

## **3 RESPONSE TO COMMENTS**

This chapter provides a complete copy of all the written comments received on the draft environmental impact report (DEIR) for the Bidwell Park Master Management Plan Update (BPMMP), including the four site-specific Park Improvement Projects at Bidwell Park (Park). Comments from the public hearing held on June 13, 2007 are also included. This chapter also includes responses to significant environmental issues raised in the comments, as required by the California Environmental Quality Act Guidelines (State CEQA Guidelines) Section 15132.

The first section of this chapter provides master responses to environmental issues raised by multiple commenters. The second section focuses on responses to specific comments received on the DEIR and BPMMP.

The comments are divided into letters received from agencies, from organizations and/or interest groups, and from individuals, followed by the comments recorded during the June 13, 2007 public meeting. Each letter is reproduced in its entirety to present verbatim comments, including attachments. Each letter and comment is labeled numerically by category, and corresponds to Table 2-1 in Chapter 2 of this final EIR (FEIR).

The responses to comments are also labeled numerically to correspond with each comment. The responses follow immediately after each letter. Where responses warrant changes to language in the DEIR or BPMMP, these changes are described after the applicable response. If the changes refer to specific edits suggested by a commenter, the response states whether or not the edit has been incorporated.

### **3.1 MASTER RESPONSES**

The following section contains master responses to environmental issues raised by multiple commenters for impacts relating to the programmatic nature of the EIR, Disc Golf project development, cultural resources, aesthetics, and impacts related to oak woodlands. The intent of a master response is to provide a comprehensive response to an issue or set of interrelated issues raised by multiple commenters, so that all aspects of the issue can be addressed in a coordinated, organized manner in one location. Where appropriate, responses to individual comments on these topics are directed to the master responses.

#### **3.1.1 MASTER RESPONSE 1—PROGRAMMATIC NATURE OF THE EIR**

Several commenters raised questions regarding the programmatic nature of the DEIR. The DEIR serves as a program EIR, as defined by the State CEQA Guidelines, Section 15168, for adoption of the BPMMP. For three of the four site specific Park Improvement Projects (Trail Plan, Cedar Grove Area Concept Plan, and Horseshoe Lake Area Concept Plan), the DEIR also serves as a program EIR, because site-specific biological resources and cultural resources surveys sufficient for defining project-level environmental effects have not been prepared. The reason these site-specific surveys have not been performed for these three improvement projects is that facility designs remain conceptual; these specific improvement projects are not designed to a sufficient level of detail to allow for focused, site-specific surveys of biological and cultural resources. Programmatic mitigation measures for these projects are included in the DEIR for those resource topics where implementation of the proposed projects could result in significant or potentially significant impacts. These mitigation measures are to be implemented prior to or as part of approval of the final design or alignment and construction of these projects. After more detailed planning and design of the projects are completed and the projects are considered for implementation by the City, they will undergo additional CEQA review, consistent with Section 15168(c) of the State CEQA Guidelines. They will be reviewed in light of the information in the program EIR. If their impacts are within the scope of the information in the program EIR, additional environmental documentation may not be necessary. If new effects are identified that were not addressed in the program EIR, the City would prepare an Initial Study to determine the appropriate environmental documentation. The mitigation measures also provide a consistent and streamlined approach for reducing impacts resulting from the proposed and future Park Improvement Projects.

Section 15168 of the State CEQA Guidelines describes the procedural approach to the use of program EIRs. It states that a program EIR may be prepared on series of actions that can be characterized as one large project and are related either:

- (1) geographically,
- (2) logical parts in a chain of contemplated actions,
- (3) In connections with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigation in similar way;

All of the scenarios described in Section 15168 apply to the BPMMP. The BPMMP identifies proposed management activities and facility improvements geographically located within the Park. The master management plan approval is the first is a sequence of contemplated actions, followed by subsequent approvals to implement the Park Improvement Projects. Section 15168 of the State CEQA Guidelines also provide a list of advantages of the use of program EIRs and guidance on the use with later activities and use with subsequent EIRs and Negative Declarations. The proposed Park Improvement Projects, including the Trail Plan, Cedar Grove Area Concept Plan, and Horseshoe Lake Area Concept Plan, and other future projects consistent with the BPMMP will comply with the Section 15168 of the State CEQA Guidelines and undergo additional, site-specific CEQA review pursuant to CEQA Guidelines section 15168.

The DEIR serves as a project EIR for the approval of the Disc Golf/Trailhead Project. For this project, more detailed site plans have been prepared and presented in the DEIR. Also, baseline inventory surveys for cultural resources and biological resources have been conducted at a level of detail sufficient to support a site-sensitive design of the project, as well as a focused analysis of specific impacts to sensitive resources occurring on site. Three plan options for the Disc Golf/Trailhead project site are analyzed at a project level to enable the City Council to make a project specific recommendation.

### **3.1.2 MASTER RESPONSE 2—DISC GOLF PROJECT DEVELOPMENT AND MITIGATION MEASURES**

This master response reiterates the timing of completion and relationship between site specific surveys at the Disc Golf/Trailhead Area site, project design development and refinement, and mitigation measures recommended in the DEIR.

The following steps were undertaken during planning for the Disc Golf/Trailhead Area's 40-acre project site:

- ▶ Reconnaissance site survey conducted by EDAW wildlife biologist and EDAW botanist in spring 2005;
- ▶ Special-status plant surveys and vegetation community mapping conducted at the site by EDAW in 2005; this supplements information collected earlier by Stuart in 2002 and 2003;
- ▶ Cultural resources inventory conducted at the 40-acre site by Jensen and Jensen in 2001;
- ▶ Development of parameters for avoidance of sensitive resources (i.e., cultural resources/Humboldt Road, special-status plant occurrences, oak woodlands, wildflower fields, and wetlands) known to occur on site based on field surveys by a multi-disciplinary team of biologists, recreation planners, a disc golf designer, and City planners with input from Bidwell Park and Playground Commission (BPPC) and Citizen's Advisory Committee (CAC) specifically formed for this planning effort;

- ▶ Solicitation of input from the California Department of Fish and Game (DFG) on assessment of impacts and development of mitigation measure for native oak woodlands;
- ▶ Design of the project by a professional disc golf designer who is also a trained biologist; the design resulted in the creation of a tournament-level course consistent with CAC and BPPC direction to avoid approximately 90% of sensitive resources known to occur on the site;
- ▶ Assessment of the native oaks on site by a professional arborists and preparation of recommendations for site management by the arborist; these recommendations have been subsequently integrated in the development of mitigation measures for impacts to native oak trees on site that cannot be avoided;
- ▶ Analysis of residual impacts on those resources that cannot be avoided as a result of site design during preparation of the DEIR;
- ▶ Development of site-specific mitigation measures by qualified biologists with input from a recreation designer;
- ▶ Presentation of the results of the analysis in the DEIR including the results of field surveys and site planning and design process to the City to aid in decision-making.

This holistic approach taken for the redesign of the Disc Golf/Trailhead Area resulted in a substantial reduction of impacts to cultural, aesthetic and biological resources when compared with current site and disc golf use conditions. This integrated approach also resulted in the proposal for a multi-use facility that accommodates disc golfers and other site users, while minimizing user conflicts. Finally, the approach resulted in the development of a prescribed set of site-specific mitigation measures that spell out the specific steps to be undertaken to reduce residual impacts to less-than-significant level. These mitigation measures can be found throughout the DEIR and are summarized in Appendix E7-1 of the DEIR.

### **3.1.3 MASTER RESPONSE 3—CULTURAL RESOURCES/HUMBOLDT ROAD**

This response addresses comments regarding the significance of and potential impacts on the historic Humboldt Road alignment resulting from implementation of the Disc Golf/Trailhead Area Park Improvement Project.

Considerable information exists about the character and resources associated with historic uses of Humboldt Road, which include wagon trains and stage service. As documented by Ritter (1985), a sparse refuse deposit at the Disc Golf/Trailhead Area was found to be associated with the Humboldt Road and to contain artifacts that date to the early 1900s, thereby postdating the period of significance associated with early wagon and stage service in the mid 1800s. Recent investigations were not able to relocate this sparse distribution of refuse identified by Ritter. While the route displays a depression along portions of the alignment within the Park, it lacks wheel ruts and rock retaining walls that have been documented elsewhere along the route within Butte County. Nevertheless, as indicated by Jensen in his assessment of the Disc Golf/Trailhead Area project site, this segment of the historic Humboldt Road appears to qualify for eligibility to the National Register of Historic Places (NRHP)/California Register of Historical Resources (CRHR), because of its historic association with John Bidwell. The proposed Disc Golf/Trailhead Areas concept plan includes a kiosk that would provide interpretive information on the Humboldt Road and its importance to local history.

The NRHP applies standards to the listing process. These standards were developed to evaluate the significance of properties to recognize the accomplishments of all peoples who have made a significant contribution to the country's history and heritage. The criteria are designed to guide State and local governments, Federal agencies, and others in evaluating potential entries in the National Register. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history;  
or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded or may be likely to yield, information important in prehistory or history.

The California Register of Historical Places is a program administered by the State Historical Resources Commission. The Commission has designed this program for use by state and local agencies, private groups and citizens to identify, evaluate, register, and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archeological resources.

The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and affords certain protections under the California Environmental Quality Act. Like the NRHP, the CRHP uses specific designation criteria to determine a site's eligibility for listing. A site is eligible for listing if it is:

- ▶ Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- ▶ Associated with the lives of persons important to local, California or national history (Criterion 2).
- ▶ Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- ▶ Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation (Criterion 4).

The Humboldt Road appears to qualify under NRHP Criterion B and CRHP Criterion 2, based solely on its association with John Bidwell. It does not qualify under NRHP Criteria A, C, or D or under CRHP Criteria 1, 2, or 4.

Similar to the City's analysis regarding the Oak Valley subdivision project, the setting surrounding the road will not change as a result of implementation of the Disc Golf/Trailhead Area project. While some construction will occur, the proposed facilities are minor (parking lot, bathroom, kiosk, picnic area, tees, targets) and will in most cases replace existing facilities (dirt parking lot in Caltrans Right of way, dirt tees and targets). The overall landscape setting of the site would be preserved. Furthermore, the association of the road with John Bidwell, i.e., the reason the resource would qualify for listing on the NRHP and CRHP, would not change.

The City recognizes the sensitivity and importance of Humboldt Road as an historic resource and the strong desire by members of the community to protect the resource regardless of its current legal status. Consequently, despite the EIR's conclusion that impact on the historic resource would be less than significant, the City directed the Disc Golf/Trailhead site design team to revisit the proposed site layout, and explore the potential for modifying the design to minimize or completely avoid direct encroachment into or across the Humboldt Road alignment, to the extent possible.

In response to this direction, an additional site assessment to further refine the precise interaction between the Disc Golf/Trailhead area improvements and Humboldt Road was conducted subsequent to public circulation of



the DEIR. A professional archeologist trained in site reconnaissance of archeological and historic resources assessment conducted an additional site visit and recorded the precise location of the Humboldt Road alignment at the Disc Golf/Trailhead Area site using global positioning system (GPS) equipment.

The GPS depiction of the exact location of the road obtained during the additional site reconnaissance visit has been overlain onto the Disc Golf/Trailhead Area project footprint as presented in the DEIR. The overlay was then analyzed using Geographic Information System (GIS) software to determine the exact length of the Humboldt Road that would experience encroachment by the proposed project. The analysis concluded, as did the DEIR, that portions of the proposed Disc Golf/Trailhead Area alternatives would encroach into Humboldt Road, including a segment of 284 linear feet of the road alignment under Alternative C, and a segment of 204 feet of the road alignment under Alternatives A and B. This refined analysis shows that shorter segments of the road would be affected than the total lengths of impact estimated in the DEIR, which were obtained through aerial photograph interpretation and a review of cultural resources inventory maps. The DEIR described the potential encroachment as a segment of 500 linear feet for impacts under Alternative C and 700 linear feet for Alternatives A and B.

To completely avoid direct encroachment, and therefore direct impacts, on the Humboldt Road resulting from the proposed project, the Disc Golf/Trailhead Area design team redesigned the location of the proposed parking lot and associated facilities to completely avoid the recorded location of the Humboldt Road. Exhibits 3.1.3-1 through 3.1.3-5 present the revised design.

For Alternatives A and B, three disc golf fairways (number 5, 13, and 14) would cross the Humboldt Road alignment, thereby resulting in disc golf-related pedestrian traffic at those crossing locations. No fairway crossings are included in Alternative C because this alternative does not contain the short course. However, pedestrians walking across the road alignment are a result of any access to the project site for any purposes because the road crosses the entire length of the site adjacent to SR 32. Pedestrian traffic, thus, is not specific to disc golf. Furthermore, disc golf is not expected to result in any indirect impacts that would affect the nature of the resource, its integrity or its qualifications to be listed on the NRHP or CRHP sometime in the future.

In summary, the conclusion of the DEIR is confirmed to be valid that, with mitigation, the proposed project would result in a less-than-significant impact to Humboldt Road as a historic resource. Minor redesign of the site further led to an elimination of direct impacts. None of the proposed actions would preclude the Humboldt Road from being eligible for listing in the NRHP/CRHP at some time in the future. The proposed interpretive facility at the site would enhance the public's knowledge and appreciation of the resource.

### **3.1.4 MASTER RESPONSES 4—OAK WOODLANDS**

Several commenters raised concerns about impacts to oak woodlands at the Disc Golf/Trailhead Area site resulting from continued use of the site for disc golf. Specific comments were raised pertaining to certain mitigation measures proposed in the DEIR, such as shielding posts and the use of woodchips to protect compaction of the root zones. Other comments focused on the physical damage to oak inflicted by disc strikes and soil compaction under the oaks resulting from foot traffic. This master response clarifies the integrated approach to oak woodland management undertaken during the planning and EIR preparation process. Unless otherwise specified, the impact discussion is focused on the Disc Golf/Trailhead Area.

#### **Oak Woodland Management**

Several types of oak woodlands occur in the Park. Their composition and distribution in the Park are described in Section 2.3.2.2 Botanical Resources of the BPMMP. Section 3.5.3.2 Biological Resources of the BPMMP contains detailed objectives and implementation Strategies and Guidelines pertaining to natural communities in the Park. Several of these objectives focus specifically on oak woodland. In addition, Section 3.1 of the Natural Resources Management Plan (NRMP, Appendix C of the BPMMP) focuses specifically on oak woodland management objectives, management issues, and oak management guidelines and recommendation. The NRMP

was developed by an EDAW senior restoration ecologist and a rangeland management specialist with input from local experts who participated in an NRMP discussion group. The extensive nature of addressing oak woodlands in the BPMMP and NRMP clearly identifies oak woodlands as a valuable resource in Bidwell Park that needs careful management attention. The integrated approach to management of oak woodland resources consists of assessment of baseline conditions, site design/resource avoidance, impacts analysis, and mitigation as outlined below.

### **Assessment of Baseline Conditions**

Several site-specific assessments of the oak woodlands of the Disc Golf/Trailhead Area site have been conducted. The location and extent of oak woodlands were inventoried during a special-status plant survey conducted by EDAW at the site during the spring and summer of 2005. The survey report, along with a plant community map and complete species list for the site are included in Appendix E3 of the DEIR. Appendix E4 of the DEIR is an oak assessment for the Disc Golf/Trailhead Area site that was conducted in 2005 by Tree Associates, Professional Consulting Arborists. The oak assessment contains detailed information on the conditions of oaks at the site and recommendation for site management.

### **Site Design/Resource Avoidance**

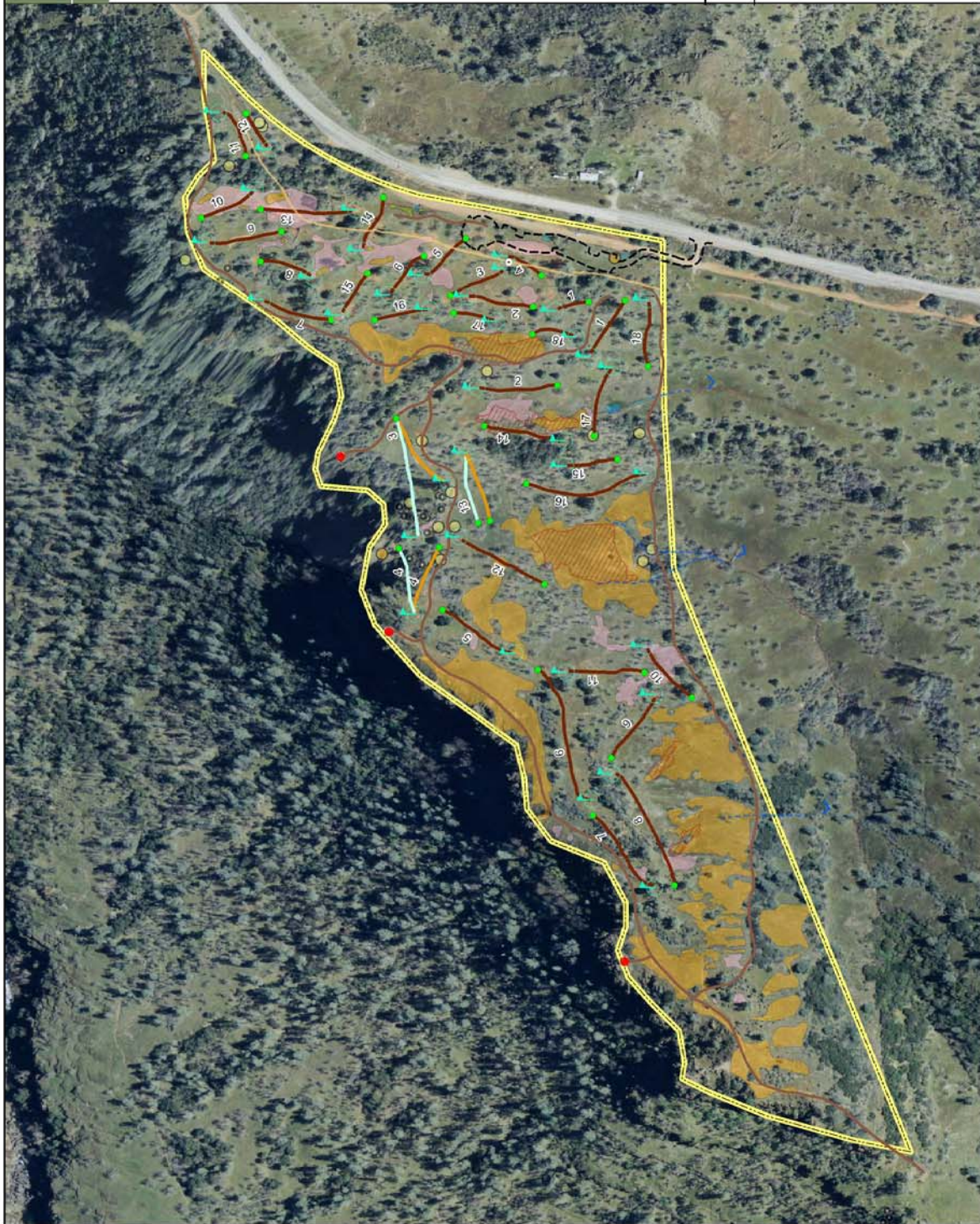
Appendix H of the BPMMP contains the Disc Golf/Trailhead Area Concept Plan for site use developed by a professional disc golf designer in cooperation with a senior recreation planner. Page H-2 summarized the resources that were identified for avoidance during site design. This list of resources to be avoided identifies blue oaks and other native oak species at the site as resources to be avoided, because they are a declining habitat type, are considered a sensitive habitat type in the EIR, and are subject to harm from removal of duff and breakage or cuts to limbs. The resulting designs (Alternatives A through C in Appendix H) show the project features in relation to oak woodlands on the site. Through careful inventory of the site's resources and resource sensitive design criteria, the City ensured the most site sensitive design of the proposed facilities.

### **Impact Analysis**

Because recreation use has the potential to result in some resource damage, the proposed project underwent a rigorous review for potential impacts to biological resources, in general, and oak woodland specifically, during preparation of the DEIR. This analysis can be found in the DEIR on page E4-75 under Impact Bio-3c: Adverse Effects of Park Improvement Projects on Oak Woodland. The impact analysis concludes that direct loss or fragmentation of oak woodland or indirect effects on oak woodland, such as habitat degradation and tree damage, could result from project implementation and that this would be a potentially significant impact requiring mitigation.

### **Mitigation**

Mitigation Measure Bio-3c on page E4-76 of the DEIR comprises an extensive list of measures to be taken during design, management, construction, and monitoring to reduce potential impacts resulting from implementation of Park Improvement Projects. This extensive list is followed by a list of ten additional measures that apply to the Disc Golf/Trailhead Area specifically. As stated in the DEIR, this list is based on site observations by professional botanists, oak woodland management guidelines provided by DFG during the scoping process, and measures recommended by a professional arborist from the tree assessment of the site. The list includes measures aiming at design, public information, physical management of the site (e.g., shielding, woodchips), monitoring, adaptive management, compensatory planting and community stewardship. Together, these measures establish an extensive management program that will ensure the long term health of oak woodlands at the Disc Golf/Trailhead Area and other areas in the Park.



# Bidwell Park Master Plan

## Proposed Disc Golf Course Study Area

### Alternative A

**LEGEND**

*Stuart Data*

- Butte County Checkerbloom
- Bidwell's Knotweed

*EDAW Data*

- Bidwell's Knotweed, March and May Surveys
- Butte County Checkerbloom, March and May Surveys
- Wildflower Field with Bidwell's Knotweed, May Survey
- Wildflower Field, May Survey
- Vernal Pool
- Vernal Pool Complex (Contains 6 Pools)
- Vernal Swale

- Overlook
- Tee Location
- Pins
- Summer Fairway
- Winter Fairway
- All Season Fairway
- Parking Lot Concept (68 cars)
- Rock Ring
- Old Humboldt Road Alignment
- Drainage
- Proposed Trail
- Disc Golf Course Boundary

Sources: EDAW 2005, 2007; City of Chico 2004; Mike Belchik 2005; Stuart Data 2002

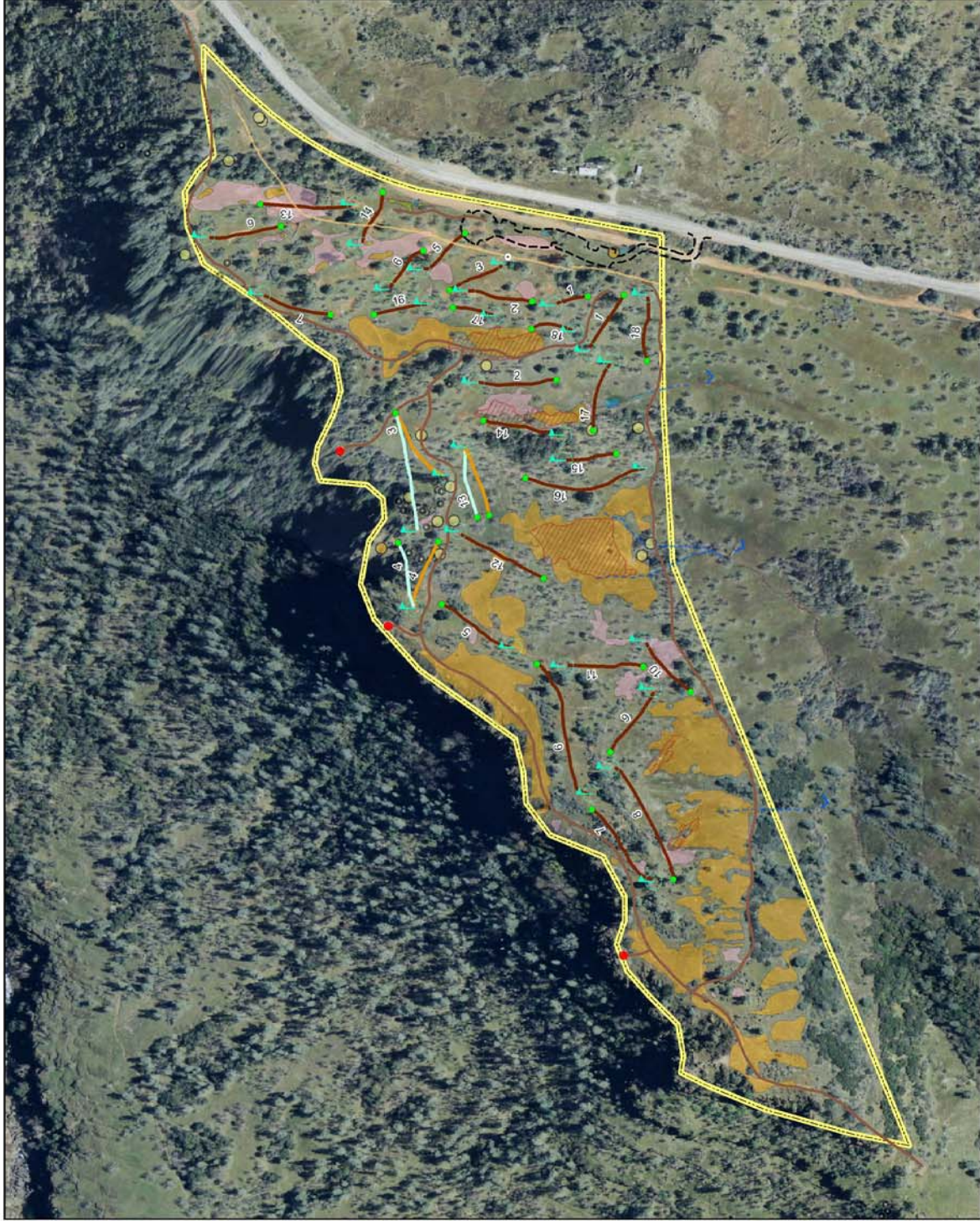
1 inch = 350 Feet

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November 1, 2007

**EDAW**





# Bidwell Park Master Plan

## Proposed Disc Golf Course Study Area

### Alternative B

#### LEGEND

**Stuart Data**

- Butte County Checkerbloom
- Bidwell's Knotweed

**EDAW Data**

- Bidwell's Knotweed, March and May Surveys
- Butte County Checkerbloom, March and May Surveys
- Wildflower Field with Bidwell's Knotweed, May Survey
- Wildflower Field, May Survey
- Vernal Pool
- Vernal Pool Complex (Contains 6 Pools)
- Vernal Swale
- Overlook
- Tee Location
- Pins
- Summer Fairway
- Winter Fairway
- All Season Fairway
- Parking Lot Concept (68 cars)
- Rock Ring
- Old Humboldt Road Alignment
- Drainage
- Proposed Trail
- Disc Golf Course Boundary

Sources: EDAW 2005, 2007; City of Chico 2004; Mike Belchik 2005; Stuart Data 2002

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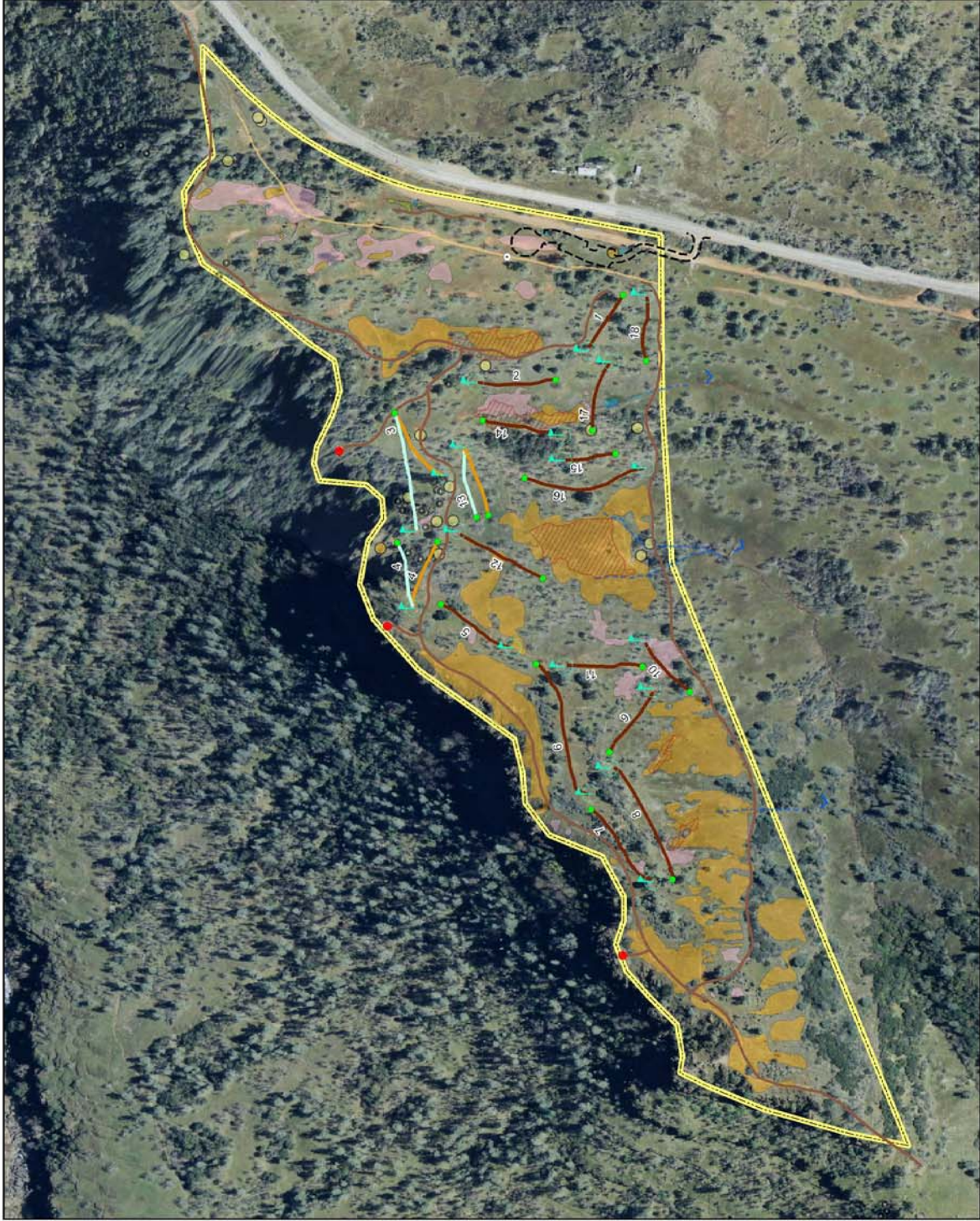
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November 1, 2007

**EDAW**

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# Bidwell Park Master Plan

## Proposed Disc Golf Course Study Area

### Alternative C

#### LEGEND

**Stuart Data**

- Butte County Checkerbloom
- Bidwell's Knotweed

**EDAW Data**

- Bidwell's Knotweed, March and May Surveys
- Butte County Checkerbloom, March and May Surveys
- Wildflower Field with Bidwell's Knotweed, May Survey
- Wildflower Field, May Survey
- Vernal Pool
- Vernal Pool Complex (Contains 6 Pools)
- Vernal Swale
- Overlook
- Tee Location
- Pins
- Summer Fairway
- Winter Fairway
- All Season Fairway
- Parking Lot Concept (34 cars)
- Rock Ring
- Old Humboldt Road Alignment
- Drainage
- Proposed Trail
- Disc Golf Course Boundary

Sources: EDAW 2005, 2007; City of Chico 2004; Mike Belchik 2005; Stuart Data 2002

1 inch = 350 Feet

0 175 350 700 FEET

November 1, 2007

**EDAW**



# Bidwell Park Master Plan

## DISC GOLF CONCEPTS



Trailhead Alternative A (18 and 18 Hole Courses)



