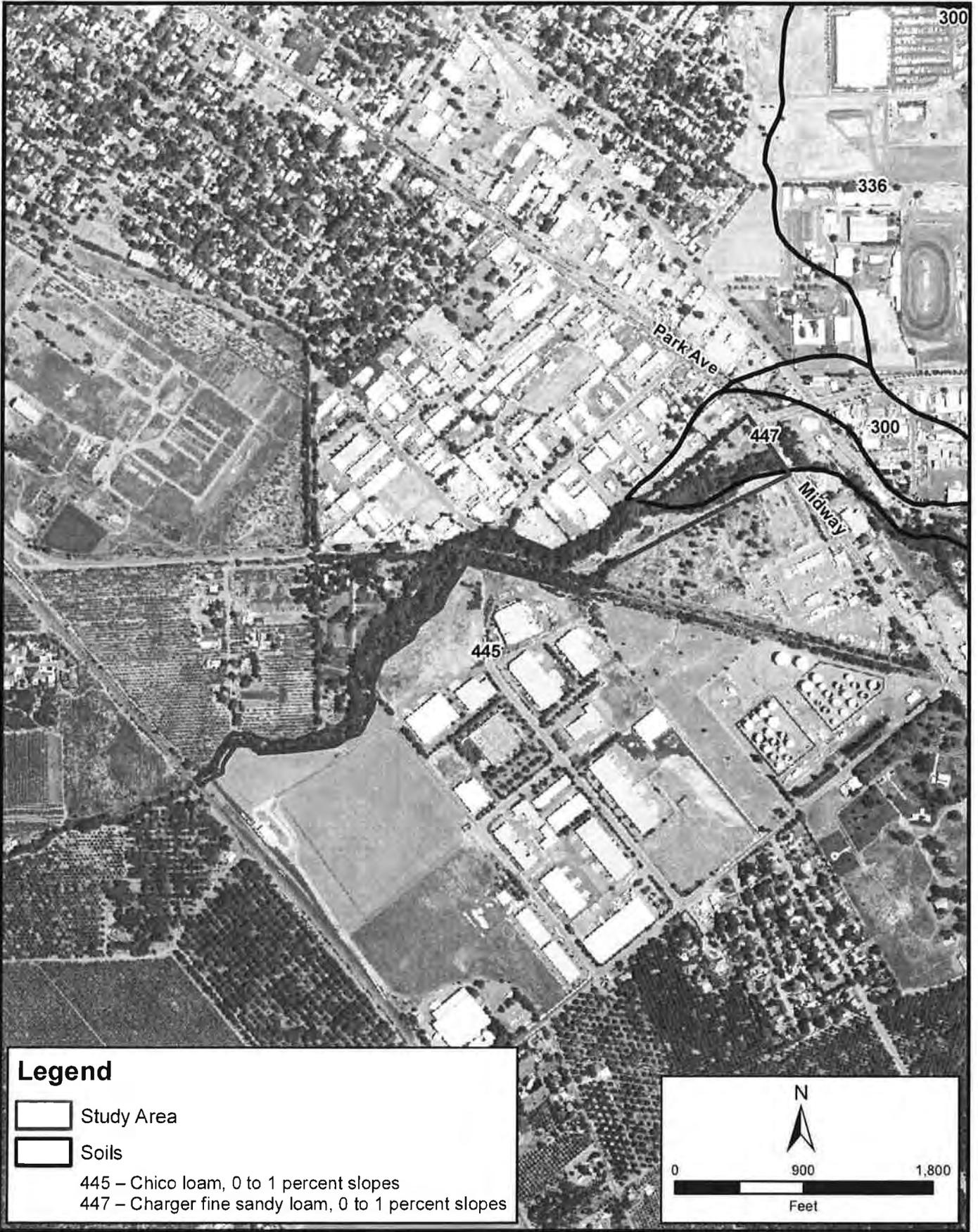


Figure 1  
Study Area Location and Vicinity

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**Figure 2**  
**Soil Map Units**



<b>Waters of the United States</b>			
<i>Other Waters</i>			
Label	Waters Type	Acreage	Length (ft)
PS-1	Perennial Stream	3.86	5,377
		<b>Total</b>	<b>3.86</b>
			<b>5,377</b>
<i>Wetlands</i>			
Label	Waters Type	Acreage	
FEW-1	Fresh Emergent Wetland	0.03	
FEW-2	Fresh Emergent Wetland	0.04	
RS-1	Riparian Scrub Wetland	0.51	
RS-2	Riparian Scrub Wetland	0.32	
RS-3	Riparian Scrub Wetland	0.15	
RW-1	Riparian Wetland	0.05	
RW-2	Riparian Wetland	0.08	
RW-3	Riparian Wetland	0.37	
		<b>Total</b>	<b>1.55</b>
<b>Total Waters of the United States</b>		<b>5.41</b>	



DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO CA 95814-2922

REPLY TO  
ATTENTION OF

August 27, 2010

Regulatory Division SPK-2010-00892

Mr. Shawn Tillman  
City of Chico, Housing and Neighborhood Services Department  
411 Main Street  
Chico, California 95928

Dear Mr. Tillman:

We are responding to your July 6, 2001 request for a preliminary jurisdictional determination (JD), in accordance with our Regulatory Guidance Letter (RGL) 08-02, for the Comanche Creek site. The approximately 26.27 acres site is located on or near Comanche Creek, in Section 2, Township 21 North, Range 1 East, Mount Diablo Meridian Survey, Latitude 39.711125°, Longitude -121.819456°, in the City of Chico, in Butte County, California.

Based on the June 2010 *Comanche Creek Project* drawing prepared by North State Resources, Inc., we **concur with the estimate of potential waters of the United States**. The approximately 5.41 acres of wetlands or other water bodies present within the survey area may be jurisdictional waters of the United States. These waters may be regulated under Section 404 of the Clean Water Act.

A copy of our RGL 08-02 Preliminary Jurisdictional Determination Form for this site is enclosed. Please sign and return a copy of the completed form to this office. Once we receive a copy of the form with your signature we can accept and process a Pre-Construction Notification or permit application for your proposed project.

You should not start any work in potentially jurisdictional waters of the United States unless you have Department of the Army permit authorization. You may request an approved JD for this site at any time prior to starting work within waters. In certain circumstances, as described in RGL 08-02, an approved JD may later be necessary.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This preliminary determination has been conducted to identify the potential limits of wetlands and other water bodies which may be subject to Corps of Engineers' jurisdiction for the particular site identified in this request. A Notification of Appeal Process and Request for Appeal (RFA) form is enclosed to notify you of your options with this determination. This determination may not be valid for the wetland conservation provisions of the Food Security Act

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SERVICES

of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2010-00892 in any correspondence concerning this project. If you have any questions, please contact Mr. Joshua Emery by mail at the letterhead address above, by email at [Joshua.Emery@usace.army.mil](mailto:Joshua.Emery@usace.army.mil), or by telephone 916-557-7191. For more information regarding our program, please visit our website at [www.spk.usace.army.mil/regulatory.html](http://www.spk.usace.army.mil/regulatory.html).

Sincerely,



Nancy A. Haley  
Chief, California North Branch

**Enclosures**

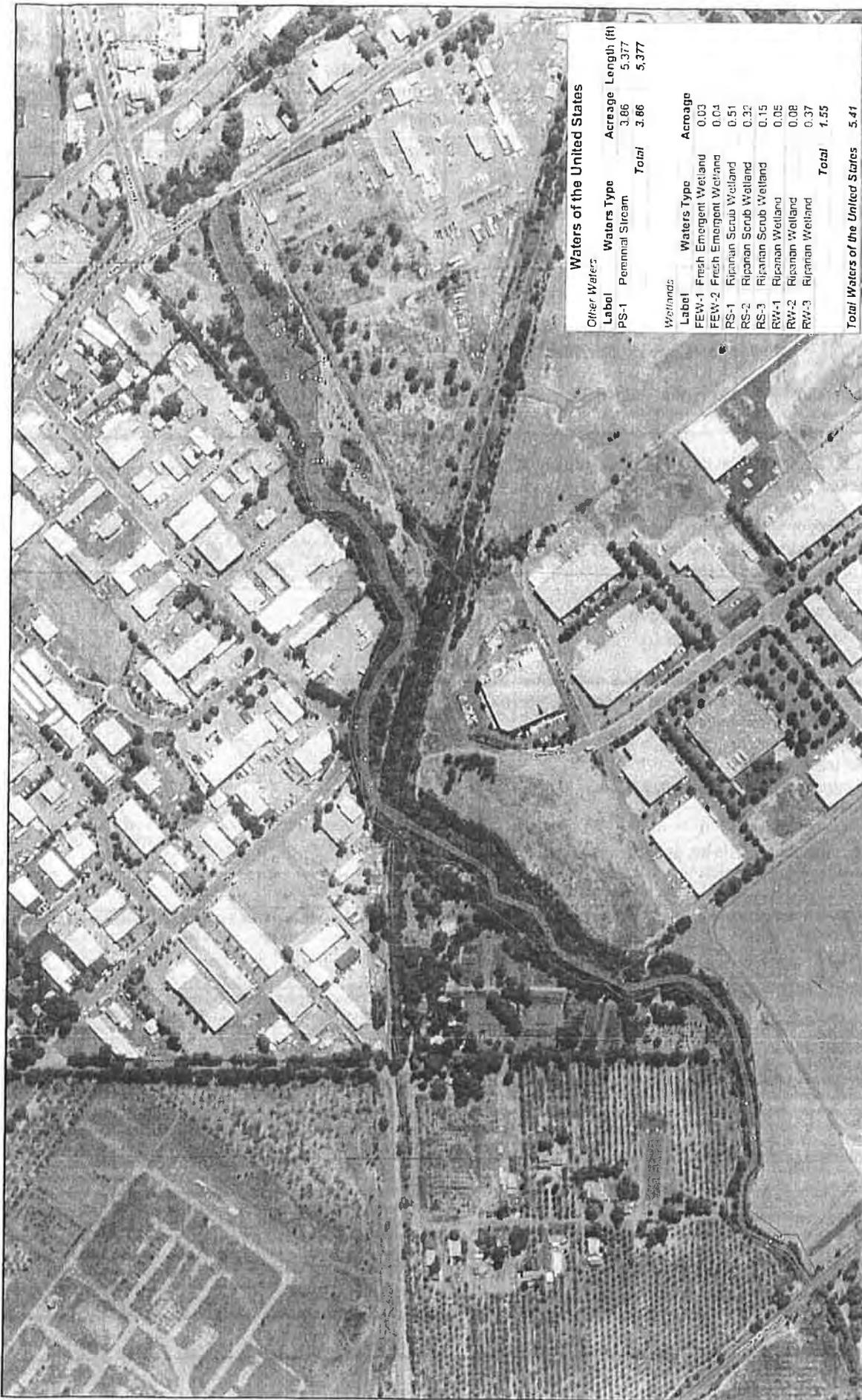
1. June 2010 *Comanche Creek Project* map
2. Preliminary Jurisdictional Determination Form
3. Notification of Administrative Appeal Options and Process and Request for Appeal

**Copy Furnished with enclosures:**

- Mr. Scott Zaits, California Regional Water Quality Control Board, 415 Knollcrest Drive, Suite 100, Redding, California 96002 (1)
- Mr. Kent Smith, California Department of Fish and Game, Region 2, 1701 Nimbus Drive, Rancho Cordova, California 95670-4599 (1)
- Ms. Jana Affonso, U.S. Fish and Wildlife Service, Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, California 95825-3901 (1)
- Mr. Rodney R. McInnis, National Marine Fisheries Service, 650 Capitol Mall, Suite 8-300, Sacramento, California 95814-4706 (1)
- Mr. Robert Leidy, Environmental Protection Agency, WRT-8, 75 Hawthorne Street, San Francisco, California 94105 (1)
- Butte County Planning Department, 7 County Center Drive, Oroville, CA 95965 (1)

**Copy Furnished without enclosures:**

- Mr. Mark Wuestehube, North State Resources, Inc., 500 Orient Street, Suite 150, Chico, CA 95928



**Waters of the United States**

Other Waters	Label	Waters Type	Acres	Length (ft)
Perennial Stream	PS-1		3.86	5,377
<b>Total</b>			<b>3.86</b>	<b>5,377</b>

Wetlands	Label	Waters Type	Acres
Fresh Emergent Wetland	FEW-1		0.03
Fresh Emergent Wetland	FEW-2		0.04
Riparian Scrub Wetland	RS-1		0.51
Riparian Scrub Wetland	RS-2		0.32
Riparian Scrub Wetland	RS-3		0.15
Riparian Wetland	RW-1		0.05
Riparian Wetland	RW-2		0.08
Riparian Wetland	RW-3		0.37
<b>Total</b>			<b>1.55</b>

Total Waters of the United States		Acres	Length (ft)
<b>Total</b>		<b>5.41</b>	<b>5,377</b>

Figure 3. Waters of the United States  
June 2015

**Comanche Creek Project**

**Map Scale:** 1" = 100'

**North Arrow:** [Symbol]

**Legend:**

- Water of the United States
- Wetlands
- Other Waters
- Perennial Stream
- Wetland
- Other Waters

**Map Information:**

Map Date: 6/15/15  
 Map Scale: 1" = 100'  
 North Arrow: [Symbol]  
 Legend: [Symbol]

# PRELIMINARY JURISDICTIONAL DETERMINATION FORM

## Sacramento District

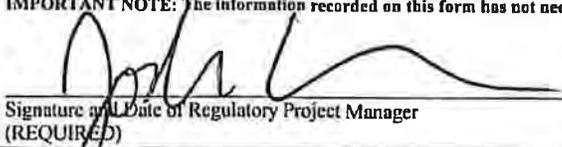
**This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:**

Regulatory Branch: <b>California North</b>		File/ORM #: <b>SPK-2010-00892</b>	PJD Date: <b>August 27, 2010</b>
State: <b>CA</b>	City/County: <b>Chico, Butte County</b>	Name/Address Of Property: <b>Mr. Shawn Tillman City of Chico, Housing and Neighborhood Services Department</b>	Owner/Potential Applicant: <b>411 Main Street Chico, California 95928</b>
Nearest Waterbody: <b>Comanche Creek</b>		Location (Lat/Long): <b>39.7111255782372°, -121.8194564569°</b>	
Size of Review Area: <b>26.27 acres</b>		Identify (Estimate) Amount of Waters in the Review Area	
<b>Non-Wetland Waters:</b>		Name of any Water Bodies Tidal: on the site identifies as	
linear feet	ft wide <b>3.86 acres</b>	Section 10 Waters: Non-Tidal:	
Stream Flow: <b>Perennial</b>		<input type="checkbox"/> Office (Desk) Determination	
<b>Wetlands: 1.55 acre(s)</b>		<input checked="" type="checkbox"/> Field Determination:	
Cowardin <b>Palustrine, emergent</b>		Date(s) of Site Visit(s): <b>8-12-2010</b>	
Class:			

**SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply – checked items should be included in case file and, where checked and requested, appropriately reference sources below)**

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
- Data sheets prepared by the Corps.
- Corps navigable waters' study.
- U.S. Geological Survey Hydrologic Atlas:
  - USGS NHD data.
  - USGS HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: **1:24K; CA-CHICO**
- USDA Natural Resources Conservation Service Soil Survey.
- National wetlands inventory map(s).
- State/Local wetland inventory map(s).
- FEMA/FIRM maps.
- 100-year Floodplain Elevation (if known):
- Photographs:
  - Aerial
  - Other
- Previous determination(s). File no. and date of response letter:
- Other information (please specify):

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

  
Signature and Date of Regulatory Project Manager  
(REQUIRED)

\_\_\_\_\_  
Signature and Date of Person Requesting Preliminary JD  
(REQUIRED, unless obtaining the signature is impracticable)

**EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:**

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(n)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

Applicant: Shawn Tillman, City of Chico, Housing and  
Neighborhood Services Department

File No.: SPK-2010-00892

Date: August 27, 2010

Attached is:

See Section below

	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.**

**A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the DISTRICT engineer. Your objections must be received by the DISTRICT engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the DISTRICT engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the DISTRICT engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT: You may accept or appeal the permit**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION (not district) engineer within 60 days of the date of this notice.**

**D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.**

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the DIVISION (not district) engineer (address on reverse). This form must be received by the DIVISION engineer within 60 days of the date of this notice. Exception: JD appeals based on new information must be submitted to the DISTRICT engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.**

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

**DISTRICT ENGINEER**

Sacramento District, Corps of Engineers  
Attn: Joshua Emery, Project Manager, Regulatory Division

916-557-7191, FAX 916-557-6877

(Use this address for submittals to the **DISTRICT ENGINEER**)

If you only have questions regarding the appeal process you may also contact:

**DIVISION ENGINEER**

Army Engineer Division, South Pacific, CESP-D-CM-O  
Attn: Tom Cavanaugh, Administrative Appeal Review Officer, Army  
Corps of Engineers, CESP-D-PDS-O, 1455 Market Street, San  
Francisco, CA 94103-1399 (415-503-6574, FAX 415-503-6646)

(Use this address for submittals to the **DIVISION ENGINEER**)

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:

COMANCHE CREEK  
VEGETATION MANAGEMENT PLAN



Submitted to \_\_\_\_\_  
The City of Chico | August 1, 2008



DESIGN, COMMUNITY & ENVIRONMENT

ATTACHMENT **3**

COMANCHE CREEK  
VEGETATION MANAGEMENT

*Submitted to*

The City of Chico | August 1, 2008



**DESIGN, COMMUNITY & ENVIRONMENT**

**1625 SHATTUCK AVENUE, SUITE 300  
BERKELEY, CALIFORNIA 94709**

**TEL: 510 848 3815  
FAX: 510 848 4315**

in association with  
Environmental Collaborative  
Kaman Hydrology and Engineering

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### *Appendices*

Appendix A: Preliminary Hydrology Assessment

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## I INTRODUCTION

The City of Chico has undertaken the preparation of this Vegetation Management Plan for a 0.6-mile long segment of the Comanche Creek riparian corridor. The plan area includes a 15-acre parcel along the Creek between the Union Pacific right-of-way and Park Ave/Midway, and approximately five acres along the creek channel to the west of the right-of-way. Figure 1 illustrates the location of the plan area in relation to the City of Chico.

### A. *Goals and Objectives*

The goal of this Vegetation Management Plan is to create a management framework to conserve, rehabilitate, enhance and protect the native resources of Comanche Creek. Specifically, the Plan aims to meet the following objectives:

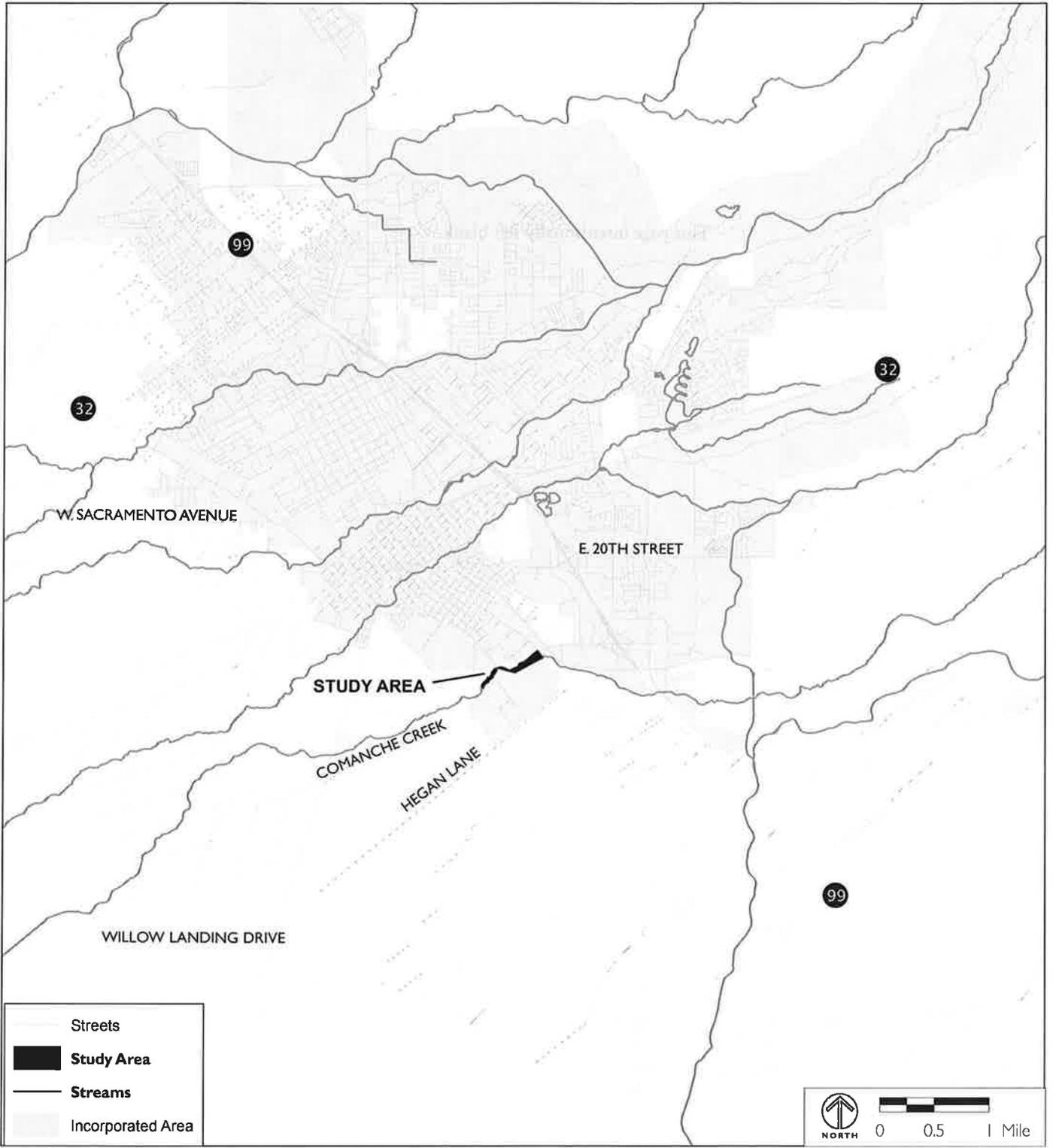
- Preserve existing habitat
- Increase regeneration and recruitment of native plants within vegetation communities
- Identify and protect special status plant species
- Identify and protect special status animal species
- Provide wildlife habitats that enhance the opportunities for essential wildlife activities in the creek corridor (e.g. nesting, foraging, etc.)
- Eliminate non-native plants that are degrading habitat or out-competing native plant species
- Control the negative impacts of human use
- Utilize maintenance methods that minimize adverse impacts on the native vegetative habitats
- Expand opportunities for public education in habitat management and restoration

This Vegetative Management Plan was prepared to provide the City of Chico with background information on existing conditions and special-status species within the Comanche Creek Corridor and guidance for the enhancement of native vegetation communities. The Plan consists of four chapters. Following this introduction, Chapter 2 provides background information on existing

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natural resources and plan area conditions, and the regulatory framework related to the protection of sensitive biological and wetland resources. Chapter 3 defines goals and management measures for each vegetation zone in the plan area. Chapter 4 provides information on phasing of invasive species removal and revegetation, as well as long-term maintenance strategies.

A draft Vegetation Management Plan, dated January 11, 2008, was reviewed during the City of Chico Bidwell Park and Playground Commission meeting on March 31, 2008. This final Vegetation Management Plan was revised in response to comments received during the meeting and subsequent written comments received on the draft Vegetation Management Plan. It is intended to serve as a guide for vegetation management, habitat enhancement, and restoration opportunities along Comanche Creek.



Source: City of Chico

FIGURE 1

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## **2 BACKGROUND**

### *A. Description of Plan Area*

The Comanche Creek Vegetation Management Plan area consists of a largely undeveloped creek corridor which supports a cover of dense riparian woodland and scrub along the Comanche Creek channel, and is bordered by valley oak woodland and nonnative grassland. The Plan area is surrounded by largely urbanized lands to the north, east, and southwest, agricultural land to the west, and ruderal (weedy) grasslands and woodlands to the immediate south of the central reach.

Prior to the construction of the Parrott-Phelan agricultural diversion (No. 50) on Butte Creek, Comanche Creek was an intermittent stream draining the Doe Mill Ridge. Today, Comanche Creek receives additional water from this diversion as well as from stormwater run-off from Chico's urban areas. Water that is not diverted into the Parrott Canal (downstream of the Plan area), continues into Edgar Slough.

### *B. Planning Context*

The Plan area is subject to various federal, State and local regulations that have been enacted to provide for the protection and management of sensitive biological and wetland resources. This section describes these regulations as they pertain to enhancement of the Comanche Creek riparian corridor.

#### **1. Federal**

A number of federal agencies are responsible for protection of terrestrial and freshwater organisms through implementation of the Federal Endangered Species Act (ESA) and the Migratory Bird Treaty Act. The goal of these laws is to protect and recover plant and animal species in danger of becoming extinct. Species that are legally protected under the State and/or Federal Endangered Species Acts or other regulations and species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration are referred to as "special status species." Species with legal pro-

tection under the Federal and/or State Endangered Species Acts often represent major constraints to development, particularly when they are wide ranging, highly sensitive to habitat disturbance, or where proposed development would result in a “take” of the species. Special status species are further discussed below in Section E.

The U.S. Army Corps of Engineers has primary responsibility for protecting wetlands under Section 404 of the Clean Water Act. Below the Ordinary High Water Mark (OHWM), the Comanche Creek channel is considered regulated waters under Section 404 of the Clean Water Act and is also subject to State control under Section 1600 of the California Fish and Game Code.

## **2. State**

On the State level, the California Endangered Species Act (CESA) is intended to conserve, protect, restore, and enhance listed species and their habitat. The CESA is similar to the Federal ESA both in process and substance, yet provides additional protection to listed species in California. In addition, California maintains informal lists of “Californian Special Concern” species. These species are broadly defined as animals that are of concern to the California Department of Fish and Game because of population declines and restricted distribution, and/or because they are associated with habitats that are declining in California.

The primary information source on the distribution of special-status species is the California Natural Diversity Database (CNDDB) inventory. The CNDDB inventory provides the most comprehensive statewide information on the location and distribution of special-status species and sensitive natural communities. The occurrence of a species of concern in a particular region is an indication that an additional population may occur at another location if habitat conditions are suitable.

Sensitive natural communities have no legal protective status under the State or Federal Endangered Species Acts, although they are provided some level of protection under the California Environmental Quality Act (CEQA).

CEQA Guidelines identify potential impacts on a sensitive natural community as one of six significance criteria. Where determined to be significant, any potential impact would require mitigation through avoidance, minimization of disturbance or loss, or some type of compensatory mitigation when unavoidable.

### 3. Local

Regulations applicable to the biological and wetland resources within the vicinity of the Vegetation Management Plan area include the Open Space and Conservation Element of the City of Chico General Plan and the City of Chico Tree Preservation Regulations. Goals from the Open Space and Conservation Element and the City of Chico Tree Preservation Regulations are described below:

#### a. Open Space and Conservation Element

- ◆ OS-Goal-5 Protect habitats that are sensitive, rare, declining, unique or represent valuable biological resources
- ◆ OS-Goal-6 Preserve and protect populations supporting habitat of special status species
- ◆ OS-Goal-7 Minimize impacts to sensitive natural habitats
- ◆ OS-Goal-8 Preserve and protect areas determined to function as regional wildlife corridors
- ◆ OS-Goal-9 Provide for no net loss of overall wetland acreage
- ◆ OS-Goal-10 Ensure that all new developments restrict the use of fencing in locations essential for wildlife movement
- ◆ OS-Goal-22 Ensure that open space corridors along creeks include protective buffers to preserve existing riparian vegetation through the environmental review process, and continue to require a minimum of 25-foot dedication and acquisition of 75-feet for a total of 100-foot setback from top-of-bank along creeks.

b. Tree Preservation Regulations

City Ordinance 16.66 Tree Preservation Regulation controls the removal and preservation of trees within the city limits. Under this ordinance, trees afforded protection include “any live woody plant having a single perennial stem of 24-inches or more in diameter, or multi-stemmed perennial plant greater than 15-feet in height having an aggregate circumference of 40-inches or more, measured at four feet six inches above adjacent ground” with the exception of the following tree species: tree of heaven, Chinese tallow, privet, and box elder. Removal of any tree that is subject to this ordinance requires a tree removal permit.

C. *Background and Methodology*

Background information used in preparing this Vegetation Management Plan was based primarily on a *Biological and Wetland Resource Assessment* conducted by Environmental Collaborative. The assessment provided information on vegetation types, wildlife habitat, invasive species and their management implications, and the potential for special-status species, jurisdictional wetlands and other important biotic features. Additional input was received during and subsequent to the public meeting before the Bidwell Park and Playground Commission on March 31, 2008.

The *Biological and Wetland Resources Assessment* involved the review of available information, existing mapping, and a reconnaissance level survey of the Plan area. Review of literature and resource maps included past environmental studies for projects in the Plan area vicinity, the occurrence records of the CNDDDB, the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Plants* (2005), and numerous other information sources. Following the information review a field reconnaissance survey of the Plan area was conducted by the project biologist and wetland specialist on June 4, 2007. General vegetative cover types were mapped on an aerial photograph of the Plan area, and wildlife observations recorded. Lists of special-status species suspected to possibly occur in the Chico vicinity were compiled prior to con-

ducting the field survey, and were used in evaluating habitat suitability and potential for occurrence in the Plan area. Additional field mapping and reconnaissance was conducted by DC&E on November 6, 2006 to identify target areas for invasive species removal.

#### *D. Existing Habitat and Vegetation*

The aquatic and terrestrial habitats of the creek corridor and woodlands support a diverse assemblage of plant and animal species, providing important protective cover and serving as movement corridors for fish and wildlife. The grasslands also provide habitat for a variety of wildlife species, although the establishment and spread of several highly invasive species such as Himalayan blackberry and areas of soil compaction, caused by human activity, compromise their habitat value. While most of the Plan area contains a mixture of native and non-native species which reflect the relatively high degree of past disturbance, segments of the creek corridor remain in excellent condition with an almost exclusive cover of native species.

Existing vegetation types and related habitat are described below as vegetation zones. These vegetation zones provide a framework for the Management Plan discussed in Chapter 3. Figure 2 shows the distribution of the vegetation zones and other important biological features.