Parking/Trailhead Examples

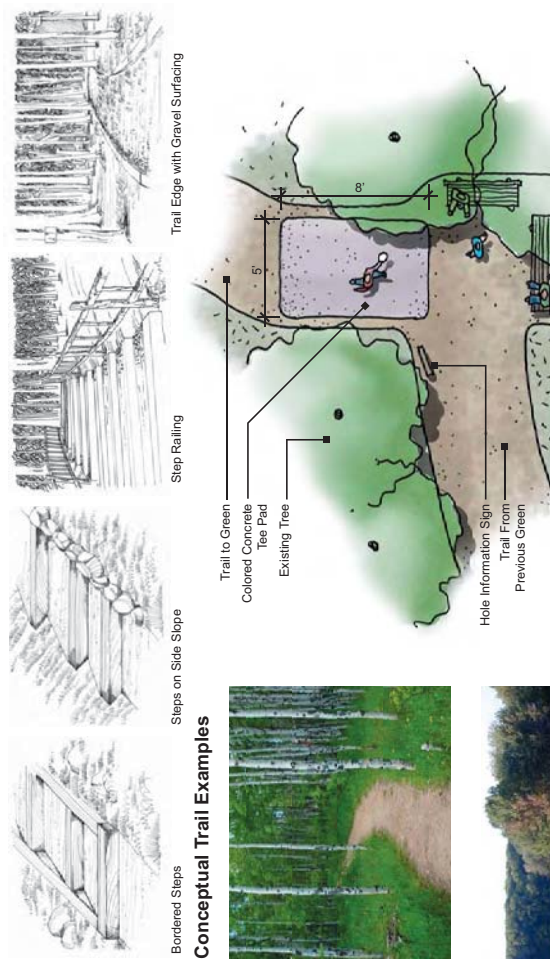


Trailhead Alternative B (18 Hole Course)

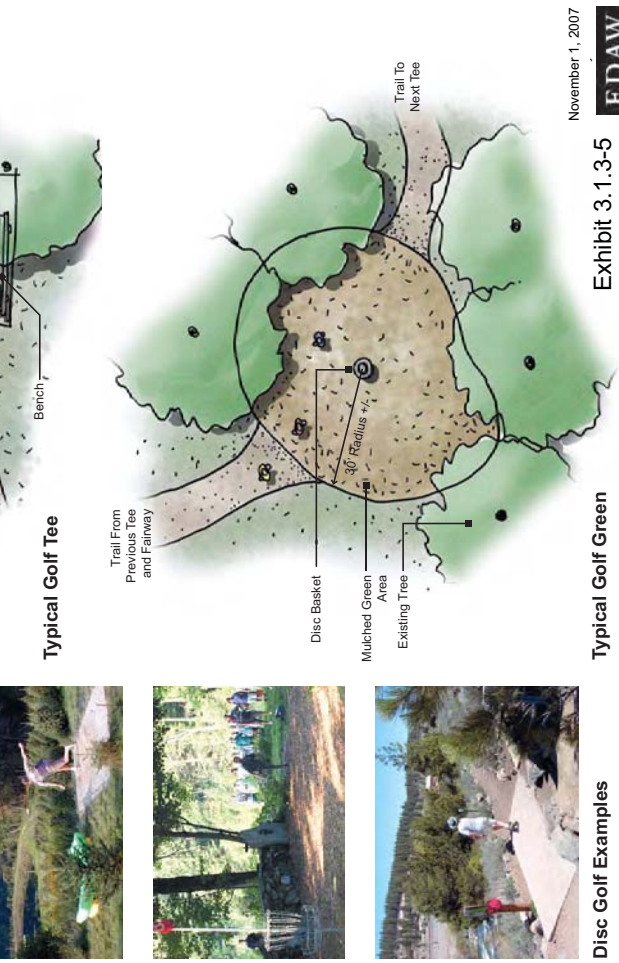




# Bidwell Park Master Plan



## Typical Golf Tee



## Typical Golf Green

Exhibit 3.1.3-5

EDAW

Several of the commenters took one of the specific measures recommended as part of Mitigation Measure Bio-3c out of context and criticized that particular measure; the specific measures commonly criticized by commenters include the proposed application of woodchips to prevent soil compaction, and the potential installation of shielding posts. When evaluating the nature of impacts and proposed mitigation, it is essential to evaluate all of the mitigation measures proposed in the DEIR, which is extensive and thorough, together. Any particular measure should be analyzed in the larger context of the mitigation program which is designed to enhance the condition of oak woodland at the site when compared with current condition. Taking one of the measures out of context may lead to an incorrect conclusion that any specific measure alone might cause a problem. For example, the installation of shielding posts is one measure that may be applied in certain scenarios where disc strikes might cause a problem. It is not proposed to be applied throughout the site at all fairways and holes. Similarly the application of woodchips is one measure that would be taken to prevent compaction only in those areas where people would commonly aggregate in the vicinity of tree trunks, for example near the location of tees. The mitigation measure indicated under which circumstances these measures may be applied, while looking at the measures on their own might suggest a more widespread application.

### **3.1.5 MASTER RESPONSE 5—AESTHETICS**

This master response addresses setting information and impact analysis related to aesthetics and scenic resources in the Park and the potential impacts to these resources resulting from implementation of the BPMMP and specific Park Improvement Projects. Several commenters were unclear about the location of these impact discussions in the DEIR, the extent of these impacts, and how they would be mitigated.

The DEIR contains descriptions of the environmental setting related to aesthetics in two places, in Section E4.3.1.1 in the DEIR and in Section 2.3.5 of the BPMMP. Furthermore, information on biological resources, which are generally acknowledged as important to the aesthetic character of the Park, is included in two additional places in the documents, in Section E4.3.3.1 of the DEIR and Section 2.3.2 of the BPMMP respectively. The description of the environmental setting for aesthetics in section E4.3.1.1 of the DEIR includes scenic vistas, scenic resources (including the trees, rock outcroppings, and canyon views like those available at the disc golf site), and points of visibility from roads. This description specifically incorporates by reference additional information about existing aesthetic resources provided in the BPMMP, including information in Section 2.3.5. The relationship between the BPMMP (Volume 1) and the DEIR (Volume 2) is described in the last paragraph of Section E1.2.3, “Existing Conditions/Baseline for the EIR.” In essence, the information provided in the BPMMP serves as the “Existing Conditions” section of the DEIR. The biological resources of the Park, in general, and at the disc golf site, specifically, include native plants, oak trees, and vernal pools that make up important, observable attributes of the landscape’s aesthetic qualities.

In addition to the existing setting information summarized above, information on the existing conditions at the Disc Golf/Trailhead Area site is provided in the first full paragraph on page E4-12 of the DEIR. Fundamental to the aesthetics impact analysis is the existing scenic degradation at the disc golf site occurring as a result of the dispersed network of unofficial trails and excessively wide trails between tees and targets, and the resulting damage to trees and shrubs.

The impact analysis concludes that implementation of the proposed Disc Golf/Trailhead Area project would result in an overall beneficial effect to the visual resources at the site, because the proposed project has specifically been designed to counteract those aspects of the existing use of the site that result in visual degradation. The proposed project calls for clearly demarked, narrower trails, clearly defined tees and targets, and an overall smaller footprint of the use area, when compared with current conditions. Furthermore, the project has been designed to minimize adverse effects on sensitive resources, including native wildflower fields, occurrences of special-status plants, and native oaks. For those impacts that are unavoidable, the DEIR contains very specific mitigation measures that would be implemented to reduce impacts to less than significant. Overall, the visual character of the Disc Golf/Trailhead Area would improve with implementation of the proposed project.



Regarding the discussion of impacts of degradation of the Park's visual character with implementation of the Park Improvement Projects included in the DEIR (Impact AES-4b), the last paragraph on page E4-11 will be revised to clarify the discussion of impacts on aesthetic resources resulting from the Disc Golf/Trailhead Area project as follows:

Environmental criteria that were included in the design process of the proposed Disc Golf/Trailhead Area Concept Plan included areas that were identified for avoidance and protection. These areas, which included occurrences of Butte County checkerbloom, vernal pools, and ephemeral drainages, also constitute important aesthetic resources. These resources were inventoried and mapped in support of the DEIR analysis and detailed information about their location and extent was provided to the disc golf course/trailhead area design team. As a result, those resources have either been completely avoided in the current proposed design or impacts on these resources have been minimized to the greatest extent possible while still achieving project objectives. This change presents a considerable improvement over the degraded, existing aesthetic conditions, which do not incorporate site specific knowledge of resources or avoidance measures. As a result, the proposed project is expected to improve the aesthetic conditions of the disc golf site. Impacts on sensitive biological resources (which also provide aesthetic value to the site) that could not be avoided in their entirety are addressed in Section E4.3.3, "Biological Resources." This section includes an extensive set of resource-specific mitigation measures aimed at enhancing biological resources at the site, which, in turn, are expected to enhance the aesthetic character of the site.

## **3.2 COMMENTS AND RESPONSES ON THE DEIR**

### **3.2.1 SECTION A. AGENCIES**



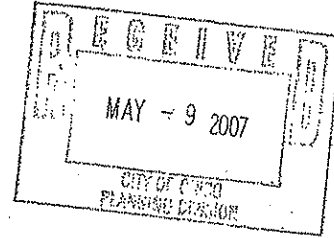
## DEPARTMENT OF WATER RESOURCES

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SACRAMENTO, CA 942360001  
(916) 653-5791



May 7, 2007

Brendan Vieg, Senior Planner  
City of Chico  
Post Office Box 3440  
Chico, California 95927



Bidwell Park Master Management Plan Update  
State Clearinghouse (SCH) Number: 2004102045

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at <http://recbd.ca.gov/>. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

A1-1

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

Christopher Huitt  
Staff Environmental Scientist  
Floodway Protection Section

cc: Governor's Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

## **Encroachment Permits Fact Sheet**

### **Basis for Authority**

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

### **Area of Reclamation Board Jurisdiction**

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at [http://recbd.ca.gov/designated\\_floodway/](http://recbd.ca.gov/designated_floodway/) and CCR Title 23 Sections 101 - 107.

### **Regulatory Process**

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at <http://recbd.ca.gov/> under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at <http://recbd.ca.gov/forms.cfm>.

### **Application Review Process**

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

### **Technical Review**

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

#### Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (<http://www.dfg.ca.gov/1600/>),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

A1-1      The commenter notes that the project may present an encroachment on the State Adopted Plan of Flood Control and, therefore, be subject to an encroachment permit. Information on the permitting process is also provided.

***Response:***

A review of the designated floodway maps provided on the Reclamation Board Web site confirmed that none of the Park Improvement Projects and management activities proposed in the BPMMP Update have the potential to encroach into the area noted in the State Adopted Plan of Flood Control. No further action is needed.





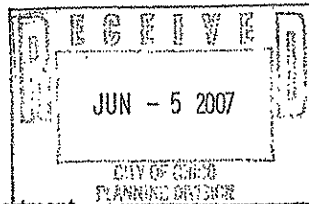


# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
 Sacramento Fish and Wildlife Office  
 2800 Cottage Way, Room W-2605  
 Sacramento, California 95825-1846



In reply refer to:  
 1-1-07-TA-1019



JUN 1 2007

Brendan Vieg  
 City of Chico Planning Services Department  
 411 Main Street - 2<sup>nd</sup> Floor  
 PO Box 3420  
 Chico, CA 95927

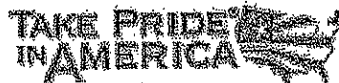
Subject: Bidwell Park Master Management Plan, Chico, Butte County

To Whom It May Concern:

This is in response to your March 21, 2007, request for comment on the referenced project, for which your agency is currently seeking comments on the Draft Environmental Impact Report. Unfortunately, due to constraints on our funds and staff within our Endangered Species Program, we are unable to take action on your request at this time. However, other programs in our Service may wish to provide a response to you apart from endangered species issues. You may wish to consult with the local regional office of the California Department of Fish and Game and/or their Sacramento Office Natural Diversity Database (916/322-2493) for information on the possible occurrence of Federal or State listed species. You should also review your responsibilities under the California Endangered Species Act.

Our inability to review your request does not relieve you of your obligation to ensure compliance with Section 9 of the Federal Endangered Species Act (Act), which prohibits the taking of any federally-listed species. As defined by the Act, take means "...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct." Harass is defined by the Service as an intentional or negligent act or omission which creates the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. Harm is defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by impairing behavioral patterns including breeding, feeding, or sheltering. The applicant should conduct appropriate surveys to determine if federally listed animal or plant species inhabit the proposed site and are likely to be taken as a result of project implementation.

A2-1



Brendan Vieg

2

Should you determine that your project may result in take or may adversely affect a listed species, and should there be a Federal agency involved with permitting or funding this project, initiation of formal Section 7 consultation with this office pursuant to Section 7 of the Endangered Species Act of 1973, as amended, will be required. Such consultation would result in a Biological Opinion rendered by the U.S. Fish and Wildlife Service that addresses effects to listed species.

A2-2

Should a Federal agency not be involved with this project, an "Incidental Take Permit" authorizing such take must be obtained pursuant to Section 10(a) of the Endangered Species Act before any taking can lawfully occur. Such a permit authorizes take of threatened or endangered species incidental to otherwise lawful activities. Issuance of a Section 10(a) permit is contingent upon submission of an acceptable habitat conservation plan detailing the amount of take, the impacts of this take, mitigation measures the applicant will implement to offset the impacts of the anticipated take, and funding mechanisms to insure implementation of the mitigation measures.

Should federally listed species possibly be taken by the proposed project, please contact this office for additional guidance on compliance requirements of the Endangered Species Act. Thank you for your concern for endangered species and compliance with the Act.

Please contact the Acting Sacramento Valley Branch Chief of my staff at (916) 414-6645, if you have questions regarding this response for the Bidwell Park Master Management Plan.

Sincerely,



Peter A. Cross  
Chief, Endangered Species Division

- A2-1 The commenter notes that his agency will be unable to comment on the DEIR; however, the project still must comply with the federal Endangered Species Act.

***Response:***

The comment is noted for the City's consideration. The City will comply with the Endangered Species Act if take of listed species would occur. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- A2-2 The commenter explains that if the project may result in take and if a federal agency is involved, the project must comply with Section 7 of the federal Endangered Species Act. If a federal agency is not involved, then an incidental take permit is required.

***Response:***

The DEIR addresses potential effects to special-status wildlife species, which include species protected under the Endangered Species Act, and recommends mitigation measures in Impact BIO-2, beginning on page E4-61 of the DEIR. The City will fulfill its responsibilities under the federal Endangered Species Act and the DEIR mitigation measure addresses approaches for compliance.



From: "Jenny Marr" <JMarr@dfg.ca.gov>  
 To: <bviieg@ci.chico.ca.us>  
 Date: 6/26/2007 4:46:39 PM  
 Subject: BPMMP DEIR comments

June 25, 2007

Mr. Brendan Vieg, Senior Planner  
 City of Chico  
 Planning Department 411 Main Street  
 Chico, CA 95927

The Department of Fish and Game would like to contribute the following comments on the City of Chico Draft Environmental Impact Report for the Bidwell Park Master Management Plan Update, SCH # 2004102025. These comments are provided by the Department pursuant to legislated authority as the Trustee Agency for the resources, the California Endangered Species Act and the California Environmental Quality Act, and shall constitute written comments by the Department.

The Department recognizes the many improvements made to the park management plan and commends the City on the recent hiring of a Volunteer Coordinator for the Park. We appreciate the opportunity to provide comments on the Draft management plan and provide the following comments primarily relating to natural resources, sensitive resources and to chapter E4, the Environmental Impacts chapter, and specifically Section E4.3.3 Biological Resources. The analysis in this section pertains to the environmental impacts potentially resulting from implementation of the four projects proposed as part of the implementation of the park management plan.

The plan does not appear to identify a strategy for a comprehensive resource inventory assessment, other than a very long range conceptual item, that includes surveys for and identification of populations of special status species within the 4000 acre park. Effective long term management of the park's sensitive resources would benefit from prioritization of this effort to catalogue and map all sensitive resources and establish a baseline database, rather than as the plan states, require more in depth biological surveys for sensitive species for each the project, and then work around them. Recognizing that a comprehensive mapping and inventory of sensitive resources is labor, time and cost intensive, and the proposed projects may be implemented before such an inventory may be completed, the parks sensitive resources are not fully known at this time and this baseline data is needed. Additionally without a comprehensive inventory of the sensitive resources the anticipated expansion of public uses and the proposed projects may result in significant indirect or commutative effects (pursuant to CEQA) in spite of potential efforts to re-design them to avoid direct impacts to sensitive resources.

A3-1

Appendix E7 Mitigation Measures (BIO): Mitigation measures for potential impacts where the species is State-listed may necessitate consultation with DFG and an incidental take permit pursuant to Fish and Game Code 2081 (b). The mitigation measure as described suggest the measures would be implemented to the extent feasible which does not meet the Fully Mitigated standard required by the statute. The language in the mitigation measures, which will guide actions the park would use, should be corrected to be consistent with Fish and Game Code and the California Endangered Species Act standards

A3-2

BIO 2d(3) Protect Burrowing owl: The measures as described will avoid take but do not address conservation or protection of nest burrows or replacement burrows for those that may be closed to build a project. The Department advises that where owl burrows are closed and the owls are displaced that the City include a program for establishing artificial burrows in protected areas that either exclude public access (dogs) or that can be actively protected with fencing to preclude human and animal harassment.

BIO 2d(1) Protection of nesting raptors; Nesting raptors in the park may have different disturbance tolerance depending on the location and age of the breeding pair. A 500 foot buffer may be suitable in lower park but a larger buffer may be advisable for ground nesting birds of the grasslands or for the more

remote portions of upper park.

In general where direct or indirect impacts to special status or State-listed species or habitats will result from the proposed projects the DFG recommends that the city take direct actions to restore habitat at a 2:1 ratio to the impact and where feasible provide permanently protected area where the public and their dogs will be excluded. The mitigation measures rarely mention replacement habitat or restoration of degraded habitat, although this concept is discussed in other sections, for impacts to special status species that may occur due to the proposed projects, however, this may become an important management tool and should become the standard for incorporating into the mitigation measures in addition to avoidance of direct take.

The plan in general acknowledges that each project will individually comply with CEQA and CESA by providing additional species and habitat impact analysis and project specific avoidance and minimization measures, however, the plan falls short of discussing how actual mitigation for the loss of habitat will be compensated. Habitat impacts resulting from direct and indirect effects should be analyzed under CEQA and reduced to below the level of significance. Without addressing compensation measures for the habitat impacts the plan falls short of this condition. Examples of this include the analysis of indirect effects to breeding raptors in the proposed disc golf project due to indirect effects relating to humans, in particular the indirect effects to the Peregrine falcon nest during the breeding season. The document speaks only to the direct project construction activities and does not mention the indirect effects of the project upon completion which may result in abandonment of that nest roost.

A3-3

The project also discusses numerous project impacts relating to the construction of the disc golf course and dismisses impacts that are significant pursuant to CEQA by referring to them as project "improvements". In particular, construction of permanent posts for the course may reduce direct impacts to the oak trees in the course, however, the direct impacts associated with the permanent nature of the posts, constitutes a direct impact which cumulatively analyzed for the entire project results in a permanent impact on the site. Impacts of this nature to be reduced to below the level of significance need to provide, in addition to the included avoidance and minimization measures, compensation or protection of other areas.

The plan does not adequately describe how the indirect and cumulative impacts to the oak woodlands affected by the Disc Golf Course Project will be mitigated: The Department recommends that in addition to mitigating direct loss of oaks that may be removed, an active planting plan should be developed that defines how the hundreds of oaks affected will be mitigated. The oak stands in the park have been estimated to be over 300 years old in many of the stands and planting acorns for the direct effects would only fulfill a part of the mitigation for the direct effects. The Department recommends that the City identify healthy stands in the park that may be protected permanently though additional measures to compensate for the indirect fragmentation and loss of under story in this project.

A3-4

The Department would like to thank the City of for the opportunity to provide comments on the Draft Bidwell Management Plan.  
Sincerely,

Jenny C. Marr  
Staff Environmental Scientist  
California Department of Fish and Game  
North Central Region  
1100 Fortress Avenue, Suite 2  
Chico, CA 95973  
530.895.4267 Phone

A3-1 The commenter suggests that a comprehensive resource inventory assessment be prioritized.

**Response:**

The BPMMP and DEIR compiled extensive biological information about the Park from existing studies, aerial photography, field reconnaissance of Park habitats and the sites of the Park Improvement Projects, and consultation with locally knowledgeable biologists. Please refer to Section 2.3.2 of the BPMMP. This level of information is effective and appropriate for master planning of a park of this large size (3,760 acres). It provides sufficient information for environmental impact analysis under CEQA, including plant community mapping, locations of documented special-status species, and descriptions of sensitive habitat characteristics.

The City agrees that a comprehensive resource inventory of the Park would be desirable for purposes of resources management and would aid in the understanding of the implications of management activities and potential impacts resulting from site-specific projects. However, conducting such a large, comprehensive and costly baseline inventory for a 3,670 acre Park when impacts associated with a proposed project are limited to very small areas is neither practical nor feasible for the City to carry out. Furthermore, as resource conditions change or fluctuate over time, site specific resource information conducted as part of a baseline inventory would need to be updated for specific proposed improvement projects, regardless of whether a comprehensive inventory had been conducted.

The BPMMP contains goals and policies encouraging cooperation between the City and research institutions and encourages the gathering of additional data, further development of the natural resources management plan (NRMP), and a better understanding of all resources in the Park. In light of the lack of foreseeable future funding, the City will continue to update site-specific resource information for specific improvement projects to ensure that the lack of funding for a larger effort does not compromise resources in the Park when specific projects are pursued. This is consistent with the requirements of CEQA and with the approach other agencies (i.e., California State Parks) are taking in managing park lands of similar size and character.

In terms of cumulative effects, all projects proposed in the Park are designed to minimize and mitigate adverse effects on sensitive natural resources. The projects would be implemented in the goals, guidelines, and context of the larger master management plan, which is intended to protect and restore natural functions and values. Natural resource values in many areas of the Park would be enhanced with implementation of the BPMMP. As a result, significant cumulative adverse effects on biological resources are not expected. Please see Impact BIO CUM-1 in the DEIR, Section 3.5.3.2 of the BPMMP regarding parkwide biological resources goals, and the zone-specific goals, objectives, and implementation strategies and guidelines for biological resources in Section 3.6.

A3-2 The commenter details three areas where changes to the mitigation measures are requested: (1) achievement of the California Endangered Species Act standard of “fully mitigated” in measures described in Appendix E7; (2) mitigation for BIO-2d (3), “Protect Burrowing Owl”; and (3) mitigation for BIO-2d (1), “Protection of Nesting Raptors.”



**Response:**

The three comments are addressed under (1), (2), and (3) below.

- (1) The DEIR concludes that take of special-status species is a potentially significant impact of the Park Improvement Projects (see impact discussion in BIO-2 in the DEIR starting on page E4-62). If take of species listed under the California Endangered Species Act (CESA) is required for an improvement project, the City would comply with the requirements of CESA, including conducting consultation with California Department of Fish and Game (DFG) and fully mitigating the effects of take, as required in Section 2081(b) of the Fish and Game Code. This is acknowledged in the mitigation for BIO-2c (see page E7–59 of the DEIR).
- (2) Mitigation measure BIO-2d(3), “Protect Burrowing Owl” addresses protection of burrowing owls during project implementation and prioritizes avoiding impacts. The commenter suggests expanding the measure to protect nests/burrow that may be closed permanently to build a project. To accommodate the requested change, paragraph 3 of “additional measures” under BIO-2d(3) will be amended with an additional sentence at the end of the paragraph stating: Any artificial burrows created shall be placed in location with minimal public access and thus will be protected from disturbance.
- (3) Regarding Mitigation measure BIO-2d(1), “Protection of Nesting Raptors,” the commenter states that projects may need a larger buffer than the 500-foot buffer recommended in the DEIR for ground nesting birds in the grassland or in the more remote reaches of Upper Park. Mitigation measure BIO-2d(1) pertains to tree nesting raptors. While the mitigation measure mentions the 500-foot buffer recommended by DFG Guidelines, it also mentions that the buffer may be adjusted if a qualified biologist determines activities are not likely to adversely affect a nest.

This proposed approach to mitigation is consistent with DFG’s current protocols for protection of nesting birds and raptors. In cases where additional protection may be needed as determined by a qualified biologist in coordination with DFG, the City will expand these protective buffers on a case by case and as needed basis.

- A3-3      The commenter generally notes that more mitigation detailing how habitat will be replaced or restored is needed because of impacts from the project after completion, in addition to impacts from construction. The commenter also acknowledges that this is discussed in other sections for impacts on special-status species that may be caused by the proposed projects.

**Response:**

Restoration of habitat and adaptive management are among the primary goals of the BPMMP. Implementation of the BPMMP as a planning document is not expected to result in adverse effects. Please refer to Section 3.5.3.2 of the BPMMP on page 3-16 for the biological resources goal (Goal BR) and the associated objectives and implementation strategies.

Habitat loss caused by construction on the four Park Improvement Projects is expected to be minor, because in each case, the proposed projects would replace and enhance existing infrastructure and facilities. In most cases, the proposed improvements were designed to abate existing adverse environmental conditions and in some cases—like the Trails Plan—reduce the overall footprint of the facility. Not implementing the proposed plans would result in continued degradation of resources and the current use of Bidwell Park as a municipal park by humans is not properly addressed in the existing management framework. The Trails Plan would, for instance, eliminate many uncontrolled, “unofficial” trails that are environmentally damaging. In the case of proposed parking improvements at Horseshoe Lake, Cedar Grove, and the Trails Plan, the proposed improvements are intended to

provide better guidance for Park users on how and where to park vehicles, which would reduce the amount of random parking off shoulders in the edges of oak woodland.

Regarding indirect effects, because the Park Improvement Projects are replacing existing infrastructure and facilities with features that better guide and control use, the amount of use and activity is not expected to increase as a result of those projects. For the nesting peregrine falcons near the disc golf site, indirect effects of human activity are expected to be equal to or less than the baseline of existing use. The proposed layout of the disc golf course pulls activity back from the edge of the cliff when compared with current conditions. Overall use of the site is not expected to increase beyond levels of use that are currently being experienced at the site; however, having the infrastructure and facilities in place to better handle visitors, parking, trash, and other indirect effects is expected to result in more resource oriented management of the site when compared with current conditions.

Nonetheless, the DEIR recognizes that some potentially significant indirect effect on the oak woodland around the disc golf course could occur (see Impact BIO-3c and its mitigation, starting on page E4-75 of the DEIR). Please also refer to Master Response 4–Oak Woodlands above. Although the commenter expresses concern about the absence of compensatory mitigation for oak trees, the mitigation measures for oak woodland provided with Impact BIO-3c does include tree replacement. Mitigation includes specific provisions for protection of oaks and replacement of unavoidable oak tree loss with replanting in the disc golf area at a ratio that is higher than DFG’s recommended ratio of 2:1. Mitigation includes the specified location of replanting outside the disc golf part of the area, use of seeds or seedlings for replanting, a 5:1 replacement ratio, a 5-year monitoring period, and allowance of community-based stewardship.

The placement of posts to protect oak trees from hits by disc is not expected to result in a significant loss of habitat, as these posts would be few in number, small in size, and sparsely distributed in strategic locations to protect trees affected by disc golf play. Placement of a few protective posts in front of trees would not diminish wildlife use of the habitat, damage the trees, or create other significant adverse environmental effects. The placement of protective posts was determined in consultation with a certified arborist (see Appendix E4 of the DEIR). The benefits to habitat from the placement of posts (i.e., fewer disc impacts on native oaks) would substantially outweigh the potential minor loss of habitat associated with their placement. Consequently, mitigation of impacts from placement of the posts would not be needed.

The City chose the term “Park Improvement Projects,” because the four proposed projects all improve existing conditions in the Park regarding site management, use management, circulation, and resource protection. The choice of the term is not related to environmental effects of the proposed projects.

A3-4

The commenter feels that the DEIR does not adequately describe how the indirect and cumulative impacts from the Disc Golf Course Project on the oak woodlands will be mitigated. The commenter provides suggestions for doing this.

**Response:**

As stated in the previous response, because the disc golf area is currently used for disc golf play and the proposed project includes numerous oak tree protection design and conservation features that aim to reduce adverse effects on native oak trees, the improvement of disc golf facilities would likely be lessening any indirect effect of human activity currently occurring in the disc golf area. Consequently, the DEIR has not determined the need to mitigate “hundreds of affected oaks” as suggested by the commenter. The DEIR does conclude that a potentially significant indirect effect could occur and offers a series of mitigation measures to reduce this impact to less than significant. The additional

measure suggested by the commenter is a constructive approach for offsetting impacts associated with cumulative effects of the Disc Golf Course/Trailhead Area Park Improvement Project. However, oaks in Upper Park are already protected under the current Municipal Code and the protective management goals and guidelines of the BPMMP. Additional “permanently protected areas,” therefore, are not found necessary to offset cumulative effects.

## DEPARTMENT OF TRANSPORTATION

## DISTRICT 3

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June 26, 2007

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Bidwell Park Master Management Plan Update-Draft Environmental Impact report  
(DEIR)

SCH 2004102045

Mr. Brendan Vieg, Senior Planner

City of Chico

411 Main Street

Chico, CA 95928

Dear Mr. Vieg,

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Bidwell Park Master Management Plan, which is a comprehensive update of the 1990 Master Plan. This plan reflects the incorporation of an addition of 1,455 additional acres of parkland. The plan will create new baseline data for the park and will review all aspects of park functions and services. Our comments are as follows:

Circulation and AccessSection 2.4.4 Access Off State Route (SR) 32

- The DEIR states that the City of Chico is considering building a formal access point from SR 32 to the proposed disc golf course and trailhead. Currently there is "informal" access via an "abandoned right-of-way (ROW) of SR 32." Please clarify the ownership of this ROW.
- An Encroachment Permit will be required for any work conducted in the State's Right-of-Way. To secure an application, please contact Caltrans District 3 Office of Permits, at 530-741-4403.

A4-1

Plan Objectives

Objectives O.C/A.1 and O.C/A.3 address the need for multimodal access to and within the park, while seeking the avoidance of new north-south roadways. It is Caltrans recommendation that due consideration be given to any Caltrans' plans to improve the SR 99 facilities that traverse the park.

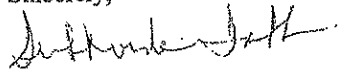
A4-2

*"Caltrans improves mobility across California."*

Mr. Brendan Vieg, Senior Planner  
June 26, 2007  
Page 2

If you have any questions regarding these comments, please contact Matt Friedman,  
Local Development/Inter-Governmental Review Coordinator, at (530) 741-4004.

Sincerely,



SUKHVINDER (SUE) TAKHAR, CHIEF  
Office of Transportation Planning-North

*"Caltrans improves mobility across California"*

- A4-1 The commenter requests that Section 2.4.4, “Access Off State Route 32,” of the DEIR clarify ownership of an “informal” access via an “abandoned right-of-way of State Route 32.” An encroachment permit will be required for any work in the state’s right-of-way.

***Response:***

The California Department of Transportation (Caltrans) owns the right-of-way of State Route (SR) 32 and the City is aware of its obligations to Caltrans for an encroachment permit. Mitigation measure TRAFFIC-4 in the DEIR calls for the City to “coordinate with Caltrans to obtain an encroachment permit for construction of the site access and parking lot for the Disc Golf/Trailhead area.”

- A4-2 The commenter requests that due consideration be given to any Caltrans plans to improve SR 99 facilities that traverse the Park.

***Response:***

The comment is noted for the City’s consideration. The objective cited in the comment aims to discourage any additional north-south bisection of the Park. The City will continue to cooperate with Caltrans on any management issues pertaining to Caltrans’s work in the SR 99 right-of-way.



**From:** "Greg Cash" <GDCash@waterboards.ca.gov>  
**To:** <bvieg@ci.chico.ca.us>  
**Date:** 6/26/2007 10:08:37 AM  
**Subject:** Comments on Bidwell Park Master Management Plan Update / Draft EIR

Bendan,  
 I have reviewed the Bidwell Park documents and it looks our concerns have been addressed. Here is the some general language that we send out regarding CEQA documents. You can incorporate it into your final document as needed.

**Construction Stormwater Permit:**

Based on the project description, it appears that grading or other soil disturbing activities will occur on >1 acre. In order to protect water quality during development activities, appropriate stormwater pollution controls should be implemented when construction activities occur. If construction activities result in a land disturbance of one or more acres, the project will need to be covered under the General Construction Stormwater Permit (Order No. 99 08-DWQ). The permit requires that a Stormwater Pollution Prevention Plan (SWPPP) be prepared prior to construction activities. The SWPPP is used to identify potential pollutants (such as sediment and earthen materials, chemicals, building materials, etc.) and to describe best management practices that will be employed at the site to eliminate or reduce those pollutants from entering surface waters. The Construction Stormwater Permit is administered by the State Water Resources Control Board (State Board) and the Regional Water Quality Control Boards (Regional Boards).

**Army Corps of Engineers and State Water Quality Certification:**

The proposed project may require a §404 permit from the U.S. Army Corps of Engineers and §401 Water Quality Certification from the State Board. The Federal §404 Permit is required for activities involving a discharge (such as fill or dredged material) to waters of the United States. "Waters" include wetlands, riparian zones, streambeds, rivers, lakes, and oceans. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. These projects also require a water quality certification (per Section §401 of the Clean Water Act) verifying that the project does not violate State water quality standards. If required, the §404 permit and water quality certification must be obtained prior to site disturbance. The Army Corps of Engineers contact for Butte County is Ms. Cori Nagasawa (916) 557-6605. An application for the §401 Water Quality Certification from the State Board is available from our office.

A5-1

**Isolated wetlands not covered by the federal Clean Water Act:**

Wetlands not covered by the Clean Water Act are known as "isolated wetlands." Should the U.S. Army Corps of Engineers determine that isolated wetlands exist at the project site and should the project impact or have potential to impact the isolated wetlands, a Report of Waste Discharge and filing fee must be submitted prior to commencing the construction activity. The Regional Board will consider the provided information and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver thereof, when required, may result in enforcement action. Report of Waste Discharge application forms are available by calling our office at (530) 224-4845.

Thanks,  
 Greg Cash

Greg Cash  
 Engineering Geologist - South Regulatory Unit  
 CRWQCB, Region 5 - Redding  
 415 Knollcrest Drive, Suite 100  
 Redding, CA 96002



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web: <http://www.waterboards.ca.gov/centralvalley/>

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Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

\*\*\*\*\*

A5-1 The commenter provides general information regarding construction stormwater permits, USACE and State Water Quality certification, and isolated wetlands not covered by the federal Clean Water Act.

***Response:***

The comment is noted for the City's consideration. The DEIR identifies the potential need for a construction stormwater permit and also contains information on the need to coordinate with the Regional Water Quality Control Board should potential impacts on isolated wetland not subject to the Clean Water Act be affected. The need for a section Clean Water Act Section 404 permit from the USACE is also identified. Please see Impacts BIO-4a and HYDRO-1b.





ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT  
DIRECTOR

June 27, 2007

Brendon Vieg  
City of Chico  
411 Main Street  
P.O. Box 3420  
Chico, CA 95927

Subject: Bidwell Park Master Management Plan Update  
SCH#: 2004102045



Dear Brendon Vieg:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 26, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A6-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 [www.opr.ca.gov](http://www.opr.ca.gov)

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2004102045  
**Project Title** Bidwell Park Master Management Plan Update  
**Lead Agency** Chico, City of

|                    |  |
|--------------------|--|
| <b>Type</b>        | EIR   Draft EIR  |
| <b>Description</b> | The Bidwell Park Master Management Plan (BPMMP) update is a comprehensive update of the 1990 Master Management Plan completed for the Park. The updated BPMMP incorporates the acquisition of 1,455 acres of additional park land, updates baseline data on park resources, addresses important planning issues pertaining to management and public use of the Park, provides a venue for public input, and clarifies allowable uses in the Park. The BPMMP update also includes four site-specific Park Improvement Projects - the Trails Plan, the Horseshoe Lake Area Concept Plan, the Cedar Grove Area Concept Plan, and the Disc Golf/Trailhead Area Concept Plan. The BPMMP was developed with extensive input from a Citizen Advisory Committee formed specifically for the BPMMP update process, as well as with significant input from the Bidwell Park and Playground Commission, which is charged with oversight on issues pertaining to management of the Park. |

**Lead Agency Contact**

|                |                                  |                                  |
|----------------|----------------------------------|----------------------------------|
| <b>Name</b>    | Brendon Vieg                     |                                  |
| <b>Agency</b>  | City of Chico                    |                                  |
| <b>Phone</b>   | (530) 879-6806                   | <b>Fax</b>                       |
| <b>email</b>   |                                  |                                  |
| <b>Address</b> | 411 Main Street<br>P.O. Box 3420 |                                  |
| <b>City</b>    | Chico                            | <b>State</b> CA <b>Zip</b> 95927 |

**Project Location**

|                      |   |
|----------------------|---|
| <b>County</b>        | Butte   |
| <b>City</b>          | Chico   |
| <b>Region</b>        |   |
| <b>Cross Streets</b> | Bidwell Park, Northeast Chico                                       |
| <b>Parcel No.</b>    | Various   |
| <b>Township</b>      |   |
|                      | <b>Range                      Section                      Base</b> |

**Proximity to:**

|                  |   |
|------------------|---|
| <b>Highways</b>  |   |
| <b>Airports</b>  | Chico Municipal Airport   |
| <b>Railways</b>  |   |
| <b>Waterways</b> | Big Chico Creek, Lindo Channel, Sycamore Channel  |
| <b>Schools</b>   |   |
| <b>Land Use</b>  | Bidwell Park is designated Parks in the Land Use Element of the City's General Plan. In addition, nearly the entire Park is identified as a Resource Conservation Area (RCA) in the General Plan. The Park is zoned OS-1 (Primary Open Space), which is consistent with the Parks land use designation. |

|                       |   |
|-----------------------|---|
| <b>Project Issues</b> | Aesthetic/Visual; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Noise; Other Issues; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife |
|-----------------------|---|

|                           |   |
|---------------------------|---|
| <b>Reviewing Agencies</b> | Resources Agency; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3; Regional Water Quality Control Bd., Region 5 (Redding); Department of Toxic Substances Control; Native American Heritage Commission |
|---------------------------|---|

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report**  
**State Clearinghouse Data Base**

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*Date Received* 04/27/2007      *Start of Review* 04/27/2007      *End of Review* 06/26/2007



A6-1 The commenter sends comments from agencies reviewing the DEIR, notes Section 21104(c) of the California Public Resources Code, and acknowledges that the City has complied with the State Clearinghouse review requirements for DEIRs.

***Response:***

The comment is noted for the City's consideration. The comments received from agencies will be addressed directly. No further action regarding this letter is required.





To: Brendan Vieg, City of Chico Planning Department

Re: Comment on the Bidwell Park Master Management Plan and Draft Environmental Impact Report

Diverse soil characteristics in Bidwell Park support a wide range of natural communities. Both the spatial relationships of the soils and their characteristics reflect geologic, geomorphic, climatic, hydrologic, and biologic conditions. Understanding these factors and grouping areas with similar conditions into management units by their soil properties is essential for understanding and managing natural resources, however, these processes are missing from the Bidwell Park Master Management Plan (BPMMP) and Draft EIR (DEIR).

A7-1

In addition, the spatial soil information included in the BPMMP and DEIR is incomplete – the whole Park is not represented. Unfortunately, the information that *is* included is not applied in any integrated way. Furthermore, referring to the Modesto and Red Bluff Formations as “rock units” and calling the vernal pool complexes on the Red Bluff formation as “Northern Mudflow Vernal Pools” shows a lack of understanding of the physical makeup of the Park. If we are going to manage the Park, we must understand it.

Grouping areas into active flood plains, alluvial fans, alluvial fan terraces and the bedrock foothills consisting of different types of rock would provide context to understanding the resource: where different conditions occur and how they respond to various impacts, uses, and management. These groupings would help planners understand compatibility and suitability issues. For example:

- Very deep soils on the flood plains and alluvial fans are resistant and resilient to high intensity use. Their physical depth, soil textures and fertility allow these soils to maintain these functions even when degraded. They recover quickly when an impact is removed. The deeper soils in the foothills on the Tuscan Formation and on colluvium derived from the Lovejoy Basalt also have this capability, however, the steeper slopes in these areas are susceptible to erosion. (The soil map included in the BPMMP and DEIR doesn't specifically delineate the deeper soils on the Tuscan Formation; fortunately, they are described and associated with their corresponding vegetation to aid in identifying them on the ground.)
- The shallower soils on the Red Bluff Formation terraces and Tuscan Formation foothills, are more limited in their resistance to impact to absorb degradation due to their volume. The “A” horizons (top soil) in these soils are one to two inches thick and when they are removed, soil function for biologic and hydrologic services is greatly impaired. (Would mitigation with several inches of mulch, adding as thick a layer of mulch as the existing natural soil profile, create new, unnatural conditions negatively impacting the existing biological communities?)
- The shallower soils on the Lovejoy formation are generally durable due to the high amount of angular gravel and cobbles.

A7-2

In my opinion, neither a basic understanding of soils, a very important natural resource, nor the application of available information to existing conditions was conveyed in the BPMMP DEIR. Unless reconsidered, this will lead to poor natural resource management

A7-3

decisions that will cause continued degradation and undue risk to the Park's existing natural communities.

[http://soildatamart.nrcs.usda.gov/manuscripts/ca612/0/butte\\_ca.pdf](http://soildatamart.nrcs.usda.gov/manuscripts/ca612/0/butte_ca.pdf) is the web address for the Butte Area Soil Survey Manuscript.

Andrew Conlin, Soil Scientist, Natural Resources Conservation Service

- A7-1 The commenter feels that the spatial soil information is incomplete—the whole park is not represented—and is not applied in an integrated way.

**Response:**

The spatial data presented in the BPMMP document was provided to EDAW by Mr. Conlin during preparation of the Draft BPMMP Update and was used as available at that time. The reference provided in Mr. Conlin's comment letter has been checked for updated information. Soils data for Lower Park are now available. Consequently, the information in the BPMMP Update document has been updated to reflect the most current and complete data and a soils map for Lower Park has been added to the document. While supplementing and refining the soils information in the BPMMP will be beneficial to the management of park resources, the DEIR conclusions would not change as a result of the additional information. The geology and soils objectives of the BPMMP call for several actions that would diminish erosion risk and improve soil conservation and, when implemented as proposed, are expected to prevent significant erosion.

- A7-2 The commenter suggests grouping soil areas by type to provide context to the understanding of resources. He proceeds to give examples of soil types (i.e., very deep soils and shallower soils) and states that these grouping would help planners understand compatibility and suitability issues.

**Response:**

The BPMMP Update takes many Park resources and Park uses into consideration and aims to provide a well-balanced integrated approach to balancing resource protection needs with the needs of the local community for recreation. No attempt was made to cross reference a specific recreational or other use with specific resources of any kind. This holds true for all resources, including soils. All resources including soils, plant communities, historic sites, visual resources and others were taken into consideration when developing policies to be included in the BPMMP and designing site sensitive Park Improvement Projects. Furthermore, the shallow soils associated with the disc golf course were taken into consideration during the design process.

- A7-3 The commenter feels that neither the BPMMP nor the DEIR shows a basic understanding of soils or applies available information to existing conditions that could lead to poor natural resources management decisions that will cause degradation and undue risk to the Park's existing natural communities.

**Response:**

The commenter's concern about the need for a more comprehensive understanding of soils is noted. The commenter does not provide specifics as to where soil degradation is occurring or will continue to do so, therefore it is difficult to address the specifics of the comment. While the BPMMP does not attempt to "group" suitable uses with soil types, as suggested by the commenter, the Park Improvement Projects have been designed to counteract existing degradation of resources, including soil erosion. The BPMMP is looking at management issues at a programmatic level that applies to the Park as a whole. The geology and soils objectives strongly promote good soil conservation and erosion prevention/control provisions; therefore, the potential for adverse effects resulting from implementation of the BPMMP is less than significant. For the site specific Park Improvement

Projects, soils degradation has been identified as a potentially significant impact for the Trails Plan and the Disc Golf/Trailhead Area project. For both projects, implementation of the methods identified in the Trails Manual, which provides guidance on how to build and maintain sustainable trails, will prevent soil degradation. For the Disc Golf/Trailhead Area site implementation of the City's Best Management Practices Manual also has been proposed to reduce potential impacts to geology and soils to less than significant. Furthermore, the conceptual plan of the disc golf site includes infrastructure, such as concrete tees and clearly identified fairways, to reduce the overall footprint of the site and prevent soil erosion. Please refer to Impacts GEO-2, GEO-3, and GEO-4 in the DEIR for the impact discussion for soils and geology. Impacts have been found to be less than significant and no mitigation will be required.

### **3.2.2 SECTION O. ORGANIZATIONS AND/OR SPECIAL GROUPS**





# CHICO HERITAGE ASSOCIATION

p.o. box 3517 chico, ca 95927

TO: City of Chico

FROM: John Gallardo, president  
Chico Heritage Association *John Gallardo*

DATE: June 25, 2007

RE: Bidwell Park Master Management Plan Update and EIR

The following are responses and comments by the Chico Heritage Association (CHA) regarding the Bidwell Park Master Management Plan Update and EIR.

"The Bidwell Park Master Management Plan (BPMMP) includes goals and guidelines to protect, avoid, or minimize disturbances to significant historic resources...." And, that there be "...extensive consideration of protecting important cultural resources..." and for "Assessment to identify resources for protection and preservation." And, that "Compliance with BPMMP objectives and implementation goals and strategies set forth...would ensure that the BPMMP would not result in substantial adverse effects on any historic or archaeological resource in the Park."

CHA Response: The proposed 26-37% (500-700 ft.) destruction of the historically significant—and irreplaceable—Humboldt Wagon Road is listed as a "less-than-substantial adverse change in the significance of this resource." And that "...mitigation...shall take the form of interpretive signage...." CHA submits that such obliteration of between 1/4 and more than 1/3 of this historic site—eligible for listing in both the California Register of Historic Resources and the National Register of Historic Places—is not only contrary to the spirit and word of the BPMMP goals and guidelines, but is unacceptable and irresponsible. No project, of any kind, should be allowed to destroy or adversely effect our heritage. The plan must be changed. No interpretive signage can replace our physical history. We should not even be discussing the need for "mitigations".

O1-1

CHA Comments and Responses:

## 2.3.3.4. HISTORIC CONTEXT:

1.) Paragraph #3. "John Bidwell, who had supervised some gold mining operations for Wm. Dickey..."

CHA Response: John Bidwell achieved the financial success to purchase Rancho del Arroyo Chico by his own gold mining and mercantile success in Bidwell Bar, not through supervising Wm. Dickey's or any other person's mining operations.

O1-2



City of Chico  
RE: BPMMP  
June 25, 2007

2.) Paragraph #4. Re: The [Sacramento] Northern Electric Railroad.

CHA Response: It was primarily a passenger transport, rather than a major transport of goods. It continued from Chico to Oakland until 1940.

3.) Paragraph #5. "The Humboldt Road was in use by 1865. Before this road, the only transportation to Chico was by the stage road from Oroville to Marysville and by steamboat up the Sacramento River."

CHA Response: The Shasta-Oroville Road was a well-used major route by this time, leading both north and south from Chico. In fact, the Humboldt Road went far beyond the Humboldt Mining District in Nevada; it was extended all the way to the Ruby City silver mining district in Idaho.

4.) Paragraph #6. RE: The Sierra Flume and Lumber Co. (SF&L Co.) flume, 1874. "Flume Street retains the name of the flume, which also provided water to power Bidwell's flour mill."

CHA Response: In fact, Flume Street was named as such before the SF&L Co. flume was built in 1874. Flume Street was named for the flume that John Bidwell built to power his flourmill on Big Chico Creek and The Esplanade. That flume roughly paralleled the creek, and is clearly shown on the "Birdseye View [map] of Chico, 1871." It was a separate flume from SF&L Co.'s. Also, the SF&L Co. flume could not possibly "discharge water back into Big Chico Creek" by turning south from 8th Street and Pine.

2.3.3.5. BIDWELL PARK HISTORY:  
Paragraph #1.

a.) Most of the acreage figures given for the park are wrong.  
b.) This document cries out for an explanation as to why Annie Bidwell would give such a large acreage to the people of Chico, when she was being advised to sell the property for financial reasons. What were her reasons? Did she state her wishes, hopes, desires, and stipulations regarding the future use of this gift of property to Chico? The answers to these questions explain why Chico has the park today, and this document is incomplete without them.

2.3.3.6. BACKGROUND RESEARCH:

The California Inventory of Historic Resources shown is from 1976. A more recent version would show far more Chico entries.

Chico Heritage Association is disappointed to not be included as a source for this document.

O1-2  
(Cont)

O1-3

O1-1 The commenters feel that the proposed destruction of Humboldt Wagon Road is a significant impact and contradicts the BPMMP goals and guidelines.

The comment is addressed in Master Response 3: Cultural Resources/Humboldt Road above.

O1-2 The commenters detail recommended changes to Section 2.3.3 (Historic Context; Bidwell Park History; and Background Research). The commenters suggest changes to make.

**Response:**

In response to recommended changes, the following changes will be made to the BPMMP. These changes do not alter the conclusions of the DEIR. Paragraphs 3–5 of Section 2.3.3.4 will be modified as follows:

One of the most important series of events in shaping the economic and cultural landscape during the nineteenth century was the formation of Mexican land grant ranchos. In 1844 Rancho del Arroyo Chico, which included a portion of the lands now occupied by the Park, was awarded to William Dickey. John Bidwell who achieved success through his gold mining operations for William Dickey, purchased Rancho del Arroyo Chico in 1849 (Chico Heritage Association (2007). By 1852 Bidwell had 200–300 acres under cultivation.

Initially, transportation of goods into and out of the region was by steamer via the Sacramento River. However, with completion of the California and Oregon Railroad to Chico a faster and more efficient means of bringing produce and cattle to market came with it. Although railroads were being built in the Central Valley of California during the 1850s and 1860s, rail lines were not built into the vicinity of the Park until the early 1870s. The California and Oregon Railroad (a subsidiary of the central Pacific) finally extended its lines from Marysville to Chico in the summer of 1870 (White 2003:50–51). As the area became more connected by rail to Sacramento commercial river traffic soon decreased. While carrying some freight, one of the more notable passenger lines in the area was the Northern Electric Railroad that connected Chico directly with Sacramento and Oakland. This line ceased to exist as a separate company in 1940, when it was absorbed by the Southern Pacific Railroad, which still operates in the area today as the Union Pacific (Chico Heritage Association 2007).

The following sentences will be inserted after the first sentence in the fourth paragraph in Section 2.3.3.4 on page 2-90 of the BPMMP:

Like many historic roads built in California, the route most likely followed trails used by Native Americans inhabiting the area at the time after the third sentence ending in ... for which the road was named.

From the district near the current town of Winnemucca, the road provided a link with other routes, such as the Idaho Stage, which provided links to the mines in Idaho.

At the end of the same paragraph the following text will be added:

Within the Park, approximately 1,900 feet of the route have been documented. Elsewhere in Butte County various segments totaling several miles have been recorded as having associated rock walls and wheel ruts.

Paragraph 6 on page 2-91 sixth line, which reads, "... where the flume turned south discharging water ...," will be corrected to read, "... where the flume turned north discharging water ... (California Heritage n.d.)."

The last sentence of the same paragraph will be corrected to read, "Flume Street retains the name of another flume constructed by John Bidwell to supply power to his flour mill on Big Chico Creek and on The Esplanade (Chico Heritage Association 2007)."

The next to the last bulleted item on page 2-92 will be changed to read "24 acres" instead of "20 acres."

In response to the comments pertaining to Section 2.3.3.5, paragraph 1 of Section 2.3.3.5 on page 2-91 of the BPMMP will be corrected to reflect the correct acreages and read as follows:

Bidwell Park had its beginning in 1905, when Annie Bidwell granted approximately 1,902 acres to the people of Chico to be used as a public park and in 1911 granted approximately 301 additional acres to be included in the Park upon her death. While she could have sold the property, it was her intention the waters and trees of Big Chico Creek be preserved (Excerpt of Chico Record July 18, 1905 in Chico Heritage Association 2007). An additional 29 acres, now the site of the Chico Creek Nature Center and formerly the forestry station were added in 1921. A parcel known as the Kennedy Estate field, consisting of 24 acres, was acquired in the 1930s or 40s. In 1995 the City purchased approximately 40 acres adjacent to SR 32 and an additional 1,417 acres primarily located along the south side of Upper Park.

Please also note that a copy of Annie Bidwell's Deed is included as Appendix A to the BPMMP should the reader wish to research the specific language of the deed.

O1-3 The commenters are disappointed that the Chico Heritage Association was not included as a source.

**Response:**

The City and its consultant regret that the Chico Heritage Association was not consulted as a source of background information during the preparation of the Draft BPMMP Update. The comments provided by the Association have been incorporated into the historic background section as indicated above for the Response to O1-2 and a citation to the Association will be included. The City appreciates the Association's assistance with this information.

LAW OFFICE OF  
**J. WILLIAM YEATES**

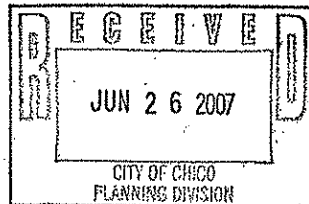
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KEITH G. WAGNER  
 JASON R. FLANDERS

J. WILLIAM YEATES

June 25, 2007

Brendan Vieg, Senior Planner  
 City of Chico Planning Services Department  
 411 Main Street, P.O. Box 3420  
 Chico, CA 95927



Re: Comments - Draft Bidwell Park Master Management Plan (BPMMP) and Environmental Impact Report (DEIR).

Dear Mr. Vieg:

I am submitting these comments regarding the above documents on behalf of our client, Friends of Bidwell Park and its members. As the City is aware, Friends of Bidwell Park has a longstanding interest in protecting the resources of Bidwell Park. Among those interests, Friends of Bidwell Park has had a long outstanding concern about 1) the continued use of approximately 25 acres of Upper Bidwell Park as a disc golf course without any CEQA review or mitigation, and 2) the significant, adverse environmental impacts that such use has had on a wide variety of sensitive natural and cultural resources in this part of Bidwell Park.

O2-1

Our client has asked that we review and comment on the legal adequacy of the DEIR, with particular focus on the DEIR's assertion that it constitutes "project" level CEQA analysis of past, present, and proposed future disc golf activities in Upper Bidwell Park. As explained in greater detail below, the DEIR does not meet CEQA's substantive or procedural requirements regarding its analysis of, or conclusions about, continued disc golf use in Upper Bidwell Park.

O2-2

**I. PROJECT LEVEL CEQA ANALYSIS OF DISC GOLF IN UPPER BIDWELL PARK SHOULD COMMENCE FROM A 1999 (OR EARLIER) ENVIRONMENTAL BASELINE.**

The proposed Bidwell Park Master Management Plan (BPMMP) notes that Disc Golf is an "unofficial" use in Upper Bidwell Park, and that, in 1999 the City Council "authorized the continued use of the site as a disc golf course *pending environmental review*."<sup>1</sup> However, the DEIR does not conduct environmental review of the disc golf project based on the environmental conditions that existed in 1999 (or, more properly, from the environmental condition that existed before disc golf use was commenced without any legal authority). Instead the DEIR establishes the environmental baseline at the time of the October 2004 NOP. The DEIR justifies using this post-hoc baseline as follows:

O2-3

<sup>1</sup> Draft BPMMP at p. 2-98 (emphasis added).

The City recognizes the desire of some members of the community to define the baseline for the Disc Golf/Trailhead Concept Plan Area as conditions that may have existed at some time in the more distant past to assess environmental changes from some more pristine character before disc golf use of the site. It would be speculative to define those characteristics because information on the physical conditions of the site and patterns of its use are not available for the more distant past. Furthermore, CEQA case law (*Riverwatch v. County of San Diego*, 1999; *Kenneth F. Fat vs. County of Sacramento*, 2002) has made it clear that the correct baseline for an EIR or negative declaration is the existing conditions at the onset of the environmental review process, even if prior and existing uses are unauthorized.<sup>2</sup>

The facts in the *Riverwatch* and *Fat* cases are fundamentally different than the situation regarding disc golf in Upper Bidwell Park. In *Riverwatch*, the Court expressly stated that prior illegality did not need to be included in the EIR's environmental baseline because the agencies charged with enforcement of the law had actually taken action to do so, and thus the environmental effects of such prior, illegal activities would be addressed through enforcement of the law; and 2) those same agencies were participating in the environmental review process, and could make any further concerns about ongoing or additional impacts of past illegality known. In this case, however, the City has failed to enforce the law in upper Bidwell Park (which, to this day, still does not "officially" allow disc golf). Instead, the City sanctioned such "unofficial" use in 1999, but only until required environmental review for such activities has been completed.

Similarly, in the *Fat* case, the Court relied on the rationale in the *Riverwatch* decision to declare that impacts associated with past illegality did not need to be taken into consideration in establishing the CEQA baseline for analysis of a proposed airport expansion, because the adverse environmental impacts of past illegal expansion activities had been the subject of at least two zoning enforcement actions by the lead agency. Again, in this case, the City has not only failed to enforce the law in Upper Bidwell Park regarding disc golf, it affirmatively decided in 1999 to "unofficially" allow this non-conforming use to continue, pending completion of CEQA review.

Under the circumstances, *Riverwatch* and *Fat* are distinguishable, because in 1999 (and before) the City had the option to enforce the law – and, through such enforcement action, to address the significant resource damage in Upper Bidwell Park caused by disc golf – but elected not to. Instead, the City temporarily "authorized" ongoing disc golf in 1999 based on a promise to the public that environmental review of the impacts that disc golf has had in the Upper Park would be conducted. The City's 1999 promise of environmental review would be vacuous, if the baseline environmental condition in the DEIR is established as of 2004, because the impacts associated with the City's 1999 decision (and its refusal to enforce the law before that time) have already been incurred.

<sup>2</sup> DEIR at p. E1-4.

O2-3  
(Cont.)

In 1999 the City promised that it would analyze the environmental consequences of allowing disc golf activities in Upper Bidwell Park. The City should live up to its promise, by revising its DEIR to *fully* consider the environmental consequences of allowing disc golf to be played in Upper Bidwell Park in the first instance, rather than hiding the highly degraded environmental conditions that disc golf has caused, and continues to cause, in the Upper Park, by establishing a 2004 "baseline" for environmental review.

O2-3  
(Cont.)

## II. THE DEIR FAILS TO PROVIDE AN "ACCURATE, FINITE AND STABLE" PROJECT DESCRIPTION FOR THE DISC GOLF COURSE.

CEQA's procedures require that "[t]he precise location and boundaries of the proposed project shall be shown on a detailed map," when establishing an EIR's "project description."<sup>3</sup> The CEQA Guidelines require, that "[a]ll phases of a project must be considered when evaluating its impact on the environment [including] . . . acquisition, development and operation."<sup>4</sup> A Draft EIR must not only discuss a project's direct impacts on the environment, but also must discuss significant effects that would be caused by implementing proposed mitigation measures.<sup>5</sup>

In *County of Inyo v. City of Los Angeles*, the Court of Appeal summed up these principles as follows:

A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal [i.e., the 'no project' alternative] and weigh other alternatives in the balance. An *accurate, stable and finite* project description is the *sine qua non* of an informative and legally sufficient EIR.<sup>6</sup>

O2-4

The DEIR fails to meet this most basic requirement for project-level CEQA review of the disc golf course, because it never states, in a "finite" or "stable" way, *what* the proposed disc golf course project is. At pp. E3-15 to E3-16, and Exhibits E3.2.4.1 to E3.2.4.3, the DEIR's "project description" vaguely lays out three different "options" for what the disc golf course might be, but the DEIR never specifies which one of the three, if any, is actually proposed to be implemented. Similarly, Appendix H to the proposed BPMMP offers a buffet of three different "conceptual" disc golf course designs, but never states with any specificity, which of the three is actually being proposed, or exactly how any of the three would actually be laid out, on the ground, in relation to sensitive resources that are located in Upper Bidwell Park.

<sup>3</sup> CEQA Guidelines, § 15124, subd. (a).

<sup>4</sup> CEQA Guidelines, § 15126.

<sup>5</sup> CEQA Guidelines, § 15126.4, subd. (a)(1)(D).

<sup>6</sup> *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192-193.

In sum, the *entire* "project description" in the DEIR for the disc golf course reads as follows:

The Disc Golf Course/Trailhead Area Concept Plan provides three design options for the use of the disc golf course area off SR 32 in Upper Park (Exhibits E3.2.4.1 through E3.2.4.3). All three design options have been developed according to environmental design criteria, taking into consideration the extent and location of sensitive biological resources present on the site. All three options also provide for multiple use of the area, including disc golf, multiuse trails, picnicking, and scenic overlooks. Two separate trailhead layouts are also provided, depending on the site use option chosen for the site. The following three options have been developed:

Option A: an 18-hole long course and an 18-hole short course with parking lot alternative A;

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

Option C: an 18-hole long course only (no additional short course) with the smaller parking lot alternative B.<sup>7</sup>

This project description leaves it fundamentally uncertain as to what the actual, proposed disc golf course project is: is it a 36-hole course, a 30-hole course, or an 18-hole course? Moreover the description of the project is informationally lacking, because the project description fails to provide any meaningful information about the manner in which the course will be operated and maintained, once it is built. Absent information in the project description about such basic matters as the manner in which the game is played, how the site will be managed and maintained, how many golfers will be using the site, the hours of operations, whether pets will be allowed on the course, etc., it is practically impossible to understand how approving a disc-golf course and related uses may affect the Upper Park's resources over the life of the project.

### III. THE DEIR FAILS TO PROPERLY DISCLOSE, INVESTIGATE OR MITIGATE SIGNIFICANT, ADVERSE ENVIRONMENTAL EFFECTS TO A WIDE RANGE OF ENVIRONMENTAL RESOURCES

In addition to failing to properly describe the Project, the DEIR fails to provide legally adequate, project level analysis of a wide range of impacts associated with disc golf in Upper Bidwell Park because it 1) fails to meaningfully describe what environment will be impacted by the project; 2) piecemeals the consideration of potentially significant effects until after the project is approved; and 3) defers the formulation or adoption of measures that may (or may not) mitigate such effects to less than significant levels until after project approval.

<sup>7</sup> DEIR at p. E3-16. It should be noted that the DEIR's description of "Option B" is informationally defective from the onset, because it only identifies 5 of the 6 holes to be eliminated from the 18-hole short course described in "Option A."

O2-4  
(Cont.)

O2-5

**A. CEQA'S PROCEDURAL AND SUBSTANTIVE REQUIREMENTS REGARDING DISCLOSURE, ANALYSIS AND MITIGATION OF PROJECT-LEVEL ENVIRONMENTAL IMPACTS**

As an initial matter, we provide the following, brief overview of CEQA's substantive and procedural requirements regarding analysis and mitigation of a proposed project's potentially significant, adverse effects. After providing the following legal framework, this letter then examines several key areas where the DEIR fails to meet CEQA's standards with regard to its assertion that it provides legally adequate, project-level analysis for proposed disc golf activities in Upper Bidwell Park.