##### **1. Riparian Woodland and Scrub**

Riparian woodland and scrub occurs along Comanche Creek, supporting a dense cover of native and non-native trees, shrubs, vines, and groundcovers. Plant species that occur within this vegetation zone are listed in Table 1.

Although dense thickets of Himalayan blackberry and other non-native species currently limit the diversity of the shrub and understory plant species along much of the Creek, the riparian habitat continues to provide important wildlife resources to a wide variety of species.

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Surface water is available for aquatic-dependent organisms, and is a source of drinking water for terrestrial mammals and birds. The Creek serves as a movement corridor for aquatic and terrestrial species, including resident and possibly anadromous fish, western pond turtle, river otter, and beaver. Wildlife that is dependent on protective vegetation cover include grey fox, raccoon, black-tailed deer, black-tailed jackrabbit, brush rabbit, rufous-sided towhee, flycatchers, and warblers. The fish and other aquatic organisms provide foraging opportunities for egrets, herons, and waterfowl.

Acorns from the oaks provide a source of food in the fall for black-tailed deer, grey squirrels, acorn woodpeckers, scrub jays, and other birds. The mature trees provide important perching, roosting, and suitable nesting habitat for numerous species of birds. Although no large stick nests were observed during the field survey in June 2007, the mature trees could provide nesting locations for several species of raptors, such as red-tailed hawk, red-shouldered hawk, Cooper's hawk, sharp-shinned hawk, and possibly the State-threatened Swainson's hawk.

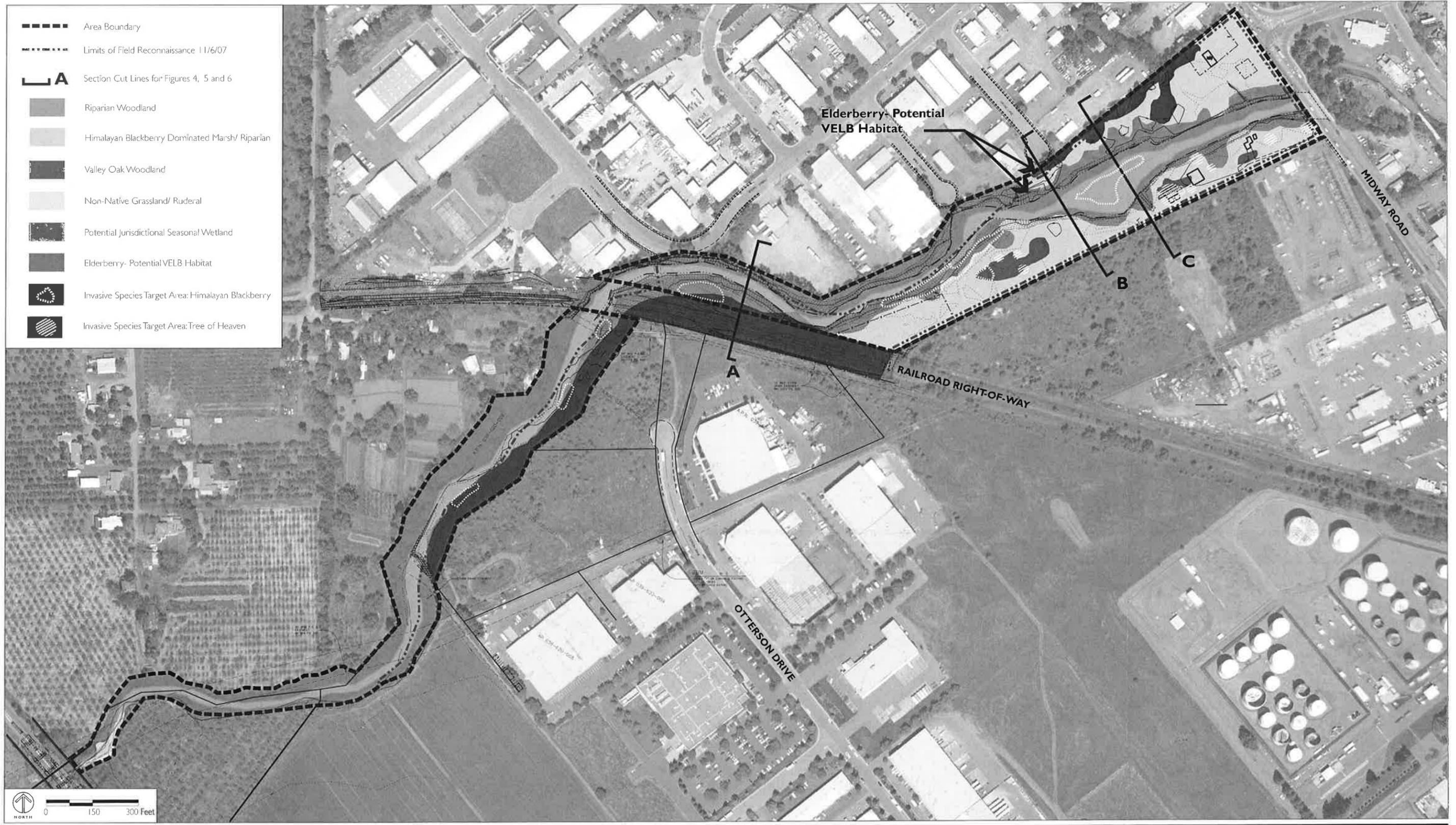


FIGURE 2  
 EXISTING VEGETATION AND BIOTIC FEATURES

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TABLE I | RIPARIAN WOODLAND AND SCRUB EXISTING PLANT TYPES

Common Name	Scientific Name	Type	Native
Native willow	<i>Salix gooddingii</i> and <i>Salix exigua</i>	Tree	Native
Valley oak	<i>Quercus lobata</i>	Tree	Native
Live oak	<i>Quercus agrifolia</i>	Tree	Native
Sycamore	<i>Platanus racemosa</i>	Tree	Native
Fremont cottonwood	<i>Populus fremontii</i>	Tree	Native
California buckeye	<i>Aesculus californica</i>	Tree	Native
Blue elderberry	<i>Sambucus mexicana</i>	Shrub/ Tree	Native
Velvet ash	<i>Fraxinus velutina</i>	Tree	Native
California black walnut	<i>Juglans californica</i>	Tree	Native
Almond	<i>Prunus sp.</i>	Tree	Non-native
Wild grape	<i>Vitis californica</i>	Vine	Native
Mugwort	<i>Artemisia douglasiana</i>	Perennial Herb	Native
Wild rose	<i>Rosa californica</i>	Shrub	Native
Tree of heaven	<i>Ailanthus altissima</i>	Tree	Non-native Highly Invasive
Himalayan blackberry	<i>Rubus armeniacus</i>	Shrubby Weed	Non-native Highly Invasive
Giant reed	<i>Arundo donax</i>	Perennial Herb	Non-native Highly Invasive
Periwinkle	<i>Vinca major</i>	Ground- cover	Non-native Highly Invasive

## 2. Himalayan Blackberry Dominated Freshwater Marsh

An area of freshwater marsh occurs within the eastern portion of the creek corridor as indicated in Figure 2. Although the marsh is dominated by an overstory of introduced Himalayan blackberry, it continues to support native species such as Cattail and Smartweed. Plant species occurring within this vegetation zone are listed in Table 2.

TABLE 2 **HIMALAYAN BLACKBERRY DOMINATED FRESHWATER MARSH EXISTING PLANT TYPES**

Common Name	Scientific Name	Type	Native
Himalayan blackberry	<i>Rubus discolor</i>	Shrubby Weed	Non-native Highly Invasive
Cattail	<i>Typha latifolia</i>	Perennial Herb (aquatic)	Native
Smartweed	<i>Polygonum amphibium</i>	Perennial Herb	Native
Dallis grass	<i>Paspalum dilatatum</i>	Perennial Grass	Non-native
Verbena	<i>Verbena bonariensis</i>	Annual Herb	Non-native Invasive
Japanese iris	<i>Iris ensata</i>	Perennial Rhizome	Non-native

## 3. Valley Oak Woodland

Valley oaks form a dense to open woodland beyond the dense growth of the riparian corridor along Comanche Creek. Valley oak is the dominant tree species and is spreading successfully along the margins of riparian habitat. The woodlands are dominated by a few scattered mature trees and numerous saplings and younger trees, particularly along the former railroad right-of-way. Understory vegetation is composed largely of non-native grasses, non-native forbs, and thickets of Himalayan blackberry. Some locations contain very dense stands of sapling and young oaks. Specific plant species found within this vegetation zone are listed in Table 3.

The trees and open groundcover of the Valley Oak Woodlands provide perching, foraging, roosting, and possibly nesting habitat for numerous species of birds. Small mammals, reptiles, and insects found in the grassland provide foraging opportunities to birds and larger mammals, including striped skunk and grey fox. However, due to limited cover this zone does not contain the same diversity of species as the riparian habitat.

TABLE 3 VALLEY OAK WOODLAND EXISTING PLANT TYPES

Common Name	Scientific Name	Type	Native
Valley oak	<i>Quercus lobata</i>	Tree	Native
Himalayan Blackberry	<i>Rubus discolor</i>	Shrubby weed	Non-native Highly Invasive
Grasses and Forbs (described below)			

#### 4. Non-Native Ruderal Grassland

The open areas in the Plan area support a cover dominated by non-native grasses and forbs. Species composition in the grasslands varies, depending on the extent of past disturbance, depth to groundwater and frequency and duration of soil saturation. Past grazing and other agricultural activities, construction of structures and roadways and other disturbance has eliminated most of the native species from the grasslands in the Plan area. Highly invasive species, particularly Himalayan blackberry and poison hemlock, are beginning to dominate large areas of the grasslands. These species tend to crowd out other grassland species, and eventually limit habitat values unless carefully controlled. As woodland cover spreads, sapling trees and shrubs are beginning to establish throughout the grasslands. Plants occurring within this vegetation zone are listed in Table 4.

TABLE 4 **NON-NATIVE GRASSLANDS EXISTING PLANT TYPES**

Common Name	Scientific Name	Type	Native
Slender oats	<i>Avena barbata</i>	Annual Herb	Non-native Invasive
Soft brome	<i>Bromus hordeaceus</i>	Annual herb	Non-native Invasive
Bur Clover	<i>Medicago polymorpha</i>	Annual Herb	Non-native Invasive
Annual ryegrass	<i>Lolium multiflorum</i>	Annual Grass	Non-native Invasive
Vulpia	<i>Vulpia bromoides</i>	Annual Grass	Non-native Invasive
Curly dock	<i>Rumex crispus</i>	Perennial Herb	Non-native Invasive
Storksbill filaree	<i>Erodium cicutarium</i>	Annual Herb	Non-native Invasive
Common vetch	<i>Vicia sativa ssp. nigra</i>	Annual Herb/Vine	Non-native
Wild radish	<i>Raphanus sativus</i>	Annual Herb	Non-native Invasive
Yellow-star thistle	<i>Centaurea solstitialis</i>	Annual Herb	Non-native Invasive
Cocklebur	<i>Xanthium strumarium</i>	Annual Herb	Native Invasive
Prickly ox-tongue	<i>Picris echioides</i>	Perennial Herb	Non-native Invasive
Himalayan blackberry	<i>Rubus discolor</i>	Shrubby weed	Non-native Highly Invasive
Poison hemlock	<i>Conium maculatum</i>	Perennial Herb	Non-native Highly Invasive
Bindweed	<i>Convolvulus arvensis</i>	Perennial Herb/Vine	Non-native Invasive

The grasslands in the Plan area and surrounding undeveloped lands and field margins provide important foraging opportunities for numerous small mammals, passerine birds, and insects. Species that utilize these areas include the California vole, pocket gopher, fence lizard, alligator lizard, black-tailed jack-

rabbit, western meadowlark, western kingbird, savannah sparrow, white-crowned sparrow, and American goldfinch. These species provide abundant prey opportunities for predatory birds, mammals, and reptiles, such as gopher snake, raccoon, striped skunk, grey fox, red-tailed hawk, red-shouldered hawk, American kestrel, great-horned owl, white-tailed kite, northern harrier, and barn owl. No evidence of seasonal ponding in the grasslands was observed that would allow for establishment of any aquatic dependent animal species.

#### 5. Potential Seasonal Wetlands

The grasslands in the Plan area include indicators of potential seasonal wetlands in a few locations, as shown in Figure 2. The vegetation in these locations is different than the surrounding grasslands, dominated by Johnsongrass, bur-chervil, and perennial ryegrass (Table 5). None of these species are particularly strong wetland indicators, but they do provide an indication of possible jurisdictional waters in these scattered depressions. Additional detailed assessment of possible wetland conditions would be necessary to accurately determine whether these areas qualify as jurisdictional waters regulated by the U.S. Army Corps of Engineers and the Regional Water Quality Control Board (RWQCB).

TABLE 5 **POTENTIAL SEASONAL WETLANDS EXISTING PLANT TYPES**

Common Name	Scientific Name	Type	Native
Johnsongrass	<i>Sorghum halepense</i>	Perennial Herb	Non-native Invasive
Bur-chervil	<i>Anthriscus caucalis</i>	Annual Herb/Vine	Non-native
Perennial ryegrass	<i>Lolium perenne</i>	Perennial Grass	Non-native

### *E. Special-Status Species*

A number of special-status plant and animal species have been reported or are suspected to occur in the Chico vicinity. However, there have not been any reports of special-status species in the Plan area according to CNDDDB records and past studies conducted in the vicinity. Figure 3 illustrates occurrence records for special-status species and sensitive natural communities maintained by the CNDDDB within approximately five miles of the Plan area. Information on special-status plant and animal species considered to have the highest potential for occurrence in the Plan area vicinity is summarized below. These species may have implication on management and maintenance activities in the Plan area. Further study or preconstruction surveys may be appropriate to confirm their presence or absence or to ensure proper avoidance of sensitive habitat as discussed further in Chapter 4.

#### **1. Special-Status Plants**

Based on a review of the U.S. Fish and Wildlife Service (USFWS) list for species from the Chico vicinity, a records search of the CNDDDB, the CNPS *Inventory*, and documents pertaining to biological resources of the Plan area's vicinity, there are a number of special-status plant species that could potentially occur in open grasslands, vernal pools, and mesic areas of the southeastern Chico vicinity. Table 6 indicates special-status plants that could potentially occur in the Plan area based on these studies. The plants are listed on CNPS List 1B, meaning they are considered as rare or threatened and/or as Federal Species of Concern (FSC). FSC refers to species that are declining or appear to be in need of concentrated conservation actions, but is not an official listing. Although no occurrences of these species have been reported by the CNDDDB within the immediate vicinity of the Plan area, habitat along the riverine features and the potential seasonal wetland features is considered to have a remote to low potential for occurrence.



TABLE 6 SPECIAL-STATUS PLANTS TO BE CONSIDERED FOR VEGETATION MANAGEMENT PLAN

Common Name	Scientific Name	Listing*	Potential for Occurrence Within Plan area**
Adobe lily	<i>Fritilaria pluriflora</i>	CNPS List 1B	Remote
Ahart's Paronychia	<i>Paronychia abartii</i>	CNPS 1B FSC	Low
California beaked rush	<i>Rhynchospora californica</i>	CNPS List 1B FSC	Remote
Columbian watermeal	<i>Wolffia brasiliensis</i>	CNPS List 2	Low
Red Bluff dwarf rush	<i>Juncus leiospermus</i> var. <i>leiospermus</i>	CNPS List 1B	Low

\* CNPS List 1B: Considered rare, threatened, or endangered in California and elsewhere FSC: Federal Species of Concern. \*\*Potential for occurrence based on conditions encountered during field reconnaissance survey in June 2007 and habitat requirements of specific species. "High" rating considered to have a high potential for occurrence, "moderate" considered to have a moderate possibility, "low" considered to have little or no potential for occurrence, and "remote" considered highly unlikely.

## 2. Special-Status Animals

Based on a review of records maintained by the CNDDDB, documents pertaining to the biological resources in the Chico vicinity and the field reconnaissance survey and habitat assessment, a total of 18 special-status animal species (listed in Table 7) could potentially occur within the Plan area. These include valley elderberry longhorn beetle, Central Valley fall/late fall-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, foothill yellow-legged frog, giant garter snake, northwestern pond turtle, ferruginous hawk, greater sandhill crane, Lawrence's goldfinch, Lewis' woodpecker, loggerhead shrike, Swainson's hawk, western burrowing owl, white-tailed kite, greater western mastiff bat, pacific western big-eared bat, pale Townsend's big-eared bat, and yuma myotis bat. In addition, raptors and

other migratory birds could potentially occur within the Plan area. Information on these species is summarized below.

The species included in Table 7 are listed either as California Species of Concern (CSC), Federal Species of Concern (FSC), Federal Candidate Species (FCS), and/or Federally Threatened Species (FTS). Federal Candidate Species are defined by the U.S. Fish and Wildlife Service as species that are eligible to be listed as endangered or threatened under the Endangered Species Act, but for which listing has been precluded by higher priority listing activities. Federally Threatened Species are defined by the U.S. Fish and Wildlife Service as “any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.”

#### *F. Sensitive Natural Communities*

Sensitive natural communities in the Plan area that are of particular concern to the CDFG include the riparian woodland and scrub and the valley oak woodlands. These are recognized as sensitive natural communities for the following reasons:

- ◆ The riparian woodland and scrub has been compromised by the abundance of invasive exotics, yet native tree species still form the dominant cover along most of the Creek. The middle reach contains an almost completely native cover in some locations in both the overstory and understory vegetation.
- ◆ Valley oak woodlands are spreading along the periphery of the riparian corridor, dominated by young valley oak trees. Although not yet recorded by the CNDDDB, valley oak woodlands are typically monitored because of their continuing loss as a result of clearing for urban and agricultural development, flood control improvements, and other land modifications.

TABLE 7 **SPECIAL-STATUS ANIMALS WITH POTENTIAL TO OCCUR IN THE PLAN AREA**

Common Name	Scientific Name	Listing*	Potential for Occurrence Within Plan area**
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	FTS	High
Central Valley fall/late fall-run chinook salmon	<i>Oncorhynchus tshawytscha</i>	FCS CSC	Moderate
Central Valley spring-run chinook salmon	<i>Oncorhynchus tshawytscha</i>	FTS CSC	Moderate
Central Valley steelhead	<i>Oncorhynchus mykiss</i>	FTS	Moderate
Ferruginous hawk	<i>Buteo regalis</i>	FSC CSC	Moderate
Greater sandhill crane	<i>Grus canadensis tabida</i>	CTS that is fully protected by CDFG	Low
Lawrence's goldfinch	<i>Carduelis lawrencei</i>	Nesting as a FSC	Low
Lewis' woodpecker	<i>Melanerpes lewis</i>	Nesting as a FSC	Low
Loggerhead shrike	<i>Lanius ludovicianus</i>	Nesting as a FSC and CSC	Moderate
Swainson's hawk	<i>Buteo swainsoni</i>	CTS Nesting as a FSC	Moderate
Western burrowing owl	<i>Athene cunicularia hypugaea</i>	FSC and CSC	Low
White-tailed kite	<i>Elanus leucurus</i>	FSC Fully protected by CDFG	High
Greater Western Mastiff Bat	<i>Eumops perotis californica</i>	FSC and CSC	Moderate
Pacific Western Big-Eared Bat	<i>Corynorhinus townsendii townsendii</i>	FSC and CSC	Moderate

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Common Name	Scientific Name	Listing*	Potential for Occurrence Within Plan area**
Pale Townsend's Big-eared Bat	<i>Corynorhinus townsendii pallens</i>	FSC and CSC	Moderate
Yuma Myotis Bat	<i>Myotis yumanensis</i>	FSC and CSC	Moderate
Giant Garter Snake	<i>(Thamnophis gigas)</i>	FTS CTS	Low
Foothill Yellow-legged frog	<i>Rana boylei</i>	CSC	Moderate
Northwestern pond Turtle	<i>Clemmys marmorata marmorata</i>	CSC	Moderate

\*FTS: Federal Threatened Species; FCS: Federal Candidate Species; FSC; Federal Species of Concern; CTS: California Threatened Species; CSC: California Species of Concern

\*\*Potential for occurrence based on conditions encountered during field reconnaissance survey in June 2007 and habitat requirements of specific species. "High" rating considered to have a high potential for occurrence, "moderate" considered to have a moderate possibility, and "low" considered to have little or no potential for occurrence.

**G. Potential Jurisdictional Waters**

A preliminary wetland assessment was conducted as part of the *Biological and Wetland Resource Assessment* to provide an initial estimate of the likely extent of waters subject to Section 404 of the Clean Water Act. While the preliminary estimates presented below appear reasonable, there is a possibility that the Corps may consider additional locations to be jurisdictional, or that locations identified in preliminary estimates in fact do not qualify as a regulated waters.

As mentioned above, the Comanche Creek channel below the Ordinary High Water Mark is a regulated waters under Section 404 of the Clean Water Act and is subject to State control under Section 1600 of the California Fish and Game Code.

Several areas in the non-native grasslands are potential seasonal wetlands that may meet the Corps definition of wetlands. These areas are discussed above and diagrammed in Figure 2, and are generally composed of transitional wetland species such as Johnsongrass, perennial ryegrass, and dallisgrass. Additional detailed assessment of the potential for these areas to qualify as jurisdictional waters would be required to confirm whether they in fact meet the criteria as wetland, and whether any proposed modifications would require agency authorization. In addition, the Corps would have to verify whether they fall under their jurisdiction as they may be considered hydrologically isolated from the regulated waters of the Creek channel. The Corps holds the responsibility of making a final determination on the extent of jurisdictional waters.

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### **3 GOALS AND MANAGEMENT MEASURES FOR VEGETATION ZONES**

Vegetation management along the Comanche Creek riparian corridor will focus on restoration and enhancement of the existing natural vegetation zones described in Chapter 2 and delineated in Figure 2. Management measures included in the plan are designed to heighten the unique aesthetics and habitat functions of each zone, and decrease long-term maintenance requirements for the Plan area as a whole by enabling it to reach a natural equilibrium. Emphasis is placed on protecting intact areas of native vegetation, controlling and working to eradicate highly invasive exotic plants, and encouraging the spread and natural succession of native communities in the Plan area. This chapter discusses vegetation management measures as they relate to unique vegetation zones. Chapter 4 offers a unified plan for implementation of the vegetation management plan.

The information provided in Tables 8 and 9, included at the end of this chapter, is referred to throughout the discussion of vegetation management measures. Table 8 describes appropriate techniques for the removal of invasive, non-native species. Table 9 indicates suitable species for use in enhancement plantings. In addition, Figures 4, 5 and 6 provide cross-sections which diagram existing vegetation zones and recommended management measures.

#### **1. Riparian Woodland**

Enhancement recommendations for the riparian woodland focus on control and eradication of invasive species and the planting of native vegetation. Such measures have the potential to greatly improve the existing habitat values of the Comanche Creek riparian corridor.

##### **a. Control and Eradication of Invasive Plants**

This measure is intended to control and ideally eliminate non-native vegetation from the sensitive riparian corridor in order to improve native habitat values and encourage the further establishment of native riparian woodland and scrub plant species.

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Targeted invasive species in the riparian woodland zone include Himalayan blackberry, periwinkle, English ivy, arundo, and tree of heaven. Limited herbicide application may be required to effectively control resprouting of these target species, although non-toxic removal through repeated mechanical methods is generally preferred and will be used whenever feasible. Techniques for the treatment of target species in the riparian woodland zone are listed in Table 8 and summarized below:

- ◆ *Himalayan Blackberry.* The extensive roots of this plant make burning and root removal the most plausible methods for control. As burning is not an appropriate management technique for this relatively urban area, efforts will focus on root and vegetative removal.
- ◆ *Periwinkle and English Ivy.* Periwinkle and English ivy also possess extensive root systems, and ivy can spread up trunks into the canopy of trees and shrubs. Non-toxic approaches to their removal are preferable, including hand pulling of vegetative growth and roots and tarping of infestations. However, foliar spraying prior to tarping may be necessary for effective control. Tarping should begin after the rainy season has ended and continue until the next rainy season begins.
- ◆ *Giant Reed.* Giant reed (Arundo) is known to destabilize streambanks and cause significant degradation to streamside habitats. Techniques for removal of arundo include tarping and hand removal. Since arundo spreads rapidly downstream, eradication efforts should begin in the upper reaches of the drainages.
- ◆ *Tree of Heaven.* Above-ground growth of this plant can be removed by manually cutting. Repeated cutting and possible treatment with herbicide may be required to prevent regeneration of stump and root sprouts. Herbicide treatment of trunks and roots may be necessary to control this aggressive sprouting species.

b. Native Riparian Vegetation Enhancement Plantings

Removal of invasive species should be followed by revegetation with native plants. This is necessary to prevent the establishment of other invasive and

ruderal (weedy) species that prefer disturbed areas for germination and establishment. Table 9 provides a list of appropriate tree, shrub, and groundcover species to be used in revegetating the riparian woodland. The following list summarizes key plants to be used in revegetation efforts:

- ◆ *Native Willows and Cottonwoods.* These species are well adapted to channel environments, and can be installed as sprigs or dormant cuttings. Plant material will be harvested as close to the Plan area as possible, and include a variety of parent plants so as to ensure genetic diversity.
- ◆ *Large Seeded Trees.* Large seeded trees that are native to the Plan area include valley oak, live oak, buckeye, black walnut, and bay. These trees can be planted from seedlings that are contract-grown from seed collected on-site, or from locally available native nursery stock. Larger specimens can be planted when structure and immediate impact are desired.
- ◆ *Other Riparian Shrub and Groundcover Species.* A number of native shrubs and groundcovers are appropriate for planting in the riparian woodland zone to improve species diversity, complexity of the understory, and help prevent re-establishment of targeted invasive species. Appropriate native species for understory revegetation include California blackberry, California rose, and mugwort. Open areas that result from invasive tree and shrub removal can also be seeded with the grassland seed mix indicated in Table 9 in order to establish a continuous groundcover and minimize the potential for erosion and sedimentation in the nearby creek.

c. Monitor

Removal of invasive plants typically entails several years of careful monitoring and re-growth removal. Therefore, riparian habitat should be carefully monitored and managed for several years after initial invasive species removal and native species revegetation.

## 2. Himalayan Blackberry Dominated Freshwater Marsh

The freshwater marsh occurring in Comanche Creek is dominated by non-native plants, predominately Himalayan blackberry. Management goals for

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the freshwater marsh are to eliminate invasive species and replace them with native freshwater marsh plants.

a. Control and Eradication of Invasive Plants

Emphasis will be placed on the control of Himalayan blackberry. Removal of this plant is discussed above in relation to the riparian woodland zone. Complete removal of all root materials of this species in the marsh zone may be difficult if not impossible, and tarping will not be an option in the limits of jurisdictional waters. Any herbicide application must be severely controlled and limited to an aquatic approved herbicide.

b. Enhancement Plantings

Cattail and bulrush will regenerate naturally in the freshwater marsh zone, although plug plantings of native emergent species may facilitate natural marsh cover in areas that were formerly covered by dense thickets of Himalayan blackberry.

c. Monitor

As with the other vegetation zones, removal of invasive plants requires several years of careful monitoring and re-growth removal. Therefore, marsh and lower banks of the creek habitat should be carefully monitored and managed after initial invasive species removal and native species revegetation.

**3. Valley Oak Woodland**

Goals for the valley oak woodland are to ensure its sustainable future by maintaining the mature trees and creating the opportunity for the younger trees and saplings to mature. This entails protecting the existing oaks and implementing responsible maintenance measures.

a. Control and Eradication of Invasive Plants

Existing invasive non-native species should be controlled and/or eradicated. The dominant non-native species to control in the valley oak woodland is the Himalayan blackberry. However, existing stands of periwinkle and poison hemlock should also be controlled.

b. Thinning of the Valley Oak Woodland

Areas of Valley Oak Woodland that contain over-dense stands of sapling and young oaks may require thinning as part of future vegetation management. However, this must be carefully controlled to maintain the habitat values of the expanding native woodland in upland areas, and balanced with the desire to retain open areas along the creek corridor.

c. Enhancement Plantings

Removal of invasive species and thinning of over-dense stands should be followed by revegetation with native plants to prevent the establishment of other invasive and ruderal species. Table 9 provides a list of appropriate plant species to be used in revegetating the valley oak woodland.

d. Preventative Maintenance

Preventative maintenance measures should be taken to encourage long-term health of the valley oak woodland zone. These measures include the removal of accumulated brush and woody debris from the understory to decrease the potential for fire, and avoidance of any maintenance that involves soil compaction. Avoidance of soil compaction is critical because the majority of an oak's roots occur within the top two feet of soil.

#### 4. Non-Native Grassland

As discussed in Chapter 2, native grassland species are rapidly being lost to thickets of Himalayan blackberry, poison hemlock, johnsongrass, and dallisgrass, and the spread of native and non-native saplings. The habitat value of the non-native grassland can be enhanced by implementing the following recommendations.

a. Invasive Plant Control and Removal

Removal and control of non-native and invasive plants will focus on highly invasive species that are replacing the grasslands with dense thickets. These species include Himalayan blackberry and poison hemlock. Mechanical removal of root and vegetative growth, routine mowing and other non-toxic

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methods of removal and control should be utilized whenever feasible. Table 8 provides a description of removal and control techniques for the non-native and invasive species in the non-native grassland zone.

- ◆ *Himalayan Blackberry*. Removal of this plant is discussed in the riparian woodland zone above. Areas disturbed by mechanical and chemical treatment will be revegetated with grassland cover through seeding as specified in Table 9. Rototilling followed by root removal may be a feasible option in the level open areas of the Plan area to be revegetated as grassland.
- ◆ *Hemlock and Other Tall Weeds*. Techniques for tall weed removal include root, stalk, and seedling pulling, and routine mowing. As the Plan area is heavily vegetated with invasive weeds, mowing will take place at specified intervals during the growing season to remove hemlock and other weedy species, and to control non-native grasses which can also become problematic. Poison hemlock is highly toxic to humans, and thus care must be exercised in all methods used for its removal.
- ◆ *Native and Non-Native Saplings*. Some control on the continued spread of trees and shrubs in the Plan area may be desired to keep large open areas of grassland intact. Routine mowing of selected opening to control invasive species and reduce fire fuels would serve to control the establishment of valley oak and live oak seedlings.

b. Native Grass Revegetation and Enhancement

Native grasses will be hydroseeded in areas disturbed during initial grading and site improvements, or invasive species control and management. Table 9 provides a seed mix to use in revegetating disturbed areas in the grassland zone and open areas of the riparian woodland and valley oak woodland zones.