**1. AN EIR MUST FULLY DESCRIBE THE CEQA ENVIRONMENT**

The Public Resources Code defines the CEQA "environment" to be "the physical conditions [that] exist within the area [that] will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, [and] objects of historic or aesthetic significance."<sup>8</sup> The CEQA Guidelines further clarify that the description of the CEQA environment in an EIR must include the "area in which significant effect would occur either directly or indirectly as a result of the project."<sup>9</sup>

**2. AN EIR MUST ANALYZE IMPACTS ASSOCIATED WITH IMPLEMENTING PROPOSED MITIGATION MEASURES**

As noted above, impacts associated with mitigation measures for a proposed project must be disclosed and analyzed in the project EIR.<sup>10</sup> For example, in *California Farm Bureau v. California Wildlife Conservation Board*, the Court of Appeal recently ruled that a proposal to alter existing land contours to "create" wetlands constitutes a CEQA-triggering event.<sup>11</sup> Accordingly, to the extent that the implementation of mitigation measures proposed in an EIR might have significant, adverse environmental effects, the DEIR must describe the existing environment where such mitigation measures might be implemented, and whether such effects, themselves can feasibly be avoided or mitigated to less than significant levels.

**3. AN EIR MAY NOT SEGMENT, OR "PIECEMEAL," ENVIRONMENTAL REVIEW**

The CEQA Guidelines explain that "[t]he lead agency must consider the whole of an action, not simply its constituent parts, when determining whether it will have a significant environmental effect."<sup>12</sup> For example, in *Santiago County Water Dist. v. County of Orange* the Court of Appeal held that an EIR for a proposed mining project improperly piecemealed environmental review, and, therefore, was fundamentally inadequate as informational document, where the EIR failed to include "a description of the facilities that will have to be constructed to deliver water to the

<sup>8</sup> Pub. Resources Code, § 21060.5

<sup>9</sup> CEQA Guidelines, § 15360.

<sup>10</sup> CEQA Guidelines, § 15126.4, subd. (a)(1)(D).

<sup>11</sup> *California Farm Bureau v. California Wildlife Conservation Bd.* (2006) 143 Cal.App.4th 173, 190-192.

<sup>12</sup> CEQA Guidelines, § 15003, subd. (h); citing *Citizens Assoc. For Sensible Development v. County of Inyo* (1985) 172 Cal.App.3d 151.

O2-5  
(Cont.)



mining operation, or facts from which to evaluate the pros and cons of supplying the amount of water that the mine will need.”<sup>13</sup>

**4. THE LEAD AGENCY MAY NOT DEFER THE FORMULATION AND ADOPTION OF MITIGATION MEASURES OR ALTERNATIVES UNTIL AFTER PROJECT APPROVAL**

In *Gentry v. City of Murrieta* the Court of Appeal explained that CEQA’s normal requirement that mitigation be adopted *prior* to project approval may be met if an agency prepares a Draft EIR that 1) analyzes the “whole” of the project, 2) identifies and discloses with particularity the project’s potentially significant impacts, 3) establish measurable performance standards that will clearly reduce all of the identified impacts to less-than-significant levels, and 4) describes a range of particularized mitigation measures that, when taken in combination, are able to meet the specified performance standards.<sup>14</sup> The *Gentry* court further explained that 1) promises by a lead agency to implement future recommendations that other agencies might make after project approval, is *not* sufficient to find that a proposed project’s potentially significant effects have been mitigated to less-than-significant levels; and 2) that the addition of mitigation measures to address such impacts *after* the close of the CEQA public comment period requires recirculation of the agency’s revised environmental document for further public comment and review before the project can lawfully be approved.<sup>15</sup>

**5. SUBSTANTIAL EVIDENCE MUST SUPPORT THE LEAD AGENCY’S CONCLUSIONS THAT PROJECT-LEVEL IMPACTS HAVE BEEN AVOIDED OR MITIGATED TO LESS THAN SIGNIFICANT LEVELS**

A lead agency’s CEQA findings that a project’s impacts have been mitigated to less than significant levels through the adoption of mitigation measures proposed in its EIR must be supported by substantial evidence in the agency’s record.<sup>16</sup> Substantial evidence includes facts,

<sup>13</sup> *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 829. See also *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 733 (“even assuming sewer expansion was severable from the development project, the FEIR did not comply with CEQA,” because such expansion would have to be considered in EIR as a cumulative impact of proposed project.)

<sup>14</sup> *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1394-1395, comparing and contrasting *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011 with *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296.

<sup>15</sup> *Gentry, supra*, 36 Cal.App.4th at p.1397 (promise to comply with future recommendations that might be made by agency with jurisdiction over affected resources *after* project approval not sufficient to declare impacts “less-than-significant”), 1411-1412 (where evidence before lead agency indicates project may have significant, adverse effects on biological resources, agency may not adopt new mitigation measures to reduce such impacts to “less-than-significant” levels without recirculating environmental document for public review and comment on the newly added mitigation measures).

<sup>16</sup> CEQA Guidelines, § 15091, subd. (b).

O2-5  
(Cont.)

reasonable inferences based on facts, and expert opinion supported by facts.<sup>17</sup> Substantial evidence is not speculation or opinion that is not supported by fact.<sup>18</sup>

In *Topanga Association for a Scenic Community v. County of Los Angeles*, the California Supreme Court held that an agency's administrative findings must trace the analytic route from "evidence" to "action."<sup>19</sup> Although *Topanga* was not a CEQA case, the courts have since confirmed that *Topanga*'s requirements apply to an agency's mandatory CEQA findings.<sup>20</sup>

O2-5  
(Cont.)

**B. THE DEIR FAILS TO PROVIDE LEGALLY ADEQUATE ANALYSIS AND MITIGATION OF PROJECT LEVEL IMPACTS TO A WIDE RANGE OF RESOURCES ASSOCIATED WITH THE PROPOSAL TO AUTHORIZE DISC GOLF IN UPPER BIDWELL PARK.**

With the foregoing legal principles in mind, this letter now turns to the DEIR's consideration of impacts and mitigation measures associated with authorizing a disc golf course in Upper Bidwell Park. As demonstrated in the following sections, the DEIR fails to meet CEQA's substantive and procedural requirements with regard to a wide range of environmental resources.

**1. AESTHETIC IMPACTS**

The DEIR never identifies or describes with any meaningful detail the aesthetic resources in the vicinity of the proposed disc golf course (i.e., the "environment").<sup>21</sup> Accordingly, absent meaningful information about the existing environmental condition, the EIR's "analysis" of aesthetic impacts associated with the disc golf project is conclusory, uninformative and self-contradictory.

The DEIR never describes the existing aesthetic environment, but rather broadly asserts:

Each of the Park Improvement Projects has been designed to preserve, protect, and enhance scenic views as part of the overall recreation experience for Park visitors. These Plans were developed while taking the scenic quality and natural diversity of these sites into account. Any proposed new elements have been carefully sited and designed to preserve the integrity of the sites and avoid adverse effects on visual resources. Furthermore, no new significant structures or alterations to the natural landscape are being proposed.

O2-6

Implementation of the Trails Plan, Horseshoe Lake Area Concept Plan, and Disc Golf/Trailhead Area Concept Plan is expected to enhance the scenic quality of the project sites. These Plans call for a reduction in the number of informal trails (social trails), restoration/rehabilitation of degraded areas, and reduction of unmitigated use of the sites. Visual enhancement is also planned through the use

<sup>17</sup> Pub. Resources Code, § 21080, subd. (e)(1); CEQA Guidelines, § 15384, subd. (a).

<sup>18</sup> Pub. Resources Code, § 21080, subd. (e)(2); CEQA Guidelines, § 15384, subd. (b).

<sup>19</sup> *Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.

<sup>20</sup> *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 496.

<sup>21</sup> DEIR at pp. E4-5 to E4-6.

of natural materials to demarcate trails, provide interpretation, and provide facilities, such as picnic areas and scenic overlooks. The Cedar Grove Area Concept Plan includes the establishment of a new trail around the festival meadow and connector trails to facilitate pedestrian circulation during special events. These proposed improvements would also prevent the visual character of the area from being degraded, because they would discourage and counteract off-trail travel. The enhancement and clear demarcation of parking areas would lead to less off-road parking, which tends to damage the scenic quality of a site by damaging natural resources. In addition, all of the concept plans call for the use of native plants in site rehabilitation and the planting of native trees to enhance the natural character of the project site. The Horseshoe Lake Area Specific Plan also calls for the establishment of a natural vegetation edge along Horseshoe Lake.

Implementation of the Park Improvement Projects would result in a beneficial impact on scenic vistas in the Park. No mitigation is required.<sup>22</sup>

In addition to failing to actually describe the aesthetic environment, the DEIR violates CEQA's procedures, because it admits that aesthetic impacts associated with disc golf are only "largely" being "minimized to the greatest extent possible" yet (incorrectly) concludes that this categorically means that all remaining (and undisclosed) impacts are less-than-significant:

Environmental criteria that were included in the design process of the proposed Disc Golf/Trailhead Area Concept Plan included areas that were identified for avoidance and protection. These areas, which included occurrences of Butte County checkerbloom, vernal pools, and ephemeral drainages, also constitute visual resources, which would be largely avoided under the conceptual project plan. The design criteria also identified resources for impact minimization, including blue oaks and other native oak species, Bidwell's knotweed populations, native wildflower fields, and the old Humboldt wagon road. All of these resources contribute to the attractive visual character of the project site, and under the conceptual project plan, impacts on these resources would be minimized to the greatest extent possible as a result of the proposed course design.

\* \* \*

Potential for the degradation of the existing visual character or scenic quality of the Park resulting from implementation of the four Park Improvement Projects would be less than significant. No mitigation is required.<sup>23</sup>

The above statements and conclusions are also unsupported by substantial evidence, because the DEIR never actually describes which of three different "conceptual" versions of the proposed disc golf-course might actually be implemented; thus making it impossible, as a practical matter, to determine what the aesthetic impacts of building the undefined course will be.

<sup>22</sup> DEIR at pp. E4-8 to E4-9.

<sup>23</sup> DEIR at pp. E4-11 to E4-12.

O2-6  
(Cont.)

Finally, the DEIR's discussion of cumulative aesthetic impacts is inadequate, because it never describes what other "cumulative projects" may combine with the proposed project to have cumulatively considerable effects, and lacks any substantive content to support its conclusory assertion that no cumulative aesthetic impacts exist. The DEIR's *entire* consideration of cumulative aesthetic impacts states:

Implementation of the BPMMP and associated Park Improvement Projects would not result in significant adverse effects on aesthetic resources. With regards to several aesthetic resources such as scenic vistas and viewsheds, the proposed projects would result in a beneficial impact to the environments. Thus, the proposed projects will result in an overall beneficial cumulative impact to the aesthetic resources in the project area.<sup>24</sup>

## 2. AIR QUALITY IMPACTS

The DEIR does not adequately addresses the operational, project-level impacts of the Disc Golf Course on local or regional air quality. The DEIR states:

The four Park Improvement Projects aim to better accommodate existing uses and their implementation is not expected to result in a significant number of new trips. Consequently, implementation of the four specific Park Improvement Projects would not result in an increase in vehicle miles traveled and, thus, would not conflict with or obstruct implementation of BCAQMD's air quality planning efforts.<sup>25</sup>

The problem with this statement is that no information is provided regarding maintenance of the course, or how many people are anticipated to be driving to and using the disc golf course (whichever version might be implemented) or when. Absent information on maintenance plans, and patterns or amounts of road traffic and public use that this area might see, the DEIR's conclusions that approving and building a disc golf course will not result in air quality impacts associated with vehicle trips and maintenance activities is unsupported by any evidence.

And, as with aesthetics, the DEIR's discussion of cumulative impacts regarding air quality is inadequate. The discussion of cumulative air quality impacts fails to describe 1) what other past, present and future projects might combine with the proposed project to have cumulatively considerable effects, or 2) to otherwise quantify cumulative effects of air quality impacts in any meaningful way.<sup>26</sup>

<sup>24</sup> DEIR at p. E4-13.

<sup>25</sup> DEIR at p. E4-27.

<sup>26</sup> DEIR at pp. E4-32 to 4-33.

O2-6  
(Cont.)

O2-7

### 3. BIOLOGICAL RESOURCES IMPACTS

The DEIR's analysis of the disc golf course's impacts on biological resources in the Upper Park is also inadequate.

#### I. BUTTE COUNTY CHECKERBLOOM

Butte County Checkerbloom is a sensitive plant species that has been documented to exist in the project area, and that has been severely impacted both unintentionally and, in some cases, by apparent acts of intentional and direct vandalism.<sup>27</sup> The DEIR acknowledges that disc golf may have significant adverse effects on this plant species, but then proposes mitigation measures that only mitigate such impacts "to the greatest extent feasible" or "wherever possible":

As provided in Appendix H of the BPMMP, the Disc Golf/Trailhead Area Concept Plan shall be implemented to avoid direct and indirect impacts on locations of Butte County checkerbloom on the site to the greatest extent feasible. All disc golf structures (e.g., tees, targets, fairways) and trails shall be placed a minimum of 50 feet from locations that currently support Butte County checkerbloom wherever possible. Where this cannot be accomplished due to physical site constraints, the buffer may be reduced, but shall remain at a minimum of 25 feet.<sup>28</sup>

No information provided explains how a 25 foot "buffer" will be sufficient to mitigate impacts to this species to less than significant levels. This is especially true when it is recognized that 1) discs do not always fly exactly where their owner intends (indeed, that is the precise challenge of disc golf), and must be retrieved; 2) nothing prevents unsupervised excursions by disc golf players or their pets off of authorized trails for a variety of non disc-golf activities; and 3) there are documented instances where apparent acts of intentional vandalism to this sensitive plant have occurred in the project area.<sup>29</sup> In sum, the DEIR unrealistically assumes, without evidence, that simply designing the course in a particular manner will avoid all impacts on Butte County Checkerbloom, without regard to documented past experience and the knowledge of how the game of disc golf is actually played.

Moreover this mitigation measure further confirms that the "project" at issue has not been adequately defined. The question of where disc golf "structures" (tees, targets, fairways) are to be placed is the project, and needs to be described in the DEIR. The fact that these "details" are being put off until after project approval constitutes multiple violations of CEQA including 1) failing to describe the project, 2) piecemealing of environmental analysis, and 3) deferral of the development or implementation of mitigation measures until after project approval.

<sup>27</sup> See Exhibit 2, Letter from EDAW, Inc., to Mr. Dennis Beardsly, Park Director, re: Results of follow-up survey to investigate reports of possible vandalism/ removal of Butte County checkerbloom at the proposed disc golf course study area (June 27, 2005) (documenting facts showing apparent attempts to hide evidence of intentional removal of Butte County checkerbloom in vicinity of proposed disc golf course).

<sup>28</sup> DEIR at p. E4-53.

<sup>29</sup> See Exhibit 2.

O2-8

ii. BIDWELL'S KNOTWEED

The DEIR's proposed mitigation for Bidwell's Knotweed suffers from practically identical infirmities. The DEIR states:

Consistent with the Disc Golf/Trailhead Area Concept Plan, trails shall generally be placed outside of wildflower fields. The Disc Golf/Trailhead Area Concept Plan shall be implemented to restrict foot traffic to clearly defined trails and disc golf structures. The number of trails dissecting wildflower fields shall be minimized to the fewest number necessary to facilitate reasonable access to the disc golf course and scenic viewpoints, and trails shall be as narrow as possible and have clearly marked edges to reduce widening and discourage users from wandering off the path. Existing trails through wildflower fields that will not be retained as part of the Disc Golf/Trailhead Area Concept Plan shall be decommissioned, and barriers (such as boulders) shall be placed just outside any points where trails enter the wildflower field community to discourage use of these trails.<sup>30</sup>

O2-9

Merely "minimizing" the number of trails dissecting wildflower fields to "the fewest number necessary to facilitate reasonable access to the disc golf course and scenic view points" does not constitute substantial evidence that this acknowledged, potentially significant impact has been mitigated to less than significant levels. Moreover, as explained above, this mitigation measure's proposal to design these aspects of the course design *after* project approval, once again, constitutes a violation of CEQA for 1) failing to describe the project in the DEIR, 2) piecemealing of environmental review; and 3) deferral of mitigation.

iii. VERNAL POOLS AND RELATED RESOURCES

With regard to vernal pool and related aquatic habitat impacts, the DEIR, again, unlawfully defers the identification of impacts, and the formulation and adoption of mitigation measures, until after project approval. The Draft EIR admits that vernal pool and related plant and animal resources are known to exist in the area of the (vaguely proposed) disc golf course, but admits that the precise location and extent of such resources, or how they will be impacted by the as-yet undefined disc golf course, is not known. This, again, constitutes a violation of CEQA due to the DEIR's failure to provide an "accurate, stable and finite" project description, or to fully investigate and describe the environment that may be affected.

O2-10

The DEIR's mitigation measures for vernal pool resource, again, point to unlawful deferral of mitigation, piecemealing of environmental review, and factually unsupported assertions that impacts have been mitigated to less than significant levels:

Before any ground-disturbing project activities begin, the City shall retain a qualified biologist to identify and map potential habitat in areas that could be affected by the given project. The City shall ensure, through coordination with the biologist, that the footprint of project features and construction zones, staging

<sup>30</sup> DEIR at p. E4-57 to E4-58.

areas, and access routes are designed to avoid direct or indirect effects on suitable habitat for vernal pool invertebrates and western spadefoot to the extent feasible and practicable. In addition to vernal pools, suitable habitat for western spadefoot includes the surrounding grassland matrix.

If vernal pool invertebrate and western spadefoot habitat cannot be avoided, measures shall be implemented to minimize and mitigate unavoidable effects. Before beginning any ground-disturbing project activities in such habitat, USFWS shall be consulted to identify appropriate measures to minimize and compensate for adverse effects on special-status vernal pool invertebrates; DFG shall be consulted to identify measures to minimize and compensate for adverse effects on western spadefoot. Applicable avoidance and minimization measures may include those described in USFWS's vernal pool crustacean Programmatic Consultation (USFWS 1996a). Minimization measures for vernal pool invertebrates are likely to include, but would not be limited to, fencing of habitat to be avoided, timing of ground disturbance to correspond with the dry season, conducting worker awareness training, and periodic biological monitoring. Compensation may include preservation, enhancement, and/or creation of suitable habitat in areas that currently, or could in the future, support special-status invertebrate and/or spadefoot populations.<sup>31</sup>

O2-10  
(Cont.)

These so-called "mitigation measures" constitute an admission of a broad array of *prima facie* violations of CEQA, because they 1) concede that the environment that may be affected has not yet actually been investigated by the City or described in the DEIR; 2) concede that the "project" has not yet been defined or described in an "accurate, finite and stable" manner; 3) only require impacts to vernal pool and related resources be avoided to the extent "feasible and practicable"; and 4) defer the development, formulation or implementation of additional measures to mitigate impacts that cannot be "feasibly or practicably" avoided until after project approval.

The above mitigation measures are also problematical, because, in its discussion of impacts to "jurisdictional wetlands," the DEIR actually concedes that implementation of the disc golf course *will* destroy four vernal pools.<sup>32</sup> The DEIR is internally inconsistent by asserting at one point 1) that it is unknown whether vernal pools will be affected by the disc golf course, but then later 2) stating that four vernal pools will be destroyed by the disc golf course.

And, again, The DEIR's proposed measure to "mitigate" the destruction of these four vernal pools implicates numerous violations of CEQA's procedural and substantive requirements:

The acreage of waters of the United States, including wetlands, that would be adversely affected by project construction shall be replaced or restored/enhanced on a "no net loss" basis in accordance with USACE regulations and City General Plan Policy OS. G-9. Habitat restoration, enhancement, and/or replacement shall

<sup>31</sup> DEIR at pp. E4-64 to 4-65.

<sup>32</sup> DEIR at p. E4-82.

be at a location and by methods agreeable to USACE, as determined during the Section 404 permitting process.<sup>33</sup>

This "mitigation measure" violates CEQA because it proposes to "replace" vernal pools on a vague, "no net loss" basis, but the DEIR does not state 1) where such "replacement" will occur (failed project description); 2) what resources may be impacted by conducting such "replacement" (failed description of the CEQA "environment"); or 3) whether feasible mitigation measures or alternatives exist to reduce or avoid the undisclosed impacts of conducting "replacement" activities at the undisclosed "replacement" site. This mitigation measure also violates CEQA because it constitutes the unlawful piecemealing of environmental review for the Clean Water Act 404 permit and 401 certification required for the disc golf course, and the deferral of the development or adoption of mitigation for such impacts (if they can be mitigated at all) until after project approval.

O2-10  
(Cont.)

#### IV. OAK WOODLANDS

The DEIR states that discs hitting trees, and damaging bark and tree foliage, are a potentially significant, adverse effect.<sup>34</sup> Again, however, the mitigation measures proposed for oak trees and blue oak woodlands, on their own terms, are not adequate to categorically prevent disc strikes, and thus do not meaningfully address or mitigate the "impact" identified in the DEIR:

Where possible, trails, improvements, and facilities shall be constructed outside of oak woodlands. The number of trails dissecting oak woodlands shall be minimized to the fewest number necessary to accomplish the goals of the site-specific Park Improvement Projects. The width of trails through oak woodlands shall be minimized and trails shall have clearly marked edges that discourage trail widening and deter users from straying off the designated trail.<sup>35</sup>

O2-11

As with previous measures, the DEIR proposal to construct the disc golf course facilities outside of oak woodlands "where possible," and to "minimize" the number of trails through such resources "to the fewest number necessary," does not prevent errantly thrown discs from striking or damaging oak tree foliage. Nor does the DEIR's proposed "mitigation" measure preventing course features from being located within the dripline of oak trees "except where necessary."<sup>36</sup>

In addition, implementation of some of the DEIR's proposed mitigation measures may, themselves, have significant, adverse effects which are not described, analyzed or mitigated in the DEIR. For example, one of DEIR's "mitigation" measures for impacts to oak woodlands caused by disc golf states:

<sup>33</sup> DEIR at p. E4-83.

<sup>34</sup> DEIR at p. E4-75 and at Appendix E4.

<sup>35</sup> DEIR at p. E4-76.

<sup>36</sup> DEIR at p. E4-76.



Any unavoidable impacts to oaks resulting from construction, or tree mortality resulting from ongoing use of the site shall be mitigated by replanting oak woodland habitat at the Disc Golf/Trailhead site in areas located outside of the footprint of facilities and trails.<sup>37</sup>

The DEIR violates CEQA by failing to state where such mitigation "areas" will actually be located (failed project description), what *existing* environmental resources are presently located at such undisclosed sites (failed description of the CEQA environment), and how the "replanting" of oak woodland habitat at these undisclosed locations may affect already existing sensitive resources (e.g., perhaps vernal pools?) at the undisclosed sites. In addition, pursuant to the Court's decision in the recent *California Farm Bureau* case, the DEIR needs to also describe and mitigate the short term construction and other impacts of implementing such proposed habitat conversions.<sup>38</sup>

Another example of a proposed oak woodland mitigation measure that, itself, may result in significant, adverse environmental impacts that the DEIR fails to disclose or analyze, states:

In cases where tees or trails are located within driplines of oaks or in the immediate vicinity of driplines, a 6 inch layer of woodchip mulch shall be applied to a 20' radius around the tees and on the trails to minimize soil compaction; this layer shall be maintained on a ongoing basis, as needed, to ensure continued protection of the root zones.<sup>39</sup>

What are the environmental impacts of the DEIR's proposal to permanently bury all presently existing, natural vegetation in these locations under six inches of woodchips? How will importing these woodchips affect the existing local soil chemistry and composition, and its suitability to support naturally occurring plant species at these locations, including but not limited to plant species of special concern, such as Butte County Checkerbloom?

#### v. HABITAT FRAGMENTATION

The DEIR's discussion of habitat fragmentation at the proposed disc golf course site is also inadequate. As noted above, several sections of the DEIR acknowledge that 1) the habitat of special status plants in this area of Upper Bidwell Park is adversely impacted by disc golf activities, and 2) that such habitat fragmentation may be exacerbated by the construction of as-yet undefined disc golf trails and facilities.

The DEIR's entire "analysis" of habitat fragmentation related to disc golf states –

The Trails Plan and Disc Golf/Trailhead Area Concept Plan would be implemented in areas where habitat fragmentation could be an issue. However, the amount of habitat lost with implementation of these two Park Improvement

<sup>37</sup> DEIR at p. E4-77.

<sup>38</sup> *California Farm Bureau, supra*, 143 Cal.App.4th 173, 190-192

<sup>39</sup> DEIR at p. E4-77.

O2-11  
(Cont.)

O2-12

Projects would be small relative to the overall size of Bidwell Park, the existing extent and distribution of wildlife habitats within the Park and regionally, and the spatial (area) requirements of most wildlife species within the Park.<sup>40</sup>

It is a violation of CEQA for a DEIR to declare that a project's incremental, adverse environmental effects impacts are less than significant, based on the assertions that 1) the existing environment is already in an impaired state; and 2) the project's incremental contribution to already deteriorated conditions would be relatively small.<sup>41</sup> In addition, the DEIR's discussion of habitat fragmentation is inadequate, because it assumes that only animals need unfragmented habitat. In fact, plants are far more susceptible to habitat fragmentation than animals, for the very reason that plants are rooted in the ground, and, unlike animals, cannot simply pick up and move to another location when their current habitat is no longer suitable due to excessive fragmentation.

O2-12  
(Cont.)

Finally, as with its analysis of cumulative effects to other resources, the DEIR's discussion of cumulative biological impacts is defective because it fails to 1) describe what cumulative projects may combine with the proposed project to have cumulatively considerable, adverse biological impacts, or to otherwise quantify cumulative biological impacts in any way.<sup>42</sup>

#### 4. CULTURAL RESOURCE IMPACTS

With regard to cultural resources, the DEIR states 1) that the Humboldt Trail is a cultural resource, 2) that implementing two of the conceptual designs for the proposed golf course would destroy 25%-37% of this resource; and 3) that this impact is significant.<sup>43</sup> Yet, the DEIR then goes on to conclude that this impact has been mitigated to a less than significant level, without ever *actually* mitigating the identified impact:

For portions of the Humboldt Wagon Road that cannot be avoided during implementation of the Disc Golf/ Trailhead Concept Plan, impacts would result in destruction of a portion of the route and intrusion of newer elements that would alter the immediate surroundings. As outlined in the management plan (see Jensen, et al. 1996; Table 2), this segment of the road appears significant based upon the associated archaeological deposit (NRHP Criterion D/CRHR Criterion 4), which will not be impacted by construction, and the association of the wagon road with John Bidwell. As currently designed, neither Alternative A nor Alternative B will result in destruction or alteration of the surroundings of the archeological deposit, and would impact only a percentage of the route associated with the original person responsible for its construction, John Bidwell. The surrounding environment of this segment of the route has been previously impacted by construction of a more recent dirt road that parallels the contemporary route of Highway 32, such that the immediate surroundings have

O2-13

<sup>40</sup> DEIR at p. E4-85.

<sup>41</sup> *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692.

<sup>42</sup> DEIR at p. E4-85-86.

<sup>43</sup> DEIR at p. E4-94.

been altered from what was present during the historic period. Therefore, because neither alternative would impact the archaeological deposit or substantially impair the significance of the resource as it relates to its association with a person of historic importance (NRHP Criterion B/CRHR Criterion 2), both alternatives would result in less-than-substantial adverse changes in the significance of this resource.<sup>44</sup>

O2-13  
(Cont.)

This "mitigation measure" is not a mitigation measure, because it does not, in any way, avoid or mitigate the significant, adverse impact identified by the DEIR in the first instance: the destruction of 25% to 37% of this historic, cultural resource.

##### 5. SOIL EROSION IMPACTS

With regard to soil erosion, the DEIR documents the fact that disc golf has, in fact, resulted in significant soil erosion in Upper Bidwell Park, but then broadly concludes that implementation of vague "mitigation" measures contained in the proposed master management plan and trails plan will reduce such impacts to less than significant levels:

Environmental criteria that were included in the design process of the proposed Disc Golf/Trailhead Area Concept Plan included thin soil, erodible areas that were identified for impact minimization by minimizing the footprint of trails and tees. The design criteria also identified certain areas that were to be restored or set aside to reduce erosion effects, including portions of the short course that have been damaged by previous unmitigated use; establishment of setbacks from cliff faces; and the provision of designated areas for uses other than disc golf (i.e., staging areas, scenic view spots) to reduce the amount of off-trail use. Disc Golf Implementation Strategies and Guidelines I, DG/T-4, DG/T-9, and DG/T-10 of the BPMMP specify that construction, materials, and maintenance specifications shall be developed and approved before the start of any work at the site; that the disc golf course area shall be inspected periodically to assess potential degradation of resources, and course management and maintenance procedures shall be adjusted as necessary; and that suspension of disc golf play during wet weather conditions would be considered as a management strategy. Furthermore, construction and maintenance of proposed trails in the disc golf course area would be subject to the standards and guidelines contained in the Bidwell Park Trails Manual (Park Department 1999). The environmental criteria used in the design of the disc golf course, in combination with the BPMMP Implementation Strategies and implementation of the standards contained in the Trails Manual, would reduce erosion impacts of the proposed Disc Golf/Trailhead Area Concept Plan.<sup>45</sup>

O2-14

Measures LDG/T-4, DG/T-9, and DG/T-10 are inadequate to mitigate known and documented soil erosion impacts caused by disc golf activities in their present location. The fact that construction, materials and maintenance specifications "shall be developed and approved" before

<sup>44</sup> DEIR at p. E4-95.

<sup>45</sup> DEIR at p. E4-104.

the start of work only confirms what has been explained above: the City has failed to provide an adequate or accurate description of the disc golf course project, or how it might affect the environment. A mitigation measure calling for "periodic inspection" and the adjustment of management, again, indicates that significant, adverse impacts will in fact be incurred before corrective action is taken. And the measure stating that closure during wet weather "should be" considered is not mandatory, and thus cannot be relied upon to mitigate erosion impacts.

O2-14  
(Cont.)

The DEIR's general assertion that the Bidwell Park Trails Manual will mitigate erosion impacts also violates CEQA, because the DEIR fails to indicate what pages or substantive provisions of the trails manual form the basis for the DEIR's conclusion. The California Supreme Court, in *Vineyard Area Citizens v. City of Rancho Cordova*, recently explained that if an EIR is going to rely on the analysis or provisions of other documents for its conclusions that project impacts have been mitigated to less than significant levels, it must, at the least, provide the reader with sufficient information to understand what part of the other document actually applies to the project, and to explain how such incorporated provisions actually address and mitigate the impact at issue.<sup>46</sup>

#### 6. IMPACTS ASSOCIATED WITH LAND USE PLAN INCONSISTENCIES

With regard to conflicts with land use plans or designations, the DEIR incorrectly asserts that no such conflicts exist. In fact, on February 27, 2003, this office sent a letter to the City on behalf of our client at that time, Josephine Guardino, who is a current member of Friends of Bidwell Park, explaining that disc golf use is in direct conflict with Upper Bidwell Park's OS-1 zoning and RCA status of this area. A copy of our February 27, 2003 letter is attached as Exhibit 1 to this letter, and its entire content (including its comments regarding disc golf impacts) is incorporated as if set forth in full. Moreover, even the proposed BPMMP itself recognizes that the proposed disc golf course area must be re-zoned, for the very reason that disc golf is *not* consistent with the *passive* recreation uses allowed under the area's present, OS-1 zoning.<sup>47</sup>

O2-15

Stepping briefly out of CEQA and into the Planning and Zoning Law, the proposed BPMMP's assertion that the BPMMP can or does supersede the applicable OS-1 zoning for this area is also incorrect as a matter of law. As explained in the proposed BPMMP, the hierarchy of land use documents that applies to Bidwell Park is 1) general plan, 2) municipal ordinances (zoning); and then 3) the BPMMP.<sup>48</sup> Accordingly, the OS-1 zoning of this area controls, and overrides, any conflicting uses that are purportedly "authorized" by the lower-tiered BPMMP.<sup>49</sup>

<sup>46</sup> *Vineyard Area Citizens v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 ("The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.")