**5. Potential Valley Elderberry Long-horn Beetle Habitat**

The Valley Elderberry Long-horn Beetle (VELB) is listed as a Federally Threatened species, and thus measures should be taken to avoid any adverse effects on VELB habitat. The following measures are recommended to con-

serve and enhance existing VELB habitat in the Comanche Creek riparian corridor:

a. Avoidance

The use of herbicides and intensive maintenance activity is prohibited within within 100-feet of the mapped VELB habitat.

b. Control and Eradication of Invasive Plants

Weeds and non-native plants must be removed by hand from VELB habitat once a year.

c. Enhancement Planting

Elderberry stands should be enhanced as part of future vegetation management efforts. The goal for enhancement planting is to achieve a dense mixture of mature elderberry and native understory plants, as is preferred by the VELB. This will be accomplished through protection of the existing elderberry plants, removal of invasive exotics, and natural regeneration and spread of elderberry plants along the riparian corridor.

TABLE 8 **DOMINANT INVASIVE PLANT SPECIES MANAGEMENT DETAILS**

Invasive Species	IPI Rating	Control and Management
Tree of Heaven ( <i>Ailanthus altissima</i> )	Moderate	<p><b>Treatment</b> - Cut and immediately treat all trunks/shoots with glyphosate or other successful herbicide, with repeat treatment of any resprouts; Cut in spring (before May) when cambium is active to prevent seed production, and a second time at the end of the growing season (June or July) to exhaust energy reserve of tree. Pull all remaining seedlings when soil is moist before taproot establishes.</p> <p><b>Disposal</b> - All seeds, pulled seedlings, and root material should be collected, bagged and disposed of properly. Slash from trees with no seeds may be used as wildlife cover and bank reventment.</p> <p><b>Follow-Up</b> - Cut and retreat any resprouts with glyphosate every spring (before May) until stand is eliminated, and continue retreatment at least one year following placement of fill cap. Pull all seedlings and root suckers annually when soil is moist until seed source is exhausted.</p>
Poison hemlock ( <i>Conium maculatum</i> )	Moderate	<p><b>Treatment</b> - Grub all woody material and flowering heads prior to site grading within the limits of construction to prevent spread of seed and roots of this species. Hand pull/dig out any plants outside limits of scraping to remove existing stands.</p> <p><b>Disposal</b> - All seeds, pulled seedlings, and root materials should be collected, bagged and disposed of properly.</p> <p><b>Follow-Up</b> - Mow four times a year about every three months beginning in March-April until seed source is exhausted. Hand bag and dispose of any plants that have set seed prior to mowing to prevent dispersal of seed. Possibly consider use of foliar spray as necessary in spring with broadleaf specific herbicide that will not affect grasses to <b>supplement</b> mowing regime.</p>
Giant Reed ( <i>Arundo donax</i> )		<p><b>Treatment</b> - Successful elimination requires completely killing or removing the root system. Pulling and cutting can be effective if all rhizomes and above ground vegetation are removed. Herbicide treatment may be required to kill all rhizomes. Foliar application of glyphosate on uncut plant may be an acceptable treatment in some locations.</p> <p><b>Disposal</b> - Both treated and non-treated stems can be left on-site to decompose. All root material should be collected and disposed of properly as it could resprout.</p> <p><b>Follow-Up</b> - Cut and retreat any resprouts, and remove any remaining root systems. Pull or dig younger plants annually, ideally after heavy rains loosen soil.</p>

TABLE 8 **DOMINANT INVASIVE PLANT SPECIES MANAGEMENT DETAILS (CONTINUED)**

Invasive Species	IPI Rating	Control and Management
*English ivy ( <i>Hedera helix</i> )	High	<p><b>Treatment</b> – Pull and remove all stem material, accessible stolons and deeper roots from trees, shrubs, and ground surfaces. Consider applying broadleaf-specific herbicide by foliar spray prior to placement of tarp over infestation area to supplement hand removal. If herbicide is used, restrict foliar spray within 15 feet of surface water to appropriate aquatic approved herbicide.</p> <p><b>Disposal</b> – All seeds, pulled seedlings, stolons, and root material should be collected, bagged and disposed of properly.</p> <p><b>Follow-Up</b> – Hand-pull all seedlings, stem material, accessible stolons and deeper roots. Consider spot treatment with broadleaf specific herbicide by foliar spray as necessary in spring and late summer to supplement hand removal, but carefully control use and application to prevent loss of native grassland, riparian, and upland enhancement plantings.</p>
Himalayan blackberry ( <i>Rubus discolor</i> )	High	<p><b>Treatment</b> – Pull and remove all stem material and accessible root balls from ground surfaces. Consider applying broadleaf-specific herbicide by foliar spray over infestation area to supplement hand removal. If herbicide is used, restrict any foliar spray within 15 feet of surface water to appropriate aquatic approved herbicide. Alternative chemical treatment is to cut stems to about 1-foot and treat stumps with glyphosate immediately after cutting, which may be a more realistic treatment method on channel banks where root removal could destabilize the area. Any herbicide treatment must be carefully controlled to avoid timing when fruit may be ripe to avoid possible ingestion.</p> <p><b>Disposal</b> – All seeds, pulled seedlings, and root material should be collected, bagged and disposed of properly.</p> <p><b>Follow-Up</b> – Hand-pull all seedlings, stem material, accessible root balls. Consider spot treatment with broadleaf specific herbicide by foliar spray as necessary in spring and late summer to supplement hand removal, but carefully control use and application to prevent loss of native grassland, riparian, and upland enhancement plantings.</p>

TABLE 8 **DOMINANT INVASIVE PLANT SPECIES MANAGEMENT DETAILS (CONTINUED)**

Invasive Species	IPI Rating	Control and Management
Periwinkle ( <i>Vinca major</i> )	Moderate	<p><b>Treatment</b> – Pull and remove all stem material, accessible stolons and deeper roots from ground surfaces. Consider applying broadleaf-specific herbicide by foliar spray prior to placement of tarp over infestation area to supplement hand removal. If herbicide is used, restrict any foliar spray within 15 feet of surface water to appropriate aquatic approved herbicide.</p> <p><b>Disposal</b> – All seeds, pulled seedlings, stolons, and root material should be collected, bagged and disposed of properly.</p> <p><b>Follow-Up</b> – Hand pull all seedlings, stem material, accessible stolons and deeper roots. Consider spot treatment with broadleaf specific herbicide by foliar spray as necessary in spring and late summer to supplement hand removal, but carefully control use and application to prevent loss of native grassland, riparian, and upland enhancement plantings.</p>

Notes:

**IPI Ratings Definitions** (California Invasive Plant Council, 2006, *Invasive Plant Inventory, “The Weed List”*).

**High:** These species have severe ecological impacts on ecosystems, plant and animal communities, and vegetational structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal and establishment. These species are usually widely distributed ecologically, both among and within ecosystems.

**Moderate:** These species have substantial and apparent – but generally not severe – ecological impacts on ecosystems, plant and animal communities, and vegetational structure. Their reproductive biology and other attributes are conducive to moderate to high rates of dispersal, though establishment is generally dependent upon ecological disturbance. Ecological amplitude and distribution may range from limited to widespread.

**Limited:** These species are invasive but either their ecological impacts are minor on a statewide level or information on them is insufficient to justify a higher rating, although they may cause significant problems in specific regions or habitats. Their reproductive biology and other attributes result in low to moderate rates of invasion. Ecological amplitude and distribution are generally limited, but these species may be locally persistent and problematic.

**Evaluated But Not Listed:** In general, this designation is for species for which information is currently inadequate to respond with certainty to the minimum number of criteria question, or for which the sum effects of ecological impacts, invasiveness, and ecological amplitude and distribution fall below the threshold for ranking. Many such species are widespread but are not known to have substantial ecological impacts (though such evidence may appear in the future).

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TABLE 9 SUITABLE NATIVE PLANT SPECIES

Species	Rate/Size	Treatment Details
<b>Grassland Zone Seed Mix</b>		
Creeping wildrye ( <i>Leymus triticoides</i> )	15 lbs per acre	Seed shall be applied over all graded surfaces (except in areas of new paving, new trails, and areas to be enhanced as seasonal wetlands, specified below) before onset of fall rains, prior to October 15. Seed source shall be as local as possible, supplied on a basis of Pure Live Seed (PLS), and not contain an excess of one percent (1%) of weed seed. Seed shall preferably be applied by hydroseeding particularly for larger areas and slopes, rather than by hand broadcast. Hydroseed may include seed, dye, fertilizer, lime, mulch, and synthetic binder.
California brome ( <i>Bromus carinatus</i> )	15 lbs per acre	
California poppy ( <i>Eschscholzia californica</i> )	2 lbs per acre	
Lupine ( <i>Lupinus nanus</i> )	2 lbs per acre	
<b>Seasonal Wetland Zone Seed Mix</b>		
Creeping wildrye ( <i>Leymus triticoides</i> )	15 lbs per acre	Enhancement and expansion of potential seasonal wetlands shall be accomplished through creation of shallow topographic depressions and heavy seeding with suitable plant cover. Seed shall be applied by hydroseeding or broadcast seeding adjacent to the existing potential seasonal wetland. Following localized grading and possible soil enhancement, seed shall be installed in the early fall before onset of fall rains, prior to October 15. Seed source shall be as local as possible, supplied on a basis of Pure Live Seed (PLS), and not contain an excess of one percent (1%) of weed seed. Hydroseed may include seed, dye, fertilizer, lime, mulch, and synthetic binder.
California oatgrass ( <i>Danthonia californica</i> )	10 lbs per acre	
California brome ( <i>Bromus carinatus</i> )	10 lbs per acre	
Meadow barley ( <i>Hordeum brachyantherum</i> )	10 lbs per acre	
Spreading rush ( <i>Juncus patens</i> )	5 lbs per acre	

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TABLE 9 SUITABLE NATIVE PLANT SPECIES (CONTINUED)

Species	Rate/Size	Treatment Details
<b>Riparian Zone, Oak Savanna Zone, and Seasonal Wetland Zone Plantings:</b>		
Willow ( <i>Salix lasiolepis</i> and <i>S. laevigata</i> )	Riparian Zone – Pole cuttings installed from stems collected on-site, taken from a minimum of ten trees to increase likelihood that poles collected from both male and female plants. Cuttings from one-year-old branches, with minimum length of 3 feet, maximum length of five feet, minimum cut-end basal diameter of ¾ inch, maximum diameter of 1.5 inches, and continuous bark and stems that are not split. A minimum of three cuttings will be planted in each planting hole.	Each pole will be kept moist at all times, soaked in water for a minimum of seven days prior to installation, with butt end of each pole soaked in a bucket of water to a minimum depth of 24 inches immediately preceding planting. Planting holes will be excavated during backhoe operations or by an auger, with holes having a minimum diameter of nine inches and depth of 24 inches. Holes back-filled with native soil material in 12 inch lifts, compacting and watering with each lift. A watering basin will be created at each planting location and covered with four inches of oak leaf mulch no less than six inches surrounding each cutting.
Box elder ( <i>Acer negundo</i> var. <i>californicum</i> )	Riparian Zone – planting spaced no closer than 10-foot centers, from tree pot or 1-gallon containers.	Install during start of wet period between November 15 and January 15. Provide appropriate browse protection as required with staked 4'-high poultry mesh fencing where monitoring indicates a loss of plant material due to deer and rodents. Provide summer irrigation for a minimum of two years until established.
California buckeye ( <i>Aesculus californica</i> )	Riparian and Valley Oak Woodland Zones – spaced no closer than 10-foot centers, from tree pot or 1-gallon containers.	
Mugwort ( <i>Artemisia californica</i> )	Riparian Zone – grouped mosaics, from tree pots or 1-gallon containers within 15 feet of drainage on 5-foot centers.	
California Black Walnut ( <i>Juglans californica</i> )	Riparian and Valley Oak Woodland Zones – spaced no closer than 10-foot centers, from tree pot or 1-gallon containers.	
Spreading rush ( <i>Juncus patens</i> )	Riparian and Seasonal Wetland Zone – from tree pot or 1-gallon containers, spaced randomly along channel bank and open areas on 5-foot centers.	
Fremont cottonwood ( <i>Populus fremontii</i> )	Riparian Zone – space no closer than 20-foot centers, from tree pot or 1-gallon containers.	

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TABLE 9 SUITABLE NATIVE PLANT SPECIES (CONTINUED)

Species	Rate/Size	Treatment Details
Valley oak ( <i>Quercus lobata</i> )	Riparian and Valley Oak Woodland Zones – space no closer than 20-foot centers, from tree pot or 1-gallon containers.	
Live oak ( <i>Quercus agrifolia</i> )	Riparian and Valley Oak Woodland Zones – space no closer than 20-foot centers, from tree pots or 1-gallon containers.	
Flowering currant ( <i>Ribes sanguineum</i> )	Riparian Zone – grouped mosaics of 3 to 7 plants from 1-gallon containers on 10-foot centers.	
California rose ( <i>Rosa californica</i> )	Riparian Zone – grouped mosaics of 3 to 7 plants from tree pots or 1-gallon containers on 5-foot centers.	
Snowberry ( <i>Symphoricarpos albus</i> )	Riparian Zone – grouped mosaics of 3 to 7 plants, from tree pots or 1-gallon containers on 5-foot centers.	
Sycamore ( <i>Platanus racemosa</i> )	Riparian Zone – space no closer than 20-foot centers, from tree pot or 1-gallon containers.	

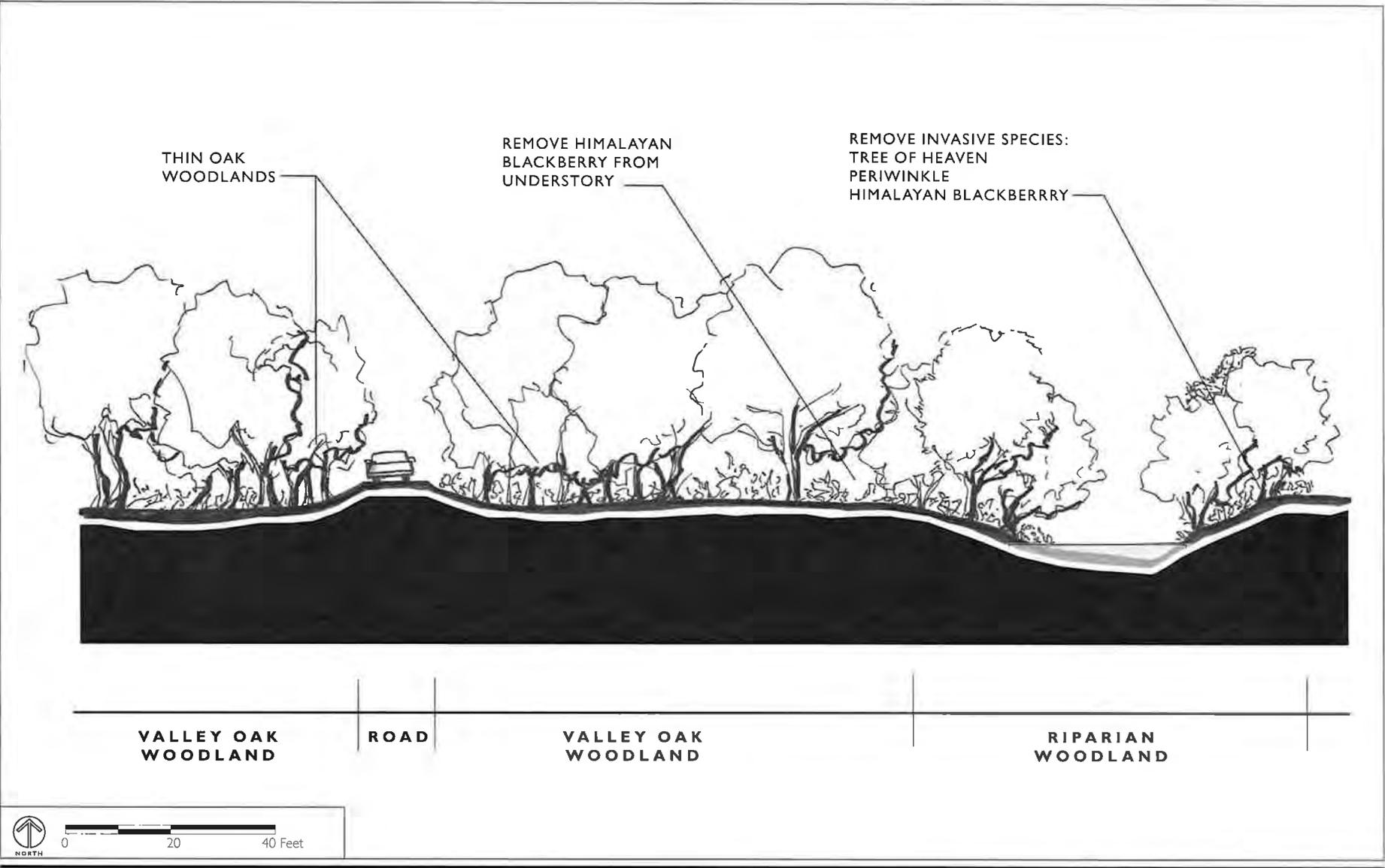


FIGURE 4  
SECTION A

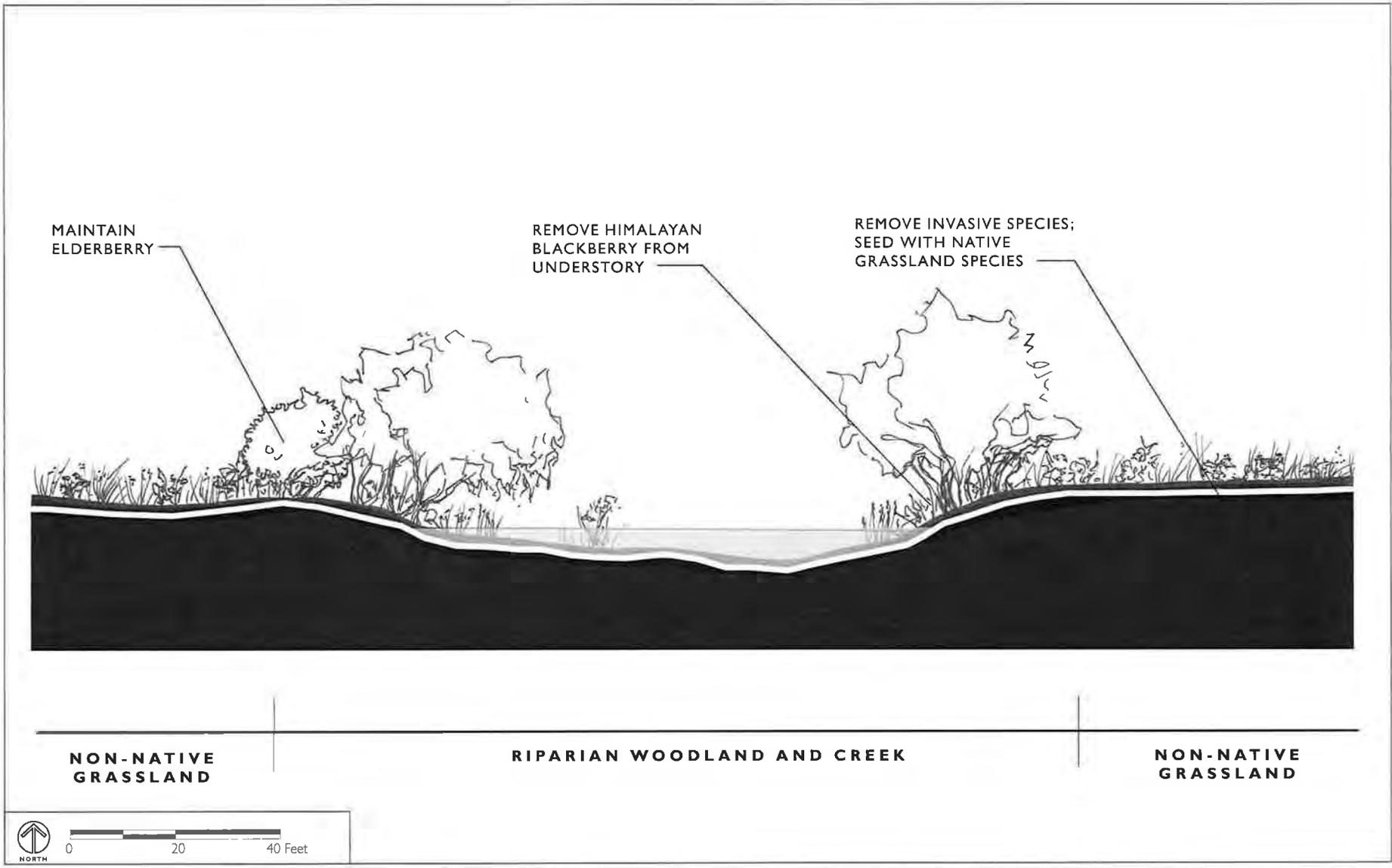


FIGURE 5  
SECTION B

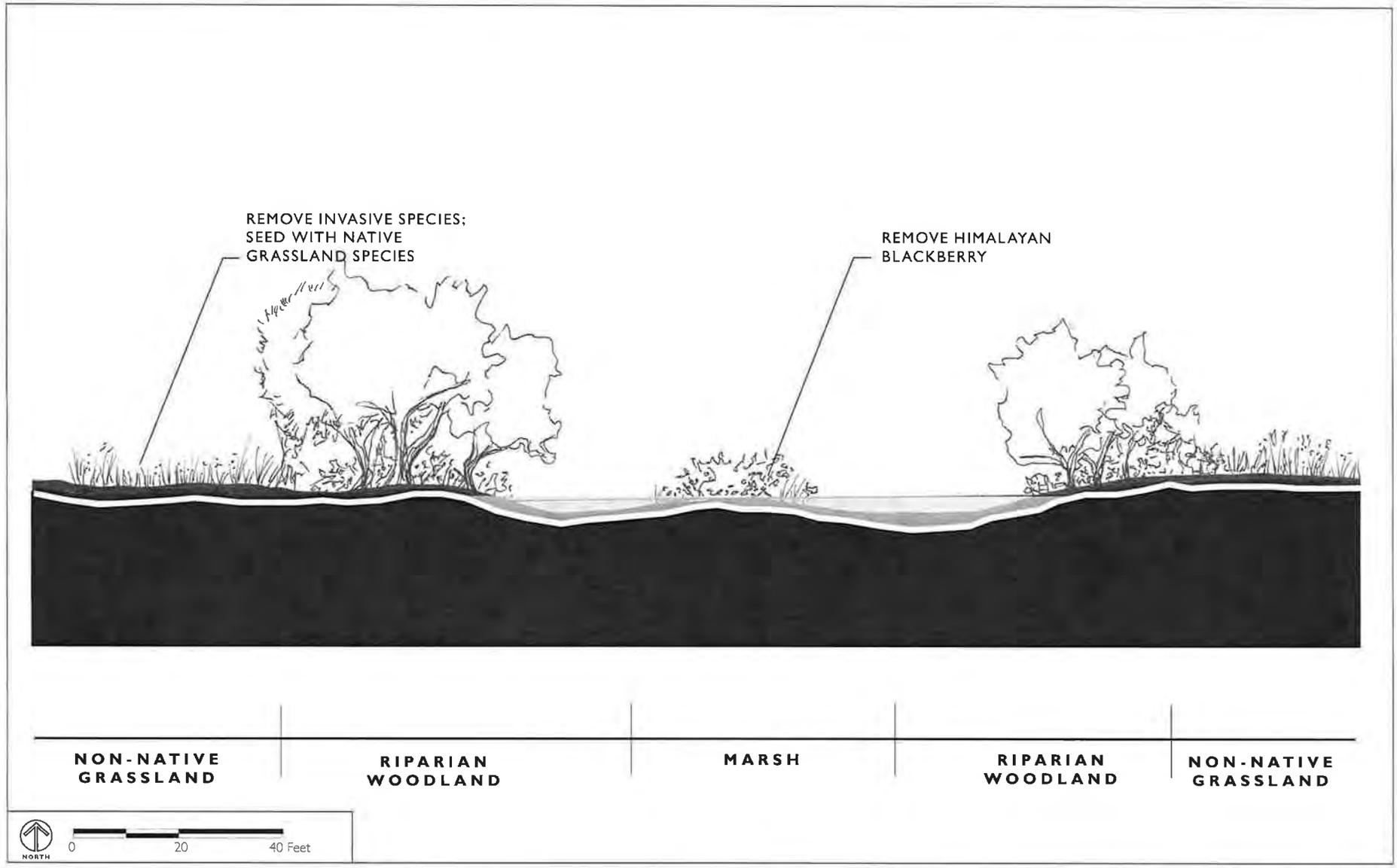


FIGURE 6  
SECTION C

## **4 PROVISIONS FOR VEGETATION MANAGEMENT**

This chapter includes information on phasing, invasive species eradication and control, new plantings, avoidance of sensitive resources and the provision of labor.

### ***A. Phasing***

Phasing associated with implementation of the Vegetation Management Plan is critical to the successful control of invasive species and re-establishment of native cover in the plan area. The plan will be implemented according to the following phases for short, medium and long-term vegetation management.

#### **1. Phase 1 (Short-Term Recommendations)**

The first phase will involve a concerted effort to remove invasive species. Short-term monitoring should be provided on a quarterly basis as part of routine inspection of invasive species management and required adjustments to watering and other maintenance requirements for enhancement plantings for at least three years. Short-term monitoring will also be required following any intensive effort for follow-up invasive species removal and control, and for successive native species enhancement plantings.

#### **2. Phase 2 (Medium-Term Recommendations)**

The second phase will involve revegetation, including the planting of native trees and shrubs, and seeding of ground cover species. This should begin immediately following removal of invasive species in order to encourage the spread of native communities. Continued monitoring during this phase should inform maintenance measures.

#### **3. Phase 3 (Long-Term Recommendations)**

On-going management will involve routine mowing of the grasslands to prevent re-establishment of Himalayan blackberry and poison hemlock, pulling of invasive trees, shrubs, and groundcovers, and possible successive treatments of a broadleaf-specific herbicide that won't affect the seeded native grasslands and other native plantings. Annual reports should be prepared which sum-

marize major improvements, maintenance activities, and the results of monitoring efforts evaluating invasive species control and enhancement plantings.

### *B. Invasive Species Eradication and Control*

This section provides instructions for the control and removal of invasive species. Any herbicide application must be carefully controlled to protect desired native vegetation, avoid native plantings and protect the aquatic habitat of Comanche Creek.

#### **1. Invasive Species Management**

Effective control of the highly invasive species in the plan area will require an effective Integrated Pest Management (IPM) program. The IPM program will involve short-term, intensive mechanical and possibly chemical eradication efforts, followed by on-going monitoring and maintenance practices that select for native species and less invasive, naturalized species. The IPM program must address possible resprouting or re-establishment of highly invasive species through successive annual treatment by mechanical removal, and possibly herbicide application, for a period of two to four years. Table 8 in Chapter 3 provides major steps in the initial treatment of targeted highly invasive species, disposal of seed, stem, stolon, and root materials, and necessary follow-up activities necessary to ensure successful control and ideally eradication of highly invasive species from the plan area. Key points from Table 8 are summarized below:

- ◆ A major mechanical removal and possible chemical treatment of target invasive species is outlined in the table.
- ◆ All seed, pulled seedlings, stolons, and root material of target invasive species should be bagged and disposed of in a landfill.
- ◆ Caution should be used in all handling of poison hemlock, given that it is toxic to humans and requires use of gloves and mask for all handling.

- ◆ The initial removal and possible herbicide treatment of invasive plants should be accomplished in spring (before May) when the cambium is active and to prevent additional seed production of target species.
- ◆ If chemical treatment is used, tree trunks should be treated with herbicide within one minute of cutting.
- ◆ Any foliar spray should be applied in the spring following removal and disposal of groundcover species.
- ◆ Any foliar spray application within 15-feet of surface waters should be restricted to an aquatic-approved herbicide.
- ◆ Subsequent treatment includes cutting and possible herbicide retreatment of tree trunks/shoots, pulling seedlings, saplings, stolons, and accessible root material, spot treatment with foliar spray, and tarping to eradicate ground cover and young growth.

Some non-native and invasive plants such as dallisgrass can be introduced into areas on equipment that have been used in contaminated sites and then moved to non-native free sites. Cleaning any equipment after use in a potentially contaminated site should reduce the chance of invasion into new areas.

## **2. Provisions for Herbicide Use**

Trained professionals with appropriate certification and licensing as a Pest Control Operator for use of non-restricted materials registered for use in Butte County must be employed to perform all herbicide applications. Best Management Practices shall be used during all herbicide applications, with consideration of the latest standards for products used for target species. Factors to be considered during herbicide application include wind and weather conditions, timing of initial and subsequent treatments, specific product and concentrations, and protection of aquatic habitat and native cover to be preserved or established in the plan area.

Notice will be given for treated areas prior to herbicide application through use of temporary signage posted no less than 24-hours in advance of application, identifying product to be used, explaining health risks, and including a

contact person and phone number to answer any questions. Signs should be posted at the entrance to the plan area and the perimeter of any treatment area at 50-foot intervals or as necessary to visibly delineate the boundaries of the treatment area. Herbicide application of Himalayan blackberry will not occur when this species is in fruit, unless all fruiting stems have been removed and there is no possibility of animals ingesting treated fruits.

### *C. New Plantings*

This section provides instructions for hydroseeding and stock planting. Table 9 in Chapter 3 provides supplemental information on suitable species.

#### **1. Hydroseeding**

- ◆ Apply hydroseeded mixture of native grasses and wildflowers on all graded and cleared areas throughout the plan area as specified in Table 9.
- ◆ Seeding should occur in late fall or early winter, preferably before October 15, to coincide with the natural rainfall period and to allow for germination and grass establishment before heavy winter rains.
- ◆ Hydroseeding should be performed by a professional hydroseeder.
- ◆ Prior to hydroseeding, the seed mixture should be pre-mixed by a mechanical mixer.
- ◆ Prior to application of the hydroseed/mulch mixture, the applicator should clean and rinse all equipment to preclude the introduction of weeds or other species not intended for the plan area.
- ◆ The hydroseeding application should follow a two or three-step process depending on slope and proximity to the drainages. For relatively level ground a two step process is adequate involving: 1) hydro-spraying a mixture of the seed mix and 500 lbs. per acre of hydraulic fiber mulch; and 2) applying 1,500 lbs. per acre of hydraulic fiber mulch, fertilizer, any additives such as lime, and the tackifier. For graded slopes in excess of ten percent or within 25-feet of the top of bank to the river and creek, an

added step is necessary to provide additional slope protection. Following completing of the hydroseeding, rice straw should be applied at a rate of 3,000 lbs. per acre. A hydromulch mixture, consisting of 100 lbs. per acre with tackifier, should then be applied over the straw.