<sup>47</sup> Draft BPMMP at p. 3-52, Implementation Strategy I.Upper-5.

<sup>48</sup> Draft BPMMP at p. 2-9 ("The General Plan, Municipal Code and BPMMP provide *increasing levels of detail* and complementary guidance to the BPPC when considering land use questions for Bidwell Park." [emphasis added]).

<sup>49</sup> *DeVita v. County of Napa* (1995) 9 Cal.4th 763, 772.

#### 7. TRAFFIC / CIRCULATION IMPACTS

The DEIR fails to describe (and therefore, by extension, again piecemeals the analysis of, and defers mitigation for) traffic improvements associated with the disc golf course. The DEIR acknowledges that implementing the proposed disc golf course may result in significant traffic circulation hazards, but then goes on to state:

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

O2-16

Obtaining the required encroachment permit, and providing site access and parking, is an integral part of the "whole" disc golf project. Accordingly, CEQA requires that *this* DEIR disclose, analyze and mitigate the effects of obtaining the required encroachment permit from CalTrans.<sup>50</sup> The DEIR violates CEQA by piecemealing analysis of this aspect of the project, and deferring the development and implementation of mitigation measures for traffic circulation impacts, until after the project is approved.

#### IV. INADEQUATE ALTERNATIVES ANALYSIS REGARDING DISC GOLF

As required by CEQA, the DEIR does contain an analysis of alternatives to the proposed disc golf project. Unfortunately, the alternatives analysis contained in the DEIR is defective because it 1) fails to consider any alternative that would eliminate disc golf in the Upper Park altogether, while still providing meaningful disc golf opportunities elsewhere in the City; 2) fails to discuss the comparative impacts of the alternatives in any substantive manner; and 3) improperly assumes that the "no project" alternative would result in a continuation of disc golf activities that are inconsistent with 1) the site's OS-I zoning and RCA status, and 2) the BPMMP.

O2-17

##### A. FAILURE TO CONSIDER A FULL SCALE, OFF-SITE DISC GOLF ALTERNATIVE

The CEQA Guidelines require that an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives."<sup>51</sup> "There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."<sup>52</sup>

<sup>50</sup> CEQA Guidelines, § 15003, subd. (h); *Citizens Assoc. For Sensible Development v. County of Inyo* (1985) 172 Cal.App.3d 151.

<sup>51</sup> CEQA Guidelines, § 15126.6, subd. (a).

<sup>52</sup> CEQA Guidelines, § 15126.6, subd. (a) citing *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376.

In this case the DEIR analyzes three alternatives to the proposed disc golf project: 1) build an 18-hole short-course in the Upper Park, and a new short-course at Comanche Creek; 2) the restoration alternative, which would provide no disc golf opportunities anywhere in the City; and 3) the "no project" alternative which the City asserts would allow disc golf to continue as an unauthorized activity in the Upper Park.

The DEIR, in proposing these alternatives, has unreasonably limited the range of alternatives in a manner that unfairly pits the sensitive natural resources of the Upper Park against disc golf in all instances. The DEIR fails to consider a reasonable range of alternatives, because one obvious way to achieve the project's objective (establishing an authorized, full scale disc golf facility in the City) while avoiding the impacts that disc golf has had, and will continue to have, on Upper Bidwell Park's sensitive natural resources, would be to consider a project alternative that would eliminate disc golf use in Upper Bidwell Park, and instead establish one, or possibly even two, full scale 18-hole disc golf courses spread across a number of alternative locations in the City.

The DEIR consideration of alternatives violates CEQA, because the only alternative presented that fully avoids the adverse impacts that disc golf has had on the sensitive resources of Upper Bidwell Park (the "restoration alternative") contains no component that would allow disc golf to be played elsewhere in the City. In selectively crafting its alternatives in this manner, the DEIR creates a false dichotomy by pitting preservation of the Upper Park's resources against the threat of eliminating disc golf in the City entirely. The DEIR should be revised and recirculated to consider an alternative that would allow for one or two full sized disc golf courses in the City at locations other than Upper Bidwell Park, or to explain why the consideration of any such alternative is so obviously infeasible as to not merit discussion in the first instance.

O2-17  
(Cont.)

**B. FAILURE TO MEANINGFULLY DESCRIBE OR DISCUSS ALTERNATIVES IN COMPARISON TO PROPOSED PROJECT**

The CEQA Guidelines state that, in considering alternatives to a proposed project, the DEIR must "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."<sup>53</sup>

The DEIR initially violates this principle, because, as explained above, it never actually provides any "accurate, stable and finite" description of the proposed disc golf course for Upper Bidwell Park. Accordingly, it is impossible for the DEIR to meaningfully consider how alternatives might reduce or avoid the inadequately described project's effects.

In addition, the DEIR's "analysis" of alternatives also violates CEQA because it is uninformative and does not provide any substantively meaningful evaluation, analysis or comparison of the alternatives to the proposed project. As just one example, when considering the "restoration" alternative's comparative environmental effects, the DEIR's *entire* "analysis" reads as follows:

<sup>53</sup> CEQA Guidelines, § 15126.6, subd. (a).

Under this alternative, the use of the site for disc golf would be eliminated and areas that have been degraded by the unmitigated use of the site would be restored. Because restoration would likely not involve the use of heavy construction equipment, impacts associated with construction would not apply to the same extent. However, because some facilities like the parking lot and trailhead would still be constructed, they are included here as potential impacts. Impacts to other sensitive resources would likely occur at a lesser degree than under the proposed project, but could not be eliminated, because removal of the current disc golf structures and restoration activities would occur on or immediately adjacent to the sensitive resources present on the site.

The following impacts would still apply due to restoration efforts or from anticipated use of the site as a multi-use trailhead:

#### **Air Quality**

- ▶ Violation of air quality standard or substantial contribution to an existing or projected air quality violation (short term construction emissions only) (AQ-2) (reduced);
- ▶ 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 (AQ-4) (reduced).

#### **Biological Resources**

- ▶ Adverse effects on Butte County checkerbloom (BIO-1c);
- ▶ Adverse effects on Bidwell's knotweed (BIO-1d);
- ▶ Adverse effects on vernal pool crustacean habitat (BIO-2c);
- ▶ Adverse effects on oak woodland (BIO-3c);
- ▶ Adverse effects on wildflower fields (BIO-3d);
- ▶ Adverse effects on vernal pools (BIO-3e);
- ▶ Adverse effects on jurisdictional wetlands (BIO-4b).

#### **Cultural Resources**

- ▶ Change in resource significance (CUL-1b);
- ▶ Disturbance of human remains (CUL-2b).

#### **Hydrology and Water Quality**

- ▶ Potential for water quality degradation (HYDRO-1b).

#### **Noise**

- ▶ Excessive noise levels from project construction (NOISE-1b) (reduced).

In addition, there would be the following beneficial effect on biological resources at the site:

- ▶ Beneficial effects on sensitive natural communities and habitat for common and special-status plant and wildlife species due to restoration of degraded habitat

O2-17  
(Cont.)

Overall, the environmental impact of this alternative on sensitive resources would be less than under the proposed project, because it would involve active restoration of the site. While all of the potential impacts to biological resources, cultural resources and hydrology would still apply due to the fact that some facilities would be placed at the site, the overall impact would be expected to be less severe, due to the limited footprint of the site. Adverse effects on air quality and noise associated with construction would be reduced due to the downscaled degree of construction. This alternative would eliminate a current use of the site and would therefore reduce the footprint of facilities of the site. It would likely result in a reduction of the overall number of visitors to the site, due to the elimination of an activity that is currently very popular. Use of the site for picnics, scenic viewing and hiking would result in less intensive use of the site than the proposed project. In addition, many of the impacts associated with construction of the project (such as air quality and noise impacts) would be less severe, due to the overall reduced footprint of proposed facilities. There would be no increase in traffic hazards when compared with current conditions. However, as noted previously above, this alternative would not fulfill some of the project's objectives.

The foregoing discussion hardly constitutes a *meaningful* comparison of this alternative to the proposed project, because (like the proposed project) this alternative and its impacts (and benefits) is never described with sufficient detail to meaningfully consider what its actual impacts (and benefits) are. The discussion is also misleading and internally inconsistent, in that it seems to indicate, under the heading "Biological Resources," that impacts to Butte County Checkerbloom, Bidwell's Knotweed, vernal pools and oak woodlands are the same as the proposed project. Yet, in its brief, concluding narrative, the DEIR appears to assert that impacts on biological resources under this alternative will be less than under the proposed project.

O2-17  
(Cont.)

**C. IMPROPER ASSUMPTION THAT DISC GOLF WILL CONTINUE UNDER NO PROJECT ALTERNATIVE**

The DEIR is also wrong in asserting that, under the "No Project" alternative, unauthorized disc golf use would continue unabated in Upper Bidwell Park. As explained above, disc golf violates the existing OS-1 zoning and RCA status of this area of the Upper Park. If the proposed disc golf course project is not approved by the City (the "No Project" scenario), then it must be presumed that such use is unlawful and will be terminated.

As stated by Justice Blease in his concurring opinion in *California Aviation Council v. County of Amador*: "Most of the time we may reasonably expect administrative agencies to obey the law. Indeed, courts are directed to assume that such is the case."<sup>54</sup> Disc golf is illegal in Upper Bidwell Park under currently existing ordinances and land use designations. If the City does not approve disc golf as part of the BPMMP (i.e., the "No Project" alternative for disc golf) then it will remain illegal.

<sup>54</sup> *California Aviation Council v. County of Amador* (1988) 200 Cal.App.3d 337, 348.



Under such circumstances the DEIR must presume – as directed by Justice Blease in *California Aviation Council* – that under the “No Project” alternative the City will “obey the law,” and forbid continued disc golf activities in Upper Bidwell Park. Accordingly, the DEIR’s analysis must be revised and recirculated, to properly reflect that under the “No Project” alternative, “unofficial” (*i.e.*, illegal) disc golf activities cannot and will not be allowed to persist in Upper Bidwell Park.

O2-17  
(Cont.)

#### V. INADEQUATE ANALYSIS OF IMPACTS ASSOCIATED WITH THE TRAILS PROJECT

Finally, beyond the DEIR’s numerous failures regarding its consideration of the proposed use of Upper Bidwell Park for disc golf, we wish to note at least one glaring defect in the DEIR with regard to its claim to present “project” level analysis for a new trail system in the Park – specifically, the proposal to build a bridge across Big Chico Creek at an unspecified location in Upper Bidwell Park.

The DEIR fails to meet CEQA’s requirements regarding the proposal to build this bridge, because it never describes 1) where the bridge will be located, 2) the impacts associated with building the bridge or its use, or 3) any potentially feasible alternatives or mitigation measures to offset such undisclosed impacts. The DEIR, on these points, states:

[A]ny bridge crossing that would affect the bed and bank of Big Chico Creek would require a Streambed Alteration Agreement from DFG, which would require consultation with DFG, the state agency vested with the responsibility for protecting special-status fish species. The consultation with DFG would result in the identification of measures, if any, to mitigate impacts on special-status fish species.<sup>55</sup>

O2-18

The fundamental problem with this statement is that *this* DEIR is the project level EIR for the trails system, including the proposed bridge, and obtaining a Streambed Alteration Agreement from CDFG is just one of many governmental approvals required to implement the “whole” of the proposed trails project, including the proposed bridge. In other words, the above mitigation measure, by putting off consideration of impacts associated with obtaining a Streambed Alteration Agreement from CDFG until after project approval, again constitutes a textbook example of multiple violations of CEQA by unlawfully 1) failing to describe the whole of the trails project; 2) failing to describe the environment affected by the trails project; 3) piecemealing of environmental review; and 4) deferral of mitigation until after project approval.

Moreover, since the Streambed Alteration Agreement statute and CDFG’s implementing regulations, on their own terms, do not prohibit the issuance of a such an Agreement unless all impacts have been mitigated to less-than-significant levels, the DEIR’s categorical assertion that obtaining such an Agreement from CDFG after project approval will mitigate the bridge’s impacts to less-than-significant levels is not supported by substantial evidence.

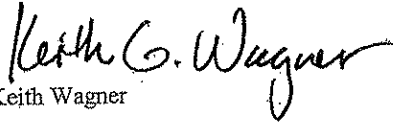
<sup>55</sup> DEIR at p. E4-72.

## VI. CONCLUSION

On behalf of Friends of Bidwell Park and its members, we have reviewed the proposed BPMMP and DEIR, with a particular focus on the legal adequacy of the DEIR's project-level analysis of disc golf activities in Upper Bidwell Park. As indicated above, the DEIR is not adequate to meet CEQA's procedural or substantive requirements in this regard because it 1) fails to describe the project; 2) fails to describe the environment; 3) piecemeals environmental review; 4) defers the formulation and adoption of mitigation; 5) asserts that impacts are less than significant without supporting substantial evidence; and 6) fails to analyze a reasonable range of alternatives. The DEIR's assumption that the "No Project" alternative would allow "unofficial" disc golf to continue in Upper Bidwell Park is also wrong, because it improperly assumes that the City would not follow the law to bring the uses of Upper Bidwell Park into conformance with the applicable OS-1 zoning and RCA status of this area.

Before the City may approve any project that would authorize disc golf activities in Upper Bidwell Park, the City must first revise its DEIR to address the shortcomings identified in this letter, and then recirculate the DEIR for further public review and comment.

Sincerely,



Keith Wagner

cc: Friends of Bidwell Park  
Interested Parties

## **EXHIBIT 1**

LAW OFFICE OF  
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J. WILLIAM YEATES

MARY U. AKENS  
KEITH G. WAGNER

February 27, 2003

Mr. Kim Seidler  
Planning Director  
City of Chico  
Community Development Department  
P.O. Box 3420  
Chico, CA 95927

Re: Comments: Upper Bidwell Park Disc Golf Course Project and Mitigated Negative Declaration (State Clearing House No. 2002092068).

Dear Mr. Seidler:

We are submitting these comments on behalf of our client, Josephine Guardino, objecting to the approval of the above-referenced project. These comments are submitted "prior to the close of the public hearing on the project before the issuance of the notice of determination," and are to be included in the City's administrative record for the proposed project.<sup>1</sup>

The proposed project cannot lawfully be approved at this time. As explained further below, the Mitigated Negative Declaration and Initial Study for the proposed project are procedurally and factually defective. In addition, even if the identified defects in the City's CEQA documents are cured, the project cannot be approved because it is fundamentally inconsistent with the overlying requirement of the City's General Plan, the zoning designation for the project area, and the Bidwell Park Master Management Plan. For these reasons, the City must take affirmative steps to curtail the existing use of the project area for disc golf until such time as the City's General Plan, the zoning for the project area, and the Bidwell Park Management Plan are updated (including appropriate CEQA review for such updates) to allow disc golf in this environmentally sensitive area of Upper Bidwell Park.

<sup>1</sup> Pub. Resources Code, § 21177, subs. (a) and (b); *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109.

**I. THE CITY FAILED TO MEET CEQA'S PROCEDURAL AND SUBSTANTIVE REQUIREMENTS IN PREPARING AND CIRCULATING ITS MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED DISC GOLF COURSE**

**A. NO "MITIGATED NEGATIVE DECLARATION" APPEARS TO HAVE BEEN SENT TO THE STATE CLEARINGHOUSE OR CIRCULATED FOR PUBLIC REVIEW**

CEQA requires that a lead agency circulate any proposed mitigated negative declaration for public review before it is approved by a lead agency.<sup>2</sup> It is quite clear from the structure of CEQA that an "initial study" and a "mitigated negative declaration" are, in fact, two distinct documents that serve different purposes, and that both documents must be 1) provided to the State Clearinghouse, and 2) attached to the Notices of Availability for public review.<sup>3</sup>

In reviewing the environmental documents that our client has received from the City, it appears that the only CEQA document provided to the State Clearinghouse and circulated with the City's Notice of Availability for this project is the City's "Initial Study." Therefore, the City has failed to meet CEQA's procedural requirements in its failure to prepare and circulate for public review a separate "Mitigated Negative Declaration" along with the City's Initial Study for the project.<sup>4</sup> The project cannot be approved until the Mitigated Negative Declaration and the City's Initial Study are circulated for public review pursuant to CEQA's public circulation and review requirements and timelines.

**B. MANDATORY FINDINGS OF SIGNIFICANCE FOR CEQA "RARE, THREATENED AND ENDANGERED" SPECIES**

The CEQA Guidelines require that a lead agency find that a project may have a significant effect on the environment if the project has the *potential* to "reduce the number or restrict the range of an endangered, rare or threatened species . . ."<sup>5</sup> Furthermore, the discussion following this Guideline explains:

These mandatory findings control . . . the decision of whether to prepare an EIR . . . This section is necessary to insure that public agencies follow the concerns of the Legislature in determining that certain effects *shall be found significant* and

<sup>2</sup> Pub. Resources Code, §§ 21064.5 (defining "mitigated negative declaration"), 21080, subd. (c)(2) (stating that a mitigated negative declaration "shall be prepared" if an initial study indicates that revisions in a project would avoid the project's potentially significant impacts, and there is no substantial evidence in the "whole of the record" before the agency that the project, as revised, "may have a significant impact on the environment").

<sup>3</sup> Compare Cal. Code Regs., tit. 14, ch. 3 (hereinafter "CEQA Guidelines"), art. 5 (titled "Preliminary Review of Projects and Conduct of Initial Study"), with CEQA Guidelines, art. 6 (titled "Negative Declaration Process"). Also compare CEQA Guidelines, § 15365 (defining "Initial Study") with CEQA Guidelines, § 15369.5 (defining "Mitigated Negative Declaration").

<sup>4</sup> CEQA Guidelines, §§ 15073, 15105, subd. (b).

<sup>5</sup> CEQA Guidelines, § 15065, subd. (a).

then take the actions at the different stages of the process that are required with significant effects.<sup>6</sup>

In other words, as explained by the discussion following the guideline, once the condition stated in the mandatory guideline is met (i.e., the fact that the project has the potential to reduce the number of a CEQA "rare, threatened or endangered" species), that finding "control[s] . . . the decision of whether to prepare an EIR," in order to carry out the Legislature's intent that certain effects "shall be found to be significant."

In the instant case, the City's Initial Study plainly states that Butte County checkerbloom 1) is a CNPS List 1B plant, 2) that these plants were observed growing along the northwest boundary of the proposed project, and 3) that these plants qualify as CEQA "rare" species under CEQA Guidelines section 15380, subd. (d).<sup>7</sup> The City's checklist also clearly indicates that the project "may have potentially significant impacts on this plant," but then claims that such impacts should be "less than significant" with mitigation incorporated.<sup>8</sup>

The mitigation measure that is recommended for this List 1B plant states

Prior to hiring a contractor to construct the disc golf course, the project designer shall meet onsite with the biologist who conducted the 2002 botanical survey (or an equally qualified botanist if that person is not available). Any proposed disc golf facility with a potential to adversely impact populations of Butte County checkerbloom shall be relocated. The boundaries of populations adjacent to proposed construction areas shall be marked and protected with construction fencing prior to construction.<sup>9</sup>

The Initial Study, in considering CEQA's mandatory findings of significance, finds that – with this mitigation measure incorporated – the proposed project does not trigger CEQA's mandatory findings of significance for rare plants.<sup>10</sup>

This finding is inadequate for several reasons. First, as explained above, the CEQA Guidelines require that a *mandatory* finding of significance be made and an EIR prepared if a project has the "potential" to reduce the number or restrict the range of a CEQA rare species.<sup>11</sup> In other words, by the Initial Study's own admission, the project *has the potential* to reduce the number of Butte County checkerbloom at the project site. Therefore, under section 15065 of the CEQA Guidelines and the discussion following that guideline, this finding "control[s] . . . the decision of whether to prepare an EIR," despite the City's attempt to trivialize this mandatory finding by adopting mitigation measures to reduce such impacts.

<sup>6</sup> CEQA Guidelines, discussion following § 15065.

<sup>7</sup> Initial Study, at p. 9.

<sup>8</sup> Initial Study, at p. 8.

<sup>9</sup> Initial Study, at p. 10.

<sup>10</sup> Initial Study, at p. 23.

<sup>11</sup> See discussion at notes 5-6, *supra*.

Additionally, even if it is claimed that the inclusion of the mitigation measure to relocate portions of the course relieves the City of the need to prepare an EIR, the mitigation measure proposed is inadequate under CEQA because it unlawfully defers the redesign of the project to clearly protect the identified Butte County checkerbloom until after the project is approved.<sup>12</sup> In fact, this problem can also be viewed as a defective CEQA project description problem as well, because the mitigation measure itself – in proposing that the “project designer” shall meet with a botanist *after* the project is approved – suggests that the City does not actually know what the precise design and layout of the proposed disc golf course will be.<sup>13</sup>

Another problem with this supposed mitigation measure is that it only goes to mitigate impacts associated with designing the course and construction of the project, but fails entirely to address impacts associated with the use of the course after it is built. Anybody who has ever thrown a Frisbee knows that hard-flung discs do not necessarily fly and land where intended – indeed, that is the precise challenge presented by the game of disc golf. Therefore, the mere fact that limits are placed on where construction equipment may be used in *building* the course does not address, in the least, impacts associated with disc golfers crashing through populations of Butte County checkerbloom at the edges of the golf course’s boundaries to recover errantly thrown Frisbees.<sup>14</sup>

### C. FUNDAMENTALLY INADEQUATE ANALYSIS OF AESTHETIC IMPACTS

As a third issue, the City’s Initial Study is entirely devoid of analysis of the project’s aesthetic impacts with regard to uses of Upper Bidwell Park. In its aesthetics analysis, the Initial Study singularly focuses on aesthetic impacts associated with the view of Bidwell Park from adjacent State Highway 32.<sup>15</sup> The Initial Study acknowledges that a parking area will be built for the proposed project, but then only analyzes the aesthetic impacts of that parking area with regard to drivers on State Highway 32:

At the approved highway speed in this area (65 mph), the parking area will be visible from a distance of approximately 100 yards for slightly less than 5 seconds. This impact is determined to be less than significant.<sup>16</sup>

The Initial Study, however, is absolutely *silent* as to how the construction of the proposed parking lot, tees, trails, baskets and tone poles over a 40-acre expanse of Upper Bidwell Park will affect the aesthetics of Bidwell Park, *from the perspective of people who are inside the park* for non-disc-golf related purposes.

<sup>12</sup> *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144. (invalidating negative declaration for golf course, where credible evidence in the record supported an argument that the golf course *may* have a significant impact on the environment.)

<sup>13</sup> Initial Study, at p. 10. CEQA Guidelines, § 15124, subd. (a) (requiring that a project description include “[t]he *precise location and boundaries* of the proposed project be shown on a detailed map.”)

<sup>14</sup> The pictures that were provided to us by our client are more than adequate to demonstrate the environmental damage associated with user-created paths and trails.

<sup>15</sup> Initial Study at p. 6.

<sup>16</sup> Initial Study at p. 6.

The Bidwell Park Management Plan specifically states that "wilderness recreation" is to be emphasized in the Upper Park, and that uses should be restricted that "individually or cumulatively" cause substantial environmental deterioration.<sup>17</sup> Photographs of the project area clearly show that even the *present* use of this area of Bidwell Park for disc golf directly violates these standards.<sup>18</sup> In short, the Initial Study should at least *explain*, from the City's perspective, how installing a parking lot, trails, multiple 5' x 12' concrete tees, basket and tone poles, and the trampling of sensitive park resources resulting from disc golf use, is so utterly lacking in aesthetic impact that it doesn't even warrant a casual mention in the City's Initial Study – especially in light of the Bidwell Park Management Plan's express management policies for Upper Bidwell Park.

**D. LACK OF ADEQUATE WILDLIFE STUDIES, CUMULATIVE IMPACTS ANALYSIS, ETC.**

Finally, we incorporate by reference all documents and oral discussion that our client, and other members of the public, have presented to the City up to this time in opposition to the project including, but not limited to, the lack of scientifically and legally adequate studies of potential impacts to wildlife (including raptors that may nest and forage in and near the project area), and the City's failure to analyze the cumulative impacts of this project with other planned activities in Bidwell Park.

Many of these issues are documented in our client's letter to the City of January 2, 2003. The City responded in a letter of January 24, 2003. In that letter, Mr. Steve Zalusky, the Senior Planner for the project, repeatedly states his personal opinions about why such impacts are not an issue. The City's letter is inadequate to cure most, if not all, of the defects identified in our client's and others' previous comments and letters regarding the inadequacy of the City's Initial Study for the project.

CEQA provides that a mitigated negative declaration can be adopted only where 1) revisions to the proposed project *prior* to the release of the mitigated negative declaration and initial study indicate that the project will "*clearly*" not have significant impacts on the environment, and 2) there is no evidence in the "whole" of the agency's record that the project may have remaining, significant impacts on the environment.<sup>19</sup> In this case, as set forth above, and as set out in the prior letters and oral information presented by our client and others, the City's Initial Study fails to "*clearly*" indicate that that project will not have significant environmental effects. The City's response letter is insufficient to resolve the issues raised for numerous reasons including 1) the City primarily relies on Mr. Zalusky's personal opinions and beliefs to discount our client's and others' documented concerns, but states no basis for the scientific methodology for his claims or his qualifications as an expert on the wide range of issues addressed in the City's letter, and 2) the City's letter even goes so far as to make the entirely non-sequitur claim that destruction of

<sup>17</sup> Bidwell Park Master Management Plan, at p. 30.

<sup>18</sup> See attached photographs documenting significant environmental impacts caused by disc golf use in project area.

<sup>19</sup> Pub. Resources Code, § 21080, subd. (c)(2). See discussion at note 2, *supra*.



blue oaks should be categorically viewed as "insignificant" because there is no known way to mitigate for the loss of blue oak trees caused by the proposed project.<sup>20</sup> Indeed, on this point alone, Mr. Zalusky's statement about the *inability to mitigate* for the loss of blue oaks in Bidwell Park that will be caused by this project indicates that, in fact, this project *may have potentially significant effects*, thus *requiring* the preparation of an EIR. Also, the City's letter, while citing to certain biological studies, fails to disclose whether the studies were conducted under protocols established by the Department of Fish and Game, and therefore again fails to adequately support the Initial Study's summary conclusions that the project will not have significant impacts on wildlife.

Finally, the Initial Study entirely fails to consider a number of other past, present and future projects that are apparently being proposed for the Park (including, but not limited to, the Annie Bidwell trail, proposed improvements to the observatory in Bidwell Park, and the lead contamination cleanup at Horseshoe Lake and the pistol range), and the cumulative impacts that might result from these projects in combination with the proposed disc golf course.

## II. THE PROPOSED DISC GOLF COURSE PROJECT IS FUNDAMENTALLY INCONSISTENT WITH APPLICABLE LAND USE PLANS

The City's finding in its Initial Study that the project is consistent with applicable land use plans is an abuse of discretion, given the *known* impacts that are *already being caused* by the active recreational use of the project area for disc golf, as graphically demonstrated in the attached photos. The City's Initial Study for the proposed disc golf course finds that the project will have "no impact" with relation to land use plans that govern the proposed golf course site.<sup>21</sup> In discussing these findings, the Initial Study only makes general reference to the Parks, Public Facilities and Services Element of the City's General Plan, and makes no mention *at all* of the Bidwell Park Management Plan.<sup>22</sup>

In fact, as the remaining discussion in this letter demonstrates, the project is *not consistent* with 1) the City's General Plan, 2) the zoning designation for the project area, or 3) the Bidwell Park Management Plan. Thus, *in addition to* the City's abuse of discretion under CEQA in checking the "No Significant Impact" box on its Initial Study regarding inconsistencies with overlying land use plans, it is also clear that the proposed project *cannot* be approved (and that the existing disc golf use must be curtailed) unless and until the City's overlying land-use documents are amended (including adequate environmental review under CEQA to adopt such amendments) to actually allow this active recreational use in Upper Bidwell Park.

<sup>20</sup> See, e.g., Community Development Department letter to J. Guardino (Jan. 24, 2003) at p. 3 (narrative by Mr. Zalusky regarding impacts to raptors and to blue oak woodlands with no citation to authority, and claiming that the unmitigated impacts associated with removal of blue oak trees are "insignificant" because "[r]eplacement of oak trees has been discredited by many biologists as ineffective and unrealistic.")

<sup>21</sup> Initial Study at p. 17 (checklist for all "Land Use and Planning" categories finds that project will have "No Impacts.")

<sup>22</sup> Initial Study at p. 17.

A. THE PROJECT AREA IS PROTECTED, EITHER AS A "RCA" OR AS A "RMA,"  
UNDER THE CITY'S GENERAL PLAN

Maps included in the Open Space Element of the City of Chico's General Plan indicate that the disc golf course is either in an identified Resources Conservation Area (RCA) or, possibly, Resource Management Area (RMA).<sup>23</sup>

If the proposed project is in an RCA, it would appear that the General Plan's Open Space policies prohibit the intensive, active recreational use of disc golf.<sup>24</sup> According to the General Plan's definition of RCAs, such areas "may be used for *limited passive* recreation, educational purposes, as sites for scientific study, or as locations for off-site mitigation banking when on-site habitat preservation for development projects proves infeasible."<sup>25</sup>

If, on the other hand, the course is in an RMA, then the General Plan requires that before any development project is approved the City must (at a minimum) develop and circulate, with its environmental review documents, a Resource Management, Monitoring and Reporting Information report.<sup>26</sup> The City's Initial Study was not circulated with such a document, and no reference is made in the City's Initial Study as to whether such a document was ever prepared for the project.

Regardless of whether the project is in an RCA or an RMA, the General Plan's Open Space Biological Policies, which apply to both RCAs and RMAs, expressly require, among other things, that the City protect areas that "represent valuable biological resources," "[p]reserve and protect populations and supporting habitat of special status species," and "[m]inimize impacts to sensitive natural habitats" in the Planning Area.<sup>27</sup>

Given the ample photographic and other evidence that our client has submitted regarding *ongoing* impacts at the project site, it is clear that the *present* use of the area fundamentally violates the City's General Plan Open Space Policies for Biological Resources. The City's proposal to formally build a disc golf course at this site where CNPS List 1B plants (*i.e.*, "special status species") are acknowledged to exist simply compounds this inconsistency. The City, accordingly, must *immediately* take steps to either 1) terminate the *existing* use that violates its General Plan, or 2) update its General Plan (including corresponding environmental review under CEQA to adopt such updates) to allow for such intensive, active recreational uses in the project area.

<sup>23</sup> See City of Chico, General Plan at Figure 7-1, and at § 7.2, titled, "Biological Resources and Habitat Conservation."

<sup>24</sup> See generally, General Plan at pp. 7-11 (defining "Resource Conservation Area"), and 7-14 through 7-16 (Implementing Policies: Biotic Resources for RCAs). "Bicycle and pedestrian paths and *low impact* recreational uses may be permitted in these open space corridors." General Plan Implementing Policy OS-I-22.

<sup>25</sup> General Plan at p. 7-11.

<sup>26</sup> See General Plan at p. 7-18.

<sup>27</sup> General Plan, Guiding Policies OS-G-5 through OS-G-7.