## 2. Stock Planting

- ◆ *Plant Selection.* Select plant species that are native to the plan area or indigenous to the region. Plant material used for revegetation will be collected from as close to the plan area as possible, including any plant material used by nurseries for propagation.
- ◆ *Installation.* Install native shrubs and trees by hand in a phased program to re-establish a more natural gradation of habitats. Additional native riparian species may be suitable, but must consider short-term absence of shade along the riparian corridor until canopy cover is re-established and the ultimate height of trees.

The spacing and treatment details identified in Table 9 should be followed, including provisions for installation during the winter months when successful establishment is more likely, adequate browse protection, and short-term irrigation during the summer months through installation of a temporary drip-irrigation system.

- ◆ *Irrigation.* Supplemental irrigation of container plantings will be required for the first two- to three-years following installation, no less than three times a month. Approximately 5- gallons of water should be applied to each container stock planting during each watering event, and each watering should be of such a quantity as to provide optimum growth conditions. If drought stress is noted during monitoring, the quantity and interval of watering should be increased until plants are successfully established. By year three, the frequency and duration of watering should be successively curtailed to force young plants to adapt to summer conditions. Infrequent watering may still be necessary during the summer months on a by-monthly basis in the fourth and fifth year.

*D. Avoidance Measures for Sensitive Resources*

Avoidance measures for sensitive resources are described below as they relate to jurisdictional wetlands and special-status species.

**1. Jurisdictional Wetlands and Other Waters**

Potential wetlands and other waters in the plan area represent one of the most significant constraints to vegetation management, as well as an opportunity for substantial habitat enhancement and restoration. Any modification or fill of jurisdictional waters would require review and authorization from permitting agencies, including the U.S Army Corps of Engineers, the Regional Water Quality Control Board (RWQCB), and possibly California Department of Fish and Game (CDFG). The following measures are recommended in relation to jurisdictional wetlands and other waters in the Comanche Creek riparian corridor:

- a. The extent of potential jurisdictional waters should be verified and mapped as part of this survey to determine if these areas are in fact jurisdictional waters
- b. Jurisdictional wetlands and other waters should be avoided to the extent feasible.
- c. Where avoidance of any jurisdictional waters is not feasible, modifications of loss to wetlands will likely require detailed mitigation as part of agency authorization. Such mitigation might include:
  - ◆ Enhanced and expanded seasonal wetlands in areas of grassland.
  - ◆ Additional native riparian tree and shrub planting along the creek.
  - ◆ Removal and control of non-native invasive species along the creek corridor.

**2. Special-Status Species**

Although no special-status plant species were encountered during the field reconnaissance survey in June 2007, there remains a varying potential for a number of species to occur in the plan area. The habitat suitability analysis

conducted in June of 2007 indicates that a number of special-status animal species may occur on or frequent the plan area. Most of this activity is probably limited to dispersal along the creek corridors by fish, amphibians, and reptiles, foraging and possibly nesting by bird species, and foraging and possibly roosting by bat species. Protection of the creek habitat and of nest and roost locations would be the primary constraint poised by these species, particularly during the breeding season. The following are general recommendations for special-status species:

- ◆ *Supplemental Surveys.* Conduct a supplemental detailed survey in the spring and early summer months to confirm absence of any populations of special-status plant species in the plan area.
- ◆ *Pre-Construction Surveys.* Perform preconstruction surveys to determine the presence or absence of any nesting or roosting locations, special-status reptiles and fish species, and define appropriate development or construction-related restrictions. As necessary, informal consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service, formerly the National Oceanic and Atmospheric Administration (NOAA) Fisheries, should be conducted to determine any concerns and possible authorization prior to habitat modifications. This may include supplemental trapping and exclusion provisions, training of construction personnel, restrictions on timing of any in-channel modifications, and other measures.
- ◆ *Interpretive Program.* Create a comprehensive interpretive program to ensure that harassment and any possible “takings” of special-status species and common wildlife species does not occur as a result of public access to the plan area. This may include wildlife-friendly fencing, barrier plantings, and interpretive signage around possible access points to the plan area.

Avoidance Measures for specific special-status species are described below, with the exception of Potential Valley Elderberry Long-horn Beetle Habitat. Potential Valley Elderberry Long-horn Beetle Habitat is discussed as a vegeta-

tion zone in Chapter 3, and thus enhancement measures were identified in Chapter 3, Section A.

a. Northwestern Pond Turtle

Northwestern pond turtle has been reported near the Comanche Creek in the past, and marginally suitable habitat was observed along the creek. It is possible that this species disperses along Comanche Creek. It is also possible that where channel banks are less steep, turtles may occasionally disperse into the surrounding uplands to establish nests during the breeding season. Recommendations for this species are as follows:

- i.* Preconstruction nesting surveys should be required if construction is proposed during the nesting season from April through November
- ii.* Preconstruction surveys would also be necessary where in-channel construction activities are proposed in order to avoid take of individual turtles
- iii.* Any capture and relocation of turtles would have to be authorized by the CDFG as part of their Streambed Alteration Agreement process or other program.

b. Spring-Run and Fall-Run Chinook Salmon and Habitat

There is a possibility that spring-run and fall-run Chinook salmon disperse along the creek, although the historic intermittent nature of Comanche Creek most likely precluded presence of anadromous species. Fishery resources could be adequately protected by implementing the following measures:

- i.* Restrict any improvements away from the creek
- ii.* Implement water quality control measures that are typically required to address non-point source pollution of surface waters
- iii.* Implement an interpretive program
- iv.* Set restrictions for the timing of any disturbance along the channel bank as part of the removal of invasive vegetation or planting of native vegetation.

c. Yellow-legged Frog

There is a remote possibility that foothill yellow-legged frog and other amphibians may occur in or disperse along Comanche Creek. Although these species have not been reported in the immediate vicinity or the up-gradient watersheds, marginally suitable habitat occurs where the creek provides pools, riffles, and retreat habitat. Foothill yellow-legged frog is completely restricted to aquatic habitat. The following measures should be taken:

- i.* Minimize any construction activities in or near the creek
- ii.* Conduct pre-construction surveys prior to nonnative vegetation removal
- iii.* Implement the comprehensive interpretive program to avoid potential inadvertent take of this and other aquatic-dependent amphibians and reptile species

d. Special-Status Bat Species

There is a remote possibility that a number of special-status bat species occur in the abandoned building at the eastern edge of the plan area. Additional surveys should be conducted to determine whether bats occupy the structures, and appropriate measures should be taken to allow for relocation if used for roosting by any special-status bat species.

e. Giant Garter Snake

Although the potential for occurrence of this species along the project reach of Comanche Creek is low, there remains a possibility that this species could occasionally disperse along the creek corridor or occur in the marshland. Further informal consultation with the USFWS should be performed in advance of any in-channel habitat modifications to determine the need for protocol surveys or avoidance measures, in the remote instance that this species is present in the plan area. Supplemental protective measures may include implementation of a preconstruction trapping and exclusion provisions, training of construction personnel, restrictions on timing of both in-channel and upland habitat modifications and other measures.

### *E. Implementation Recommendations*

The following are recommendations for successful implementation of the Vegetation Management Plan:

- ◆ Hire professional consultants and contractors to coordinate or perform the initial major invasive species removal, re-contouring, and native seeding and planting efforts. Possible chemical treatment of the invasive species must be carefully controlled according to the California Department of Pesticide Regulations and the Butte County Agricultural Commissioner using Best Management Practices to prevent exposure to plan area users, avoid sensitive aquatic habitat, and utilize the most effective and appropriate products available at the time field work is performed.
- ◆ Hire public groups such as California Conservation Corps (CCC) to assist with removal and planting under direction of selected contractor.
- ◆ Where possible, use volunteer participation for the initial invasive species removal and for the bulk of ongoing removal, planting, and management efforts. Volunteers should be directed and coordinated by experienced restoration specialists.

Northeast Center of the  
California Historical Resources  
Information System

BUTTE  
GLENN  
LASSEN  
MODOC  
PLUMAS  
SHASTA

SIERRA  
SISKIYOU  
SUTTER  
TEHAMA  
TRINITY

123 West 6th Street, Suite 100  
Chico CA 95928  
Phone (530) 898-6256  
neinfoctr@csuchico.edu

October 3, 2011

City of Chico  
Planning Services Department  
P.O. Box 3420  
Chico, CA 95927  
ATTN: Meredith Williams

OCT - 7 2011

**I.C. File # R11-3  
Project Review**

RE: Comanche Creek Greenway Improvement Plan/ APNs 093-420-001, 039-620-028,  
039-060-021 and 039-410-013  
T21N, R1E, Sec. 1 and T22N, R1E, Sec. 36  
USGS Chico 7.5' and 15' quads  
Approximately 29 acres (Butte County)

Dear Ms. Williams,

In response to your request, a project review for the project cited above was conducted by examining the official maps and records for archaeological sites and surveys in Butte County.

**RESULTS:**

**Prehistoric Resources:** According to our records, no sites of this type have been recorded in the project area. However, one site of this type has been recorded in the project vicinity consisting of an extensive habitation site (CA-BUT-1 also known as Patrick Rancheria). The project is located in a region utilized by Konkow Maidu populations. Unrecorded prehistoric cultural resources may be located within the project area.

Patrick Rancheria was a housepit village associated with the Mechoopda Maidu. Subsurface Testing conducted in the 1960s indicated a rich occupation extending into the historic period. The site is incorporated into a low mound on the eastern edge of the Sacramento River Valley and is thought to have been occupied between A.D. 1400 and 1800 (Chartkof and Chartkof). Patrick Rancheria is listed on the National Register of Historic Places.

**Historic Resources:** According to our records, no sites of this type have been recorded in the project area. However, two sites of this type have been recorded in the project vicinity, consisting of historic items found at Patrick Rancheria, and the Wright-Patrick House located a few miles south of downtown Chico. Unrecorded historic cultural resources may be located in the project area.

The Wright-Patrick House is of local significance because it is an early representation of European-American exploration and settlement in Butte County during the mid 1800s. This house is the only remaining building associated with Chico judge Thomas Shelton Wright, who built the home in 1852, and “it exemplifies the evolution of a building associated with a local pioneer into a residence for three generations of an agricultural family...Numerous remodels and additions created by successive generations document the history of a family working on the land” (Germano 2003 p. 2).

The USGS Chico 7.5’ and 15’ (1949) quad maps indicate Comanche Creek, Sacramento Northern Railroad, roads, and buildings are located in the project area, while Chapmantown, Highway 99, fairgrounds, Southern Pacific Railroad, Stirling Junction, Fair Street, Diamond Match Factory, and a cemetery are located in the project vicinity. The project area is located east of the Butte Creek Historic gold mining district. Chapman House, Patrick Ranch House, and Patrick Rancheria, all listed on the National Register of Historic Places, are located in the project vicinity.

**Previous Archaeological Investigations:** According to our records, portions of the project area have been previously surveyed for cultural resources by a professional archaeologist. However, the majority of the project area has not been surveyed by a professional archaeologist. The reports are listed below.

***Surveys Within The Project Area:***

Henton, Gregory

1978 *Archaeological Field Reconnaissance of the Myers Street Assessment District, Butte County, California.*

**IC Report 7231**

Harrington, Lori (Cultural Research Associates)

2007 *An Archaeological Evaluation of the Guillen-Hagen Land Project, Chico, Butte County, California.*

**IC Report 7937**

Jensen, Peter M. (Jensen and Associates)

1998 *Archaeological Inventory Survey, Proposed Midway Bike Path, c. 1/2-Mile Linear Corridor, Hegan Lane to Intersection of East Park Avenue and Park Avenue, Chico, Butte County, California.*

**IC Report 1984**

Jensen, Peter M. (Jensen and Associates)

1999 *Archaeological Inventory Survey of the Otterson Drive Extension Project: Evaluation of Two Alternative Alignments. City of Chico, Butte County, California.*

**IC Report 3185**

***Studies Adjacent to and Within a One Mile Radius of the Project Area:***

Chartkoff, Joseph L. and Kerry K. Chartkoff (UCLA)

*Excavations at the Patrick Site (4-Butte-1).*

**IC Report 824**

Resources:

CA-BUT-1/H

Germano, Vida (Chico Heritage Association)

2003 *Thomas S. Wright, the Patrick Family, and a Vernacular Farmhouse Passed Down Through Three Generations: The History of an 1852 Building in Rural Chico, California.*

**IC Report 6238**

Jensen, Peter M. (Jensen and Associates)

1991 *Archaeological Inventory Survey of the Proposed Chance Subdivision of 9.98 Acres, on the Midway South of Chico, Butte County, California.*

**IC Report 7238**

Jensen, Peter M. (Jensen and Associates)

1994 *Historic Property Survey Report for the Proposed Skyway Interchange Project, the Skyway at Route 99, Caltrans District 3, Chico, Butte County, California, 03-BUT-99, R30.4-30.9.*

**IC Report 7240**

Jensen, Peter M. (Jensen and Associates)

1997 *Archaeological Inventory Survey, c. 17-Acre McAmis Development Project, Chico, Butte County, California.*

**IC Report 1545**

Manning, James P.

1978 *Archaeological Reconnaissance of the Pearce Property, Butte County, California.*

**IC Report 7233**

Morgan, Rachael

2009 *Field Office Report of Cultural Resources Ground Survey Findings for the Brush Management.*

**IC Report 10724**

**Literature Search:** The official records and maps for archaeological sites and surveys in Butte County were reviewed. Also reviewed: **National Register of Historic Places - Listed properties and Determined Eligible Properties** (2011); **California Register of Historical Resources** (2011); **California Points of Historical Interest** (2011); **California Inventory of Historic Resources** (2011); **California Historical Landmarks** (2011); **Directory of Properties in the Historic Property Data File for Butte County** (2011); **Handbook of North American Indians, Vol. 8, California** (1978); **Historic Spots in California** (1990 and 2002).

#### **RECOMMENDATIONS:**

Based upon the above information, regional history and the local topography, the project is located in an area considered to be highly sensitive for prehistoric, protohistoric, and historic cultural resources. The Konkow Maidu whose territory included the Feather, Yuba, and American Rivers, used the local region for seasonal and permanent settlement. During the summer gathering season they headed to the mountains to hunt deer and other available game. Spring season gathering took place in the valley and focused on the collection of rye grass, roots, seeds, and other domestic materials. Most floral and faunal resources had multiple uses including consumption/subsistence, ceremonial purposes, and medicinal treatment. Historically, Euroamericans utilized the region for farming, ranching, and transportation operations.

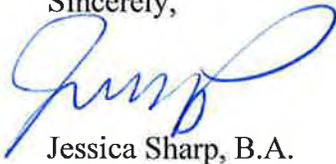
The presence of significant Native American and historical resources (eg, CA-BUT-1 and the Wright-Patrick House) within a mile of the proposed project, coupled with the proximity to Comanche Creek indicate a high likelihood of prehistoric and/or historic resources within the project area. Therefore, we recommend that a professional archaeologist be contacted to conduct a cultural resources survey of the entire project area. The project archaeologist will be able to offer recommendations for the preservation or mitigation for any new cultural resources encountered as a result of field survey. In addition, monitoring by a qualified archaeologist and Native American observer may be appropriate during Comanche Creek Greenway improvement activities. The project archaeologist should also contact the appropriate local Native American representatives for information regarding traditional cultural properties that may be located within project boundaries for which we have no records. The project archaeologist may also want to consult the local BLM office regarding historic General Land Office (GLO) plat maps in order to aid in the

identification of unrecorded historic sites, which may be located within project boundaries. A list of qualified consultants is available online at [www.chrisinfo.org](http://www.chrisinfo.org).

During any phase of parcel development, if any potential prehistoric, protohistoric, and/or historic cultural resources are encountered, all work should cease in the area of the find pending an examination of the site and materials by the project archaeologist. This request to cease work in the area of a potential cultural resource find should be made a condition of project approval. This condition is intended for accidental discoveries made during construction activities, and does not replace the need for a Phase I investigation that assists planners and developers in meeting CEQA obligations during the Initial Study planning phase. The recommendation for a Phase I Cultural Resource Evaluation enables the lead agency to fulfill their obligations under CEQA to identify potentially significant historical resources. A Phase I investigation includes background research (record search), a field inspection, and report documenting the presence or absence of prehistoric or historic features, buildings, or archaeological sites. If potentially significant sites are identified during the Phase I investigation, further work may be necessary to determine site significance as well as appropriate protection or mitigation measures.

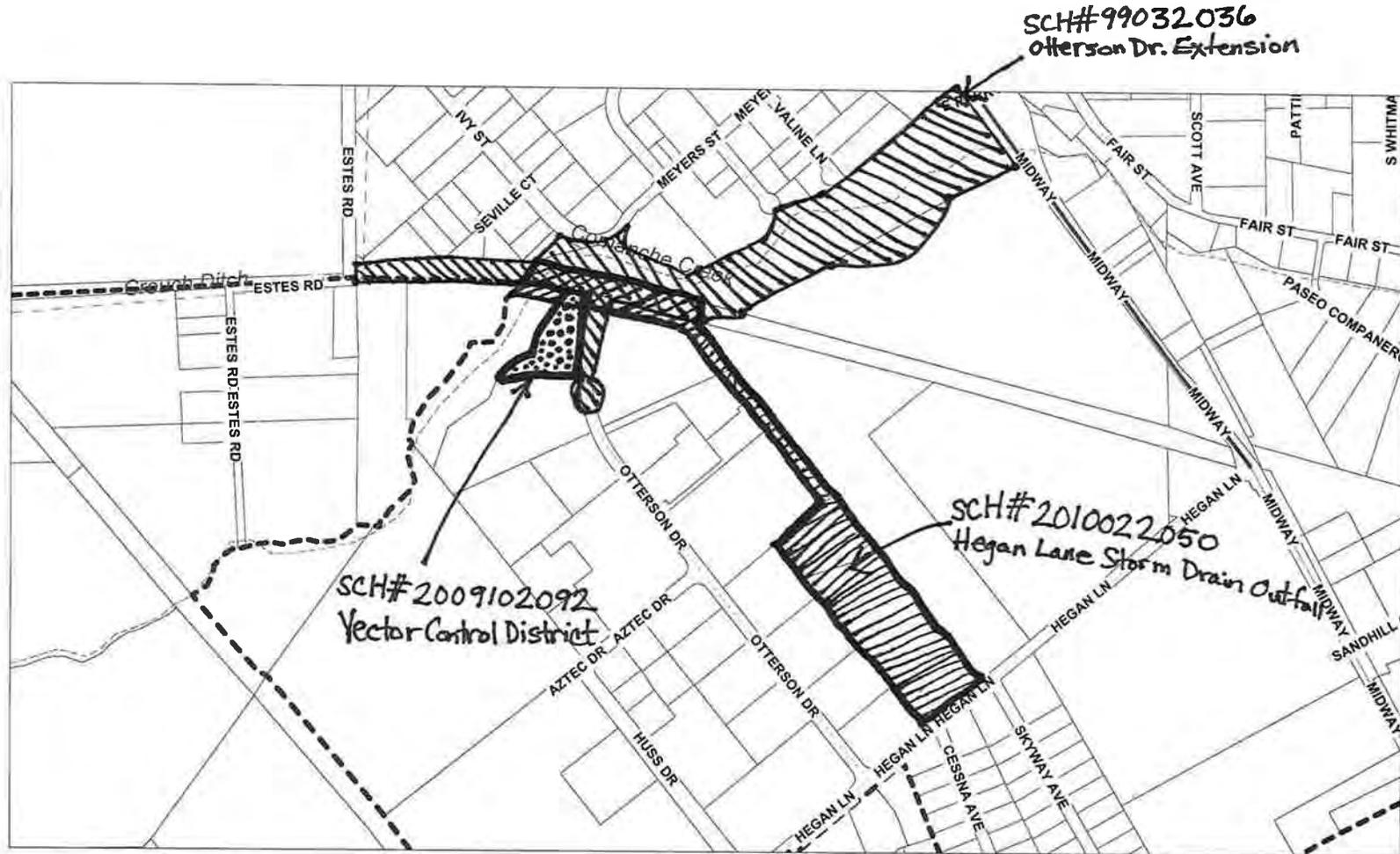
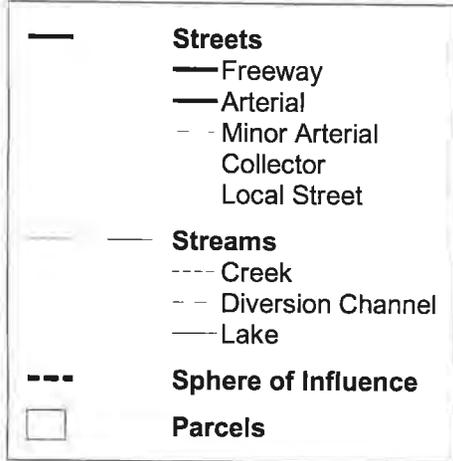
The charge for this record search is \$75.00 (1 hour of Information Center Time @ \$75.00 per hour). An invoice will follow from the CSUC Research Foundation for billing purposes. Thank you for your dedication preserving Butte County's and California's irreplaceable cultural heritages, and please feel free to contact us if you have any questions or need any further information or assistance.

Sincerely,

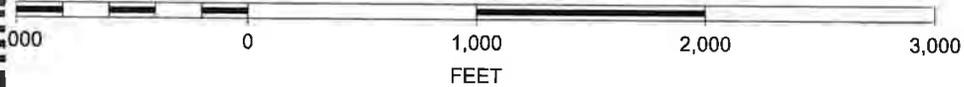


Jessica Sharp, B.A.  
NEIC Staff

# Previous Cultural Studies



SCALE 1 : 9,998





DATE: 01/13/12  
TO: BPPC  
FROM: Lise Smith-Peters, Management Analyst  
SUBJECT: 4.1 Consideration of CARD's demolition of old restroom and construction of new announcer box and storage area at Hooker Oak Recreation Area's Doryland Fields.

**RECOMMENDATION**

Park Staff recommends BPPC approval of Chico Area Recreation District's (CARD) demolition of the Hooker Oak's Doryland Fields old announcer box and restroom and the construction of a building for a new announcer box and storage area.

**BACKGROUND**

In October 2011, CARD completed construction of an upgraded, accessible restroom at Bidwell Park's Hooker Oak Recreation Area (see Exhibit A). The new restroom is accessible in compliance with the Americans with Disabilities Act and is also on the City of Chico sewer line. CARD seeks to construct a new building that will provide an updated announcer box for the sports field complex; and provide additional storage for maintenance and field needs. The demolition of the old structure will also enable CARD to do away with the old restroom's septic system (see Exhibit 1).

The Bidwell Park Master Management does note that there are restroom facilities located in Bidwell Park (BPMMP 2.4.1.4, p. 2-100) and specifies that the Hooker Oak Recreation Area is a "recreational" facility in the park. In describing the Hooker Oak Recreation Area, the MMP states "Hooker Oak Recreational Area offers playing fields and a site for summer day camp programs as well as a children's playground and picnic area" (BPPMMP 2.4.2, p. 2-101). The construction of a new announcer box will simply replace an aging structure and be used to support on-going sporting activities.

Attachments: Exhibit A

Distribution: CARD

**Attachments: CARD Letter and materials**

**EXHIBIT A.**



*New accessible restroom at Hooker Oak Recreation Area*



*Proposed Demolition and Construction Site. Materials for the new announcer box and storage building will match the new restroom.*



Chico Area  
Recreation and  
Park District

December 5, 2011

Ruben Martinez  
General Services Director  
CITY OF CHICO  
965 Fir Street  
Chico, CA. 95927-3420

Re: Hooker Oak Recreation Area Doryland Field Restroom Demo  
and Replacement Structure

Dear Mr. Martinez:

As part of the long standing Capitol Project Improvement Plan at the Hooker Oak Recreation Area, The Chico Area Recreation and Park District is requesting authorization to abandon and demolish the existing restroom and public announcement booth at Doryland Field. In addition, after demolition, the District requests to replace the existing structure with a Public Announcement booth and field user storage facility. The scope of the project is included in the plan set and pictures proved to you. If approved, all permits and construction will be facilitated by District Staff.

I understand that prior to the commencement of the above stated work; your office is required to review the proposal. CARD appreciates your consideration of this request. If you have any questions, please do not hesitate to contact me.

Sincerely,

Jake Preston  
Superintendent of Parks and Facilities

Cc: Steve Visconti, General Manager

Enclosure:  
Site Pictures  
Plan Set

545 Vallombrosa Avenue  
Chico, CA 95926

office: 530 895.4711

fax: 530 895.4721



DATE: 1/24/2012  
TO: BPPC  
FROM: Policy Advisory Committee (PAC)  
SUBJECT: Review and Finalization of Park Donation Policy

## RECOMMENDATION:

*The Policy Advisory Committee recommends BPPC review and adopt of the City of Chico Policy for Park Memorials and Donations.*

## BACKGROUND:

In June 2004, the BPPC approved a formal Policy for Memorial/Dedication/Recognition Opportunities Within Bidwell Park (referred to as the "donation policy") and it was included in the 2008 Bidwell Park Master Management Plan (BPMMP).

The PAC met four times (07/21, 08/18, 9/15;10/20; and 1/19/12) to revise and edit the donation policy. The original donation policy was re-evaluated and revised terms of the goals set forth in the Bidwell Park Master Management Plan (Appendix M of the MMP). These goals too are under review:

1. Strike a balance between meeting the needs of all park users while also protecting the park environment and eco-systems;
2. Raise funds dedicated to the maintenance of existing facilities and to build and maintain new facilities;
3. Provide opportunities to individuals, groups and/or organizations desirous of donating funds to the park for memorials/dedications/recognitions.

## ISSUES AND CONSIDERATIONS:

At its 1/19/12 meeting, the Committee continued to provide input on a draft of the donations policy. The PAC made clarifications on various outstanding elements, such as the addition of a memorial tree donation element to support the Urban Forest Program; application of the policy to Bidwell Park, other City Parks and developed greenways where appropriate; and that donation amounts will be updated on a Donation Schedule and will take into account: material costs (bench, plaque, etc.), staff/contractor labor costs, administrative costs, and a certain % or flat donation in support of goal #2 above.

**Attachments:** City of Chico Park Donation Policy and draft Donation Schedule.

Distribution: BPPC



## City of Chico Policy for Park Memorials and Donations (Revised 01/24/12)

### **PURPOSE OF DONATION PROGRAM:**

The Bidwell Park and Playground Commission (BPPC) has in recent years allowed, with appropriate oversight by the Park and Natural Resource Manager, individuals to make contributions for benches, plaques, bricks, facilities and other amenities within Bidwell Park and other City parks and developed greenways where appropriate. In order to better plan for and to oversee this program, the Bidwell Park and Playground Commission has adopted the policies below, which will be reviewed every five years, or sooner by request to determine its effectiveness.

*The goals and objectives of the donation program were approved by the BPPC on 06/01/04:*

- 1) to raise funds dedicated to the maintenance of existing facilities and to build and maintain new facilities; and
- 2) to strike a balance between meeting the needs of all park users while also protecting the park environment and eco-systems; and
- 3) to provide opportunities to individuals, groups and/or organizations desirous of donating funds to the park(s).

Donations will be placed into a Park fund to be used for maintenance, replacement costs, upkeep and new amenities. Such donations are to be accepted according to City Policy and do not entitle the contributor to ownership of the particular element associated with the contribution.

No person, group or organization may sponsor more than one commemorative plaque or bench term in the Park.

Park staff will prepare and present a list of needed, available locations for benches, plaques and other amenities to the Bidwell Park and Playground Commission for review and consideration as needed.

Park staff is responsible for selecting material, design and installation of benches, plaques, additional park amenities and facilities.

No unapproved memorials or statues will be erected in Bidwell Park.

Donors are responsible for making sure that the Park Division has their correct contact information.

Staff will present an annual status report on Park Donations to the BPPC.

The development of donation amounts for the program will be in support of the above Master Management Plan goals. The donation amounts will be based on an estimate of the installation and maintenance of the amenity over the period of the donation, plus an amount dedicated to park maintenance, new facilities, and to support other Park programs. In the case of a bench donation, the amount will include the cost of one refurbishment. The donation amount will be subject to revision as needed and will be published with the most recent donation fee schedule).

## **TYPES OF DONATIONS (see Park and Street Tree Donation Schedule for amounts).**

1). Annual Fund and Contributions – donations in **any amount** for general park maintenance, infrastructure, and special projects are (almost) always accepted and appreciated. Gifts may be tax deductible, donors should check with their financial advisor.

2). Park Bench Location – Park staff will place a plaque at a bench location for a term of 10 years. Donations for a bench term and plaque may receive one refurbishment as needed during the ten year period. Up to 3 plaques may be installed at each bench location and installation is available on a first come, first served basis as needed.

The Park Division reserves the right to remove and/or relocate park benches when they interfere with site safety, maintenance or construction activities. An alternative location will be found (if possible) and the bench donor notified of the location change.

New donors will review and sign a letter of agreement reflecting their understanding of the bench term, donation and renewal process to be filed with the Park Division. Donors are responsible for making sure that the Park Division has their correct contact information.

3) Plaques – Park staff will install an engraved plaque at pre-approved site locations in Bidwell Park and other City owned parks. Plaque wording is subject to approval by the Park Division and shall contain no commercial wording.

At the discretion of the Park Division staff, temporary plaques may be placed to identify sites where individuals or groups have volunteered to care for the area as part of the Volunteer Program's Adopt-A-Park Site Program. Plaques will be removed as sites become inactive.

4). Picnic Site Refurbishment – Park staff will renovate park picnic areas to accessible standards, which includes picnic table, barbecue, concrete pad, and possible crusher dust path and accessible parking. An engraved plaque will be included at the site. Donations may be compiled for a picnic site with plaques installed in a cement strip for each donor who contributed towards the completion of the project.