**B. THE OS1 ZONING FOR THE PROJECT AREA DOES NOT ALLOW FOR IMPACT INTENSIVE, ACTIVE RECREATIONAL USES**

The City of Chico's Zoning Ordinance describes the "OS1" zoning that it applicable to the proposed project area as follows:

OS1 (Primary Open Space) District: The OS1 zoning district is applied to areas appropriate for permanent protection as open space because of environmental resources . . . . These areas include [RCAs] of the General Plan and other sensitive habitats . . . that are either, publicly owned or have been committed to preservation by property owners . . . . The OS1 zoning district is consistent with the Open Space for Environmental Conservation/Safety, Open Space for Agriculture and Resource Management, Parks (*passive uses*), and Creekside Greenways land use classification of the General Plan.<sup>28</sup>

Unlike the OS1 description, the City of Chico's Zoning Ordinance describes "OS2" zoning to include "active" Park uses.<sup>29</sup> For the same reasons set forth in Part II.A, above, the City cannot approve the proposed project (and must curtail, the existing active use of the project area for disc golf) until the zoning for the project area is modified to allow for active recreational uses, such as disc golf.

**C. THE BIDWELL PARK MANAGEMENT PLAN REQUIRES THE CITY TO PROTECT UPPER BIDWELL PARK FOR PRIMARILY WILDERNESS PURPOSES**

Finally, for the reasons stated in the preceding sections of this letter, the present, and proposed use of the area for disc golf is also fundamentally inconsistent with the Bidwell Park Management Plan's directives that 1) Upper Bidwell Park be reserved for wilderness uses, and 2) that uses be restricted that result in substantial environmental deterioration.<sup>30</sup>

Again, as clearly demonstrated in the attached photos of the project site, the *existing* use of the area has, in fact, resulted in substantial environmental deterioration, and, therefore, must be restricted under the express terms of the Bidwell Park Management Plan. In addition, as explained above, it is unclear how the construction of approximately forty (40) 5' x 12' concrete tees, baskets and tone poles, a 40 car parking lot, and the placement of numerous boundary markers (for the ostensible purpose of protecting sensitive plants and habitats), is consistent with reserving Upper Bidwell Park for wilderness uses.<sup>31</sup> In fact, by permanently authorizing the construction of an "official" disc golf course, the City will only ensure that this ongoing fundamentally inconsistent use of Upper Bidwell Park is "legitimized."

<sup>28</sup> Chico Municipal Code, § 19.50.010, subd. (C).

<sup>29</sup> Chico Municipal Code, § 19.50.010, subd. (D).

<sup>30</sup> See discussion at note 17, *supra*.

<sup>31</sup> See discussion at Part I.C, *supra*.

Again, as with the General Plan, and the zoning for the project area, the Bidwell Park Management Plan indicates that the existing disc golf use must be suspended, at least until the Bidwell Park Management Plan is updated (with appropriate environmental review) to allow for such uses.

#### CONCLUSION

In light of the photos and other evidence that our client and others have provided – graphically demonstrating the *existing, extensive, and ongoing* damage to the proposed project area that has been caused by disc-golf – there can be no question that disc golf is, in fact, an active, and environmentally intensive, use of Upper Bidwell Park's natural resources.

The City's proposal to build a formal disc golf course at the project site cannot be approved at this time. The City's CEQA review for the proposed project has been procedurally flawed, and fails to take into account substantial evidence in the whole of the record that clearly indicates approval of the project may have significant adverse effects on the environment. Moreover, even if the City corrected the defects in its CEQA process and analysis by preparing, and circulating for public review, an appropriately detailed EIR, the City would *still* be unable to approve the proposed project because it is fundamentally inconsistent with the City's General Plan, with the OS1 zoning that applies to the project area, and with the Bidwell Park Management Plan.

Given the evidence in the record of the *existing* impacts that disc golf has had at the project site, it appears that the City owes a mandatory duty to the citizens of Chico, including our client, to immediately terminate this active, intensive use of Upper Bidwell Park unless and until the City amends its General Plan, the zoning for the project site, and the Bidwell Park Management Plan to allow for such uses.

The City Council of Chico, in adopting the Bidwell Park Master Management Plan in 1990, observed:

Neglect, intense use, and inappropriate stewardship have led to *incremental deterioration* of this *irreplaceable* resource. Future responses may ultimately include even more distressing changes, if the recommendations of the Master Management Plan are not implemented. . . . *¶The Master Management Plan must be managed. New data and recommendations must be added to keep the plan up to date. . . . The Bidwell Park Master Management Plan should be used to guide decisionmaking. People should read and understand the plan. They should seek ways to improve it and means to implement it. Decisions related to Bidwell Park should be defensible. Those decisions that appear to be inconsistent with the plan should be challenged.*<sup>32</sup>

<sup>32</sup> Summary of the Bidwell Park Master Management Plan (no pagination available) (emphasis added).

City of Chico Community Development Department - Mr. Kim Seidler  
February 27, 2003  
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Our client is deeply concerned about the City's ongoing failure to carry out the mandatory policies and directives in the various land use documents that govern activities in Bidwell Park. But she also views this as an excellent opportunity for the City to begin to take the proactive steps to review and update the City's General Plan, zoning, and the Bidwell Park Management Plan to account for the proposed disc golf course project and the numerous other projects that are presently being proposed for Bidwell Park. Our client looks forward to the opportunity to work with the City as it takes the steps that are necessary to bring *all* uses of Bidwell Park – including the ongoing and proposed disc golf course use – into conformity with the Bidwell Park Management Plan's mandatory directives, and to carry out those directives by updating the Park Management Plan (and the City's General Plan and zoning), so that the City's future decisions of how Bidwell Park will be used and enjoyed by all are defensible.

If the City has any questions about the concerns we have raised in this letter, please do not hesitate to contact our office.

Thank you,

Keith Wagner  
Attorney at Law

Attachments: Photographs of disc golf impacts in Upper Bidwell Park (with mailed copy)

cc: Steve Zalusky, Senior Planner  
Tom Lando, City Manager  
Dave Frank, City Attorney  
Dennis Beardsley, Park Director

## **EXHIBIT 2**



EDAW INC  
2022 J STREET  
SACRAMENTO CALIFORNIA  
95814

TEL 916 414 5800  
FAX 916 414 5850  
www.edaw.com

June 27, 2005

Mr. Dennis Beardsley, Park Director  
City of Chico  
421 Main Street  
Chico, CA 95927

**Re: Results of follow-up survey to investigate reports of possible vandalism/  
removal of Butte County checkerbloom at the proposed disc golf course  
study area**

Dear Mr. Beardsley:

This letter report describes the results of a follow-up survey to investigate reports of possible vandalism/removal of Butte County checkerbloom at the proposed disc golf course study area. Pursuant to the City of Chico's request, EDAW botanist Tammie Beyerl visited the study area on June 2, 2005 and examined locations where Butte County checkerbloom populations were observed and documented during rare plant surveys conducted by EDAW botanists in March and May of 2005. Signs of damage to Butte County checkerbloom were noted and photographed.

Of the 12 Butte County checkerbloom populations documented by EDAW botanists in March and May 2005, eight showed no evidence of vandalism or removal. These eight populations were somewhat inconspicuous either because they were concealed (e.g., by shrubs) and/or they were not flowering. These populations were also located away from areas of visible ground disturbance (e.g., fairways, tees, and targets). Three populations showed signs of recent damage. These included a small population at the base of a poison oak shrub near tee #2, a large population that is transected by a foot trail, and a small population located near another foot trail; each of these populations had numerous bent, torn, and broken flowering stalks and trampled leaves (Photographs 1-6). Abrasions and tear patterns observed on the flowering stalks indicated that these stems may have been broken and bent by people, intentionally or unintentionally, rather than by animals whose teeth typically result in clean cuts of vegetation.

One population of Butte County checkerbloom that was documented among the woody debris of a fallen gray pine appeared to have been dug up and removed from the site. This population consisted of five clumps of plants (with approximately 15-20 flowering stems) when observed by EDAW botanists in March and May 2005. During the site visit on June 2, 2005, four freshly dug holes in the ground were observed where Butte County checkerbloom plants were observed the previous

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DESIGN, PLANNING AND ENVIRONMENTS WORLDWIDE



Mr. Dennis Beardsley, Park Director  
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month. These holes ranged from approximately 1.5 to 2.5 feet in diameter. Two of these holes had been filled in with branches and bark from the fallen gray pine and two were filled in with dirt indicating a likelihood of intentional removal and an attempt to hide the evidence (Photographs 7-9). Only one less conspicuous (not flowering) clump remained at this location during the June 2<sup>nd</sup> survey.

If you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Petra Unger".

Petra Unger  
Project Manager

A handwritten signature in cursive script that reads "Tammie Beyerl".

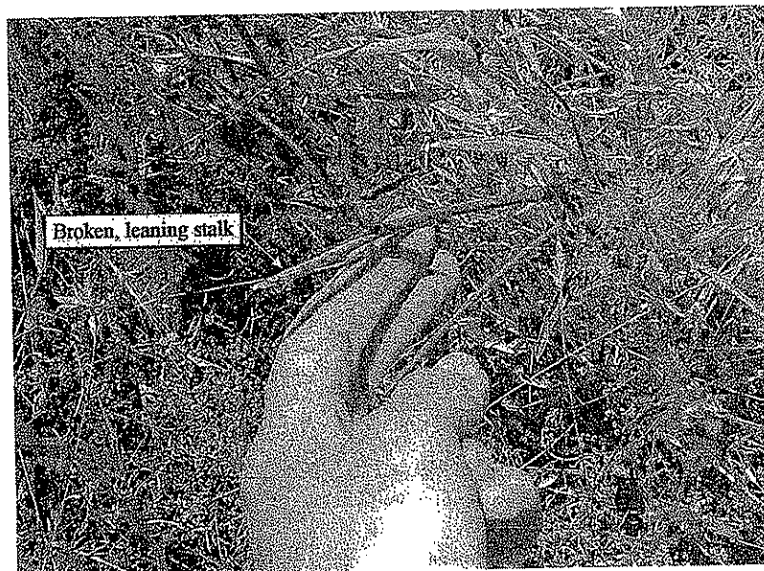
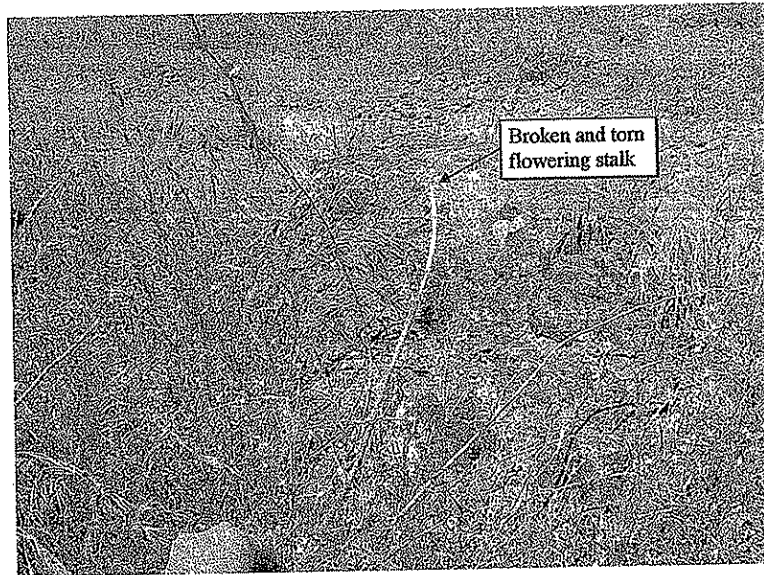
Tammie Beyerl  
Botanist

Enclosures

cc: Brendan Vig  
04110032.01/chron

DESIGN, PLANNING AND ENVIRONMENTS WORLDWIDE



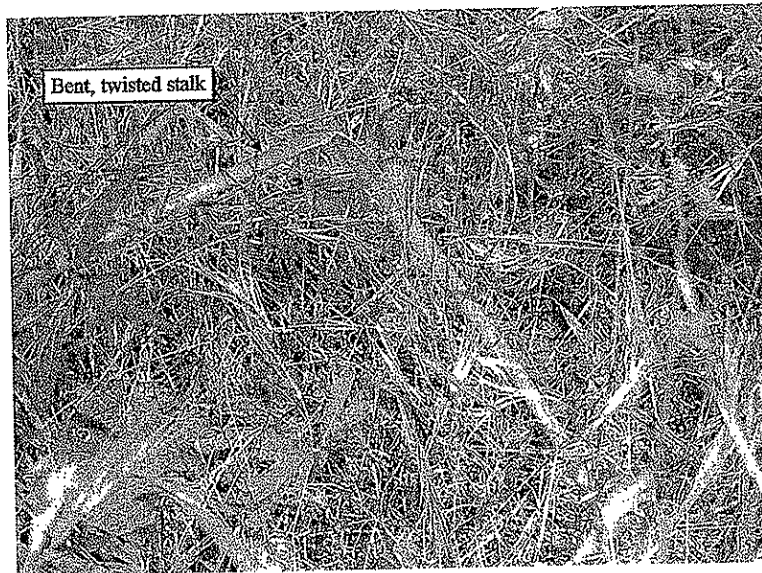
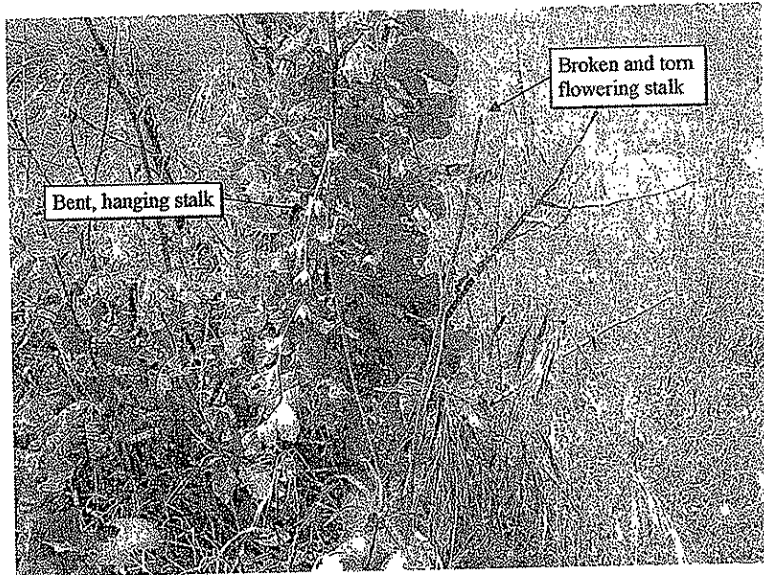


**Broken Butte County Checkerbloom Flowering Stalks Adjacent to Trail (June 2, 2005)**

**Exhibit 1**

Bidwell Park  
Botanical Observations

EDAW

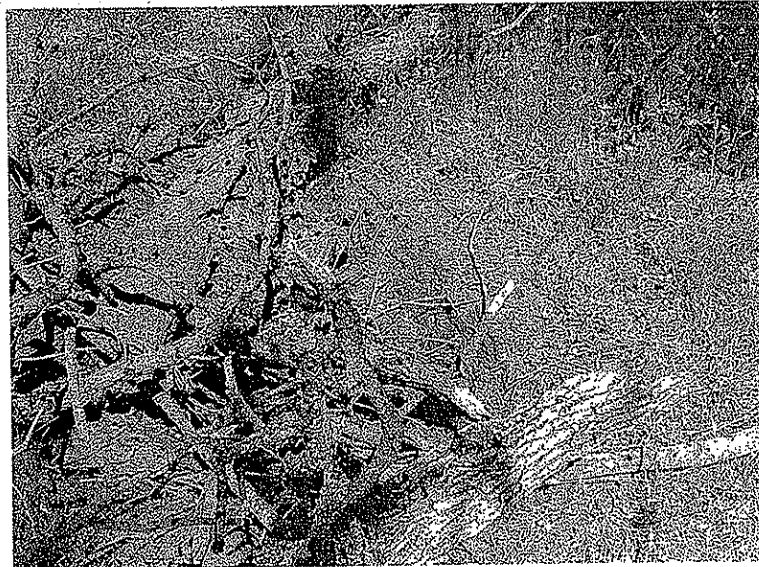
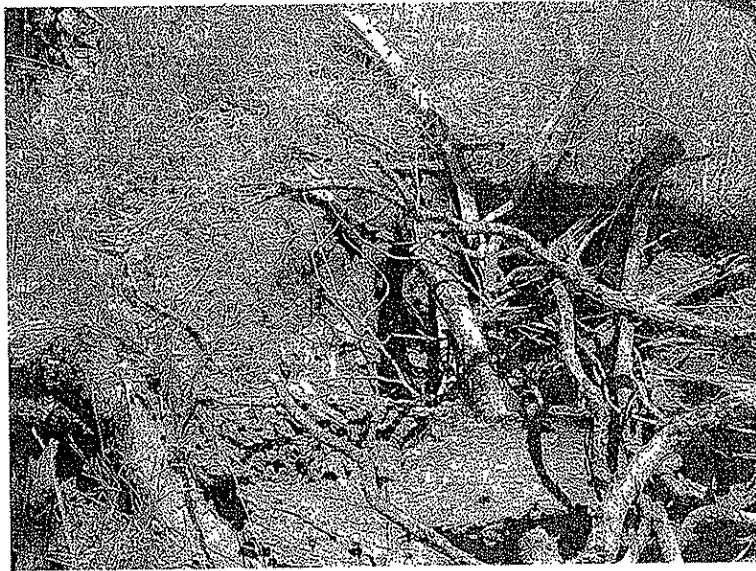


**Broken and Damaged Butte County Checkerbloom Flowering Stalks (June 2, 2005)**

**Exhibit 2**

Bidwell Park  
Botanical Observations

EDAW



**Freshly Dug Holes Where Butte County  
Checkerbloom Plants Were Previously Observed (June 2, 2005)**

**Exhibit 3**

Bidwell Park  
Botanical Observations

EDAW

- O2-1 The commenter states that the Law Offices of William Yeates is submitting comments on behalf of the Friends of Bidwell Park and its members who have had a long outstanding concern regarding the use of approximately 25 acres of Upper Bidwell Park as a disc golf course without any CEQA review and mitigation, and the significant, adverse environmental impacts that such use has had on a wide variety of sensitive natural and cultural resources in this part of the Park.

***Response:***

The use of the site for disc golf predates the City's ownership of the site and was considered as baseline for the existing conditions for CEQA purposes, although the City acknowledges that the popularity of disc golf in the Chico community has been strong over the last few years. The City previously attempted to establish an official disc golf course at the site to be able to address management issues and prepared an initial study/proposed mitigated negative declaration for this use in 2002 (State Clearinghouse No. 2002092068). This document was prepared to identify potentially significant impacts resulting from use of the site for disc golf and included mitigation measures to reduce these impacts to less than significant. This document was objected to by the Friends of Bidwell Park and that objection, among other needs for management of the Park, prompted the preparation of the BPMMP Update and EIR. Therefore, no adopted CEQA documentation and mitigation is currently available and none will be available until the EIR for the BPMMP Update and park-specific improvement projects—including the Disc Golf/Trailhead Area Concept Plan—would be adopted. After certification of this EIR and adoption of the BPMMP and mitigation and monitoring plan pursuant to CEQA, the City, consistent with Council direction, would be able to move forward with proposed site improvements and management to address ongoing issues at the disc golf site.

- O2-2 The commenter states that his office has been asked to review and comment on the legal adequacy of the DEIR, with particular focus on the DEIR's assertion that it constitutes "project level" analysis of past, present, and future disc golf activities in Upper Bidwell Park. The commenter continues to state that the DEIR fails to meet CEQA's substantive or procedural requirements regarding its analysis of, or conclusion about, continued disc golf use in Upper Bidwell Park.

***Response:***

Please refer to Master Response 1—Programmatic Nature of the EIR above for a description of the nature of the EIR. The analysis recognizes past and present disc golf activities as part of its baseline condition and conducts a CEQA impact analysis for alternative plans related to the Disc Golf/Trailhead Area. The DEIR analyzes the proposed use of an approximately 40-acre site in Upper Park as a proposed disc golf/trailhead site at the project level. Three different options for site use are analyzed. Past and current disc golf activities are a part of the baseline conditions of the EIR. Specific comments regarding requirements under CEQA are addressed below.

- O2-3 The commenter states that project level CEQA analysis of the plan for a disc golf in Upper Bidwell Park should commence from a 1999 (or earlier) environmental baseline. The commenter then proceeds to rebut the City's statement that the baseline chosen for analysis is the date of the publication of the notice of preparation (NOP) and provides several examples of CEQA case law.

## Response:

Case law has made clear that the baseline for an EIR is normally the existing conditions at the onset of the environmental review process. (*Riverwatch v. County of San Diego*, 1999; *Kenneth F. Fat v. County of Sacramento*, 2002.) Moreover, the State CEQA Guidelines state that “[a]n EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist *at the time the notice of preparation is published*, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” (State CEQA Guideline 15125 (a), italic emphasis added.)

The discussion that follows this section of the Guidelines states, “Subsection (a) clarifies that the ‘environmental setting’ is intended to mean the environmental conditions as they exist at the time the Notice of Preparation is filed. This gives the lead agency greater certainty regarding the setting which must be described.” The courts have made clear that an accurate description of the baseline is essential for determining whether an impact is significant. “[T]he impacts of the project must be measured against ‘real conditions on the ground.’” (*Save Our Peninsula Committee v. Monterey Board of Supervisors* (2001) 87 Cal.App.4th 99, citing, *City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229; *Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931; *Galante Vineyards v. Monterey Peninsula Water Management District* (1997) 60 Cal.App.4th 1109.) It would require a tremendous amount of speculation to describe what the “real conditions on the ground” were in 1999 or some prior year.

The importance of having a stable, finite, fixed baseline for purposes of environmental analysis has been recognized for at least 30 years. (See *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 1344.) The word “normally” appears to allow a lead agency to use a different baseline than the snapshot in time at the time the NOP is published for instances where this snapshot does not accurately capture conditions necessary to describe the existing setting for impact analysis. For example, flows on a river or groundwater basins, which by their very nature fluctuate from year to year, during different times of year, based on meteorological and hydrologic conditions, require a look at a period of several years for an accurate description of “existing conditions.” However, such is not the case for the majority of resources in the Park, such as the soils and the many native plants, trees, and wildlife species.

The courts have generally agreed that for the sake of certainty the baseline physical conditions are the conditions at the time the NOP is filed. The very purpose of providing a description of the existing setting in an EIR is to provide a meaningful context in which to examine the physical changes from the project. Without such certainty about the baseline, it would be impossible to reach measurements of the significance of a project’s effects. The use of the site for disc golf existed before the City acquired the land, so the use is a pre-existing, non-conforming use.

With regard to the alleged illegality of the disc golf use that has been on-going since 1989, the proper place to address that issue would be in an enforcement action, not in an EIR. (*Riverwatch v. County of San Diego*, 1999.) Both the *Fat* and *Riverwatch* cases confirm that CEQA documents should include current uses as they exist at the time of the NOP or initiation of environmental review. The environmental review leading to this EIR was not initiated until October 2004 with release of the NOP. Therefore, the use of the October 2004 NOP baseline is proper.

The commenter contends that the City’s election to not abate disc golf use in the past, even though it had the option to do so, constitutes a reason to roll back the baseline to some difficult-to-define, past

condition. The commenter feels this distinguishes the disc golf project from the circumstances in *Fat* or *Riverwatch*. In fact, the situation is very similar to the *Fat* case. In that case, Sacramento County chose to continue to allow an airfield to operate and to expand without a valid use permit for many years. The court accepted the fact that the County had not enforced its zoning laws, but nonetheless agreed that the proper baseline for environmental analysis was current conditions at the start of environmental review. The court also found that an agency has discretion to include illegal nonconforming uses in the baseline, even if those uses have never received environmental review. This reinforces that the approach used in this DEIR for defining the baseline is appropriate and should include all uses at levels that exist on the property at the time the NOP is published.

- O2-4 The commenter states that the DEIR fails to provide an “accurate, finite and stable” project description for the disc golf course. The commenter states that the project description provided on pages E3-15 to E3-16 of the DEIR and the accompanying Exhibits 3.2.4.1 and 3.2.4.3 vaguely lays out our three options and never identifies which one is actually proposed to be implemented. The commenter has similar comments about Appendix H of the BPMMP, calling the project description a “buffet” of three options that lack specificity on how the three options would be laid out in relation to sensitive resources. The commenter also states that there is a lack of information about site management, use intensity, and allowed uses (i.e., pets) for the site.

**Response:**

The commenter attempts to penalize the DEIR for considering in detail multiple design alternatives for the proposed disc golf course in an environmentally sensitive area. Consideration of design alternatives in an effort to avoid and minimize environmental impacts is at the heart of the CEQA review process, not something that makes the choice vague. The City has invested in more extensive alternative design development than would be necessary for compliance with CEQA requirements for alternatives analysis to give the City Council well-thought out options for different course sizes, layouts, and degree of environmental effects. The analysis of three alternatives is also intended to be a complete project-level review of all three scenarios to allow a more informed decision about which, if any should be implemented.

The project description information in the DEIR provided for the Disc Golf/Trailhead Area Concept Plan project site (and in the BPMMP and three other proposed Park Improvement Projects) is a summary of the detailed description and layouts of the disc golf course alternatives for the convenience of readers who chose to read only Volume 2 of the document. Exhibits E3.2.4.1 through E3.2.4.3 are provided as a visual display on how the design process (documented in detail in Appendix H of Volume 1) resulted either in the complete avoidance or minimization of adverse effects on sensitive resources. As stated in the introductory paragraph of Chapter E3, the reader is referred to Volume 1 for more detail on the information in the BPMMP and the site specific Park Improvement Projects.

Appendix H of the BPMMP (*Upper Bidwell Park Disc Golf Course – Environmental and Design Report*) provides detailed information of the environmental criteria and playability criteria for the disc golf course design and layout considerations that were used in the design. The three design options are used as alternatives in the CEQA analysis of the proposed project. Each has a scaled layout in a conceptual design diagram over an aerial photograph. This level of detail enables thorough consideration of environmental impacts. The City opted to do an in-depth analysis to make the most informed decision as to which option to propose for approval until the public had a chance to review all the options and provide feedback to the City Council during the CEQA process. Carrying full environmental review of multiple alternatives is above and beyond what is required by CEQA, and is more similar to the National Environmental Policy Act (NEPA) approach. It demonstrates how the

City is emphasizing extensive public involvement in developing environmental information for making sensitive decisions about the BPMMP and the Park Improvement Projects.

Once a specific project (alternative) has been approved by the City Council, it will be built, operated, and maintained according to the guidance and policies of the BPMMP, and subject to the same rules and regulations applicable to Bidwell Park in the City's Municipal Code similar to any other project and facility in the Park. For more specific information on how the holes are laid out and would influence play at the site, please refer to Appendix H of the BPMMP, which includes detailed information about the alternatives including a "hole by hole" description for the long course. Additional information on site-specific management is included in Section 3.6.3.3, which lists the goals, objectives, and implementation strategies and guidelines for the site.

- O2-5 The commenter states that the DEIR fails to properly disclose, investigate, or mitigate significant, adverse environmental effects to a wide range of environmental resources. The commenter states that the DEIR (1) fails to meaningfully describe what environment will be impacted by the project; (2) piecemeals the consideration of potentially significant effects until after the project is approved, and (3) defers the formulation or adoption of mitigation measures that may (or may not) mitigate such effects to less-than-significant levels until after project approval. The commenter then proceeds to provide an overview of CEQA's substantive and procedural requirements regarding analysis and mitigation of a proposed project's potentially significant, adverse effects (Topic A, items 1 through 5) before going on to more specific concerns regarding the contents of the DEIR in subsequent comments.

**Response:**

The commenter's summary of CEQA provisions is noted. The comment makes general reference to types of shortcomings perceived in the DEIR, but does not make any specific references to the contents of the DEIR or how issues are treated in the DEIR. Because no specific issue has been raised, no further response is possible.

- O2-6 Aesthetic Impacts. The commenter states that the DEIR never identifies or describes in meaningful detail the aesthetic resources in the vicinity of the proposed disc golf course (i.e., the "environment"). The commenter thus feels that the analysis of aesthetic impacts associated with the disc golf project is conclusory, uninformative, and self-contradictory. Excerpts from the DEIR are cited throughout the comment along with specific comments regarding perceived inadequacies.

**Response:**

Please refer to Master Response 5—Aesthetics above regarding the location on information in aesthetic resources in the Park, the overall conclusion of the DEIR related to potential impacts to these resources, and additional language to be added to the DEIR for clarification.

The sections cited in the comment refer only to the aesthetic impact analysis section of the DEIR in Chapter 4, so the commenter overlooks important places in the document where the aesthetic setting is described. In addition to the existing setting information summarized above, information on the existing conditions at the disc golf/trailhead site is provided in the first full paragraph on page E4-12 of the DEIR. Fundamental to the aesthetics impact analysis is the scenic degradation that exists at the disc golf site as a result of the dispersed network of unofficial trails and excessively wide trails between tees and targets. To clarify this condition, the following information will be added on page 4-12 after the 2nd sentence of the first full paragraph ending in "... degradation of the visual character of the site":

“The degraded aesthetic condition of the existing circumstances at the disc golf site include an excessive network of unofficial trails, excessively wide trails between tees and targets, and damage to trees and shrubs.”

The commenter contends that the cumulative impact discussion on pages E4-85 and 86 is inadequate because it lacks substantive content to support the conclusion. The discussion is intentionally brief because the impact conclusion for the project is that the changes proposed for the disc golf site would have beneficial effects on the site’s aesthetic quality by reducing the footprint of the facility, moving the course away from the bluff, and protecting the site’s biological resources, among other things. Because the project impact is beneficial, it makes no adverse contribution to any cumulative aesthetic impacts about which the commenter is concerned. While not lengthy in presentation, the rationale is substantive and meaningful.

- O2-7 The commenter states that the DEIR does not adequately address the operational, project-level impacts of the disc golf course on local and regional air quality, including cumulative impacts. The commenter would like to see maintenance plans and “patterns or amounts” of road traffic and public use the area might see.

***Response:***

As stated in the DEIR, all four site-specific Park Improvement Projects have been designed with a criterion to accommodate existing uses and do not attempt to enlarge facilities, expand use capacity, or increase the number of recreational opportunities. The proposed disc golf course is an example of the use of this design criterion. While not formally designated for disc golf use, the existing area has proven to be very popular. The absence of permanent tees and targets in approved places or a well-designed set of pathways has not diminished the site’s popularity. The absence of formal parking spaces has not prevented vehicle parking at the site. The absence of these features has, however, resulted in considerable degradation to the site’s environmental resources. Formalizing the disc golf course layout and parking in a more environmentally protective design would, in fact, reduce the footprint of the facility and contain/limit parking to designated spaces, rather than increase its capacity for a greater level of use. Such footprint reduction and parking limitation are fundamental to the goal of improving environmental conditions at the disc golf site. Therefore, it is reasonable for the analysis in the DEIR to expect that a significant increase in the number of disc golf users and trips would not occur in response to the construction of the proposed course and parking. A similar conclusion can reasonably be reached for the other three of the Park Improvement Projects.

Quantified survey data on historical or current levels of use at the disc golf site do not exist. The City has also not gathered quantified survey data on historical use levels of the other Park Improvement Project sites or on the Park as a whole. Thus, in addition to not being necessary because the projects are not intended to increase use capacity, quantified comparative analysis of pre- and post-implementation levels of use would be infeasible because of the absence of historical predevelopment information. In addition to use levels, other survey data about existing use would need to be known, such as how users historically travel to and from the Park and whether projected users are existing patrons of the Park or new users.

In terms of cumulative impacts, the BPMMP includes specific measures that aim to improve air quality in the Park, which can be found on page 3-16 of the BPMMP (objectives AQ 1 to AQ 3 and implementation strategies I.AQ-1 through I.AQ-4). Any proposed project that would be approved would be subject to the guiding principles and adaptive management strategies of the BPMMP. These guiding principles include better pedestrian and alternative transportation access, improved circulation, and other management strategies that aim to improve environmental quality and reduce adverse effects, including air quality effects. Furthermore, the use of the Disc Golf/Trailhead Area



site for disc golf does not have an impact on air quality. Thus, it is the City's conclusion that implementation of the BPMMP and the four specific Park Improvement Projects would not result in significant adverse project or cumulative effects on air quality.

- O2-8 The commenter states that the analysis of biological resources impacts in the EIR is inadequate. The commenter addresses a number of specific impacts by topic: Butte County checkerbloom and potential impacts on the plant resulting from buffers the commenter feels are arbitrary, flying discs, people, pets from the trail, vandalism, and an "undefined project."

**Response:**

The commenter selects and takes out of context one Butte County checkerbloom mitigation measure in the DEIR and ignores the integrated mitigation approach that employs a coordinated set of seven measures. The mitigation measure (50-foot standard buffer, that can be reduced to 25 feet, if 50 feet is not feasible) cited by the commenter is only the first of the seven specific measures identified in the DEIR that would be implemented to protect Butte County checkerbloom in the Disc Golf/Trailhead Area Concept Plan site both during construction and ongoing use of the site. Thus, it is not assumed that the buffer alone would mitigate impacts, as the commenter expresses, but that the entire, coordinated program of measures stated in mitigation measure BIO-1b would be implemented to avoid or rectify potential impacts. Other aspects include exclusionary fencing during construction, restriction of trails, barriers, educational signage, and seasonal use of certain holes in the vicinity of existing occurrences of Butte County checkerbloom, as well as monitoring and adaptive management to assess the state of the plant occurrences over time and remedial actions, should all of these measures fail to protect the plant at the site in the long term. Adaptive management is a preferred management strategy applied by land management agencies because it allows projects to move forward in light of some uncertainty and provides opportunity for addressing changing conditions and unexpected circumstances by adjusting management approaches for the benefit of the resources managed.

Regarding the commenter's concern about a clearly defined project description, the disc golf tees and pins, as currently proposed, are clearly identified in the DEIR and, by using Geographic Information System (GIS) software, their locations are depicted on scaled, aerial photographs that also depict sensitive biological resources in Exhibits E3.2.4.1, E3.2.4.2, and E3.2.4.3 provided in the project description. With the proposed course laid out on a scaled, aerial photograph that also includes sensitive resources, the project description is clear and tangible and the environmental impact analysis can be quantified. The reason the mitigation measures provide a flexibility to adjust the placement of tees and buffer area is that the course layout, as currently proposed, is based on the location and extent of occurrences of Butte County checkerbloom (and other sensitive biological resources) at the time of the 2005 baseline survey. However, the extent and location of occurrences of plants and other biological resources, such as wildflower fields, vary by their nature from season to season and year to year in response to environmental conditions. The flexibility in the precise location of tees and buffer areas, as allowed by the mitigation measure, is essential to protect the plants where they are located at the time of construction, rather than where they were located in 2005.

- O2-9 The commenter states that the mitigation measure proposed for Bidwell's knotweed suffers from identical "infirmities" as those for Butte County checkerbloom.

**Response:**

See response to O2-8 above. The commenter again selects and takes out of context one part of an integrated mitigation approach. The mitigation measures need to be assessed as a whole, rather than only the parts of it cited in the comment. The mitigation approach for Bidwell's knotweed uses a

habitat protection strategy, because the location of individuals of the species is not fixed within its associated habitat. The plant is a part of the complex of native plants that make up the wildflower field habitat of the site. Therefore, designing the course to minimize the area of disturbance to the native wildflower field habitat is an effective approach to protect the greatest number of the individual plants. The integrated mitigation approach includes the standard of placing golf trails outside wildflower fields, minimizing the wildflower field area disturbed where total avoidance is not feasible, exclusionary fencing during construction, educational signage, monitoring, and adaptive management of the disc golf use if a decline in the species is detected by monitoring despite the other measures.

- O2-10 The commenter states that the DEIR defers identification of impacts on vernal pools and related resources and the formulation and adoption of mitigation measures until after project approval.

***Response:***

The commenter attempts to assert that impact analysis and commitment to mitigation were deferred, because one element of the mitigation calls for a follow-up, preconstruction survey to recheck and precisely map the location of vernal pools. The habitats of the disc golf site were, in fact, surveyed, mapped, and quantified, which the commenter overlooks. Please refer to the habitat map on the aerial photograph used to show the disc golf course layout in Exhibits E3.2.4.1, E3.2.4.2, and E3.2.4.3. The exhibits include the following mapped habitats: vernal pool, vernal pool complex (containing 6 pools), and vernal swale. These habitats were mapped based on field reconnaissance conducted by EDAW biologists during the course of the environmental review and impact analysis.

Vernal pools and ephemeral drainages at the disc golf/trailhead site were inventoried as part of the resource mapping conducted at the site in support of site design. A formal delineation of these resources according to USACE procedures has not been conducted, because this specific level of detail is not necessary for the impact analysis in the DEIR. Furthermore, a verified delineation has a limited period of validity for permitting (i.e., shelf life). It is common and entirely adequate to assess sensitive wetland habitats based on survey of vegetation and visible hydrology indicators, which provide an accurate location, and defer the formal recording of data needed for the USACE to confirm its jurisdiction. Exhibit 3 in Appendix E3, "Special-Status Plant Survey Report," and Exhibits E3.2.4.1, E3.2.4.2, and E3.2.4.3 of the DEIR show the mapped habitats.

The DEIR clearly states on page E4-82 that four small vernal pools would be lost as a result of implementation of the Disc Golf/Trailhead Area Concept plan. The commenter attempts to show this as an internal inconsistency in the DEIR, but the finding of the potential loss of four pools in impact BIO-4b is consistent with the conclusion in BIO-2c that notes the potential for direct removal of vernal pools. The overlay of the disc golf course layout on the vernal pools and other sensitive resources of the site can be clearly discerned on aerial photographs in Exhibits E3.2.4.1, E3.2.4.2, and E3.2.4.3, which is an effective approach for depicting environmental impact.

Based on existing information and field reconnaissance of the Trails Plan and Horseshoe Lake Area Concept Plan, the DEIR concludes that these wetlands are abundant in Middle and Upper Park and that impacts would likely occur. However, impacts on wetland resources would be maintained at a minor level, because the BPMMP contains specific environmental protective guidance on how to avoid and minimize impacts on these resources.

The DEIR lays out a series of steps leading to mitigation implementation that would be required before any project-related action that may affect wetland resources could occur, including a formal delineation of jurisdictional wetlands, preparation of permit applications, and other permitting requirements. The mitigation measure also include guidance on how to address potential impacts on

potentially “isolated” wetlands that may not be subject to the USACE under Section 404 of the CWA. The City also commits to implementing mitigation in compliance with the formal wetland permitting process, which provides a reasonable expectation that mitigating actions would be implemented. Commitment is also made to the performance criterion where filled wetland would be restored/enhanced on a “no net loss” of wetland basis.

The DEIR, thus, does not defer impact analysis or commitment to mitigation. Some of the details about the precise amount and character of wetland and vernal pool mitigation will be defined in the later Section 404 permitting process. Deferring some mitigation details in this manner is permissible under CEQA and required as a result of the CWA permitting process (which can only be concluded after local approval of a project). For such deferral of details to be consistent with CEQA, there needs to be practical reasons why they cannot be developed at time of the EIR (i.e., connected to a later regulatory process), performance criteria to guide later development of details (i.e., “no net loss” of wetlands), and a reasonable expectation that the later process will actually result in mitigation implementation (i.e., for wetland and vernal pool mitigation, the legal necessity of compliance with CWA and Endangered Species Act). This process is consistent with the CEQA process.

- O2-11 The commenter cites a quotation from the DEIR’s analysis of potential impacts on oak woodland, a sensitive natural community stating that hitting trees and damaging bark and tree foliage are potentially significant adverse effects. The commenter then proceeds to cite excerpts from the proposed mitigation measures and assert that these measures, on their own terms, are not adequate to categorically prevent disc strikes and, thus, do not meaningfully address or mitigate impacts identified in the DEIR. The commenter also states that the proposed mitigation measures, themselves, may have significant adverse effects and that the DEIR fails to disclose where remedial actions would take place. Two specific excerpts from the measures (replanting and application of woodchips) are cited.

**Response:**

As the commenter did for other mitigation comments above, individual measures are taken out of context and the complete, integrated program of mitigation is not acknowledged. Please refer to Master Response 4–Oak Woodlands above. The goal of the mitigation approach for oak woodlands is not to prevent all conceivable disc collisions with oak trees. The only measure that could “categorically prevent” disc strikes would be an elimination of disc use on the site altogether. The DEIR includes a coordinated, 15-point mitigation measure program that is intended to avoid, minimize, and where avoidance is not practical, remediate and mitigate adverse effects on oaks and oak woodland resulting from implementation of the disc golf/trailhead project. These measures include tree protection features, monitoring for tree health, replanting, performance monitoring of restored sites, and community stewardship of the resource. The specific mitigation measure cited is only the first in a long list of measures that together comprise Mitigation Measure BIO-3c for all Park Improvement projects with ten additional measures that apply only to the site for the Disc Golf/Trailhead Area Concept Plan.

The particular measure first cited by the commenter more adequately applies to the Trails Plan, since trail routes at the disc golf course site have already been designed with the criterion of minimizing impacts on blue oak woodland as described in detail in Appendix H of the BPMMP. Since much of Upper Park is densely vegetated with blue oak woodland, the only way the Trails Plan could completely avoid placing trails under oak woodland canopies would be to eliminate trails in these areas.

Mitigation Measure BIO-3c details where replanting of oaks would take place at the Disc Golf Area/Trailhead site in areas located outside of the footprint of facilities and trails. To avoid confusion that this could adversely affect existing sensitive resources such as vernal pools, this particular

Mitigation Measure on page E4-77 of the DEIR in the last paragraph will be clarified to state, that oaks would be planted "... in areas not currently occupied by other sensitive resources and suitable to support blue oak woodland."

Regarding the application of woodchips to protect the root zones of oaks, the areas where trails or tees are located within drip lines of oaks would be very limited, because of the design criterion for development in the disc golf/trailhead area to avoid the drip line zone where possible. Furthermore, any effects on existing vegetation at these limited locations would be minor, because these areas have been largely denuded of their natural vegetative cover by current disc golf use. The spread of woodchips would avoid locations occupied by Butte County checkerbloom as occurrences would be fenced for avoidance during construction as described in Mitigation Measure BIO-1c when the woodchips would first be applied. Any potential for wood chips to affect soil chemistry would be limited to the small, already denuded areas of the site where the chips would be needed. Wood chips are used in many soil mulch and protection circumstances without adverse soil chemistry impacts, and no evidence indicates that woodchips cause significant impacts on oak trees. The specific wood chip measure was recommended by a qualified professional with many years of experience as a certified arborist and the City relies on this opinion to conclude that the potential for adverse effects is minor and the potential positive effects on root zone protection and oak viability is considerable.

- O2-12 The commenter states that the DEIR does not adequately analyze potential fragmentation of habitat resulting from implementation of the Trails Plan and the Disc Golf/Trailhead Area Concept Plan and states that the analysis of habitat should also include plants.

***Response:***

The commenter misinterprets the discussion in the DEIR as a "drop in the bucket" rationale for a less-than-significant impact. This interpretation overlooks the fact that the Trails Plan and Disc Golf/Trailhead Area Concept Plan would reduce areas of degradation of existing facilities and increase the area of habitat. This is accomplished by the reduction of footprint of facilities (such as for the disc golf course, see Appendix H of the BPMMP), the control of unlimited parking off Park streets (such as for the Horseshoe Lake area, see Appendix F of the BPMMP), and the decommissioning and restoration of unofficial trails (such as for the Trails Plan, see Appendix E of the BPMMP). The DEIR does not state that a small additional contribution to the impaired state of the existing environment is a reason for the conclusion of less-than-significant impacts. Rather, the conclusion is reached after careful consideration of the overall amount of habitat that would be lost or temporarily disturbed as a result of implementation of the proposed project and the recognition that the net result of the project implementation would be an increase in habitat area. The increase of habitats within the Park and the elimination of numerous volunteer trails would reduce overall habitat fragmentation.

The following information will be added to the first paragraph on page E4-85 of the DEIR to clarify how this conclusion was reached:

Furthermore, implementation of the Trails Plan and Disc Golf/Trailhead Area Concept Plan as well as the Horseshoe Lake Area Concept Plan would lead to an overall gain in habitat when compared with existing conditions, as many unofficial trails would be closed and allowed to revegetate, or actively be restored. The overall footprint of the area affected by disc golf play would be reduced and currently uncontrolled parking would be limited to smaller formalized parking areas as a result of implementation of any of the alternatives.

Regarding the specific comment on the need for an analysis of loss of habitat for plants, the City would like to point out that the impact discussion cited specifically states "loss of wildlife habitat." Potential adverse affects on special-status plants and their habitat are discussed under Impacts BIO-1,

“Adverse Effects on Special-status Plant Species,” and BIO-3, “Adverse Effects on Riparian Habitats or Other Sensitive Natural Communities (Including Riparian Forest, Oak Woodland, and Wildflower Fields).”

Cumulative Impacts to biological resources are analyzed on page E4-85 of the DEIR.

- O2-13 The commenter states that the mitigation measure provided for impacts on the Humboldt Road fails to mitigate the impact.

**Response:**

Please refer to Section 3.1.1, “Master Response 3: Cultural Resources/Humboldt Road,” above for specific analysis and impact conclusions concerning the Humboldt Road.

- O2-14 The commenter states that the measures cited in Impact GEO-2, “Potential for Soil Erosion” are inadequate to mitigate known and documented soil erosion impacts caused by disc golf activities at their current location, that the project description is lacking adequacy and accuracy, and that the section fails to cite the specific sections in the Trails Manual that would be implemented to mitigate impacts.

**Response:**

The discussion of potential impacts on soil erosion explains the information included in the BPMMP that refers to “Geology and Soils,” and “Trail Implementation, Maintenance and Operation.” The discussion also explains that the BPMMP incorporates by reference the City’s best management practices (BMP) technical manual and that the Park Improvement Projects would rely on implementation of the standards and guidelines for trail management contained in the City’s Trails Manual. The Trails Manual provides guidance on trail construction and maintenance that are based on industry standards used by a variety of land management agencies. These standards were developed as a result of extensive field experience and specifically focus on reducing soil erosion with the goal of creating and maintaining sustainable trails. The discussion further explains which soil related criteria were used in site design. At the end of the extensive discussion, the analysis states that impacts related to soil erosion resulting from implementation of the BPMMP and the Park Improvement Projects would be less than significant. The specific management measures/sources of information quoted in the analysis thus do not present mitigation measures aimed at reducing a significant or potentially significant effect to less-than-significant levels, but are examples of the City’s standard procedures in avoiding significant effects from occurring.

The DEIR contains measures that also counteract soil erosion, such as limiting footprints of trails and facilities, closing unofficial trails and allowing them to revegetate, and actively restoring degraded areas. Most of these measures are included in the Biological Resources section of the DEIR, but would, if implemented as stated, have positive effects on other resources, as well.

- O2-15 The commenter states that the DEIR incorrectly asserts that no conflicts with current land use plans or designations exist and that the zoning included in the BPMMP is proof of such conflicts. A letter sent to the City in 2003 regarding zoning is provided as an appendix to the comments. The commenter also cites the hierarchies in zoning law that apply to the BPMMP.

**Response:**

Impact discussion LU-1 explains in detail the hierarchy of planning documents, codes and zoning that applies to Bidwell Park. The discussion reaches the conclusion that no conflict exists. The City recognizes that members of the community, including the commenter’s past and present client, may

interpret certain codes differently than city planners and the city's legal counsel. However, the proposed projects have been closely reviewed for consistency with local planning law and the City reaffirms its conclusions that no conflict exists.

Rezoning of the disc golf site as OS-2 (Secondary open space), as proposed for consideration in Implementation Strategy I. Upper-5 of the BPMMP Update, is not necessary to support this consistency finding. This implementation strategy is merely recommended for future consideration and was developed to provide a venue to emphasize the specific and unique natures of the disc golf/trailhead site in Upper Park. OS-1 zoning would permit a disc golf course at the proposed site. OS-1 zoning permits uses, such as park and playgrounds, and the use of a site for disc golf would be consistent with this zoning.

- O2-16 The commenter states that the DEIR fails to describe traffic improvements associated with the disc golf course and states that an encroachment permit should be and integral part of the DEIR.

***Response:***

The potential for increased traffic hazard on SR 32 recognized by the DEIR is related to establishment of a new, formally designated left turn into the disc golf/trailhead parking lot. The location and character of the driveway into the proposed parking lot is clearly shown on the exhibits in Appendix H, Disc Golf/Trailhead Area Concept Plan. As noted in the DEIR, the sight distance for turning drivers is extensive. The potential hazard issue is merely a cautious recognition of the designation of a new left turn on a state highway.

The mitigating solution for the potential hazard is the development of detailed engineering designs and construction of the intersection consistent with Caltrans standards, including the signage and left-turn lane noted in the DEIR. The administrative mechanism to ensure the design meets Caltrans requirements is the encroachment permit. Coordination between the City and Caltrans has been ongoing. Caltrans was provided a copy of the DEIR and provided comments included in this FEIR. Caltrans did not find the DEIR presentation to be inadequate.

- O2-17 The commenter lists several points about the opinion that the alternatives analysis for disc golf is inadequate. Points listed include failure to consider a full scale, off-site disc golf alternative which results in "pitting" sensitive resources against disc golf; failure to meaningfully describe or discuss alternatives in comparison to the proposed project; and improper assumption that disc golf will continue under the no project alternative.

***Response:***

A full-scale, off-site disc golf alternative was not considered, because a feasible site for such an alternative does not exist. As stated by the commenter in citing case law "there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." The City has strived to find an additional site within the city limits that could support a full size disc golf course for several years and no suitable location has been identified to date. The proposed Disc Golf/Trailhead Area project is the product of a discussion that began in 1997 when a group of local disc golf advocates suggested a course be built in Lower Bidwell Park in an area just east of SR 99 along Vallombrosa Avenue and Peterson Drive. A Negative Declaration was prepared and approved for the project. However, subsequent public objection, neighbor concerns, and a desire not to introduce a new facility that would require additional parking and support facilities, led the BPPC to look for other potential sites. Other sites that were considered included the following:

1. Walnut Orchard (Kennedy Addition) - Lower Bidwell Park

Results: Neighbors expressed intense concerns, preferring the site be allowed to revert back to oak woodland, and not be developed. The lack of mature tree canopy and general setting also did not garner support from disc golf advocates; therefore, it was eliminated as infeasible.

2. Approximately 32 Acres North of the Five Mile Recreation Area and South of Upper Park Road.

Results: This site is located very close to the existing equestrian arena and the equestrian community expressed strong concerns regarding the results of flying discs on horses. As a result, this location was rejected as infeasible.

In addition to the two locations described above, additional locations were considered. Sites considered include Upper Bidwell Park, Lindo Channel, Annie's Glenn, DeGarmo Community Park (CARD), Alamo/Henshaw Neighborhood Park Site (undeveloped), Comanche Creek (Creekside greenway - 5 acres), the Baroni Neighborhood Park Site (undeveloped at the time) and First and Verbena (restoration work to be started 5-08). All of these locations were found to be infeasible to support a full site disc golf course due to various physical and compatibility reasons, including access, site layout, user conflict, conflict with neighbors, resource conflicts, and other reasons. Therefore, the "rule of reason" applied is that such an alternative is not feasibly available at this time, and thus analyzing potential impacts of an unavailable alternative at an undisclosed (unavailable) site would not be meaningful for informing the City's decision.

Although a feasible alternative site for a full disc golf course does not exist, some of the sites considered during alternatives screening were found to have the potential to support a limited beginner course. A 9-hole course was recently opened on at the Hooker Oak Recreation Area which is in Bidwell Park which is leased to the Chico Area Recreation and Park District. This beginner's course underwent its own environmental review process. The DEIR includes the analysis of an offsite location (Comanche Creek) as a location for a short course.

Information is already provided in the DEIR about the implications on the site if disc golf were discontinued and the site restored (Restoration Alternative) or if no project were approved on the site (No-Project Alternative). The comment regarding an inadequate project description for the disc golf/trailhead project site repeated here is addressed above under the response to O2-4. The DEIR provides specific information on the relationship of project objectives to the alternatives (E5.1.2), on the characteristic and ability of each alternative (E5.2) to meet project objectives, on the comparison of environmental effects (E5.3) in tabular and narrative format, and on the environmentally superior alternative (E5.4). The approach used in the DEIR is to list the impact conclusions that would be similar to the alternative at hand to avoid repetition in the document. When a project impact is listed as being similar to the impact for an alternative, the impact analysis and conclusion in the body of the DEIR is applicable to the alternative. The City realizes that due to the complex nature of the document, the information is provided in various sections, but believes that the information provided is meaningful and adequate to reach conclusions about the level of impact resulting from each alternative.

As stated in the land use consistency analysis above, disc golf is not illegal in Upper Park and it is not inconsistent with the current land use zoning or the designation of the site as Park. The assumption that disc golf would continue at the site under the No-Project Alternative is based on the fact that short of abating all use of the site and closing it to the public, it would be difficult, if not impossible, to enforce that no disc golf would be played at the site. The City's desire to resolve the issue is thus not driven by "legal" issues as much as by the acknowledgement that unmanaged use of the site for disc golf leads to resource damage that is not consistent with the City's desire to manage all Park resources in a way that will sustain them in the long term.

- O2-18. The commenter states that the DEIR does not constitute a project-level analysis of the proposed Trails Plan, specifically with regards to the location of a proposed bridge across Big Chico Creek. The commenter states that the bridge location is undisclosed and the reference to a Streambed Alteration Agreement defers mitigation.

**Response:**

The approximate locations of proposed bridges are depicted in Exhibits 3.2.1.1 for Lower Park and Exhibit 3.2.1.2 for Middle and Upper Park. Potential impacts on riparian forest resulting from bridge construction are discussed in Impact BIO-3b, “Adverse Effects of Park Improvement Projects on Riparian Forest.” Mitigation Measure BIO-3b provides a set of mitigation measures that aim to avoid, minimize, rectify, and mitigate any impacts on riparian forest resulting from implementation of the Trails Plan and Cedar Grove Area Concept plan.

The quote provided by commenter is extracted from the special-status fish section (not the biological resources section of the DEIR), which also points out the potential need for a Streambed Alteration Agreement.

As discussed in Master Response 1–Nature of the EIR above, the nature of analysis for the Trails Plan is somewhat programmatic as no site specific resource inventories have been conducted for specific improvements that may happen as a result of implementation of the Trails Plan. However, the use of the Streambed Alteration Agreement to define the details of mitigation does not constitute deferral of the City’s commitment to mitigate. Commitment to mitigation for the bridge impacts is provided in the measures for Impact BIO-3b, including minimizing areas of riparian forest disturbance and native plant restoration of disturbed areas. The no-net-loss criterion would apply, similar to wetland mitigation. Obtaining a Streambed Alteration Agreement is not possible without actions that clearly demonstrate how a no-net-loss criterion of riparian habitat functions and values will be maintained. The mitigation measure, as proposed, provides sufficient measures to reduce potential impacts on riparian habitat resulting from implementation of the Trails Plan to less than significant. Impacts on other resources, such as potential impacts on nesting birds or special-status plants are addressed in the respective resource sections of the DEIR.

## **ATTACHMENT TO COMMENTS**

The commenter provides two attachments to his comment letters: a letter sent to Kim Seidler, former City of Chico Planning Director on February 27, 2003, providing comments on the *Upper Bidwell Park Disc Golf Course Project and Mitigated Negative Declaration* and a letter report prepared by EDAW, dated June 27, 2005 and sent to Mr. Dennis Beardsley, Park Director, reporting the results of a follow up survey to investigate reports of possible vandalism/removal of Butte County checkerbloom at the proposed disc golf course study area.

**Response:**

Submittal of the attachments is noted. The narrative in these letters is not directed to the contents of the DEIR, so no separate response is required.







June 26, 2007

Brendan Vieg  
City of Chico  
Planning Services Department  
P.O. Box 3420  
Chico, CA 95927

**RE: Bidwell Park Master Management Plan/Environmental Impact Report**

Dear Brendan,

Thank you for providing the opportunity to review and comment on these documents and for allowing the maximum number of days allowed by CEQA to comment. Friends of Bidwell Park (FOBP) has submitted comments on these aspects of the Bidwell Park Master Management Plan/Environmental Impact Report:

Cedar Grove Project  
Horseshoe Lake Project  
Trails Plan Project  
Disc Golf/Trailhead Project  
Natural Resource Management  
Historical Resources  
Editing comments and questions

If you have any questions regarding our comments, please contact me. We look forward to reading the responses by the City of Chico and EDAW to our comments as well as those submitted by other community members and public agencies.

Sincerely,

Susan Mason  
President, Friends of Bidwell Park

P.O. Box 3036, Chico, CA 95927

[www.FriendsofBidwellPark.org](http://www.FriendsofBidwellPark.org)

June 18, 2007

To: Brendan Vieg  
City of Chico  
Planning Services Department  
P.O. Box 3420  
Chico, CA 95927

From: Friends of Bidwell Park (FOBP)  
P.O. Box 3036  
Chico, CA 95927-3036

Re: Comment on Draft Bidwell Park Master Management Plan and Environmental Impact Report

*Before these two documents were released for public review, they would have greatly benefited by a thorough edit to eliminate typographic and spelling errors as well as to eliminate discrepancies between information provided in different places in the same document. Of course, it's more difficult to catch some kinds of errors when the document preparers are an out-of-area firm that has only spent a few days in Bidwell Park, but an effort should have been made to eliminate the obvious errors that any competent proofreader would have noticed. Since it is likely to be many years before the documents are superseded, it is important that they be as accurate as possible.*

O3-1

### Corrections and Comments on Cedar Grove information

Since the boundaries of the Cedar Grove project area are not explicitly described in the MMP, these corrections and comments assume that the boundaries are Big Chico Creek on the north, homes and Parkview Elementary School on the west, East 8<sup>th</sup> St. on the south and the park entrance path to the east of the deer pen to the east. A verbal description of the Cedar Grove project area should be added, as the Cedar Grove Area Concept Plan map does not appear to show the entire project area.

O3-2

Although Friends of Bidwell Park supports the concept of improvements in the Cedar Grove area that would make it more accessible and usable for individuals and community groups, we feel that the one-page project plan is too vague to be evaluated in the context of an EIR. It failed to address how historic features of the area would be evaluated and protected, if necessary. It failed to take note of the Cedar Grove resident (not migratory) deer population that is already being impacted by East 8<sup>th</sup> St. residential construction across from the Nature Center. It failed to assess the condition of the remaining Experimental Forestry Station tree plantings<sup>1</sup>, the condition of specimen trees in the

<sup>1</sup> Comments by Wes Dempsey (CSU, Chico Professor Emeritus, retired) on 6/13/07:  
Forest Station Plantings

The 1918 map (revised in 1959) made of the Old Forestry Station by Woodbridge Metcalf lists about 144 tree and shrub species. According to my surveys, 43 of these species remain. There are no surviving earlier maps that I am aware of but there is a list of 90 species in the report of the UC experiment stations of 1893.

World of Trees<sup>2</sup>, the major problems of invasive plants introduced into the area by the Forestry Station, and the cumulative impacts of the East 8<sup>th</sup> St. Road Reconstruction. We hope that before final plans are developed for this area, a more thorough inventory of its current condition will be made.

O3-2  
(Cont)

When reviewing pages that had references to Cedar Grove, other typographic and consistency errors have also been noted.

### Master Management Plan Comments

#### Section 2.2.2.5 page 2-92

Please change "deer pens" to "deer pen." Change "present on the property.." to "was on the property..." since the referenced barn burned down in October 2006. Please define what remnants of a small zoo still remain on the site.

#### Section 2.4.4.1 South Park Drive; page 2-99 and 2-100

"..between Alder and Sycamore..." entrance now has a street name "One Mile Way"—please include it in the description. Also, change "maintenance vehicle" to "maintenance vehicles". Eliminate blank line. Move "Lower Park can be accessed..." sentence from Vallombrosa paragraph to this paragraph. Please indicate that the Cedar Grove entrance street is named Cedar Grove Way and that it provides access to South Park Drive. Also indicate that the CCNC entrance does not provide access to South Park Drive.

O3-3

The huge number of Cherry plums (*Prunus cerasifera*) probably came from #89 (labeled as "*P. serotina*") and the many Hawthorns (which Oswald calls *C. laevigata*) from #30 (labeled "*C. oxycantha*"). The nasty infestation of Cork elms around the Nature Center and Cedar Grove came from #120 *U. thomasi* (labeled as "*U. racemosa*").

The olives probably came from backyard gardens nearby. I find a few Cork oak (# 97 *Quercus suber*) seedlings near the Cork oak grove that certainly came from there. The volunteer Catalpas along the creek came from #29 *C. speciosa* which were planted in large numbers along the "World of Trees" trail and west of the Nature Center. A few English oaks have come from #98 *Quercus robur* (labeled as "*Quercus pedunculata*"). Some Ashes have also popped up from the original plantings (species?).

<sup>2</sup> Comments by Wes Dempsey (CSU, Chico Professor Emeritus, retired) on 6/13/07:

#### Origin of World of Trees Plantings

The beginning of the World of Trees Trail was planted in 1890, the Cypress grove (originally the cypresses were inter-planted with hardwoods, like Maples) was planted in 1896, the Zelkovas were planted in 1896 and NW of them a small block of Burr oaks (still there). South of these was a big planting of Eucalyptus (Block S on the map) that was gone by 1959 and recently has been filled in with volunteer Ashes. Further south, a block of Coastal redwoods on the east side of the trail across from a block of Madrones (only 1 left) and Virginia persimmons on the west side. Still further west, near the Parkview School fence, a bunch of Burr oaks—now very large. South of them, planted in 1904, the 4-acre Cork oak grove. No olives were listed on the map or mentioned in any of the records.

The trail goes along the old road that looped south thru the station and, for a short way, thru Cedar Grove; then the trail goes west to the cork oak grove. The old road loops NW thru the Pine plot (USFS 1949), past the Zelkovas, and joins the north branch of the road near South Park Drive. The road is bordered for most of its way with Western catalpas with the exception of a single English oak, near where it rejoins the trail.

Comments on the Draft Bidwell

2

Friends of Bidwell Park

Park Master Management Plan and EIR

#### **Parking in Lower Park**

Please remove “and Cedar Grove/Nature Center” from first sentence since the information is duplicated in a following sentence.

#### **Exhibit 2.4.3-1a Circulation-Lower Park**

There are parking lots at both Cedar Grove and the CCNC, so an additional P should be added at Cedar Grove. Also, there’s only one parking lot on the north side at Sycamore Pool.

#### **Table 2.4.4.1-1 Lower Park Parking Capacity page 2-104**

There’s only 1 parking lot on the north side at Sycamore Pool. Please explain where the “Vallombrosa Avenue Entrance Gate” parking lot is located and how it differs from the Sycamore Pool parking lot.

“Petersen Drive North of Cedar Grove” should be changed to “Petersen Memorial Drive east of former walnut orchard” since Cedar Grove is not nearby and is on the other side of the creek. Also, this parking area frequently has more than 2 vehicles. Please verify the lot size.