5). Exercise Stations – new exercise stations are needed to replace the current wooden equipment stations. An instructional sign accompanies each new station (when available) and the donor's name will be placed on a plexi-glass plaque on the station sign, if desired. Prices vary depending on equipment purchased and the labor needed to install.

6). Memorial Tree Program -- Donations made to support the planting and care of the City's trees may be made in several ways:

a) to provide a memorial or commemoration in someone's honor, a donation is requested and will be used for the planting and/or care of trees within the City's Urban Forest. The donor will receive a card reflecting their gift to share with the person being honored.

b) to support the adoption of a street tree (specific tree or one in general), a donor may provide a minimum donation, which supports the basic resources needed for caring for a new tree for its first 3 years of establishment.

7). Caper Acres Bricks - Park staff will install an engraved brick at the Caper Acres playground. Funds received are used for the upkeep of the playground and the purchase and installation of the brick.

- 8) Donor Wall or Walk - Park staff with the approval of the Bidwell Park and Playground Commission may implement a donor wall or walk to provide additional contribution opportunities for the Park or Tree programs and plaque recognition opportunities.
- 9). Additional Park Amenities – Amenities may include porta potty service; doggy pots and bags; trash cans; water fountains; playground equipment; etc. Small plaque will be placed on the item to recognize the donor. Staff retains a list of needed park items.

DRAFT

**City of Chico Park and Street Trees Donation Schedule**  
**As of 01/12/12**

*Donation gifts to the City of Chico Park Division maybe tax deductible, donors should check with their financial advisor. Requested donation amounts toward various Park amenities are figured based on material/equipment costs; staff or contractor labor costs; administrative costs; and a certain % or flat donation to raise needed funds for maintenance and new infrastructure.*

*See Park Donation Policy for specific item descriptions.*

<b>Park Donation Opportunities</b>	<b>Amount</b>
1). Annual Fund and contributions	\$ .
2). Park Bench Location (10 year term)	TBD
3). Plaques	TBD
4). Picnic Site Refurbishment	TBD
5). Vita Course Stations (Prices vary depending on exercise station)	TBD
6). Memorial Tree Program --	
a). Memorial or commemoration in someone's honor (planting and/or care of trees within the City's Urban Forest)	\$25.00
b). Adopt a Street Tree (planting/3 year care for a tree)	\$325.00
7). Caper Acres Brick	\$100.00
8). Support for Additional Park Amenities and Services (prices vary, contact the Park Division)	
--Doggy pot and bags	Prices Vary
--Trash cans	
--Water fountains	
--Playground equipment	
--Porta Potty service	
--Other	



DATE: January 23, 2012  
TO: BPPC  
FROM: Lise Smith-Peters, Management Analyst  
SUBJECT: 4.5 BPPC 2012 Committee Assignments and Meeting Schedule

**RECOMMENDATION:**

Approval of the Revised 2012 calendar for BPPC Meetings and the announcement of Chair committee assignments.

**BACKGROUND:**

Under Article X of the City Charter (Board and Commissions General Provisions, #3. Organization), the Commission shall select a chair and vice-chair at the first scheduled meeting of the year. According to AP&P 10-1 (IX), a Chair may serve no more than two consecutive years as presiding officer. Current Chair Rich Ober has served one year. The Chair also makes Committee assignments and designates committee chairs. This will be the first order of business at the regularly scheduled Commission meeting 01/30/12.

**COMMITTEE SELECTION AND BPPC ANNUAL CALENDAR**

Each year, Commissioners are appointed to serve on the Policy Advisory, Natural Resources, Street Trees and the City's ad hoc Bicycle Advisory Committee. The Committee structure allows for more detailed consideration of issues. Findings or recommendations are then reported to the entire Commission. In early January, staff requested that BPPC members provide their committee preferences and suggested schedule via email. If need be, the selection of committee members and Chairs may be deferred to the next regular meeting.

The 2011 Committee Schedule was:

- Tree Committee – 2<sup>nd</sup> Wednesday of the month,
- Natural Resource Committee – 2<sup>nd</sup> Thursday,
- Policy Advisory Committee – 3<sup>rd</sup> Thursday,
- Bike Advisory Committee – as scheduled.

Staff recommends maintaining the current Committee schedule.

The BPPC meets on the last Monday of the month and so 2012 calendar presents two conflicts:

- The May meeting falls on the Memorial Day holiday (5/28/12).
- The December meeting falls on New Year's Eve (12/31/12).

Staff recommends

- Scheduling BPPC meetings on the last Monday of the month, with the following exceptions:
  - Change the May meeting to the following day, Tuesday (5/29/12) at 6:30 pm; and
  - Change the December meeting to the 3<sup>rd</sup> Monday in December (12/17/12) at 6:30 pm.

Attachments: None



DATE: 1/13/12  
TO: Bidwell Park and Playground Commission  
FROM: Denice Britton, Urban Forest Manager  
SUBJECT: Street Tree Division 2011 Annual Report

## STREET TREES AND PUBLIC PLANTINGS DIVISION OVERVIEW

### 1. Division Description

The City of Chico's Street Trees and Public Plantings Division is under the General Services Department. The Division's major responsibilities include the City's Street trees and maintaining the City's public landscapes. This includes City Parks outside of Bidwell Park: Children's Playground, City Plaza, Little Chico Creek Greenway Park, Humboldt Neighborhood Park, Nob Hill Husa Park, Westside Gardens Park and Emerson Park. Additional public plantings include all downtown city parking lots and medians, plus backup and entrance landscaping around various subdivisions. Landscapes around the City's public buildings include City Hall and Council Chambers, the Municipal Services Center and Police Station, plus the fire stations and Airport. These areas are cared for by contract landscape services, under the direct supervision of the City's Landscape Inspector, Linda Sheppard. The Landscape Maintenance Services contract is the City's largest service contract. It includes 229 sites, supported by 118 funding sources.

The Street Trees Program cares for and manages the City's urban forest of street and park trees. In actuality, the urban forest also includes the Bidwell Park woodland, plus the privately planted trees throughout town, but within the City's responsibility are approximately 3,4211 street tree sites, of which 30,667 contain street trees. There are approximately 3,544 open planting sites – or opportunities – at this time. The City's street tree population also has 1,439 trees that are scheduled for eventual replacement, due mostly to aging, structural problems, or lack of establishment of young trees.

The City of Chico has been a Tree City USA since 1984. This designation requires a City to have a tree ordinance, a tree board or Commission, a budget of at least \$2.00 per capita spending on tree care and an annual Arbor Day celebration. In 2011, the City spent \$9.07 per capita on tree care, totaling \$788. The citizens of Chico are proud of its tree cover and often identify the tree canopy as providing a distinct sense of place and character to the City. The trees not only provide aesthetic value to the town, they provide a huge benefit to the citizens in the form of energy reduction from shade, pollution absorption and carbon sequestration

The Street Tree Division takes pride in maintaining these living organisms as what we consider to be a major contributor to Chico's ambiance and character. However, the Division has suffered the loss of two crew members and budget cuts, while the population and its demands for services, has grown. At this point, much of the tree crew's work involves responding to requests for emergency work resulting from broken or hanging limbs. This detracts significantly from our desired proactive management strategies of routine pruning. So while the City is justly proud of its tree assets, it also has about 10-15 years of deferred maintenance. This creates a vicious circle of concentrating on urgent priorities. As the economy begins to recover, the Division will continue seeking funding from various sources to establish a new crew that can concentrate only on routine pruning.

### 2. Summary of Street Tree and Public Plantings Division 2011 Accomplishments

#### Trees

1. Completed its 28<sup>th</sup> year as a Tree City USA. As part of that program, the City held an Arbor Day celebration at One Mile with the Boys and Girls Club volunteers planting 5 new trees, plus the tree crew planted Chinese pistache and a seedling from the Bidwell Mansion Southern Magnolia at Children's Playground.
2. The City's former Urban Forestry Intern, Scott Gregory, completed his Master's thesis at CSUC in 2011. His thesis measured the carbon sequestration from the City's street trees, using the I-Tree program that was developed by USFS researchers. According to his research, the City's trees have sequestered approximately 42,980 tons of carbon valued at \$710, 656, and provide an annual increase of 1,512 metric tons, valued at

\$49.34. In addition, Chico's Urban Forest annually provides \$556,696 in energy savings, \$412,200 in air quality benefits and \$223,693 in storm water reduction services.

3. Continued upgrading of the City's Street Tree Inventory as work is done on various trees.
4. Street tree crews concentrated on safety pruning around school zones, elevating tree limbs over streets and for signs and signals and formative pruning of young trees. They also completed a large number of service requests, many of which were responding to broken limbs or other hazardous situations.
5. Trees crews concentrated on formative pruning during the winter months. They also accomplished pruning of all the sycamore trees in the downtown area, plus several large oaks in the Shastan at Forest Ave subdivision. Another significant project cleared trees and brush behind the homes on Picholine Ave, along Little Chico Creek.
6. Completed the Asian Woolly Hackberry Aphid control program with few complaints or citizen concerns. Staff continues to replace the hackberries with more desirable and less problematic species as time and funds allow.
7. Implemented a new citizen tree planting program, inviting citizens to plant and care for their street trees that need to be replaced. A total of 85 trees were provided to citizens under permit. Funding for the new trees came from the new Mitigation Fund provided for in CMC 16.66. Another 5 permits were provided to citizens to plant trees they purchased.
8. The tree removal contractor removed 68 dead and dangerous street trees, and coordinated with other Departments to assist in necessary tree removal efforts. These included 3 old growth oaks in Bidwell Park, plus the walnut at Memorial Way in front of Bidwell Mansion, and a dead Austrian pine at Cedar Grove.

#### Public Plantings

9. Successfully executed the new Landscape contract, accomplishing a smooth transition to a new Landscape Services Contractor.
10. Accepted as complete the new Emerson Park at Hartford and Emerson Way. This park has been added to the Landscape contract, funded by Chico Maintenance District A05.



#### Capital Projects

11. Successful completion of several Capital and Park projects, including: the Southwest Neighborhood Sidewalk Repair project, W 11<sup>th</sup> Avenue tree preservation, the East 5<sup>th</sup> Avenue Street Reconstruction, and Manzanita Corridor project were completed in 2011. The Couplet Project is on hold at this time, although the Division was asked to assist by removing a sycamore tree at 2<sup>nd</sup> and 1<sup>st</sup> Streets. Staff worked to gain tree mitigation for street trees removed for the new CSUC parking lot at 2<sup>nd</sup> Street between Normal and Chestnut.

12. Staff assisted with tree protection specifications on several new projects, including the new Highway 32 expansion that will be constructed this year.

#### Outreach

13. The Urban Forest Manager continues to work with local contractors to achieve full understanding of the importance of proper tree planting. These opportunities mostly arise as result of inspections for parking lot tree installations, as well as street tree installations on commercial sites. Continued challenges will be trees at single family residents planted by either landscapers or the new homeowners.
14. Participated in new outreach efforts with the general public, including presentations for the CSUC Herbarium, the Horticultural Society and 5 Saturday workshops on Tree Planting.
15. Work on several projects with PG&E contractors to prune or remove street or park trees affecting high voltage lines. This work has been a give and take, with the City denying some requests, allowing others, and implementing pruning of some trees in order to reduce tree removal. A positive relationship has been established with the

consulting firm WECl to improve pruning practices. More work is needed, though, as new contractors perform work within the City.

16. Provided a regional seminar for arborists and landscapers on the Care of Mature Trees in the landscape.

17. Contributed to the new quarterly newsletter, *Bidwell Park Pulse*.

#### Other Projects

18. Assist with providing tree trunks and chips for the 9<sup>th</sup> and Hazel neighborhood park project as well as Bidwell Park's Volunteer Restoration sites.

### **3. Bidwell Park and Playground Commission Workplan Priorities**

The City Council adopted the BPPC's Work Plan for 2011-2013 on September 20, 2011. That work plan identified the establishment of goals for an Urban Forest Management Plan as one of the priorities of the Commission. Specifically, the BPPC adopted the following in regard to the City's Urban Forest:

1. Begin development of an Urban Forest Management Plan
  - a. Establish goals that will be the foundation for an urban forest management plan that is consistent with both the new General Plan and the BPMMP;
  - b. Review landscaping policies with the goal of enhancing the appearance of the City's public properties and parks while alleviating the overall cost of maintenance; and
  - c. Provide for the ongoing maintenance and upkeep of the urban forest, including both street trees and Bidwell park trees.

### **4. Resources**

The General Fund supports staff time, contracts, maintenance and repair. The Street Trees and Public Landscaping (686) Budget for the City is divided into the following categories: Salaries & Employee Benefits, Materials & Supplies, Purchased Services, Other Expenses, Non-Recurring Operating, and Allocations. The 2010-2011 fiscal years' budget allocation was 933,552. The previous year's budget was \$1,099,218. The two areas receiving the greatest reduction were contracts (from \$99,500 to \$87,500) and salaries from \$804,642 to \$642,476. In 2011-2012, the salaries were increased slightly with the addition of a part time position for irrigating the City's trees. This was not a new position, but had been vacant for a year. These salaries also include the salary of the landscape Inspector, who is the main liaison with the City and provides oversight of the Landscape contract.

Purchased services include the City's Landscape Contract, which currently has an annual labor budget of \$622,248, or \$51,854 per month. This compares to \$628,157 for fiscal year 10-11. Additional costs that are over and above the contract amount include repairs to park and plaza facilities and irrigation systems.



Calendar year 2011 actual landscape contract costs were \$761,664, compared to the previous over \$1.1 million. The reduction is due to the transfer of Wildwood and Hancock Park to CARD. These transfers still come out of the City's budget, with the CMD paying for Hancock Park, and the Park Fund paying for Wildwood through agreements with CARD. The General Fund generates over half of these payments, while the remainder is funded through maintenance districts.

A new source of tree planting funds has come from the provisions established by the new tree preservation regulations (CMC 16.66.085). These regulations require that for every 6" of diameter of a permitted tree removal, a new 15 gallon tree must be planted on site and survive for 3 years. If trees cannot be planted on site for any reason, an in lieu fee must be paid, and those funds will be used to plant trees in designated

tree planting sites, i.e. street trees. This year's trees were paid for by this fund.

## 5. Upcoming Issues and Challenges

A number of issues are likely to arise in the near future, some of these include:

- Staffing and resource challenges in all programs due to budget cuts.
- Staff has begun the development of goals for a new Urban Forest Management plan, working with the BPPC Tree Committee and interested citizens. Staff will explore opportunities for grant funding to complete the Plan.
- Staff works closely with other City staff to review new subdivision and site plans, providing recommendations for changes to insure adherence to City Codes for tree preservation and street tree planting. This includes review of landscape plans for new public areas, as well as inspections of the sites once they are built.
- Work with Engineering on various Capital projects, including the Couplet and Highway 32 project.
- Establish more aggressive management priorities for the annual maintenance work plan.
- Provide 3 new tree planting workshops in spring 2012 and initiate a new public campaign to get more citizens involved with the tree planting program.

### **Attachments:**

Field Supervisor Annual Report



DATE: January 12, 2012  
TO: URBAN FOREST MANAGER  
FROM: DAVID BETTENCOURT-FIELD SUPERVISOR- STREET TREES  
SUBJECT: STREET TREE MAINTENANCE-ANNUAL REPORT FOR THE YEAR 2011

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**1. STREET TREE MAINTENANCE**

A. PROJECTS COMPLETED:

1. 634- SERVICE REQUESTS- Completed, 2,333 man hours, a detailed list is attached.
2. DCBA- 334 man hours spent elevating and safety pruning street trees and City parking lots.
3. FORMATIVE PRUNING- 847 street trees pruned
4. STORM DAMAGE CLEAN UP- 329 man hours.
5. ROUTINE ELEVATING- 204 man hours.
6. FIRE DEPARTMENT ASSISTANCE- 4 man hours.
7. DPW ASSISTANCE- 264 man hours. (241 of these hours spent on the leaf program).
8. CALL OUT CLEAN UP- 110 man hours.
9. DOWN LIMBS AND HANGERS- 656 man hours.
10. PRIORITY TRIMMING- 7 man hours.
11. BRUSH CHIPPING AND CLEAN UP- 29 man hours.
12. DOWNTOWN PLAZA- 71 man hours for formative pruning 42 trees.
13. TREE PLANTING- Planted 4-trees for Arbor Day at Children's Playground.
14. TRAFFIC SAFETY- 112 man hours spent pruning areas to improve visibility and safety.
15. STREET LIGHT CLEARING- 37 man hours.
16. SCHOOL ZONES- 290 man hours spent pruning City Street trees for safety, elevation and site clearance.
17. PRIORITY REMOVALS- 81 man hours.
18. ADA PRUNING- 2 man hours spent pruning 1-site for clearance.
19. PARK PRUNING- 194 man hours.

20. GRATES AND CAGES- 43 man hours for 10 cages installed, 7-cages removed, 4-cages repaired and 12-grates removed.
21. TREE IRRIGATION- 666 man hours spent watering 450 trees on a 2.5 week cycle for 5.5 months out of the year.
22. CHRISTMAS TREE AND MENORAH- Set up and take down 177 man hours.
23. TRAINING- 345 man hours.
24. EQUIPMENT MAINTENANCE- 586 man hours.
25. SAFETY MEETINGS- 123 man hours.
26. UNAUTHORIZED CAMP CLEAN UP- 24 man hours.

B. CALL OUTS:

1. There were 47 call outs for the year of 2011 which required follow up pruning or removal in addition to debris clean up and safety inspection.





DATE: 01/15/12  
TO: Bidwell Park and Playground Commission  
FROM: Jessica Erdahl, Senior Park Ranger  
SUBJECT: Lessee Annual Reports

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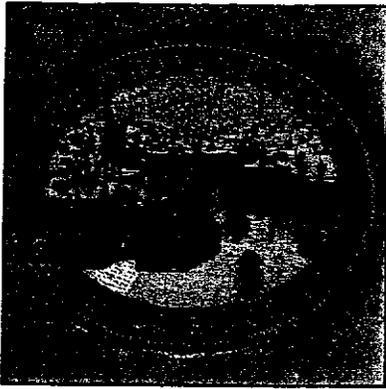
## Report in Brief

As a condition of the lease agreements in Bidwell Park, an annual report must be submitted to the Bidwell Park and Playground Commission covering activities for the previous twelve months. Specifically, the reports are required to include the number of public and private activities (if any), estimated number of participants or members, any plans for improvement and how general operation of the facility went for the year. Each lease agreement outlines specific requirements to be reported on.

The following annual reports have been received and are attached:

- Chico Equestrian Association, Horse Arena Annual Report
- Chico Rod and Gun Club, In-door Shooting Range Annual Report
- Pacific Center for Astronomical Outreach, Chico Community Observatory Annual Report
- Outside Recreation Advocacy, Peregrine Point Disc Golf Course Annual Report
- Bidwell Park Golf Course, Golf Course Annual Report
- Chico Area Recreation and Park District, Hooker Oak and Sycamore Field Annual Report

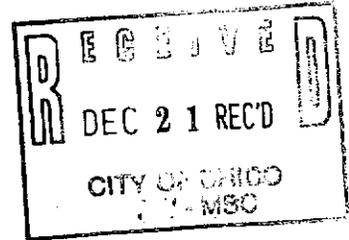
Informational item, no action requested.



# Chico Rod & Gun Club, Inc.

PO Box 701  
Chico, CA 95927

To:  
General Services Dept / Park Division  
City of Chico  
PO Box 3420  
Chico, CA 95927



06-Dec-2011

To Whom It May Concern:

The following information is being provided to let the Park Division and the BPPC, per agreement. The information is for 2009-10 and 2010-11 as noted.

	<b>09-10:</b>	<b>10-11:</b>
<b>Est. Use events*:</b>	4749 total (3166 Members / 1583 Non)	5241 total (3494 Members / 1747 Non)
<i>*Does not include non-club activities like Boy Scouts, 4-H or Hooked On Fishing that use the building for events.</i>		
<b>Improvements:</b>	Improvements to accessibility and ventilation and cooling.	Cont. upgrades of general safety and air system.
<b>Issues:</b>	Impact of gate closure on Jr. and Sr. Rifle Programs	Impact of gate closure on Jr. and Sr. Rifle Programs

**Fees:** Members: \$3.00 per event or \$35.00 per "league". Nonmembers: \$5.00 per event. (Regular club activities)

<b>Expenditures for Improvements:</b>	\$5300.00	\$4700.00
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**Promotional Activities:** The Club uses TV and radio spots, as well as newspaper advertising to promote events and inform the public of our activities. We participate in events like the recent Children's Fair (sponsored by Deer Creek Broadcasting) and provide facilities for events like Hooked On Fishing. In addition we sponsor an annual Gun Show at the Elk's Lodge. Our Club webpage had 47,175 hits in 09-10 and 51,032 (and counting) in 10-11.

<b>Membership:</b>	275	293
<b>Gun Show Gate:</b>	3250	3700

Please contact us if we may answer any further questions or concerns.

Sincerely,

President  
CR&GC, Inc.

BPGC, INC.  
3199 Golf Course Road  
Chico, Ca. 95973

**RECEIVED**

JAN 05 2012

**CITY OF CHICO  
GENERAL SERVICES DEPT.**

Jan. 3, 2012

Gen. Svcs. Dept.- Park Division  
Attn. Jessica Erdahl

Dear Jessica,

In the past year of 2011, we have done several projects.

We replaced two tee boxes at a combined cost of \$10,000. (#4 and #12 tees)

We planted appx. 12 trees with the advice of Dan Esaff of the Parks Dept.

We have had plans drawn up to replace one of the two on course rest rooms.

We are working with Construction Managment Dept. at Chico State on the project. We have also met with the Building Dept. and have also met with Ruben and Dan from the Parks Dept.

We have been removing invasive plants from the golf course area and along the creek.

Also, we have contracted with Empire Golf Company to oversee the daily operations of the golf operations at Bidwell Park Colf Course, effective Oct. 6, 2012 when the lease with American Golf ends.

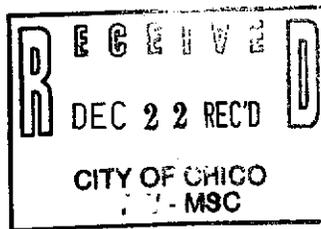
Please feel free to call with any questions.(530-774-4195)

Sincerely,



Craig Ploesch  
BPGC, Inc. Member

**Chico Equestrian Association  
P.O. Box 1733  
Chico, Ca. 95927**



**Jeff Crawford  
President 2010 – 2011**

December 20, 2011

Dear Jessica Erdahl;

This annual report is in response and compliance with our lease agreement with the City of Chico.

In 2011 we had a total of 8 events of which 5 were open to the public. We had approximately 90 members participate throughout the year and approximately 40 non-members participate in our scheduled events.

As for usage of the facility we estimate that well over 300 people both members and non-members use the facility and trails on a regular basis. We have seen equestrians trailer in from as far away as Redding, Chester and Williams, Ca. to name just a few. They always mention how much they like the Chico Equestrian facility and the variety of trials that Bidwell Park offers.

At this time we do not have any proposed plans for improvements to the property and general operations have gone very smoothly.

We appreciate all that the city and park rangers have done to work with CEA through the years and we look forward to a continued positive working relationship.

Sincerely,

Jeff S. Crawford  
CEA President 2010 – 2011

January 1, 2012

City of Chico  
965 Fir Street  
P.O. Box 3420  
Chico, CA 95927

**Subject:** Annual Report

To Whom It May Concern:

Per the operating agreement currently in place, the following is the report for Peregrine Point for the year of 2011.

**Background:** A section of the operating agreement signed by the Chico Outsiders requires an annual report on Peregrine Point be made to the City of Chico. The requirements of the report are not defined by the agreement, although some headings specifically are mentioned. The report's timing is intended to coincide with the start of what would be considered the "wet season" where activities are likely to diminish at Peregrine Point. This report covers the time frame from opening day until December 31, 2011.

**Usage:** The Chico Outsiders do not, and are not required to, maintain records of the number of visits to the site by the public or demographics of public use. Some user information can be gleaned from ranger records of site visits. In November of 2009 a report was provided to the City of Chico based on ranger records.

The Chico Outsiders had 10 exclusive use days and were able to sell fundraising items on one Saturday per month. We held tournaments on many of the days, but no single event brought in more than 30 participants.

**Mitigations:** In 2011 the Chico Outsiders paid \$3,700 for studies on the condition of specific natural resources at the Peregrine Point site.

**Course Condition:** Course conditions in 2011 were much better than in previous years. Due to the large amount of rainfall received, wild flowers and grasses thrived in the spring and well into the summer. In addition, within just a few months you were not able to tell where the construction road had run through the course.

**Course Maintenance:** Course maintenance was minimal in 2011 with approximately 240 volunteer hours used. The course had been taken out of use for 6 months from 2010-2011, and probably another 6 weeks due to rain closures. Since the course was relatively new there was not a significant need for maintenance effort. Some of the work that did occur was regular litter removal, although there is traditionally very little litter on the site. There were additional efforts made to cover trails not on the fairways of disc golf holes that had

developed. These efforts focused primarily on holes 1, 5, 6, 8, 9, and 17. Many of the trail improvements made have been successful. We are currently considering improvements to the trail between the tee-pad and target on hole-4. Weeds were removed from tee-pad areas and in several places tee-pad fencing was rewired. The tee-pad fencing seems to suffer on benchless holes from people sitting or standing on them. Some vandalism has occurred on the course. Two tree guard poles have been broken, and one thrown into a tree canopy. Benches, rocks, and the port-a-potty have been tagged.

**Course Improvement:** We are currently in the process of designing new tree guards to better protect the trunks of the trees. We also have plans to implement trail improvements on hole 4 to improve rain run-off on hill face.

**Proposed Activities:** In 2012 we will have our Bag Tag Tournaments and tournaments open to the general public on our Exclusive Use Days to assist in fundraising.

**Finances:** In 2011 Chico Outsiders spent \$9,000 on Peregrine Point. That expenditure included \$3,700 for studies, \$1,600 for insurance and \$2,100 on repairs or improvements. The repairs/improvements were primarily costs associated with the installation of signage at the entrance of the course installed prior to opening day. The balance of \$1,600 was the cost to run a non-profit. Additional funds, beyond \$9,000, were expended to purchase promotional material for resale or membership items. Income comes from membership, donations, and fundraising item sales in roughly equal proportions. Recently two local retailers have begun selling Peregrine Point fundraising items on our behalf. These businesses are Sports LTD and North Rim Adventure Sports.

**Advertising:** The Chico Outsiders are required to regularly advertise Peregrine Point to the public. We do this through a monthly newsletter sent to 600 members, a Facebook group with 450+ members, a web site that is updated monthly, and through organized activities. Information on signage at Peregrine Point is also updated on a regular basis. We also provide score cards and maps for Peregrine Point and Sherwood Forest. Organized activities have included fundraising tournaments and monthly games. We also organized a bag-tag competition where players compete for the lowest tag number over a several months. The bag-tag season began in March and ended at the end of October.

Sincerely,



Todd Cathers - President  
Outside Recreation Advocacy, Inc.  
A California 501(c)3  
[www.chico-outsiders.com](http://www.chico-outsiders.com)

1/12/12

To: Bidwell Parks and Playground Commission

From: Pacific Center for Astronomical Outreach  
Chico Community Observatory  
Kris Koenig  
Anita Ingraio

Subject: 2011 Annual Report

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### **PCAO – Chico Community Observatory Annual Report 2011**

Founded in 2001, with generous community support, the Chico Community Observatory has formed a non-profit organization, the Pacific Center for Astronomical Outreach. This non-profit organization operates the observatory, pursuing opportunities to grow and involve the community in astronomical education.

#### **2011 Highlights**

The Chico Community Observatory hosted over 12,000 visitors in 2011.

1,279 Volunteer hours were contributed to our community by 19 docents.

This is an increase of 260 hours over 2010. The observatory was open for 153 nights for the public, and 16 night non-public nights for school/youth/community groups. Total open for 169 nights. This is an increase of 41 nights over 2010.

#### **Notable Public Events**

August gave us Comet Garradd, Asteroid Vesta and the Perseids Meteor shower.

In September, a supernova blew up in galaxy M101, bringing out curious stargazers.

In November, the observatory held a Starlight Film Festival, at the Sierra Nevada Big Room, in honor of our 10<sup>th</sup> anniversary.

#### **Educational and School Events**

Chico State University continues to utilize the facility, as a “lab” for Geo-Science credits; observatory docents assisted hundreds of college students in 2011. Dozens of Elementary, Home School and High School teachers brought out their classes for evenings of enjoyable astronomy education, as did many Scout Troop leaders.

Docent William Koperwhats and Kris Koenig continue to improve the technology on the telescopes and in the computer room. They are working on innovative ideas to bring real-time feeds directly from the telescopes online. They are collaborating with Digital Path to establish a more robust internet connection for delivery of live events and astronomy-related media to the community.

**Facility improvements**

The observatory grounds were cleared of weeds three times in 2011. Fresh crushed granite was spread down to replace the old surface of the walkways and in the Open-Sky Planetarium. There are also discussions to convert the storage room into a station for the Bidwell Park Rangers in 2012.

**2011 Donations**

The Chico Community Observatory brought in over \$13,000.00 in donations, much of it during our Starlight Film Festival Fundraiser. The finances for the Pacific Center for Astronomical Outreach are managed by the North Valley Community Foundation.



## Chico Area Recreation and Park District “Helping People Play”

**DATE:** January 11, 2012

**TO:** Bidwell Park and Playground Commission

**FROM:** Jake Preston, Superintendent of Parks and Facilities

**SUBJECT:** 2011 Hooker Oak Recreation Area and Sycamore Field Facility Report

Over the past year, Hooker Oak Recreation Area has held numerous recreation activities at this site ranging from sport leagues, tournaments, special events and children’s camps. CARD’s Recreation Programs offered at Hooker Oak Park are fee based, and are planned recreation activities offered to citizens within the District’s boundaries.

Camp Chi-Da-Ca, an outdoor nature camp, is CARD’s longest running youth recreation program. It is estimated that this program began 35 years ago. Camp Chi-Da-Ca runs 10 weeks during the summer months serving approximately 50 children per week. Each week of camp is broken down into age appropriate segments. The first segment serves children ages 4-6, and the second segment serves children ages 7-12. Camp components include several short hikes, and one longer hike to Turtle Cove, as well as water play in Big Chico Creek, Arts, Crafts, and various games throughout the park.

CARD Adult Sports activities at Hooker Oak Recreation Area utilize two softball fields, and one baseball field. Varying levels of Men’s, Women’s, and Coed softball leagues are offered and use Hooker Oak and Rex Murphy field for three separate Spring, Summer and Fall Leagues. Play begins in March and ends in November. There are up to 500 participants each week of the season on each field for the various leagues.

CARD also offers Adult Baseball Leagues that play on Ron Doryland Field for the Spring, Summer and Fall seasons. Each week of the season averages approximately 180 participants on the field.

The Sherwood Forest Disc Golf Course was home of the second annual Awesome Blossom Tossem Children’s Disc Golf Tournament. This program is a co-sponsored event with The Outsiders Disc Golf Association. The event was held in May, and served as an introduction to the sport of disc golf for children and families. Approximately 120 children participated in this event.

The CARD Community Campout was scheduled to take place during the month of June. It provides an opportunity for first time and veteran campers to enjoy the benefits of the

outdoors in an urban setting. This program running in its fifth year was cancelled in 2011, due to low enrollment.

In addition to CARD Programs, the District offers facility rentals, and facility use predicated by an existing joint use agreement with the Chico Unified School District.

Doryland Field has multiple long standing users that reserve the field. The Pleasant Valley High School Baseball program uses Doryland Field for their home field games and practices February 15 through May 28. In addition, American Legion Baseball, which has three teams distinguished by age, use Doryland Field for a majority of their home games and practices. Their season runs from June through October. American Legion also hosts 4 tournaments per year bringing teams to the Chico area from all over the country. The Butte Sabers, a semi-pro baseball organization, uses the field for approximately 20 games per year. Doryland and Hooker Oak Field also host the annual Breakfast Lions All-Star Game for graduating senior baseball and softball players.

Hooker Oak Field is utilized by the Pleasant Valley High School Varsity Softball Team. The program is similar to their baseball program and runs from February 15 through May 28.

The newest addition to our facility rentals is the option to reserve two designated picnic sites. In the first year of offering this option, the District had 46 total rentals from March 1 through November 1 serving approximately 1,840 people with an average of 40 participants per rental.

Passive recreation use of Hooker Oak Recreation Area occurs on a daily basis. Use includes; playing horseshoes, basketball, walkers, visitors exercising their dogs, disc golf, cyclists, and joggers who park in the parking lot and use the trails in the park that connect to 5 Mile Recreation Area and Upper Bidwell Park. Additionally, seniors use Rex Murphy Field for batting practice on a regular basis. The playgrounds are used on a daily basis by parents and daycare providers. The new restroom facility is used by park users and passersby as it is convenient and kept clean.

In the Spring of 2011, over 100 volunteers provided assistance with numerous park maintenance projects. The volunteer group, led by CARD staff and representatives from the Chico Outsiders, was instrumental in maintenance duties at Sherwood Forest that include spreading shredded wood chips around rocky areas and tee pads, as well as moving rocks out of high traffic areas. The rocks were then laid around tees and disc targets to create pathways to encourage foot traffic in a desired direction. Other organizations use Hooker Oak Recreation Area as a staging ground for volunteer efforts in the park as a whole.

Park Division Employees manage and maintain a number of amenities at Hooker Oak Recreation Area. Both playgrounds are inspected daily, weekly and quarterly by District trained staff and Certified Playground Inspectors. Any needed repairs are documented and mitigated as quickly as possible. Fall material at the playgrounds is raked on a regular basis and is added annually to ensure compliance with national safety standards.

The District has developed an ornamental and sports turf management strategy to serve park users. Hooker Oak receives regular attention and application of fertilizers and select herbicides. Crabgrass Pre Emergent and fertilizer are applied in February. Typically in April, a

post emergent is applied to discourage clover. In May, the Park is over seeded with a three way Perennial Rye Grass Seed variety. In June, a crab grass Pre Emergent and fertilizer is applied again. At the end of the summer, and leading into the Fall, the park is once again over seeded with the same seed variety, and then fertilized with a general use balanced fertilizer. At key times during the year, the turf is also aerated.

The age of the irrigation system at Hooker Oak Recreation Area provides constant challenges to maintain. The antiquated system produces an inefficient water transfer system and costly breaks in the lines that take valuable staff time to repair. It also impacts the ability to maintain sports fields.

Over the past couple of years, there have been a number of capital projects including, the Manzanita Avenue Widening project, the new accessible restroom facility, service road repairs, and much needed improvements to the parking lot. Other capital projects identified in the five year budget plan include, the Doryland Field PA booth and seating enhancements, Doryland Field backstop replacement, Hooker Oak and Rex Murphy field backstop and sports lighting replacement, group picnic shelter enhancements, service road and pathway lighting, Camp Chi-Da-Ca facility replacement, shop upgrades, and an entire park irrigation system upgrade. All of these items are funding dependant and prioritized in the scope of the overall needs of the District.

CARD Recreation Programs at Sycamore Field are typically focused on Special Events. In April, CARD hosted the Spring Jamboree. This is an annual event and utilizes Caper Acres and Sycamore Field. This last year, there were approximately 1,500 people in attendance. Sycamore Field and Caper Acres is also the home of Movies in the Park. They were held on June 18, July 16, August 20, and September 17, with approximately 500 to 700 people at each event. CARD also participates in organizing the July 4<sup>th</sup> celebration. This is a co-sponsored event with Do-It Leisure, Chico Rotary, and the City of Chico, with an estimated attendance of 2,000 people.

Sycamore Field is home to the Chico Senior Softball Association. They have utilized this field for their softball program for the last 15 years. This private rental group offers softball for players 48 years and older. Their season starts at the end of February and runs through the end of October. There are approximately 140 players in this growing softball league.

By \_\_\_\_\_  
Jake Preston  
Superintendent of Parks and Facilities



## BPPC Tree Committee Staff Report

Meeting Date: 1/30/12

DATE: January 24, 2012  
TO: Bidwell Park and Playground Commission  
FROM: Tree Committee/Street Tree Division Staff  
RE: STAFF REPORT FROM 1/11/12 TREE COMMITTEE MEETING

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1. **CALL TO ORDER:** Acting Chair Clay Craig called the meeting to order at 6:02 PM

**ATTENDEES: Commissioners Present: Craig and Herrera. Commissioners Absent: Mikles  
Public Present: Roger Cole, Susan Mason, Robin McCollum, Francine Gair, Alan Gair, Mark  
Stemen, Ted Schwartz, Adrienne Edwards**

2. **AGENDA:**

2.1 **DISCUSSION OF CONCEPTS FOR AN URBAN FOREST MANAGEMENT PLAN**

At the 7/25/11 BPPC Meeting, the Commission approved their biennial work plan priorities for 2011-2012. That plan included the development of a set of goals that will become the foundation of an Urban Forest Management Plan. This meeting will begin the discussion of what goals the plan should include.

**DISCUSSION:**

Staff, Commissioners and the Public provided general input regarding urban forest management that did not necessarily fit in to the categories presented. The provided the initial first step toward approving a series of goals and developing a vision statement for Chico's Urban Forest.

**General comments, not included in the categories below, included:**

1. Staff needs to develop an overall definition of the Urban Forest to review that includes all of the City's trees, but also recognizes that the Plan will address only those trees/items that the City has control over.
  - a. When coming into Chico from Highway 32, there are more tree visible than buildings.
  - b. Emphasize the benefits or Chico's trees, including the fact that shade increases the life of roadway surfaces and carbon sequestration value.
  
2. An educational program should be developed to encourage the planting of appropriate trees within the City, on both public and private lands. This program can/should include not planting invasive species. It should also include information about proper pruning and planting techniques to insure the best possible care of trees within the City.

## **Tree Resources:**

1. Provide for a healthy and safe Urban Forest.
2. Retain as many large old trees as possible, while recognizing conflicts with other infrastructure within the City.
3. Increase funding for tree planting
4. Increase planting efforts within the City to fill the 3000 plus empty planting sites.
5. Reduce the number of trees in areas where canopies are already over-lapping.
6. Increase the canopy of shade trees within the City, focusing on newer neighborhoods and commercial areas.
7. Improve the species planting list so that the right tree is planted in the right place.
8. Allow adequate growing space for new trees, both above ground and below ground
9. Increase the number of Heritage Trees recognized by the City.
10. Require posting of large trees (36"+) prior to removal
11. Due to staffing levels, hazards will likely increase in the future.

## **Management**

1. Develop and implement a 5 to 10 year trim cycle (minimum).
2. Focus on formative pruning on young trees to reduce maintenance needs as the trees mature.
3. Be aggressive about removing declining/dying trees.
4. Encourage education about how to reduce decline in trees through proper cultural management and other practices.
5. Focus on elevation of foliage near intersections and along main corridors to improve visibility and reduce breakage from traffic.
6. Continue to allow private citizens to have their trees pruned or removed and replaced under permit.
7. Insure that trees are planted properly to reduce failure due to circling roots.
8. Improve staffing levels so that goals can be achieved within a reasonable time frame.
9. Recognize the value of the City's wood and allow/encourage the wood from declining trees to be utilized in wood products as well as recycled.

## **Community Values/Concerns**

1. Preserve the character of Chico's tree resources.
2. Recognize the benefits of the urban forest to the community, especially in regard to accomplishing the goals of sustainability.
3. Recognize that trees provide oxygen, improve air quality, sequester carbon.
4. Given the importance of trees to the character and environment in Chico, increase the "legal standing" of trees. The City should take a lead in Tree Preservation.
  - a. Reconcile differences between the public and private preservation/mitigation requirements, especially for Capital Projects, as well as development projects.
  - b. The City should be required to preserve trees and mitigate tree removal to the same extent that the public is required to do so in CMC 16.66 and 19.68.
  - c. Staff should be provided adequate authority to require that current City Ordinances requiring protection of root zones, etc. are followed.
  - d. An educational meeting and/or other measures should take place to inform the Architectural Review Board, the Planning Commission and City inspectors of tree preservation measures and techniques.
  - e. Review techniques used for tree preservation and develop a manual or standards for their use.
  - f. Encourage the use of porous pavement wherever possible to not only improve tree health but to reduce sidewalk damage and enhance water absorption, thereby reducing storm water runoff.

- g. Encourage the use of drainage swales for tree irrigation as well as storm water runoff reduction, especially in parking lots.
  - h. Review techniques for tree planting in parking lots to enhance tree growth, such as reducing the use of lime in parking lots, or require that the planting areas not be limed and compacted.
  - i. Consider allowing smaller trees to be planted so that native trees might be encouraged. This would require protection of the smaller plants.
  - j. In parking lot designs, protect trees from vehicles by allowing adequate distance from the curb to the tree.
5. Educate and involve citizens to grow and protect trees, in part because they add to property values by providing beauty as well as shade and other benefits to the citizens.
  6. Develop a better volunteer corps for City Street trees.
  7. Consider replanting Black walnut trees in Chico Vecino

### **Historical Context**

1. John Bidwell and the founding citizens of Chico planted trees to provide shade and beauty to City streets.
2. Chico has a rich history of planting trees and supporting the public infrastructure of street trees.
3. Recognize the importance of agriculture to the City, including the planting of fruit and nut trees. While these trees may not be appropriate for street trees, they can and should be included in any comprehensive plan to enhance the quality of life in Chico.

### **Environment**

1. Increase the use of native species in street tree and public plantings.
2. Prioritize the removal of invasive trees from public areas focusing on species whose seeds are spread by birds, wind and water.
3. Avoid planting invasive species as street trees or in public plantings.
4. Do not allow invasive species to be planted – restrict their sale by nurseries.
5. Do not allow London Plane to be planted in Chico anymore due to the impact on the native sycamore.
6. Enhance water conservation efforts by planting more drought tolerant species.

### **Goals for future meetings:**

1. Bring ordinances for reference
2. Develop and Review a Definition of the Urban Forest
3. Develop a Vision Statement
4. Review and Prioritize the lists of goals presented above

**ADJOURNMENT:** 8:00 PM to the next meeting, February 8, 2012 6 PM

### **DISTRIBUTION:**

Tree-Finance Committee of BPPC  
General Services Director and Street Tree Field Supervisor



DATE: 1/13/2011  
TO: Bidwell Park and Playground Commission  
FROM: Natural Resources Committee/Park Division Staff  
SUBJECT: Staff Report from NRC 1-12-12 Meeting

## 1. CALL TO ORDER

Chair Mary Brentwood called the meeting to order at 6:00 pm.

**Attendees:** Commissioners present: Mary Brentwood, Lisa Emmerich, and Jim Moravec. Staff present: Dan Efseaff, and Lise Smith-Peters. Public: Sandra Barton, Bob Jones, Steve Green, Deni Whiting, Scott McFarren, and Susan Mason.

## 2. REGULAR AGENDA

### 2.1. Public Input on Monkey Face Trails in Upper Bidwell Park.

The Bidwell Park Master Management Plan's Trail Plan lists the Monkey Face trails as a priority for "known problem areas". Issues of erosion and safety are paramount and according to the MMP, should be considered a high priority. Parks and Natural Resource Manager described the current conditions of Monkey Face and the need for planning a reroute. Scott McFarrin suggested that a clear, identifiable trail would help promote use of one trail. Sandra Barton stressed the importance of keeping the Upper Park area natural looking. Susan Mason noted that in the past, two trail approaches have been outlined before. Staff will compile suggestions as the public input process continues and then will put together a re-route plan to show the NRC at an upcoming meeting.

### 2.2. Update On Natural Resources Management Plan – Draft Management Units, Lower Bidwell Park

As part of the updating of the Natural Resources Management Plan, staff provided the committee with a draft of management units for Lower Park, and the group discussed the desire to have the units reflect the history of the areas they represent if possible. They discussed placing names on the bridges so that they are clearly identified and can be used as landmarks and possibly provide more maps in the park that show where people are and to help with directions for emergency rescues. Staff explained that the management units will help communicate goals and track progress for the various areas of Bidwell Park. The new management units will aid with the description of threats, issues, and remedies, and also provide a more effective description of areas to park crew, volunteers and emergency responders. The Committee will continue to seek public input to identify Lower Park Landmarks and names. Future meetings will consider management units for Middle and Upper Park.

### 2.3. Update on Trails Plan – Public Input on Lower Bidwell Park Trails.

The committee and staff seek public input on the trails of Lower Park and discussed problems, needs, and attributes. Staff provided a brief overview and an inventory of existing trails. This is an early step in the development of information for a finalized Trails Plan for the Park. The group discussed the use of trailhead posts for identifying trails and the importance of not "over-signing" the park. Future meetings will follow a similar information gathering process for Middle and Upper Park. Public input will be utilized for creating a draft trail plan for the NRC to review and consider.

## 3. BUSINESS FROM THE FLOOR

Susan Mason inquired about the trail near the the 13<sup>th</sup> tee and which comes in near the bridge at the Bidwell Park Golf Course. It has been barricaded off and that dirt seems to be piling up there. Dan reported that he has been working with the Golf Course on a re-route of that trail location because it is so close to the where golfers are teeing off and it is a dangerous spot where golfers' visibility of trail users is difficult.

## 4. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.



# Policy Advisory Committee Report

Meeting Date 1-19-12

DATE: 1/23/2012  
TO: Bidwell Park and Playground Commission  
FROM: Policy Advisory Committee/Park Division Staff  
SUBJECT: Staff Report from PAC 1-19-12 Meeting

## 1. CALL TO ORDER

Chair Emmerich called the meeting to order at 6:00 pm.

**Attendees:** Commissioners present: Lisa Emmerich, Richard Ober, and Mark Herrera. Commissioners absent: None. Staff present: Dan Efseaff, Lise Smith-Peters, and Denice Britton. Public: Brian Stone, Jacob Sturgis, Jordan Reise, Briana Verbitsky, Christinz Roberts, Elizabeth Newton, Kristina Nielsen, Ann Brodsky, Ted W. Newton, Nicholas Newton, and Shelly Brantley

## 2. REGULAR AGENDA

### 2.1. Review and Finalization of the Park Donation Policy

At its 1/19/12 meeting, the PAC continued to discuss specific issues outlined in the PAC report, including whether the Park Donation Policy would apply to all of the City of Chico managed Parks. The committee agreed that the policy would apply to City Parks and developed greenways as appropriate. Staff reported that the Donation amount schedule would be finalized through a subsequent meeting, after research on costs of materials, labor, etc. could be figured. Action: *PAC requests the BPPC review and adopt of the City of Chico Policy for Park Memorials and Donations.*

### 2.2. Consideration and Input to BPPC on Smoke-Free City Parks

The committee took up the issue of making city parks smoke-free as requested by the Council's Internal Affairs Committee. Staff noted that current smoke-free areas include City Plaza, Caper Acres and Upper Bidwell Park during the fire season and CARD has implemented a district-wide ban on smoking in their parks. The PAC received input from local students involved with Kids Leading Everyone Against Nicotine (KLEAN) on the dangers of second-smoke to humans and the amount of litter caused by cigarette butts. Shelly Bransky from the American Lung Association discussed their city-wide campaign, the chemicals found in cigarettes and the effects of second-hand smoke. The PAC discussed the issues that arise with enforcing such a ban. Ms. Bransky described the ALA's help with the education campaign as CARD adopted the district-wide smoking ban. The ALA is on-board to assist the City in an education campaign as well.

Staff stated that changes will need to be made in the City's regulations in regard to the Parks to adopt such a ban and this would be done at the Council level. Action: *The PAC refers the issue to the full BPPC to consider various issues prior to making a recommendation to the Internal Affairs Committee.*

## 3. ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

**Attachments:** None

**Distribution:** BPPC



DATE: 1/22/12  
TO: BPPC  
FROM: Denice Britton, Urban Forest Manager  
SUBJECT: Urban Forest Manager's Report

Prepared for verbal presentation at the BPPC meeting.

## 1. Updates

- a. Field Supervisors Report – The field supervisor's report is attached. This month's work focused on pruning of sycamores throughout the City – in part to avoid the noxious dust levels on the leaves during the growing season.
- b. Tree City USA Application submitted – The application for the 28<sup>th</sup> year as a Tree City USA was submitted in December to the National Arbor Day Foundation. The program is supported by the Urban Forestry Division of Cal Fire (Formerly Cal Dept of Forestry and Fire Protection). The City normally is notified of the award in late February, and the plaque is received at a City Council meeting the week of California Arbor Day, March 7.
- c. Tree Removal List – The December, 2011 Tree Removal List is attached. Most of the trees have been removed in the last few weeks. Stumps will be removed shortly.
- d. Urban Forest Mgt Plan – CUFC. Staff has been asked by the California Urban Forest's Council (CaUFC) to participate in a grant-funded program to assist Urban Forest Managers to write an urban forest management plan. Staff will be using their new web site as a resource to help develop the plan currently under consideration in the Tree Committee. (see Tree Committee Report).
- e. Children's Playground – The City continues to be vandalized at Children's Playground, which includes Bidwell Bowl Amphitheatre. Repairs are costly, reducing budgets for other areas. Police and Rangers are being more aggressive with patrols to assist.
- f. Plaza Fountain – A minor pump motor repair for the fountain turned into a major repair and shut down on Christmas Day. After the motor was reinstalled, and while the reservoir was re-filling, an o-ring failed and allowed water to flow into the motor room of the fountain. At the same time, the check valve in the sump pump for the vault failed, and could not drain the water out of the vault. Linda Sheppard, the Landscape Inspector, along with our fountain contractor, Home Team, worked during the days following Christmas to drain the vault, dry the motors out and reduce the damage to the repair of these items plus 4-5 breakers and circuit components that had water damage. The Fountain's inner ring and central jet was back up and running on January (7th instead of 3). Due to receiving and installing the last component, the outer ring of jets was back in operation on January 14th.
- g. Plaza Cherry Trees – During our annual pruning on January 17, the crew discovered mushrooms growing at the base of one of the Cherry trees in the northwest corner of the group. These mushrooms are a clear indication of oak root fungus (*Armillaria mellea*), a common soil born fungus in the California. Progress of the disease can be reduced significantly by eliminating the irrigation valve at the base of the tree, and by changing irrigation practices. A discussion to make a design change to eliminate the lawn around the trees is underway.
- h. Winco – Staff is working with Winco to replace street trees causing sidewalk problems and replace the sidewalks. City staff will remove the street trees around the site and Winco will replace them with more desirable species and the sidewalks. This is a cooperative project that will reduce long term liability and maintenance costs for both the City and Winco, while providing a new streetscape that will be more attractive and functional in the future.
- i. Highway 32 Project – The bid on the Highway 32 Widening Project was due on January 24 and will begin sometime this spring. The project and its environmental document were approved by Chico City Council on July 6, 2010. The project will remove most trees along the north side of the highway, between Forest Avenue and Fir

Street. Some small trees will be removed on the south side as well. No redwoods are scheduled for removal at this time.

This project will require the City to maintain the new landscape on the outer reaches of the ROW for the first 4 years after installation, at which time it will revert to CalTrans. A new center median will be the full responsibility of the City. At this time there is no estimate of costs for the maintenance of either site, nor have any funds been budgeted for maintenance. The Public Landscapes Division will be responsible for adding the new landscape to its existing contract once it is built and accepted by the City.

## **2. Service Requests and Tree Permits**

- a. Attached is a list of completed and closed service requests for the month of December.
- b. Permits received during the month of December:
  - S&J - 244 W 9<sup>th</sup> Street – Denied, invalid information provided by Tree Service. Tree will be removed by City.
  - Tom's Tree Service – 3131 Esplanade – Remove 2 trees too close to building and replace in parking lot.
  - Francis Cordova – 2736 Lowell Drive – Remove small dead tree.
  - Crowder Tree Service – 500 E. 12<sup>th</sup> St – Denied, tree is not hazardous at this time, minor injuries on trunk, with little to no decay. Will monitor.
  - PG&E – 1053 Cypress St – Remove one trunk of tree over high voltage, City will remove remaining trunks.
  - Tom's Tree Service – 371 Rio Lindo – Remove declining and decayed tree. Owner will replant.

## **3. Outreach**

- a. Staff provided articles for the Bidwell Pulse.
- b. Staff was asked to provide information to the UC Cooperative Extension Master Gardeners program regarding tree planting.

## **4. Upcoming Issues**

- a. The DCBA has approached staff and is exploring placing lights in street trees downtown during the Holiday Season. A report and proposal may be forthcoming in the next few months.
- b. Tree Planting Workshops are scheduled for February 25, March 24 and April 14.

**Attachments:** Field Supervisor's Report, Monthly Dailies, Search Results, Tree Removal List



DATE: January 3, 2012  
TO: URBAN FOREST MANAGER  
FROM: DAVID BETTENCOURT, FIELD SUPERVISOR- STREET TREES  
SUBJECT: STREET TREE MAINTENANCE REPORT FOR DECEMBER, 2011

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## 1. STREET TREE MAINTENANCE

### A. PROJECTS COMPLETED:

1. 22-SERVICE REQUEST- 348 man hours, a detailed list is attached.
2. ASSIST DPW- 152 man hours spent driving truck for the leaf pick up program.
3. CHRISTMAS TREE AND MENORAH- 7 man hours spent decorating the City Christmas tree and setting up the Menorah.
4. DOWN LIMBS AND HANGERS- 24 man hours at numerous locations.
5. PRIORITY TRIMMING- 7 man hours
6. SAFETY MEETINGS- 4 man hours.
7. DOWNTOWN PLAZA- 2 man hours spent pruning low limbs.
8. PREP TIME AND DOT INSPECTIONS- 55 man hours.
9. EQUIPMENT MAINTENANCE- 38 man hours.
10. BRUSH CHIPPING AND CLEAN UP- 4 man hours

### B. CALL OUTS:

1. There were 2 call outs for the month of December that required follow up inspection and clean up.

# Chico Service Request Search Results

Operator	Date Entered	Requestor	Requestor Phone	Tracking No	Location	Assigned To UID	Assigned To Name	Division	Status
trodriгу	12/19/2011	Victor Borquez	891-8005	5A8A6FD7DA	3282 MIDDLETOWN AVE			Trees/Public Landscapes	Closed
<b>Description:</b>	Trees need to be pruned.								
lcameron	12/16/2011			EB166A899D	Penzance Ave.	dbritton	Britton, Denice	Trees/Public Landscapes	Closed
<b>Description:</b>	COMPLETE. 2 trees found with minor injuries, pruned. Trees vandalized (some snapped off, others have broken branches) on Penzance Ave. btwn. Eaton and Weymouth								
trodriгу	12/15/2011	Bruce	343-7593	53774CEEDB	4124 Nord Hwy	tbeach	Beach, Troy	Trees/Public Landscapes	Closed
<b>Description:</b>	HIGH PRIORITY Removed hangers. Trevor from Cal-Trans called and said this tree is City prop. Limb hanging over powerlines.								
dbettenc	12/15/2011	Raul G		282673D98E	360 E 1st St	tbeach	Beach, Troy	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED clear parking meter.								
dbettenc	12/15/2011	Troy Beach	624-1623	27E16DA195	1053 Cypress by alley	dbritton	Britton, Denice	Trees/Public Landscapes	Closed
<b>Description:</b>	PG&E will Remove limb toward lines. City to inspect and schedule to remove tree. F:1 silver maple the tree has a canker area with decay, please inspect and advise.								
dbettenc	12/14/2011	DRB	624-1620	54B185B031	On Cohasset Rd @ Pillsbury B of A	tbeach	Beach, Troy	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED 3 sycamores at turn pocket elevate, remove hangers and make safe. Note: ROW line is the cut pavement behind the trees.								
dbettenc	12/13/2011	DRB	624-1620	7D6DBD1B24	1 Whitewood Way	tnebel	Nebel, Tim	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED HIGH PRIORITY On Ceres side 2 sycamores elevate and reduce heavy areas.								
dbettenc	12/13/2011	DRB	624-1620	7CB6E7F4E2	Old Muni Building	tnebel	Nebel, Tim	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED HIGH PRIORITY On Main St side 2 sycamores clear building and elevate.								
dbettenc	12/13/2011	DRB	624-1620	7C69559094	300 Broadway	tbeach	Beach, Troy	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED HIGH PRIORITY On Broadway 1 large sycamore reduce overhang on building and elevate.								
dbritton	12/12/2011	Jackson Stieb	864-4222	03C29093D4	1521 Golden Birch	dbettenc	Bettencourt, Dave	Trees/Public Landscapes	Closed
<b>Description:</b>	ROOT PRUNED Please remove my tree - it is killing my yard and raising my mow strip.								
dbettenc	12/09/2011	PO		7D96FA32A6	178 E 2nd St	tbeach	Beach, Troy	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED F:2 hackberry, remove split limb and elevate.								
trodriгу	12/06/2011	Carroll Curtis	533-6585	2EF1DD7794	2567 El Paso Way	dbritton	Britton, Denice	Trees/Public Landscapes	Closed
<b>Description:</b>	On REMOVAL LIST FOR DECEMBER. Tree broke last spring, damaged a car. City hasn't done work on it since concerned will fall again. Wants tree looked at and possibly removed. She is the owner but does not live there. Please call when you plan to go out there she would might like to be there.								

# Chico Service Request Search Results

Operator	Date Entered	Requestor	Requestor Phone	Tracking No	Location	Assigned To UID	Assigned To Name	Division	Status
trodrigu	12/05/2011	Don		6C3283E7C2	1718 Magnolia	dbettenc	Bettencourt, Dave	Trees/Public Landscapes	Closed
<b>Description:</b>	REMOVED Tree limb approx 4' dia leaning on the fence.								
trodrigu	12/05/2011	Lisa-Chiropractic Center	566-1234	65FECDFDF6	2062 Talbert Dr./Forest Ave.	dbettenc	Bettencourt, Dave	Trees/Public Landscapes	Closed
<b>Description:</b>	INSPECTED-PRIVATE TREE The landscaper told them that the City tree on the Forest Ave side of this business needs looking at, its full of ants etc. Please let them know what the prognosis is.								
trodrigu	12/05/2011	Gerald Marler	892-0906	58AA316C38	1582 Filbert	dbettenc	Bettencourt, Dave	Trees/Public Landscapes	Closed
<b>Description:</b>	PRIVATE Ash tree is splitting and causing damage to sidewalk, GIS says private tree but PO says City, please confirm.								
trodrigu	12/05/2011	Khew Pravong	891-6759	57B9920590	656 E 12th St	tnebel	Nebel, Tim	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED HIGH PRIORITY Tree leaning against power line, PG&E told RP to call City. Dave has been called.								
trodrigu	12/05/2011	Frank Stastny	893-3232	546A531684	34 Franciscan Wy	tbeach	Beach, Troy	Trees/Public Landscapes	Closed
<b>Description:</b>	CLEANED UP 10' Ash branch fell, on the side of the road.								
trodrigu	12/01/2011	Scott Zuschin	518-3557	5D214F5A1C	118 Macdonald Ave	dbettenc	Bettencourt, Dave	Trees/Public Landscapes	Closed
<b>Description:</b>	INSPECTED Magnolia tree needs to be pruned, the tree is dropping pods causing damage to his truck, rp states he is getting ready to file a claim. RP would like contact to determine if the tree is City of private. (It looks to me like is might be a private tree but when I click on it it says it's a street tree.)								
jhassur	12/01/2011	Jeannette Hassur	879-6720	5D2CBA7048	Corner of E 7th St & Cypress St	tnebel	Nebel, Tim	Trees/Public Landscapes	Closed
<b>Description:</b>	PRUNED Large redwood on Cypress in parking strip needs suckers at base removed ... difficult to see oncoming traffic.								
cparacho	12/01/2011	resident	828-9705	3EC616699E	1064 Cypress St	tnebel	Nebel, Tim	Trees/Public Landscapes	Closed
<b>Description:</b>	REMOVED limbs down-RP pulled out of right of way called Dave								
cparacho	12/01/2011	Sabrina	966-0894	1BF37C8DA8	1415 Citrus Ave	dbettenc	Bettencourt, Dave	Trees/Public Landscapes	Closed
<b>Description:</b>	DUPLICATE PG&E advised RP to call us regarding low limbs in service drop lines inspect and advise								
cparacho	12/01/2011	Sabrina	966-0894	1BFD086806	1415 Citrus Ave	dbettenc	Bettencourt, Dave	Trees/Public Landscapes	Closed
<b>Description:</b>	PENDING PG&E PG&E advised RP to call us regarding low limbs in service drop lines inspect and advise								

## City of Chico Tree Removal List

December, 2011

Address	On Street:	Location:	Species:	Height	Diam.	Notice	Marked	Notes:
946 Oleander	SE Sacramento	S1	Black Walnut	35	34	yes	yes	Dying. Large dead limbs.
1807 Mulberry		F4	Fan Palm	35	26	yes	yes	Dead from recent fire
1807 Mulberry		F3	Hackberry	25	10	yes	yes	Dead from recent fire
1807 Mulberry		F2	Pistache	15	4	yes	yes	Dead from recent fire
1821 Mulberry		F2	Mulberry	35	18	yes	yes	Decay, poor structure, leaning, lifting sidewalk
301 Olive St	E 3rd St	S2	English Walnut	40	30	yes	yes	Declining
1163 E 7th St		F1	Linden	70	49	yes	yes	Declining, extensive decay
307 W 5th St	Driveway W of house		Privet	20	18	yes	no	Covered in ivy - both
32 Arroyo Way		F2	Silver Maple	65	36	yes	yes	Decay in main stem, leans toward house.
1021 Arbutus Ave		F / 1	Silver Maple	50	27	yes	yes	Decline, extensive decay
126 W 2nd Ave		F2	Camphor	35	12	yes	yes	Dead
215 W 2nd AVE		F2	Camphor	35	12	yes	yes	Poor condition, Dying
1125 W 12th Ave		F1, F2	English Walnut	40	28	yes	yes	Dying, at driveway - contact owner first
1125 W 12th Ave		F3	Black Walnut	65	28	yes	yes	Dying, 70% infected with oak root fungus
1340 Arcadian		F1	Silver Maples	50	36+	yes	yes	Extensive decay, bees. In front of house
1340 Arcadian		F3	Silver Maples	50	36+	yes	yes	Extensive decay, bees -over parking lot.
1744 Oakdale		F1	Douglas Fir	90	33	yes	yes	Dead
1726 Oakdale		F1	Deodar Cedar	90	44	yes	yes	Dying, almost dead
1010 Mildred		F3	Modesto Ash	35	50	yes	yes	Structurally unstable, decay
1010 Mildred		S1	Modesto Ash	40	50	yes	yes	Structurally unstable, decay
1010 Mildred		S2	Modesto Ash	40	50	yes	yes	Structurally unstable, decay
1010 Mildred		S3	Modesto Ash	40	50	yes	yes	Structurally unstable, decay
1030 Mildred		F1	Modesto Ash	50	36	no	yes	Main limb pulled out in storm.
1651 Park Vista		F1	Silver Maple	60	36	yes	yes	Extensive decline with decay
1651 Park Vista		F2	Silver Maple	60	36	yes	yes	Extensive decline with decay
2567 El Paso		F1	Silver Maple	55	48	yes	yes	Extensive decay - limb broke on vehicle
1460 Humboldt			Holly Oak	20	20	yes	yes	dead - stump not required at this time
357 Picholine		F:1	Zelkova	30	18	yes	yes	Large roots on soil surface
1441 Elm		S	Valley Oak	65	65	yes	yes	Dead. Finish stump
818 Orange		F5	Black Walnut	60	36	yes	yes	Failed in November, finish stump

818 Orange

F6

Black Walnut

60

39

yes

yes

Decay at base - could fail like adjacent tree



DATE: 01/23/12  
TO: BPPC  
FROM: Dan Efseaff, Park and Natural Resource Manager  
SUBJECT: Park and Natural Resource Manager's Report

Prepared for verbal presentation at the BPPC meeting.

## 1. Updates

- a. Groundwater quality monitoring report – The Park Division has received the CA State Water Resources Control Board's "Groundwater Ambient Monitoring Assessment Program: Cascades/Modoc Study Unit Sampling Results." The Bidwell Park Golf Course was one of 90 sites sampled as part of the study unit. (See attached report results).
- b. Centennial Ave Utility Pole – PG&E is working with the City to determine easement boundaries to examine alternatives for the pole placement.

## 2. Planning/Monitoring

- a. Peregrine Point Monitoring Report – The inaugural monitoring report will be completed by the February BPPC meeting. Staff have been working with ORAI and the monitoring contractor to add a new component (reference blue oaks), and we are awaiting the monitoring results. We expect the data will be submitted by the end of the month. Staff will then complete a monitoring overview with recommendations for actions in 2012.
- b. Planting areas – Staff will be working on plantings at Parking Lots C (observatory) and E (Horseshoe Lake), Lost Park, Annie's Glen, and potentially at 5 Mile. We will be working with the Observatory and Golf Course to plant some areas as well.

## 3. Outreach and Education

- a. Park Talk - The next Park Talk will be held on Thursday (1/26) from 3-5 pm at the Horseshoe Lake Parking Lot (Parking Lot E). Topics will include an overview of the ecological setting of the area, collecting public input on upcoming work on Monkey Face trails, and a first-hand look at restoration and management efforts in the Park. Participants should plan for wet weather, and hiking uneven terrain.
- b. Snow Goose Festival – Rangers as well as volunteers will staff a Park Division booth at the annual Snow Goose Festival. There are a couple of field trips in the park.
- c. Press Releases – None in December.

## 4. Upcoming Issues/Miscellaneous

- a. Annual Report – Staff have been working on an annual report for the BPPC, which was slated for the January meeting. Because of the crowded agenda, Staff will present the information at the February meeting. We will also summarize much of the information in the next Bidwell Park Pulse.
- b. Bidwell Park Municipal Golf Course - Empire Golf Inc. (Rancho Murieta, CA) has been selected as the new operator of the golf course and will begin in late 2012.
- c. Staff Training - A Tree crew and Park crew training exercise will focus on the removal of large weed trees (namely European hackberry) from Lost Park as part of the restoration effort there in February.
- d. Wet Weather – We are anticipating a revised wet-weather protocol by the April meeting.
- e. Expanded Volunteer Opportunities – Staff are coordinating efforts toward a comprehensive training program for volunteer team leaders, Park Watch, and trail volunteers. The trainings will occur in March.

## MAINTENANCE REPORT

### General

In December Park staffs main focus has been on safety concerns for our paths and roadways with leaf and brush pile removal, Parking lot E resurfacing and native grass plantings on the west side of the cell, we also did a second inspection of culverts on upper park road. Staff continues the daily cleaning and safety inspections of all recreation areas including grounds, playgrounds, picnic sites, roads and paths coupled with the daily cleaning and resupplying of all park restrooms. Maintenance and repair of park fixtures, daily opening of gates, posting reservations, unauthorized camp clean ups and the constant removal of graffiti from all park infrastructure.

**Table 1. Summary of Monthly Maintenance Hours.**

Category	Staff Hours	% of Total	% Change from Last Month	2011 Trend
1. Safety	382	43.2%	14.0%	
2. Infrastructure Maintenance	258	29.2%	-16.4%	
3. Vegetation Maintenance	33	3.7%	-8.1%	
4. Admin Time/Other	212	24.0%	10.5%	
Monthly Totals	885	100%	0%	

**5. Project Updates**

Notable issues for this month include:

- a. **Middle and Upper Park:** Staff has replaced and rebuilt the main gate and three bollards on upper park road that had been damaged from automobile collisions. Parking Lot E (Figure1) received seventy two tons of new road base and had its west side planted with native grass plugs to help with stabilization of the soil surface. Middle Trail Grant has been tucked in for the winter with the completion of section one and six for the season (Figure 2). Five Mile Recreation area is having some septic tank issues and may need to have new leach lines installed.
- b. **Upcoming Projects:** Grading and resurfacing of parking lots C and B, entrance enhancement of Linden at Woodland and Bryant at Vallombrosa. Staff will be re-working of upper park road culverts to mitigate erosion and the de-watering of meadows and hill sides. Lastly, staff will execute a plan for native planting test sites in Bidwell golf course.



Figure 1. The regarded Parking Lot E (Horseshoe Lake)



Figure 2. Improved crossing and Middle trail work.

after heavy rain.

## RANGER REPORT

### 1. Updates and Announcements

- a. Staffing - Permanent Seasonal Park Ranger Lisa Barge is off duty for 3 months which began on December 31st and Ranger Verbrugge has returned to duty.

### 2. Monthly Summaries

a. Public Events

Date	Location	Event	# Participants
12-03-11	City Plaza	Christmas Tree Lighting	1000
12-17-11	Cedar Grove/LP	Jack Frost	300
12-20-11	City Plaza	Chanuka/Menorah Celebration	50
		<b>3</b>	<b>1350</b>

- b. Private Permits for Park Use – 1 permit issued.

c. Significant Incidents

Date	Location	Incident	Disposition
12-1-11	City Plaza	Petty Theft	NFA
12-3-11	Salmon Hole	Fall/Injured Ankle	Transported by Medics
12-15-11	Upper Park Road	Damage to Culvert	Report Filed
12-31-11	Lower Park/Hwy 99	Vandalism/Graffiti	Viking Construction Notified

d. Citations

Offense	# Citations (Monthly)	# Warnings (Monthly)
Alcohol	1	6
Glass	1	3
Smoking	0	4
Illegal Camping	3	8
Animal Control Violations	1	41
Parking Violations	3	4
Bicycle Violation	0	38
Littering	0	1
Injury/Destruction City Property	0	0
Resist/Delay Park Ranger	0	0
Other Violations	0	15
<b>Total</b>	<b>9</b>	<b>120</b>

# VOLUNTEER REPORT

## 1. Table: Summary of December 2011 Volunteer Activities.

<b>Park Division Volunteers</b>	<b>Date/Place/Tasks/# Volunteers</b>	<b>Hours</b>
<b>Weekly Sessions</b>	12-2/Site 8/remove vinca ad blackberry, elevate grape/14 vols (42 hrs) 12-3/Cedar Grove and environs/remove hackberry trees; plant native plants with Big Chico Creek Watershed Alliance members/21 vols (63 hrs) 12-7/Cedar Grove/remove hackberry and winged elm and water native plants/ 1 vols (3 hrs) 12-9/N 1Mile and Gilbey's Grove/water native plants and remove blackberry patch/3 vols (9) 12-9/Middle Park (parking lot B)/building armored crossing/8 vols (32)	149
Chico High School	12/7/Transplanting native plants/7 students and Paula	8
Trail Day	12-9/near Parking Lot B - built armored crossing with grade reversals/8 vols.	32
Park Intern Va Lee	October – December – GPS mapping park sign locations for inventory.	52
<b>Individual Volunteer Efforts</b>		
Feather Grove	12/11/Council Ring/picked up trash and removed blackberry/	.5
Ryan Brown and Seth Meyers	Caring for Native plants; Ryan brought in 6 Blue Oaks & Seth provided 7 blue oak seedlings and 3 scrub oaks	4
Sigma Chi	Site 40/watered native plants, weeded and mulched/4-7 vols	14
Park Watch	Bidwell Park/Patrol and Nature Center docents	599
<b>Independent Groups</b>		
Friends of Bidwell Park	Lower Park/remove privet, olive trees & trash	98
<b>Total Park Hours</b>		<b>956</b>
<b>Park and Greenway Hours</b>		<b>81</b>
Southwest Neighborhood	12-3 and 12-10/Commanche Creek/blackberry removal and clearing brush/15 vols/12 vols (81 hrs)	

## 2. Updates

- a. Winter-Spring 2011 Bidwell Park Work sessions will be held weekly on Thursdays and Fridays (1pm – 4 pm) and on some Saturdays (11 am – 2 pm). Internal planning of volunteer activities to support the Park maintenance and management plans.
- b. Associated Students Community Action Volunteers in Education Program's Adopt-A-Park partnership, will start the second half of its 6<sup>th</sup> year of work in Bidwell Park in February.
- c. CSUC Fraternity, Alpha Epsilon Phi, are planning a Jewish Arbor Day celebration on February 10. The fraternity will purchase several redbud and Western Sycamores to plant in the vicinity of Cedar Grove.
- d. Friends of Bidwell Park have started a major invasive olive tree removal project in the World of Trees.
- e. Blue Oak Elementary Students have adopted picnic site #6 and will work the last Friday of each month removing vinca.

- f. The Rangel sisters have renewed their adoption of picnic site #31 for restoration and met with the coordinator for site planning.
- g. Met with Woodstock Pizza staff to coordinate a community-wide Chico Creeks Cleanup, scheduled for March 31 with more details to be announced.
- h. Large scale privet removal project will take place at the Bidwell Park Municipal Golf Course this spring as part of the Volunteer Program.
- i. Chico Police Department's Minor Diversion Program will be offering youths and their parents the opportunity to work in Bidwell Park as part of their mandated community service.
- j. Volunteer Program Trainings will take place this spring for Trail Volunteers, Team Leaders, and Park Watch (on March 15)



Figure 3. Before photo: Bidwell Park 4th Street Entrance



Figure 4. During Make a Difference Day in Bidwell Park, 10/2011



Figure 5. Before photo: N. One Mile & Vallombrosa Ave.



Figure 6. After photo: Volunteer removal of vinca and planting of native plants.

**Attachments:** Groundwater Ambient Monitoring Assessment Program Results, Peregrine Point Disc Golf Observation Log.



State Water Resources Control Board

RECEIVED

JAN 18 2012

CITY OF CHICO  
GENERAL SERVICES DEPT.

January 10, 2012

Dan Efseaff  
City of Chico-General Services Department  
965 Fir St; P.O. Box 3420  
Chico, CA 95927

GROUNDWATER AMBIENT MONITORING AND ASSESSMENT PROGRAM (GAMA):  
CASCADES/MODOC STUDY UNIT SAMPLING RESULTS

The State Water Resources Control Board, in partnership with the U.S. Geological Survey (USGS), thanks you for participating in the GAMA Cascades/Modoc study unit event.

The attached well owner report shows only the chemical constituents detected in your well. A list of all chemical constituents analyzed and explanations of water quality benchmarks are also included.

Your unique GAMA ID is used in all publications in order to maintain confidentiality. If you had multiple wells sampled, we have provided an explanation sheet to help you identify your wells.

The Data Summary Report, which summarizes the analytical results for all wells sampled in this study unit, will be released next spring. All published reports are available to the public currently online at the State Water Board and USGS web sites:

[http://www.waterboards.ca.gov/water\\_issues/programs/gama/report\\_depot.shtml](http://www.waterboards.ca.gov/water_issues/programs/gama/report_depot.shtml)

<http://ca.water.usgs.gov/gama/publications.htm>

The primary objectives of the GAMA Program are to improve comprehensive groundwater quality monitoring and to increase public availability of groundwater quality information. Participation is voluntary. The GAMA Program was created as a result of statewide groundwater quality concerns and was later expanded by the Groundwater Quality Monitoring Act of 2001 (AB 599).

The State Water Board implements the GAMA Program with the US Geological Survey and Lawrence Livermore National Laboratory.

If you have any questions regarding the GAMA Program, please contact me at (916) 341-5779 ([jborkovich@waterboards.ca.gov](mailto:jborkovich@waterboards.ca.gov)).

Sincerely,

John Borkovich  
GAMA Program Manager  
Enclosures

CC: Jennifer Shelton, Study Unit Hydrologist

CAMP CAMP-ES-15

State Water Resources Control Board  
Groundwater Ambient Monitoring and Assessment (GAMA) Program  
Priority Basin Project

Cascades / Modoc Study Unit  
Wrap-Up Meeting  
Thursday, February 23<sup>rd</sup>, 2012  
1:00-3:00 pm

City of Weed  
Council Chambers  
550 Main Street  
Weed, CA 96094

**AGENDA**

Introductions; Meeting Overview

- Program Overview – SWRCB
- Basin Assessment Implementation; Preliminary Results – USGS
- Wrap-up and Adjourn

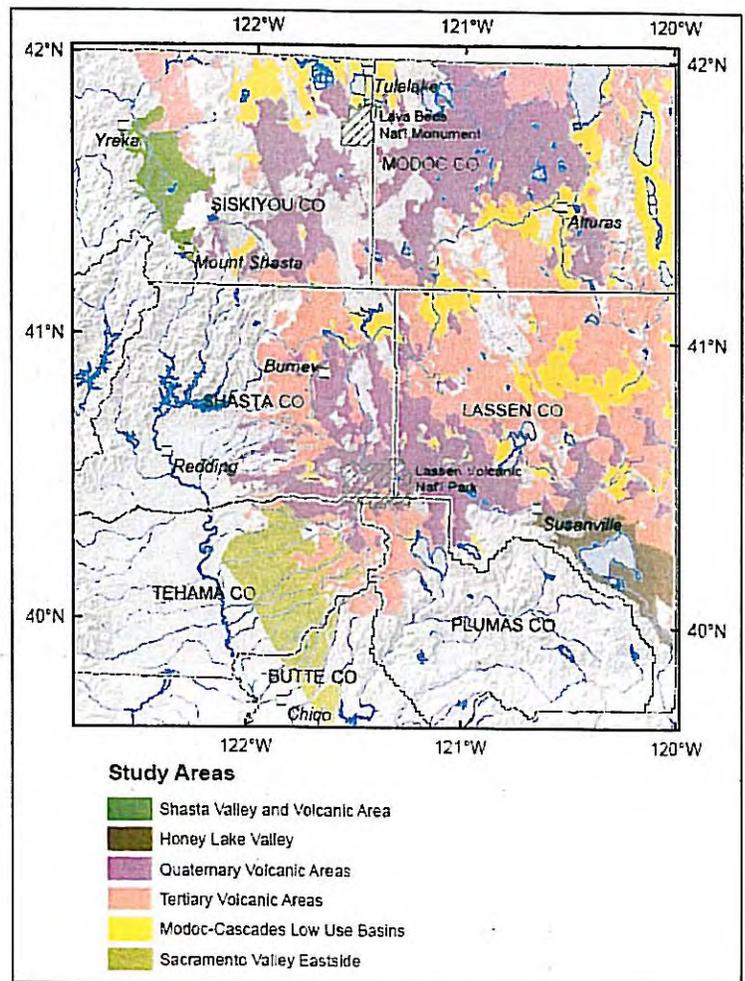
**Background:** The Cascades/Modoc study unit consists of six study areas in Siskiyou, Modoc, Shasta, Lassen, Tehama, Butte and Plumas counties. (See map at right.)

The GAMA Program was created as a result of statewide groundwater quality concerns and was later expanded by the Groundwater Quality Monitoring Act of 2001 (AB 599). The primary objectives of the GAMA Program are to improve comprehensive groundwater quality monitoring and to increase public availability of groundwater quality information. Participation is voluntary. The State Water Board implements the GAMA Program with the US Geological Survey and Lawrence Livermore National Laboratory.

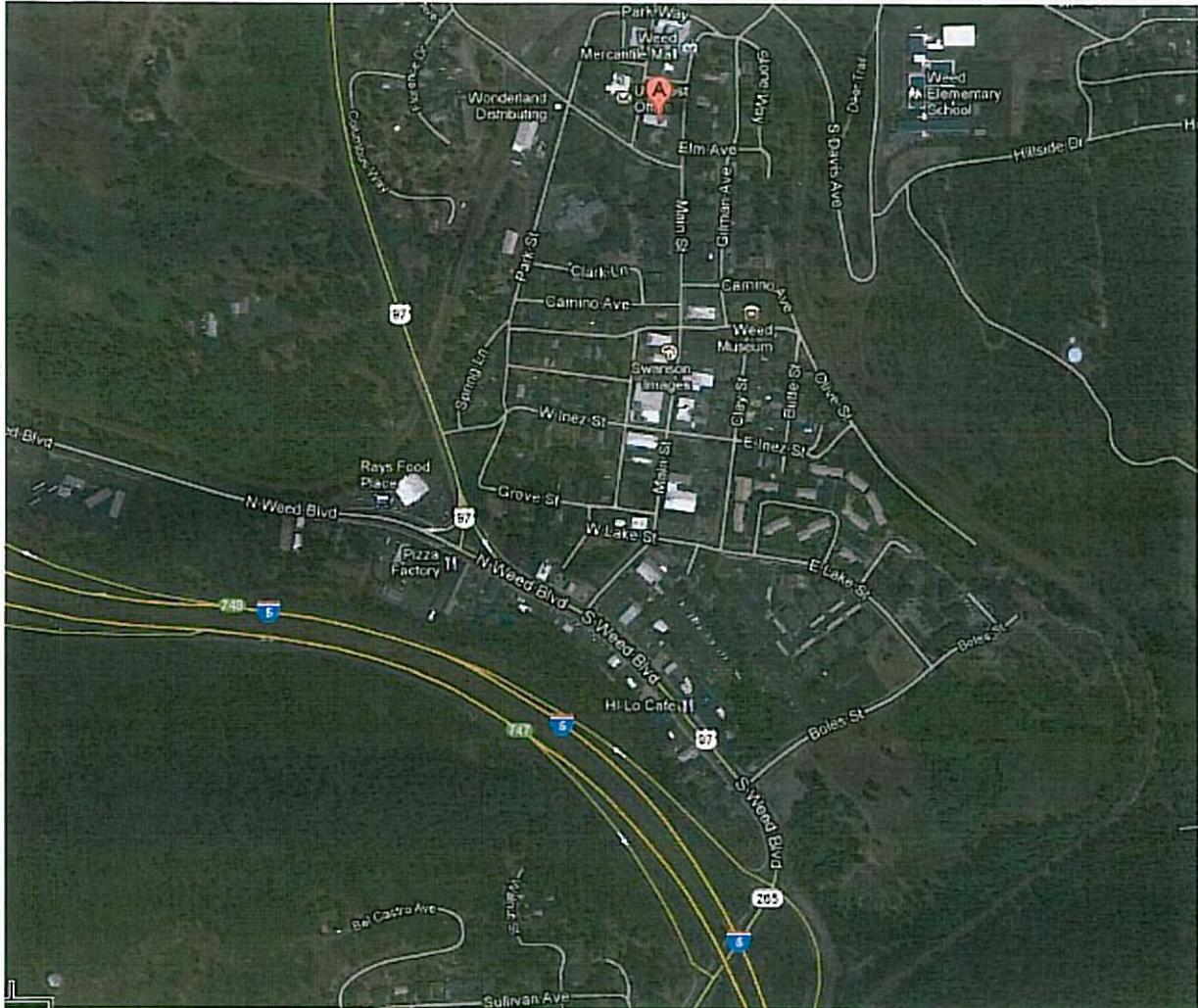
Please visit [www.waterboards.ca.gov/gama](http://www.waterboards.ca.gov/gama) for more program information, a copy of the agenda, and a map to the meeting site. You may also see <http://ca.water.usgs.gov/gama/> for additional technical information.

**Directions:**  
See next page for map.

**Note:**  
Meeting date is subject to change. Please confirm your attendance with Dori Bellan at 916 341-5502 or [dbellan@waterboards.ca.gov](mailto:dbellan@waterboards.ca.gov). For more information, please visit [www.waterboards.ca.gov/gama](http://www.waterboards.ca.gov/gama).



City of Weed  
Council Chambers  
550 Main Street  
Weed, CA 96094



**Directions:**

From I-5 North:

[http://maps.google.com/maps?saddr=Sacramento,+CA&daddr=550+Main+St,+Weed,+CA+96094&hl=en&ll=41.423872,-122.386322&sspn=0.013499,0.01929&oeocode=FUS1TAIdgCTC-Cn5I4OycsaagDHbfxl0gmofkg%3BFWQheAIdP4-0-Cm92DfpznTOVDGZ\\_-eUroxG8g&oq=sac&vpsrc=6&q=us&mra=ls&t=h&z=8](http://maps.google.com/maps?saddr=Sacramento,+CA&daddr=550+Main+St,+Weed,+CA+96094&hl=en&ll=41.423872,-122.386322&sspn=0.013499,0.01929&oeocode=FUS1TAIdgCTC-Cn5I4OycsaagDHbfxl0gmofkg%3BFWQheAIdP4-0-Cm92DfpznTOVDGZ_-eUroxG8g&oq=sac&vpsrc=6&q=us&mra=ls&t=h&z=8)

- I-5 North to Weed
- Take exit 747, Hwy 97 N toward Central Weed (0.3 mi)
- Turn right onto Hwy 97 North / South Weed Blvd (0.3 mi)
- Take the second right onto Main Street (0.4 mi)
- City Hall is on the left



## Well Owner Report

<b>Owner</b>	<b>City of Chico - Bidwell Golf Course</b>	<b>Well Name</b>	<b>Bidwell Golf</b>
<b>Station ID</b>	<b>394600121460001</b>	<b>GAMA ID</b>	<b>CAMP-ES-15</b>
<b>Station Name</b>	<b>022N002E17C001M</b>	<b>Sample Date</b>	<b>10/12/2010 @ 1230</b>

Your well was one of ninety sites sampled for the Cascade Range and Modoc Plateau study unit of the Groundwater Ambient Monitoring and Assessment (GAMA) Priority Basin Project (PBP). Results from all sites will be published in a USGS Data Series report; your well will be identified by only the GAMA-ID in all publications and presentations.

**Concentrations of all chemical constituents detected in raw groundwater collected from your well were less than USEPA and CDPH regulatory and non-regulatory benchmarks applied to drinking water, with the following exceptions:**

**None.**

This report lists the concentrations of chemical constituents detected in raw groundwater collected from your well. To put the results in some context, the concentrations of regulatory (r) and non-regulatory (nr) benchmarks set by the U.S. Environmental Protection Agency (USEPA) and the California Department of Public Health (CDPH) for drinking water are also listed. This comparison is for context only; it does not indicate compliance or non-compliance with regulatory benchmarks. Please contact your local Health Department if you have questions about potential health effects.

The chemical constituents are organized in the following groups: 1) field water-quality indicators, 2) major ions, 3) nutrients, 4) trace elements, 5) radioactivity, 6) volatile organic compounds, 7) pesticides, 8) geochemical and age-dating tracers, 9) microbiological constituents, and 10) constituents of special interest. Only detected constituents are reported here. If no chemical constituents in a group were detected in groundwater from your well, that group is not listed in this report. Typical uses or sources are listed for all constituents; other sources not listed also may affect the concentrations of constituents in groundwater in your area.

Thank you again for allowing the USGS to sample your well for the GAMA Project.

**Jennifer Shelton, Hydrologist**  
**jshelton@usgs.gov**  
**(916)278-3068**

ppm = parts per million	MCL-US = USEPA Maximum Contaminant Level (r)	HAL-US = USEPA Lifetime Health Advisory (nr)
ppb = parts per billion	MCL-CA = CDPH Maximum Contaminant Level (r)	NL-CA = CDPH Notification Level (nr)
pCi/L = picocuries per liter	AL-US = USEPA Action Level (r)	SMCL-CA = CDPH Secondary Maximum
E = estimated value	M = presence verified, but quantity uncertain	Contaminant Level (nr)

Preliminary: Subject to Revision



## Well Owner Report

**Owner** City of Chico - Bidwell Golf Course

**Well Name** Bidwell Golf

**Station ID** 394600121460001

**GAMA ID** CAMP-ES-15

**Station Name** 022N002E17C001M

**Sample Date** 10/12/2010 @ 1230

**Detected constituents on the** Slow **schedule**

<i>Constituent Name</i>	<i>Units</i>	<i>Value</i>	<i>Benchmark Value and Type</i>	<i>Typical Use or Source</i>
<b>1 Field Water Quality Indicators</b>				
Water Temperature	deg Celsius	20		Naturally occurring
Specific Conductance, field	µS/cm	206	900 (1600) SMCL-CA	Naturally occurring
pH, field	standard units	7.1	6.5 - 8.5 SMCL-US	Naturally occurring
Dissolved Oxygen	mg/L	6.8		Naturally occurring
<b>2 Major and Minor Ions</b>				
Calcium	mg/L	17.7		Naturally occurring
Magnesium	mg/L	10.3		Naturally occurring
Potassium	mg/L	1.13		Naturally occurring
Sodium	mg/L	9.31		Naturally occurring
Chloride	mg/L	3.26	250 (500) SMCL-CA	Naturally occurring
Fluoride	mg/L	0.13	2 MCL-CA	Naturally occurring
Silica	mg/L	64		Naturally occurring
Sulfate	mg/L	3.4	250 (500) SMCL-CA	Naturally occurring
Alkalinity (CaCO <sub>3</sub> ), laboratory	mg/L	102		Naturally occurring
Total dissolved solids (TDS)	mg/L	173	500 (1000) SMCL-CA	Naturally occurring
Hardness	mg/L as CaCO <sub>3</sub>	86.9		Naturally occurring
<b>3 Nutrients</b>				
Nitrate plus nitrite, as nitrogen	mg/L	0.47	10 MCL-US	Natural, fertilizer, sewage
Total nitrogen (ammonia, nitrite, nitrate, organic nitrogen)	mg/L	0.49		Natural, fertilizer, sewage

ppm = parts per million

ppb = parts per billion

pCi/L = picocuries per liter

E = estimated value

MCL-US = USEPA Maximum Contaminant Level (r)

MCL-CA = CDPH Maximum Contaminant Level (r)

AL-US = USEPA Action Level (r)

M = presence verified, but quantity uncertain

HAL-US = USEPA Lifetime Health Advisory (nr)

NL-CA = CDPH Notification Level (nr)

SMCL-CA = CDPH Secondary Maximum Contaminant Level (nr)

Preliminary: Subject to Revision



## Well Owner Report

**Owner** City of Chico - Bidwell Golf Course

**Well Name** Bidwell Golf

**Station ID** 394600121460001

**GAMA ID** CAMP-ES-15

**Station Name** 022N002E17C001M

**Sample Date** 10/12/2010 @ 1230

**Detected constituents on the** Slow **schedule**

<i>Constituent Name</i>	<i>Units</i>	<i>Value</i>	<i>Benchmark Value and Type</i>	<i>Typical Use or Source</i>
Orthophosphate, as phosphorus	mg/L	0.107		Natural, fertilizer, sewage
<b>4 Trace Elements</b>				
Aluminum	µg/L	2.6	1000 MCL-CA	Naturally occurring
Arsenic	µg/L	0.79	10 MCL-US	Naturally occurring
Barium	µg/L	9	1000 MCL-CA	Naturally occurring
Boron	µg/L	45	1000 NL-CA	Naturally occurring
Chromium	µg/L	0.75	50 MCL-CA	Naturally occurring
Copper	µg/L	0.76	1300 AL-US	Natural, pipe corrosion
Iron	µg/L	3	300 SMCL-CA	Naturally occurring
Lead	µg/L	0.34	15 AL-US	Natural, pipe corrosion
Lithium	µg/L	5.8		Naturally occurring
Manganese	µg/L	0.3	50 SMCL-CA	Naturally occurring
Molybdenum	µg/L	0.24	40 HAL-US	Naturally occurring
Nickel	µg/L	0.28	100 MCL-CA	Naturally occurring
Selenium	µg/L	0.05	50 MCL-US	Naturally occurring
Strontium	µg/L	135	4000 HAL-US	Naturally occurring
Tungsten	µg/L	0.02		Naturally occurring
Uranium	µg/L	0.12	30 MCL-US	Naturally occurring
Vanadium	µg/L	20	50 NL-CA	Naturally occurring

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Preliminary: Subject to Revision



## Well Owner Report

**Owner** City of Chico - Bidwell Golf Course

**Well Name** Bidwell Golf

**Station ID** 394600121460001

**GAMA ID** CAMP-ES-15

**Station Name** 022N002E17C001M

**Sample Date** 10/12/2010 @ 1230

**Detected constituents on the** Slow **schedule**

Constituent Name	Units	Value	Benchmark Value and Type	Typical Use or Source
Zinc	µg/L	2	5000 SMCL-US	Naturally occurring
<b>5 Radioactivity</b>				
Gross-alpha radioactivity, 72 hr count	pCi/L	1.1	15 MCL-US	Naturally occurring
Gross-beta radioactivity, 72 hr count	pCi/L	0.9	50 MCL-CA	Naturally occurring
Radon-222	pCi/L	101	300, 4000 proposed MCLs-US	Naturally occurring
<b>6 Volatile Organic Compounds</b>				
o-Ethyl toluene	µg/L	0.11		Gasoline hydrocarbon
Isopropylbenzene	µg/L	0.02	770 NL-CA	Gasoline hydrocarbon
4-Isopropyl-1-methylbenzene	µg/L	0.02		Gasoline hydrocarbon
n-Propylbenzene	µg/L	0.03	260 NL-CA	Gasoline hydrocarbon
1,2,3,4-Tetramethylbenzene	µg/L	0.2		Gasoline hydrocarbon
1,2,3,5-Tetramethylbenzene (isodurene)	µg/L	0.099		Gasoline hydrocarbon
1,2,3-Trimethylbenzene	µg/L	0.174		Gasoline hydrocarbon
1,3,5-Trimethylbenzene	µg/L	0.1	330 NL-CA	Gasoline hydrocarbon
<b>8 Geochemical and Age-Dating Tracers</b>				
Carbon stable isotope ratio	per mil	-16.16		For dating ancient water
Carbon-14	percent modern	96.37		For dating ancient water
Tritium	pCi/L	2.8	20000 MCL-CA	For dating recent water
Hydrogen stable isotope ratio of water	per mil	-63.6		Info about recharge source area
Oxygen stable isotope ratio of water	per mil	-9.15		Info about recharge source area

ppm = parts per million  
 ppb = parts per billion  
 pCi/L = picocuries per liter  
 E = estimated value

MCL-US = USEPA Maximum Contaminant Level (r)  
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Preliminary: Subject to Revision



## Well Owner Report

**Owner** City of Chico - Bidwell Golf Course

**Well Name** Bidwell Golf

**Station ID** 394600121460001

**GAMA ID** CAMP-ES-15

**Station Name** 022N002E17C001M

**Sample Date** 10/12/2010 @ 1240

**Detected constituents on the** Slow **schedule**

<i>Constituent Name</i>	<i>Units</i>	<i>Value</i>	<i>Benchmark Value and Type</i>	<i>Typical Use or Source</i>
<b>10 Constituents of Special Interest</b>				
Perchlorate	µg/L	0.27	6 MCL-CA	Natural, rocket fuel, fertilizer

ppm = parts per million

ppb = parts per billion

pCi/L = picocuries per liter

E = estimated value

MCL-US = USEPA Maximum Contaminant Level (r)

MCL-CA = CDPH Maximum Contaminant Level (r)

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NL-CA = CDPH Notification Level (nr)

SMCL-CA = CDPH Secondary Maximum

Contaminant Level (nr)

Preliminary: Subject to Revision

# Bidwell Park Disc Golf Log

## 2011

### Trails

Badge #	Date	Time	Open/Closed	#Vehicles	Weather	Notes
804	01/01/11		C	0	Poor	No one observed, Raining
805	01/02/11	1:30 PM	C	0	Fair	No one observed.
805	01/04/11	2:50 PM	C	0	Fair	No one observed.
807	01/06/11	1:30 PM	C	2	Fair	2 people sitting in a vehicle
804	01/06/11	10:45 AM	C	0	Fair	No one observed.
804	01/07/11	9:15 AM	C	0	Fair	No one observed.
804	01/08/11	9:30 AM	C	2	Poor	Foggy, 2 people observed.
807	01/08/11	3:30 PM	C	0	Poor	No one observed.
804	01/09/11	9:00 AM	C	2	Fair	3 people observed.
805	01/09/11	2:30 PM	C	2	Fair	39 f.
805	01/11/11	9:30 AM	C	1	Fair	
805	01/12/11	7:30 AM	C	0	Poor	
807	01/12/11	1:45 PM	C	1	Fair	4 people hiking, 1 dog leash warning
807	01/13/11	3:15 PM	C	0	Poor	Rain and Fog. No one observed
804	01/14/11	11:00 AM	C	0	Fair	No one observed
807	01/14/11	1:45 PM	C	1	Fair	No one observed
804	01/15/11	10:15 AM	C	0	Good	No one observed
807	01/15/11	1:00 PM	C	1	Good	Person walking their dog
804	01/16/11	9:45 AM	C	1	Poor	No one observed
805	01/16/11	2:00 PM	C	2	Poor	1 leash warning and informed 4 people that the course is
804	01/17/11	8:50 AM	C	0	Good	No one observed
805	01/17/11	1:30 PM	C	1	Poor	Foggy.
804	01/19/11	9:25 AM	C	1	Good	No one observed
807	01/19/11	4:15 PM	C	2	Good	4 hikers observed
804	01/20/11	8:00 AM	C	0	Good	No one observed
807	01/20/11	2:15 PM	C	1	Good	No one observed
807	01/21/11	3:45 PM	C	4	Good	2 hikers/course scouters observed
807	01/22/11	2:45 PM	C	10	Good	Folks working on course
805	01/23/11	3:05 PM	C	2	Good	2 hikers, 3 people intending to play. Advised of closure.
805	01/25/11	10:00 AM	C	2	Good	1 hiker and dog were observed.
805	01/26/11	11:30 AM	C	2	Good	No one observed
807	01/26/11	5:00 PM	C	2	Good	3 players observed, advised of closure.
804	01/29/11	9:45 AM	C	10	Good	No one observed
804	01/30/11	9:45 AM	C	0	Poor	No one observed
805	01/30/11	4:45 PM	C	6	Good	4 hikers observed
805	02/01/11	2:15 PM	C	6	Good	4 dog off leash warnings, 2 players advised of closure.
804	02/02/11	10:00AM	C	0	Good	No one observed
804	02/03/11	10:00 AM	C	0	Good	No one observed
807	02/03/11	3:45 PM	C	7	Good	No violations observed
804	02/05/11	12:00 PM	C	5	Good	8 people on course, 1 Dog off leash cite
804	02/06/11	12:45 PM	C	8	Good	15 people on course, all warned.
805	02-0911	10:50 AM	C	1	Fair	No one observed.
807	02/10/11	4:00 PM	C	11	Good	1alc,glass and leash cite issued
804	02/12/11	10:00 AM	C/O	50	Good	Opening day, 100+ people
807	02/12/11	1:30 PM	O	61	Good	1 alc and 1 leash warning
804	02/13/11	11:45 AM	O	30	Good	60-70 people, No violations observed
805	02/13/11	2:15 PM	O	33	Good	No violations observed
805	02/15/11	1:00 PM	O/C	1	Poor	Raining.
804	02/16/11	1:00 PM	C	6	Poor	Several people on course
804	02/17/11	7:30 AM	C	0	Poor	Raining.
804	02/18/11	8:15 AM	C	0	Fair	No one observed
804	02/19/11	9:30 AM	C	0	Poor	No one observed
804	02/20/11	9:15 AM	C	3	Good	Two people in parking lot
804	02/20/11	1:45 AM	C	25	Good	45 people on course, all advised. 1 alcohol warning, 1 dog off leash cite.
805	02/20/11	5:20 PM	C	11	Fair	Several people advised of course closure. (RP) called in to report several people playing today.
804	02/21/11	10:00 AM	C	3	Fair	People heard, no one observed.
805	02/21/11	3:00 PM	C	13	Fair	Several people advised of course closure.

# Bidwell Park Disc Golf Log

## 2011

### Trails

Badge #	Date	Time	Open/Closed	#Vehicles	Weather	Notes
						2 players advised of course closure and assessment completed.
805	02/22/11	9:30 AM	C	2	Poor	completed.
804	02/24/11	8:15 AM	C	0	Poor	Wet Weather assessment, no one observed.
804	02/25/11	7:20 AM	C	0	Poor	Snowing
807	02/25/11	2:00 PM	C	2	Poor	No one observed
804	02/26/11	10:35 AM	C	4	Fair	4 people observed hiking
804	02/27/11	9:55 AM	C	5	Good	4 people observed hiking
W. Elliot	02/27/11	5:00 PM	C	16	Good	Several disc golfers and some hikers observed.
805	03/01/11	1:30 PM	C/O	8	Good	Opened per Dan Efseaff's request.
804	03/02/11	9:15 AM	O/C	0	Poor	Raining, closed course.
804	03/02/11	1:15 PM	C	0	Poor	Turned sign to say closed
804	03/03/11	10:15 AM	C	0	Fair	No one observed.
W. Elliot	03/03/11	3:00 PM	C	7	Fair	2 hikers, 7 players.
804	03/04/11	10:40 AM	C	1	Good	One person exiting course with discs.
807	03/04/11	4:30 PM	C	22	Good	Several counseled about play on closed course
804	03/05/11	9:40 AM	C	3	Good	No one observed
W. Elliot	03/05/11	2:30 PM	C	16	Fair	Did not observe disc golfers, but wanted to report the
805	03/07/11	3:45 PM	C	6	Fair	Talked to 3 players about closure.
805	03/08/11	8:00 AM	C	0	Fair	Assessment completed.
805	03/09/11	2:00 PM	C	5	Good	Several players advised of closure.
W. Elliot	03/09/11	3:00 PM	C	6	Good	Several players on course, saw peregrine falcons.
804	03/10/11	7:45 AM	C	0	Poor	No one observed, likely to rain.
804	03/11/11	8:10 AM	C	1	Good	Assessment completed.
804	03/12/11	9:20 AM	C	0	Fair	Assessment completed.
805	03/13/11	3:15 PM	C	0	Poor	Raining.
805	03/14/11	1:30 PM	C	2	Fair	N/A
805	03/15/11	2:00 PM	C	0	Poor	Raining.
804	03/16/11	8:45 AM	C	0	Poor	Cloudy
804	03/16/11	1:30 PM	C	0	Good	No one observed
804	03/17/11	8:05 AM	C	0	Good	No one observed
804	03/18/11	8:00 AM	C	0	Poor	Raining
804	03/19/11	9:45 AM	C	0	Poor	No one observed
804	03/20/11	10:00 AM	C	0	Poor	No one observed
805	03/21/11	6:00 PM	C	2	Poor	Had rained recently.
805	03/22/11	3:45 PM	C	4	Fair	Spoke with 3 possible players about closure policy.
805	03/23/11	7:30 AM	C	0	Poor	Raining.
804	03/24/11	7:15 AM	C	0	Poor	Very windy, no one observed
						Very windy, no one observed. Walked entire course, no damage done by storm, only limbs down.
804	03/25/11	7:30 AM	C	0	Poor	Raining.
804	03/26/11	10:30 AM	C	0	Poor	Raining.
804	03/27/11	9:30 AM	C	2	Poor	One hiker observed
805	03/27/11	2:30 PM	C	1	Poor	Raining.
805	03/28/11	4:20 PM	C	8	Fair	Spoke with possible players in the parking lot, left card on
804	03/30/11	11:05 AM	C	3	Good	People heard, no one observed.
805	03/30/11	3:45 PM	C	9	Good	Spoke with several players about closure policy.
W. Elliot	03/30/11	6:00 PM	C	12	Good	Several groups observed.
804	03/31/11	7:55 AM	O	0	Good	No one observed
804	03/31/11	1:45 PM	O	13	Good	29 people, 1 paraglider warned, 1 Dog off leash warning.
807	03/31/11	6:00 PM	O	10	Good	2 leash warnings
807	04/01/11	11:00 AM	O	8	Good	No violations observed
806	04/01/11	5:00 PM	O	17	Good	Warning for dog off leash
804	04/02/11	1:00 PM	O	16	Good	43 people, one dog off leash warning.
807	04/02/11	5:30 PM	O	17	Good	1 Glass and alcohol citation issued
806	04/02/11	6:45 PM	O	11	Fair	Extremely windy; a dozen players leaving course
806	04/03/11	5:40 PM	O	10	Fair	Windy; Warning for yet to be opened beer.
806	04/04/11	6:15 PM	O	17	Good	No violations observed
807	04/05/11	6:30 PM	O	7	Good	2 leash, 2 glass & 3 alcohol warnings
805	04/06/11	11:15 AM	O	10	Good	Spoke with CalTrans
807	04/06/11	6:00 PM	O	23	Good	No violations observed
807	04/08/11	11:00 AM	O	4	Good	1 leash citation issued

# Bidwell Park Disc Golf Log

## 2011

Badge #	Date	Time	Trails		Weather	Notes
			Open/Closed	#Vehicles		
806	04/08/11	6:15 PM	O	12	Good	1 alcohol citation
807	04/09/11	3:30 PM	O	24	Good	No violations observed
806	04/09/11	5:10 PM	O	17	Good	Dog leash warning
805	04/10/11	11:40 AM	O	10	Good	No violations observed
806	04/10/11	4:15 PM	O	16	Good	No violations observed
805	04/12/11	12:45 PM	O	4	Good	No violations observed
807	04/14/11	4:45 AM	O	26	Good	1 Alcohol warning
806	04/16/11	7:10 PM	O	11	Good	No violations observed; multiple beer bottles in trash
806	04/17/11	3:10 PM	O	21	Fair	No violations observed.
805	04/18/11	7:30 AM	O	0	Fair	Emptied rain gauge and checked course. Trail tread moist
806	04/18/11	5:05 PM	O	7	Fair	No violations observed.
805	04/19/11	12:20 PM	O	3	Good	N/A
807	04/19/11	6:00 PM	O	13	Good	No violations observed
805	04/20/11	12:15 PM	O	7	Fair	N/A
806	04/22/11	6:55 PM	O	7	Good	No violations observed.
806	04/23/11	7:15 PM	O	5	Good	No violations observed.
805	04/24/11	11:10 AM	O	7	Fair	No violations observed. Sprinkling.
806	04/24/11	3:00 PM	O	11	Good	No violations observed; .03" in rain meter
805	04/25/11	1:00 PM	O	2	Fair	No violations observed.
806	04/26/11	6:50 PM	O	8	Good	Players seen hiding opened alcohol in vehicle; parties
804	04/28/11	12:30 PM	O	10	Good	approximately 20 people
807	04/28/11	3:45 PM	O	12	Fair	1 alc, 2 leash warnings
804	04/29/11	1:00 PM	O	20	Good	windy, approximately 30 people
806	04/29/11	5:10 PM	O	9	Fair	No violations observed, very windy.
807	04/30/11	12:45 PM	O	16	Good	No violations observed
804	04/30/11	1:15 PM	O	20	Good	No violations observed, very windy.
806	04/30/10	5:30 PM	O	7	Fair	No violations observed; trash emptied.
806	05/01/11	3:00 PM	O	17	Good	2 warning alcohol/glass; 1 warning for smoking
806	05/02/11	3:30 PM	O	9	Good	No violations observed.
806	05/06/11	4:30 AM	O	8	Good	1 leash warning.
806	05/07/11	6:00 PM	O	11	Fair	1 smoking warning; intermittent light rain
806	05/08/11	7:15 PM	O	9	Good	2 leash warnings
805	05/08/11	12:15 PM	O	5	Fair	No violations observed.
806	05/09/11	3:30 PM	C	4	Good	4 warnings for playing on closed course; wet weather cards
805	05/10/11	8:00 AM	C/O	2	Fair	Player observed while conducting wet weather assessment.
806	05/10/11	8:05 PM	O	4	Good	No violations observed.
806	05/13/11	4:35 PM	O	12	Good	No violations observed.
804	05/15/11	8:30 AM	O/C		Poor	Closed course.
805	05/17/11	7:15 AM	C	0	Poor	Sprinkling.
807	05/17/11	7:30 PM	C	0	Poor	raining
807	05/18/11	3:15 PM	C	14	Fair	trash detail, over 30 players advised closed course
804	05/19/11	9:50 AM	C	2	Good	Assessment completed.
804	05/20/11	10:55 AM	C	5	Good	Approx. 10 unhappy people course is closed
806	05/20/11	8:05 PM	C	4	Fair	2 warning for playing on closed course
804	05/21/11	8:15 AM	C/O	2	Good	Course dry enough to open
804	05/22/11	12:30 PM	O	15	Good	20 people, no violations
805	05/22/11	11:15 AM	O	10	Good	Alcohol/glass warning.
805	05/23/11	8:00 AM	O/C	0	Fair	Rained. .36" in gauge.
804	05/25/11	8:05 AM	C	0	Poor	Currently Raining
807	05/25/11	6:45 PM	C	0	Poor	Trash detail
804	05/26/11	8:15 AM	C	0	Fair	Rained a lot, very muddy
Elliott	05/26/11	5:00 PM	C	6	Fair	n/a
807	05/26/11	6:45 PM	C	2	Fair	3 alcohol citations
804	05/27/11	9:50 AM	C	2	Fair	Assessment completed.
804	05/28/11	10:30 AM	C	1	Poor	Assessment completed.
807	05/28/11	2:15 PM	C	4	Poor	Citations issued for alcohol,dog leash and littering Wet weather card left; talked to incoming people and gave
806	05/28/11	5:30 PM	C	1	Fair	cards
805	05/29/11	11:15 AM	C	2	Fair	A group advised of closure.
806	05/29/11	3:15 PM	C	8	Fair	12 counseled on closure; cards given

# Bidwell Park Disc Golf Log

## 2011

### Trails

Badge #	Date	Time	Open/Closed	#Vehicles	Weather	Notes
806	05/30/11	6:40 PM	O	2	fair	Extremely windy; no one seen.
805	05/30/11	11:45 AM	O	10	Fair	No violations observed.
807	06/01/11	6:15 PM	C	0	Poor	Trash Detail
807	06/02/11	7:00 PM	C	5	Fair	14 people counseled about play on closed course
804	06/03/11	9:10 AM	C	4	Fair	dog off leash cite, players on course, course is closed
807	06/03/11	5:20 AM	C	1	Fair	No one observed
806	06/03/11	6:55 PM	C	1	Fair	No one seen. + counseled on closure, cards given & left on remaining cars.
806	06/04/11	3:30 PM	C	5	Fair	
805	06/05/11	7:30 AM	C	1	Fair	No one observed.
805	06/05/11	12:30 PM	C	1	Poor	No one observed. Wet weather card left on vehicle.
806	06/05/11	5:35 PM	C	1	Poor	No one seen. One person exiting course with discs, others waiting in parking lot to open
804	06/08/11	11:00 AM	O	2	Good	
804	06/09/11	1:00 PM	O	5	Good	
807	06/09/11	4:45 PM	O	19	Good	Trash detail, 1 leash warning
807	06/10/11	12:15 PM	O	3	Good	No violations observed
806	06/10/11	7:20 PM	O	6	Good	No violations observed. Chico Outsiders had both set up, they say only about 30 people seen today.
804	06/11/11	1:15 PM	O	6	Good	
804	06/12/11	10:00 AM	O	18	Good	Approximately 30 people.
805	06/12/11	11:10 AM	O	12	Good	1 dog leash warning.
804	06/16/11	10:15 AM	O	6	Good	No violations observed.
806	06/17/11	7:45 PM	O	5	Good	No violations observed.
804	06/18/11	10:30 AM	O	9	Good	One dog off leash warning
804	06/22/11	10:30 AM	O	7	Good	approximately 10 people no violations
806	06/25/11	4:45 PM	O	6	Good	No violations seen
804	06/26/11	12:00 PM	O	3	Good	Checked garbage, no one seen
807	06/29/11	5:15 PM	C	4	Fair	Trash detail, 6 people warned about closed course, 1 alc war
804	06/30/11	12:10 PM	C/O	4	Good	4 people observed, course reopened
806	07/01/11	6:15 PM	O	5	Good	Dog off leash warning
806	07/02/11	8:00 PM	O	7	Good	No violations seen
805	07/03/11	2:45 PM	O	1	Good	No players observed. Hot temperatures.
806	07/03/11	5:30 PM	O	1	Good	No one seen.
805	07/04/11	1:10 PM	O	4	Good	Hot temperatures.
807	07/07/11	3:30 PM	O	0	Good	Trash detail
806	07/08/11	8:10 PM	O	2	Good	No violations seen.
806	07/09/11	7:30 PM	O	3	Good	No players observed.
806	07/10/11	6:15 PM	O	4	Good	Out of state people marveling at course
806	07/15/11	6:35 PM	O	8	Good	Dog off leash warning
806	07/16/11	6:10 PM	O	3	Good	Trash emptied; no violations seen.
806	07/17/11	4:00 PM	O	7	Good	No violatons seen.
806	07/19/11	7:10 PM	O	4	Good	No one seen.
804	07/21/11	10:00 AM	O	5	Good	No violatons seen.
804	07/23/11	10:00 AM	O	15	Good	Appox 20 people seen
804	07/28/11	9:45 AM	O	6	Good	2 groups observed
804	07/29/11	10:00 AM	O	10	Good	No violatons seen.
806	07/29/11	6:45 PM	O	2	Good	Hot temperatures.
804	07/30/11	9:45 AM	O	15	Good	No violatons seen.
806	07/30/11	7:20 PM	O	1	Good	Trash emptied; no violations seen.
806	8/01/11	6:20 PM	O	5	Good	No violations seen
806	08/05/11	8:10 PM	O	3	good	Two players observed; no violations seen.
806	08/06/11	7:15 PM	O	1	Good	No one seen.
806	08/12/11	8:05 PM	O	2	Good	No violations seen.
806	08/14/11	4:10 PM	O	4	Good	Only hikers seen near the entrance
806	08/15/11	5:00 PM	O	2	Good	N/A
807	08/20/11	5:00 PM	O	2	Good	No violations observed
807	08/25/11	5:15 PM	O	14	Good	Trash Detail, No violations observed
806	09/02/11	7:15 PM	O	8	Good	Hot; 12 players observed, no violations seen.

# Bidwell Park Disc Golf Log

## 2011

### Trails

Badge #	Date	Time	Open/Closed	#Vehicles	Weather	Notes
807	09/03/11	12:30 PM	O	5	Good	No violations observed, trash detail
806	09/04/11	6:30 PM	O	4	Good	No violations seen.
806	9/5/2011	6:50 PM	O	5	Good	Several players leaving the course.
807	9/7/2011	7:00 PM	O	3	Good	No violations observed, trash detail
806	9/10/2011	6:30 PM	O	3	Good	No violations seen.
806	9/11/2011	6:05 PM	O	3	Good	Hikers observed.
806	9/12/2011	7:10 PM	O	1	Good	No one observed
806	9/17/2011	6:00 PM	O	4	Good	Several players on 18th hole; no violations seen
806	09/18/11	5:15 AM	O	3	Good	No evidence of exclusive use day tournament
806	09/19/11	5:55 PM	O	2	Good	No one observed.
806	10/01/11	3:30 PM	O	2	Good	Players entering course; no violations seen.
806	10/02/11	4:40 PM	O	3	Good	No one observed.
806	10/03/11	5:00 PM	O	3	Fair/Poor	First seasonal rain falling.
807	10/05/11	12:50 PM	C	0	Fair	No one observed, checked trash
807	10/06/11	12:40 PM	C	1	Fair	Person having lunch
807	10/07/11	10:00 AM	C	0	Good	Trails Assessment
806	10/07/11	4:50 PM	C	5	Good	7 counseled for playing on closed course; cards given.
807	10/08/11	9:15 AM	C/O	0	Good	Trails assessment
806	10/08/11	2:50 PM	O	5	Good	Several mtn bikers on trail; no violations seen.
804	10/09/11	9:30 AM	O	5	Good	No violations observed
804	10/10/2011	11:00 AM	C	0	Poor	Raining
804	10/11/11	8:30 AM	C	0	Fair	Overcast
805	10/12/11	10:00 AM	C	2	Fair	4 players advised of closure policy.
807	10/13/11	1:10 PM	O	3	Good	No violations observed
807	10/15/11	11:45 AM	O	8	Good	1 leash warning
806	10/16/11	5:12 PM	O	8	Good	No violations observed
806	10/17/11	6:00 PM	O	2	Good	Two hikers coming off trail
807	10/19/11	2:00 PM	O	3	Good	1 glass, 1 alcohol and 1 smoking warning
807	10/21/11	9:30 AM	O	7	Good	1 leash warning
806	10/21/11	6:02 PM	O	6	Good	One seen; no violations
806	10/22/11	5:45 PM	O	5	Good	No excessive trash from exclusive use day
804	10/23/11	1:00 PM	O	8	Good	16 people, 1 dog leash and 1 alc. warning
806	10/23/11	3:05 PM	O	8	Good	No violations observed, 9 players seen.
806	10/24/11	4:45 PM	O	6	Fair	Windy conditons; no violations observed
806	10/29/11	4:30 AM	O	7	Good	No violations seen
806	10/30/11	5:15 PM	O	9	Good	No violations
806	10/31/11	4:40 PM	O	8	Good	No violations seen
805	11/01/11	10:40 AM	O	3	Fair	
807	11/04/11	10:30 AM	O	3	Good	No violations observed, trash detail
806	11/04/11	5:45 PM	O	11	Good	A dozen players seen; no violations
807	11/05/11	10:45 AM	O	9	Fair	No violations observed
806	11/06/11	8:15 AM	O/C	0	Poor	Wet weather closure.
806	11/06/11	11:45 AM	C	1	Fair	Card left on vehicle; no one seen
805	11/07/11	8:00 AM	C/O	0	Poor	Opened course.
806	11/07/11	3:45 PM	O	5	Fair	Three seen, no violations observed.
805	11/08/11	7:45 AM	O	0	Poor	Opened trails.
806	11/11/11	5:32 PM	O	1	Fair	No one seen, sun set
806	11/12/11	3:55 PM	O	17	Good	2 alcohol cites
806/805	11/13/11	1:00 PM	O	8	Good	Multiple players observed.
807	11/15/11	4:20 PM	O	9	Good	1 leash warning
807	11/17/11	8:30 AM	O	0	Fair	No one observed
806	11/18/11	4:30 PM	O	4	Poor	2 hikers w/cameras seen
806	11/19/11	2:00 PM	O	16	Fair	2 alcohol warnings; one leash warning
806	11/20/11	1:30 PM	C	1	Poor	No one seen.
806	11/21/11	3:45 PM	C	1	Fair	No one seen
807	11/23/11	4:00 PM	C	7	Fair	Trash detail, 15 players advised of closure policy, 1 alcohol and 1 leash citation
807	11/24/11	12:30 PM	C	1	Poor	Person sitting in vehicle
807	11/25/11	10:30 AM	C	3	Fair	9 Players advised of closure policy
807	11/26/11	7:45 AM	C	0	Poor	No one seen, very foggy

**Bidwell Park Disc Golf Log  
2011**

**Trails**

Badge #	Date	Time	Open/Closed	#Vehicles	Weather	Notes
805	11/27/11	9:30 AM	C	1	Poor	No one observed.
805	11/28/11	7:45 AM	C	1	Poor	No one observed.
805	11/29/11	8:30 AM	O	0	Fair	No one observed.
805	11/30/11	8:00 AM	O	0	Fiar	No one observed.
807	11/30/11	3:00 PM	O	1	Fair	No one seen, very windy
807	12/01/11	3:35 PM	O	7	Good	CPD & BCSO contacting 5150 person
807	12/03/11	11:10 AM	O	11	Good	No violations observed
806	12/03/11	4:10 PM	O	5	Fair	Half dozen people seen; no violations
805	12/04/11	10:00 AM	O	6	Fair	4 players observed.
806	12/04/11	3:35 PM	O	14	Good	1 dog leash warning.
806	12/05/11	2:50 PM	O	5	Good	No violations observed.
805	12/07/11	12:45 PM	O	3	Good	1 Player observed.
807	12/07/11	4:45 PM	O	10	Good	1 Leash Warning
806	12/09/11	4:45 PM	O	12	Good	No violations seen; several leaving course
807	12/10/11	10:00 AM	O	7	Good	No violations observed
806	12/10/11	2:20 PM	O	11	Good	Leash in hand warning
805	12/11/11	10:36 AM	O	12	Fair	No violations observed.
806	12/11/11	3:30 PM	O	14	Good	Ride along; no violations observed
805	12/15/11	8:15 AM	O/C	0	Poor	Closed course.
807	12/16/11	8:45 AM	C/O	0	Good	Assessment completed course opened
806	12/16/11	3:15 PM	O	7	Good	No violations observed
806	12/17/11	3:45 PM	O	12	Good	One leash warning
806	12/18/11	4:35 PM	O	8	Good	No violations observed
806	12/23/11	2:20 PM	O	17	Good	Lots of families; no violations seen.
806	12/24/11	4:40 PM	O	2	Good	No one seen.
805	12/25/11	12:55 PM	O	8	Good	Several players observed.
805	12/27/11	12:07 PM	O	11	fair	No violations observed.
805	12/29/11	12:31 PM	O	10	Good	Several players contacted. No violations observed.
806	12/30/11	2:20 PM	O	2	Fair	No one seen; cloudy and windy.

**Total 1840**

<b>Summary</b>			
Trails	Total obs.	Total Vehicles	Ave # Veh.
C	137	374	2.73
O	166	964	5.81
C/O	8	66	8.25
O/C	6	1	0.17

**Bidwell Park Disc Golf Log**  
**2011**

Trails

Badge #	Date	Time	<u>O</u> pen/ <u>C</u> losed	#Vehicles	Weather	Notes
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