Many of the Lower Park lots have been mistakenly included in the Upper Park Parking Capacity table (see below)

#### **Table 2.4.4.3-1 Upper Park Parking Capacity**

These lots are not in Upper Park and should not be included in this list:  
Cedar Grove Overflow, Deer Pen on East 8<sup>th</sup> Street, Manzanita/Vallombrosa SW corner, Sycamore Field/1-Mile reservation area, Caper Acres, South Park Drive picnic sites, Petersen Memorial Drive picnic sites.

As Middle Park is currently defined, the “Police Pistol Range” parking lot should be in the Middle Park Table. Since the pistol range presumably was removed during the lead cleanup, it would be more accurate to call this parking area by a more descriptive name, such as “Chico Canyon Road trailhead parking lot.”

Horse Arena should also be in the Middle Park Table. Wildwood is not part of Bidwell Park so it should not be included. Ten Mile House Road and Green Gate refer to the same parking area. Lot M is misplaced in the list.

Please explain where the 35 parking spaces are located on Centennial Drive.

Also, the preceding paragraph, Bear Hole is misspelled “Beerhole.” The third sentence needs clarification—perhaps the word “east” should be “exist”? Why is Oak Grove capitalized in this sentence?

O3-3  
(Cont)

**Table 2.4.5.3-1 Trash Receptacles**

Junction Park (did you mean Ringel Park?), City Plaza, Children's Park, Humboldt Neighborhood Park, and Depot Park are not in Bidwell Park. What is the "Kiwanis Area"? Do you mean the Observatory Parking Lot (lot C)? Please correct parking lot names and lettering to match other tables in this document (e.g. Horseshoe Lake is apparently now lot E, according to other tables). Is "Amphitheater" the Bidwell Bowl Amphitheater? Is the Oak Grove picnic area the two group picnic sites at One Mile? Is Campfire Ring the Campfire Council Ring?

Change "Deer Pens" to "Deer Pen."

**Section 3.6.1. Cedar Grove Objectives, Implementation Strategies and Guidelines 3 pages 3-46 and 3-47**

Without an explicit definition of the boundaries of Cedar Grove, it's difficult to know whether these objectives and implementation strategies are appropriate.

**L.CG.2** It's unclear why this sentence has been included for this area of the park and not for other areas, where problems with soil, erosion, cultural resources, aesthetic resources, etc. are much more likely to be an issue. If possible, please explain this sentence, especially the use of the word "efficiently."

Since L.CG.1 states "The following shall be considered when implementing the Cedar Grove Area Concept Plan", presumably that plan will contain information relating to the bulleted points. However, in Appendix G, which contains the 1-page concept plan, none of these points are referenced, either explicitly or implicitly.

**Appendix G Cedar Grove Area Concept Plan**

The Concept Plan fails to specifically deal with the points mentioned in Section 3.6.1, e.g. no additional paths from East 8<sup>th</sup> St. are shown, no description is provided about what vegetation might be used that improve sight-lines within Cedar Grove, no information is provided about the deer pen, which would help Park Commissioners to decide what alternative use might be appropriate (size, fence condition, gate locations, amenities such as water line, potential parking locations, etc.).

No information is provided about the possible impact of the Experimental Forestry Station historical landmark status on development of this site.

The plan also does not take into account the East 8<sup>th</sup> St. road reconstruction project, which will significantly reduce the number of Cedar Grove special event parking spaces along East 8<sup>th</sup> St., reduce deer pen parking, realign the Cedar Grove and Parkview School entrances, and create a new bike path along the southern edge of the Cedar Grove area.

Friends of Bidwell Park (FOBP) has spent hundreds of hours in Cedar Grove removing invasive plants so we are perhaps more familiar with usage patterns there than the consultant. The parking lot, as redesigned, may work well for special events, but it fails to address the everyday vehicle usage of this lot. This includes delivery truck drivers and

landscapers with large trucks & equipment trailers stopping to eat lunch in the shaded lot, RVs, 12-passenger vans, and other types of vehicles that won't fit into the standard parking space.

Keep in mind that this is not a shopping center parking lot where larger vehicles have the option of parking on the outskirts of the lot. Please don't make the same mistake that was made at Parking Area E in Upper Park, where a significant number of vehicles are forced to use the Rod & Gun Club parking lot because they are too big to get into or out of lot E or to park there without obstructing other traffic.

FOBP also has participated in the Endangered Species Faire, which is the type of event that presumably the Cedar Grove upgrade is designed to encourage. The plan does not address the neighbors' complaints about live music events emanating from a stage that faces East 8<sup>th</sup> St. (because the only electrical hookups are at the restrooms). It does not address the need for trucks and vehicles to drive into the Festival Meadow to unload/load their equipment and booth set-ups and the impacts these vehicles have on the turf and irrigation system.

Overall, for a project which represents ¼ of the total identified park projects that will have cumulative impacts on Bidwell Park, this is a remarkably poorly-defined project. There is no indication of what type of events this remake might be expected to attract, how many vehicles and people might participate in such events, how this remake will affect the historic World of Trees, or how it will benefit the daily park users. As mentioned above, it also does not address any of the issues raised in Section 3.6.1.3 Implementation Strategies.

#### **Concept Plan Map**

The 4 viewing platforms are not shown. The correct entrance street name is Cedar Grove Way. South Park Drive is missing from the map. The World of Trees Independence Trail is mislabeled "Tree Walk." What does "Proposed Tree Typ." mean? The map fails to show the numerous unofficial trails throughout Cedar Grove and does not indicate that there will be an additional entrance from East 8<sup>th</sup> St. where the fence is continually damaged by people wishing to enter from the location of the convenience store. The loss of the CCNC barn and subsequent enlargement of the Interpretive Center should be noted on an updated version of the map, as should the Cedar Grove Way/East 8<sup>th</sup> St., intersection realignment and change in number of parking spaces along East 8<sup>th</sup> St. Please show bus parking areas for the Nature Center on the map.

O3-3  
(Cont)

## EIR Comments

### Section E3.2.3 Cedar Grove Area Concept Plan page E3-15

Please correct "Cedar Way" to Cedar Grove Way."

"Paving and delineation of the existing parking lot..." From the map, it looks like the parking lot size will be expanded significantly in the direction of the creek. Please clarify whether the space will be expanded and if so, what will be the size of the new lot.

Parking lot efficiency is only important a few days a year, when major events take place in Cedar Grove. Please explain how users the rest of the year—people who often drive larger vehicles that are used in their businesses or for recreation—will benefit from "standard" parking spaces and where they would legally park in the newly reconfigured lot.

Two Entry Kiosks are shown in the map but only one is described in the text.

What's the purpose of the meadow trail? Why would anyone want to use it?

### Section E4.3.1 Aesthetics page E4-6

East 8<sup>th</sup> St. is also designated a local scenic road between Bruce Rd and Hwy 32 (see [http://www.east8thstreet.net/8th\\_Street\\_Guidelines.pdf](http://www.east8thstreet.net/8th_Street_Guidelines.pdf)).

### Impact AES-4: Degradation of Visual Character page E4-11

Since none of the maps in the MMP or EIR show the many informal trails that currently exist in the Cedar Grove Project area, how can you conclude that there will be a reduction in informal trails? Without knowing where these trails go, it's impossible to know whether trail delineation will reduce usage of other trails. Also, the MMP does not list removal of informal trails or planting/revegetation as implementation strategies for Cedar Grove so it's unlikely that any efforts would be devoted toward this goal.

### Section E4.3.3 Biological Resources Valley Elderberry Longhorn Beetle page E4-39

With such a small area defined for the Cedar Grove project, even if the consultant didn't do a VELB survey, the location of elderberry bushes could have been noted, in case they had a potential impact on the project design.

### Section E4-3.7.4 Impact Discussion Impact Hydro-2 page E4-123

On page E3-15, the overflow parking area is described as unpaved. On page E4-123, it's described as paved. Which is accurate?

### Section E4.3.9.4 Impact Discussion Impact Cum-1 page E4-152

Please explain how the Cedar Grove projects, one of whose goals is presumably to increase the number of outdoor concerts, festivals, etc. at this site, would not increase the



noise for the area's neighbors. There have been numerous neighbor complaints over the years regarding the noise level from concerts and Shakespeare in the Park. This topic is always a discussion point whenever any permit is issued by the Bidwell Park and Playground Commission for use of the Cedar Grove meadow.

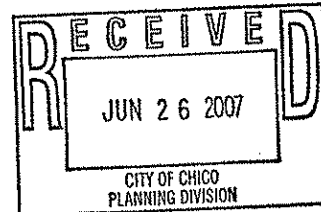
**Section E4.3.12.4 Impact Discussion Impact Traffic-3 page E4-163**

Since the impact of the East 8<sup>th</sup> St. Road Reconstruction and the resulting loss of many head-in parking spaces on East 8<sup>th</sup> St. that are used by Cedar Grove event participants has not been included in this study, it is presently unknown whether there would be a net gain or loss of event parking. If there is a net loss, then the adjacent residential neighborhood would likely become more impacted by event parking.

O3-4  
(Cont)

6/26/2007

To: Brendan Vieg  
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Planning Services Department  
P.O. Box 3420  
Chico, CA 95927



From: Friends of Bidwell Park (FOBP)  
P.O. Box 3036  
Chico, CA 95927-3036

Re: Comment on Draft Bidwell Park Master Management Plan and Environmental Impact Report

**Comments on Horseshoe Lake Project pages**

Friends of Bidwell Park is in agreement with the observations about the lack of trail definition in the Horseshoe Lake area, which not only has led to degradation of the area but also causes user conflicts between equestrians and lake/observatory users (i.e. horse manure on the path next to the Observatory). Providing an all-weather trail that bypasses the lake/observatory path will alleviate this problem. We think that the area immediately adjacent to Horseshoe Lake and the Observatory, two of Upper Park's most popular visitor destinations, would benefit from improvements in invasive plant control, signage and possibly parking capacity. Since this area is within the setting of Upper Park, we also want this it to maintain its natural grassland appearance, as much as possible, rather than have the manicured lawns and high-maintenance costs associated with the Bidwell Park Golf Course, One Mile Recreation Area and Five Mile Recreation Area. Based on the 'Concept Plan' which provides the only detail about project, it appears that a drastic makeover of the Horseshoe Lake area is being proposed.

O3-5

Since the Horseshoe Lake project area was not specifically delineated by a map, for purposes of these comments, we are assuming that it is the area bounded by Parking lot B on the west, Upper Park Road on the south, Monkey Face on the east and the unnamed trail that's on the southern edge of the north rim.

**Master Management Plan**

**Appendix F pages F-1 through F-5**

1. As described on page 2-2, the water level in Horseshoe Lake varies a great deal seasonally. In the dry season, extra water is pumped in from a golf course well to maintain a minimum level. In the rainy season, water percolates down from the hillside to the north and fills the lake to its maximum capacity. When it's reached capacity, an overflow culvert moves excess water across the road and ultimately into Big Chico Creek.

O3-6

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Related to this seasonal fluctuation in water level, would implementation of this plan keep the lake at a specific level year-round? If it would, how much water would need to be pumped in to maintain this level versus how much is pumped in now to maintain a minimum level? Who would pay for pumping this water and how much would the pumping cost? If there would still be fluctuations in the water level, where would the paths and plantings be sited in order to avoid being flooded in winter? Please define the current seasonal fluctuation in size with maps showing the maximum and minimum lake size as well as the size of the lake in the proposed project.

2. Would the perimeter trail be ADA accessible? Which trails or portions of trails within the project area would be ADA accessible?

3. Any time that infrastructure (trails, trash cans, benches, etc.) or landscaping is added to the park, there are increased maintenance costs. Who will pay for the additional maintenance costs associated with these improvements?

4. Exactly how would the B and C parking lots be expanded? Please provide a map showing the current footprints of the parking lots and the footprints of the expanded lots. Have you consulted a soil scientist or hydrologist to determine how expanding these lots might affect the seasonal drainages in these areas?

5. Has the city ever had a successful Upper Park revegetation project that involved planting in areas that weren't directly adjacent to a creek? How many failed revegetation projects have there been in Upper Park? Who would be responsible for the watering needed to keep these plants alive for the first few years?

6. In the third paragraph is the sentence "Access to Monkey Face has been consolidated at the northeast corner of the Lake." Do you mean by this statement that all of the unofficial trails that lead to Monkey Face from parking lot #E will be closed and revegetated and that access will be only via the Maidu Trail as the map on page F3 and Exhibit E3.2.1.2 implies? If so, as experienced trail maintenance volunteers in the park, we believe this is extremely unlikely to be successful. No matter how many signs and fences you install, many hikers will not be willing to use a trail that does not appear to lead to their destination (namely, Monkey Face). Please provide details about the routing of this trail to Monkey Face. Also provide details about what you plan to do at the top of Monkey Face to prevent hikers from taking a shortcut back down to the parking lots.

Also, it will be very difficult to do any revegetation of the many trails that now scar the Monkey Face area because there is almost no topsoil there, there's no way to water any plants that put in, and there's little existing vegetation to provide shade for new plants that will get the hot afternoon sun. Please describe the restoration plan for this area.

7. Please show the Observatory's outdoor seating area in any future maps.

O3-6  
(Cont)

Comments on the Draft Bidwell  
Park Master Management Plan and EIR

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Friends of Bidwell Park

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8. In 2002, several of us spent quite a few hours picking up fishing line, hooks and sinkers during the time period when the water level in the lake was drawn down in order to build the fishing pier. Many trees and shrubs near the lake had fishing line tangled in them. Your plan shows a significant number of new trees being planted by the lake. How do you plan to educate the public that they shouldn't cast a line near an obstacle and that they should retrieve their tangled line instead of just abandoning it?

9. Have you consulted a soil scientist regarding the location of the proposed trail from the north edge of Parking Lot B to Lot C? If it is in the same location as the current unofficial trail, in the western part of this trail, it goes through the low point in the meadow and has several small vernal pools immediately adjacent to the trail. How much of this area is a wetland in the winter?

10. Part of the trail that is next to Upper Park Road from the entrance to Parking Lot B, which intersects the trail described in 9 appears to be an existing unofficial trail at its western end and a new trail at the eastern end. What's the length of the new section? If the eastern portion is located where it appears to be from the map, it will be in an area that's very wet in winter.

11. Since 4 ADA parking spaces will be created at Parking Lot B, presumably there will be ADA access to new facilities there (restroom, picnic area) that are also ADA accessible? Please explain what trail surfaces will be used to make these facilities accessible, i.e. concrete, crushed gravel.

12. The Concept Plan map is inaccurate in its portrayal of the Blue Oak Trail location. Does this mean that the Blue Oak Trail will be moved or that an additional trail will be built to join the Middle and Upper Trail? It's difficult to tell from this map or from the map in Appendix E, Exhibit 2 exactly which trails are being kept, which are being closed and which are being moved. On future maps, please include this information by differentiating between official and unofficial trails and use the map of existing trails as the basis for the map, rather than an artist's rendering of where trails might be.

13. How many feet of new trails would be created if this plan was implemented? How many feet of existing unofficial trails would be closed and revegetated?

14. In the general area of Parking lot B, there is currently only one tree. The concept plan shows numerous trees. Have you consulted a soil scientist to determine why there aren't more trees there now and whether this is a suitable location for trees to thrive?

15. The Neg Dec for the Observatory originally had a requirement for landscaping, but this was removed in the final draft of the Mitigated Neg Dec. Since this requirement was apparently considered too onerous or impractical to implement, what conditions have changed in the general area to make this area suitable for landscaping? Have specialists (e.g. soil scientist, ecologist) been consulted as to the feasibility of planting trees in this area?

O3-6  
(Cont)

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Friends of Bidwell Park

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16. Where are the traffic studies that indicate a need for parking lot expansions? Besides the Hooked on Fishing, Not on Drugs day and a few Observatory celestial events, how often would these parking lots fill to capacity? For these major events, no amount of on-site parking would be adequate. If the Observatory management has requested an expansion and provided documentation regarding the need for additional parking on a regular basis, that would constitute a reasonable basis for considering expansion. Otherwise, where's the need?

O3-6  
(Cont)

### Comments regarding EIR

#### E4.3.1 Aesthetics

##### Impacts AES-1b: Alteration of Scenic Vistas with implementation of Park Improvements Project (page E4-8)

We believe that to alter the natural setting of Horseshoe Lake as drastically as appears to be proposed will significantly impact the ecological and aesthetic resources of the area. These impacts will be compounded if the proposed landscaping is not successful and the park ends up with a permanently disturbed-failed planting area. Just consider the dismal failure of mitigation at the Municipal Golf Course just across the road on deeper and more easily planted soils. Virtually none of the blue oaks planted as part of that mitigation have survived and a second oak tree planting also failed. It's now just a patch of weeds.

Regarding implementation of mitigations for Bidwell Park, the City of Chico does not have a good track record. The failed mitigation efforts at the adjacent municipal golf course and failure on the City's behalf to uphold viewshed mitigations for the Canyon Oaks development are both testimony to their "cut-and-run" impact-mitigation ethic. Even within this project area, a minor required mitigation was never implemented. The portable toilet at the Observatory parking lot was supposed to be surrounded by a wooden fence as one of the mitigations when the Observatory was built (and it may have again included as a mitigation when the outdoor seating area was added). There is still no screening fence around this portable toilet. Likewise, the first blue oak planting at Parking lot E failed and was replanted a few months ago. Will there be a third and fourth planting if these trees don't thrive?

O3-7

There are not trees around Horseshoe Lake currently because the thin soil and lack of hydrology preclude their natural establishment and growth. What will be different as part of the City's proposed actions? Will there be an irrigation system installed? If so where will the water come from? If not, how is it expected to support a plant community that currently cannot be naturally maintained?

How will the city ensure that these plans will succeed considering natural site potential and past failures nearby? And, if things don't establish as planned, what will be the monitoring protocol, monitoring frequency, monitoring timeline, thresholds of success

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and required remedial measures? Where is the assurance; or at least the definition of process that should assure us of follow-through, monitoring and remediation obligations?

O3-7  
(Cont)

#### **E4.3.3 Biological Resources**

Impact Bio-1c: Adverse Effects of the Trails Plan and Horseshoe Lake Area Concept Plan (page E4-55) and Impact Bio-6 Fragmentation of Wildlife Habitat (page E4-84)

The proposed Monkey Face trail as a branch to the east from the first switchback of the Maidu Trail (as shown in Exhibit E3.2.1.2) is in an area of dense, native vegetation (including several listed plant species), crosses numerous seasonal drainages, and currently provides undisturbed habitat for many wildlife species (including a coyote den). When this proposed trail routing was discussed years ago at trail planning public meetings, there was almost universal condemnation of the proposed route by the members of the public who participated in this series of meetings. Not only would it open up a previously undisturbed area of the park to impacts but it would be very difficult to maintain due to the amount of vegetation along the proposed route. **Friends of Bidwell Park strongly opposes the development of a new trail in this area.** There are several much more suitable locations for a trail that would access Monkey Face from the east via Upper Trail, where there have already been significant impacts to the vegetation and soil. Also, as mentioned in item 6 of the MMP comments, an easterly routing would be much more likely to be used by hikers since it would appear to provide more direct access to the top of Monkey Face.

O3-8

Impact Bio-3e Adverse Effects of Park Improvement Projects on Northern Volcanic Mudflow Vernal Pools page E4-80

There are several vernal pools in the meadow area between Parking Lot B and C, where trail construction is proposed. The EIR fails to provide a map of Middle Park's vernal pools or discuss the possible impacts to vernal pool special species from the construction of several trails in this area.

O3-9

Comments on the Draft Bidwell  
Park Master Management Plan and EIR

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Friends of Bidwell Park

6/26/2007

To: Brendan Vieg  
City of Chico  
Planning Services Department  
P.O. Box 3420  
Chico, CA 95927

From: Friends of Bidwell Park (FOBP)  
P.O. Box 3036  
Chico, CA 95927-3036

**Re: Comment on Draft Bidwell Park Master Management Plan and Environmental Impact Report**

### **Comments on Trails Plan Project**

#### **MMP Appendix E Trails Plan**

Many Friends of Bidwell Park (FOBP) volunteers have participated in trail maintenance and in the public trail planning sessions that started six or seven years ago. It's almost astonishing how little has been accomplished in the last six years. We're still at the point of "making a plan to make a plan." There was general agreement throughout the trail planning public process that the focus needed to be on improving the park's existing trails, rather than building new trails. Except for the Park Division's and volunteer work on the western segment of the Middle Trail and the work that the Chico Mountain Bikers have done on the Maidu Trail, all of the park's official trails continue to deteriorate, some of them severely. Bootleg trail construction continues unabated, especially on the south side of Upper Park. This is unlike the situation for the park's vegetation management program, where park staff, FOBP, CNPS and other groups and individuals who have an interest in improving the park's vegetation have not only created a usable vegetation management plan, but are implementing it (albeit slowly due to funding and volunteer constraints), with measurable annual goals.

O3-10

FOBP believes that upgrading the Middle Trail in Upper Park to become an all-weather trail, usable year-round by walkers, bicyclists, equestrians, joggers, and hikers, should be a high priority. We also think that much more attention needs to be paid to closing and revegetating unauthorized trails throughout the park.

Although the disc golf project is supposed to be linked to a trailhead project, no information is provided in this section regarding hiking/biking trails in that area, nor does the Disc Golf Project Appendix H provide that information. Please provide a map showing the hiking/biking trail(s) that will be created at that site and provide a discussion in the EIR of any potential impacts from the creation of that trail(s). How many feet of new trail will be created by this project?

O3-11

Comments on the Draft Bidwell  
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Based on a review of the Upper Park trail map (Exhibit 2), this plan does not appear to address the severe erosion problem that exists near the eastern end of the Upper Trail where the trail dips down through a steep ravine before veering south to connect with the Middle Trail. An alternative trail routing was mapped by park staff and members of the public and should be considered as part of the trails management plan.

O3-12

The plan and map (Exhibit 1) does not show the north bank creekside trail in Lower Park where severe erosion is taking place along some segments of the trail.

#### 5.0 Methods (page 13)

"The planning process used during the preparation of this Trails Plan for Bidwell Park is illustrated in Exhibit 3." This statement is not true, even considering the disclaimer sentences that follow. As park volunteers who participated fully in all trail planning meetings (both before and after the creation of FOBP), we do not believe that this plan process sequence was followed. Many steps were omitted or done out of sequence (and of course, we're currently only about halfway through the process).

In paragraph 4, for most of the "key locations" included in the "limited field review", no information is provided as to what solutions the surveyor proposes for these "key locations." All of these "key locations" were identified as problem areas many years ago during the public trail meetings. What we need now are solutions. Also, no indication is given as to what type of qualifications this trail surveyor had—was this person a trail builder, a soil scientist, a biologist? What did this person know about local vegetation and soils?

O3-13

#### Table 1 (page 14)

Please explain the need for an "equestrian only" trail in Middle Park. Will this be an all-weather trail? How will cyclists and walkers be kept off this trail? In the past, all park trails have been multi-use, except where there were environmental constraints that necessitated limiting their use, e.g. Yahi Trail. What such constraints exist in this area?

Page 18 The middle photo shows the Yahi Trail as it approaches Diversion Dam, which is not a swimming hole.

Page 20 "The City should make its stand clear on unofficial mountain biking trails." There is a clear policy regarding the creation of new park trails by members of the public—they're not allowed. Unfortunately, there's no enforcement of this policy and, once created, there's no incentive to eliminate them and remediate the damage.

Page 21 The middle photo appears to show the Middle Trail, not the North Rim Trail.

#### EIR

#### Impact BIO-3a (page E4-72)

O3-14

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Although equestrians are already allowed to ride on south-side trails, the current condition of these trails precludes much usage by equestrians. When these trails are finally brought up to the Trails Manual standards (as FOBP hopes they will be), their usage by equestrians is likely to increase. Please explain what will be done to assess and possibly mitigate for the increase in equestrian traffic, whose likely impacts include increased soil erosion, increased infestations of invasive plants, and possible trampling of special species plants. Will the Park Division provide a regular patrol of the trails on the south-side? How will the wet-weather equestrian (and cyclist) trail usage prohibition be enforced in this more remote area?

O3-14  
(Cont)

Currently dogs are required to be on leash on the south side of Upper Park, but there is no enforcement of this law and, in fact, it is unenforceable, due to the remoteness of the trails here. Most of the dogs seen on the south side by FOBP during many visits to this area were off leash. The EIR does not include any discussion of the potential impacts of off leash dogs on the south side, especially to wildlife. Please discuss this problem and what mitigations would be appropriate.

**Impact CUL-1b (page E4-94) Mitigation measure CIL-1**

A fire in Middle Park several years ago exposed one of the park's prehistoric sites to public view, where previously it had been hidden by dense vegetation. One of Middle Park's trails is directly adjacent to this site. Please explain how the mitigation measures described in this section would have been applied to protect this site from degradation. Would the existing trail be moved?

O3-15

**Impact GEO-2 Potential for Soil Erosion (page E4-103 and E4-104)**

All of these objectives and implementation strategies require a significant amount of increased funding for park maintenance staff. Since the permanent park maintenance staffing levels have not been increased in about 20 years and there appears to be little or no public support for future increased staffing levels, the measures described here are extremely unlikely to be implemented. Please include a discussion of how these measures might be implemented without any increase in funding for park staff.

O3-16

In particular, please discuss how the problem of the creation of new, unofficial Upper Park south side trails will be solved, considering that there's no regular park presence along trails on this side of Upper Park.

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Re: Comment on Draft Bidwell Park Master Management Plan and Environmental Impact Report (DEIR)

### Comments on Disc Golf Impacts and Proposed Mitigation

#### Environmental Impact Report

Impacts to Aesthetics; Section E4.3.1.1; Page E4-5

1) Since the report discusses the potential impacts to "Visual Character" shouldn't "Visual Character" be defined in the report, as are scenic vistas, scenic roads and night sky? This is a serious oversight, since it is the natural beauty of Bidwell Park that makes this park stand head-and-shoulders above every other municipal park in California. Surely, "Visual Character" was a primary impetus leading Annie Bidwell to give the land as a park to the City of Chico. For example, in a Chico Daily Record Editorial, July 1, 1905 a quote states that "Mrs. Bidwell's one idea, to preserve this beautiful natural park for the benefit it will work to humanity, believing that such grand scenery, embodying as it does valley and mountains, creek and canyon, trees and vines, cannot but tend to make people more appreciative of nature and therefore better men and woman."

With this sentiment as the genesis of Bidwell Park being donated as public land, a more detailed discussion and analysis of the "visual character" of Bidwell Park is expected, especially since we also believe the aesthetic setting is being significantly compromised by the bootleg disc golf course, the "proposed" projects, and most importantly, by the proposed experimental mitigation measures (e.g., artificial barriers around oak tree trunks, constructed rock barriers, imported mulch, concrete slabs, dying oaks, inevitable multiple parallel trampled trails, raw soil, etc.).

It is difficult to see how the inevitable ongoing impacts and proposed experimental mitigation measures could ever be perceived as "visually compatible" with the natural setting of Upper Park. Perhaps Chico's teachers, artists, photographers, naturalists, biologists, historians, hikers, bikers and others should be queried on their opinions of "Visual Character" as it applies to the bootleg and proposed disc golf course site, and especially, the proposed experimental mitigation measures. Please provide a

O3-17

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more accurate and realistic definition of the aesthetic resources (visual and auditory) and impacts to them.

O3-17  
(Cont)

Impacts AES-1b: Alteration of Scenic Vistas with implementation of Park Improvements Project: Page E4-8

2) This section needs to mention that the proposed Disc golf/trailhead area is a unique site and with the canyon rim accessed there, represents the most spectacular scenery in the entire city of Chico. This is particularly relevant if one considers public access. There is no other site in all of Bidwell Park that combines such grand scenery with such a high degree of public accessibility. People have described the proposed (bootleg) disc golf course site as "Chico's Yosemite". The EIR completely misses this point.

O3-18

3) Although the DEIR claim that the projects (arguably; see 1 above) may not alter the "scenic vista" as described in the DEIR, they certainly have altered the scene since the bootleg course has started, and will continue (if approved) to degrade the place. How can this be argued? We have watched it happen. Many people have expressed their concern (which is documented extensively in the public record).

Impacts AES-4: Degradation of Visual Character: Page E4-10-E4-13

4) We strongly disagree with your assessment that the Disc Golf /Trailhead Plan will enhance the visual character of the area. Please describe how the following do not constitute significant negative visual and aesthetic impacts:

- a) Pouring over 35 (4' by 12' by 6") concrete pads (32 cubic yards of concrete) built on an otherwise natural geological surface,
- b) Placing barriers around the trunks of over 100 oak trees [unfortunately and contrary to what is hoped for, this will not mitigate for the most serious disc-related impacts to the canopy foliage (see arborist report)],
- c) Unmitigated ongoing canopy damage and likely death of over 100 centuries-old oak trees (see "b" above),
- d) Creating unnatural lines of boulders placed along several thousand feet of trails,
- e) Placing several thousand cubic feet of mulch, perhaps annually and indefinitely into the future (replacing native vegetation, fostering establishment and growth of invasive species, e.g., Yellow Star Thistle, and contributing to nutrient enrichment and degradation of water runoff quality),
- d) Installing dozens of trash cans and benches, and
- e) Paving over the historic Humboldt Road.

O3-19

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5) This particular site is the most unique in the park with regard to viewshed, vista and public accessibility. The aesthetic visual resources here are unparalleled elsewhere in Upper Park, except for those able and willing to trek to the north rim, and even there, the viewshed/vista is not comparable to the oak woodlands, wildflower displays and canyon visible from the south rim at this particular location.

O3-19  
(Cont)

**Definition of the Disc Golf Trailhead Project**

6) Although the DEIR refers to the Disc Golf/Trailhead Area Plan, it never really defines what the project is. We can not determine if the City is proposing 1 course or 2 courses. Are they 12 holes per course or 18? Or is it one with 36 holes?

O3-20

7) It appears from the conceptual disc golf maps that the City is proposing to build several miles of new trails on the site. These trails are indicated as going through mapped wetlands and Butte County Checkerbloom sub-populations. The DEIR never discusses the proposed trail details (how many miles of new trails are there, where will they go, what resources are impacted from the new trails, what are the construction specifications, how is the city going to mitigate impacts associated with these new trails?). If the term "Trailhead Project" is used in the title, why not describe and analyze them?

8) Shouldn't all new trails be analyzed in the "Trail Plan"?

**E4.3.3 Biological Resources**

**Special Status Plant Species; page E4-36**

**9) Butte County Checkerbloom (*Sidalcea robusta*)**

As with all other CNPS List 1B species, Butte County Checkerbloom is a candidate for State and or Federal Listing on petition, and is required to be completely accounted and mitigated for during planning and implementation of all proposed projects. The Butte County Checkerbloom plants at the bootleg disc-golf site are actually part of a larger single occurrence that is currently being impacted by multiple contiguous projects, each being analyzed in isolation. The Canyon Oaks Developments, the Trails Plan, and the Disc Golf Course are all impacting the same CNDDB Occurrence (population?). There is no comprehensive analysis of direct, indirect or cumulative effects, nor is there a workable conservation/management/mitigation strategy for this CNDDB Occurrence/population. Is this another example of piecemeal planning (in violation of CEQA) on behalf of the City?

O3-21

10) White Stem Clarkia (*Clarkia gracilis* ssp. *albicaulis*) is also known from the south side of Upper Park and would be impacted by both the trail plan and Disc Golf/Trailhead Plan. Please describe how the plan avoids and minimizes these potential impacts

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**Proposed Mitigation to reduce impacts to Blue Oak**

11) Please describe how the proposed trunk barriers will protect the trees from ongoing damage and eventual death. Anyone who has played or has watched the sport knows that the discs are not only hitting the trunk but also and more importantly, the multiple of limbs and seasonal growing tips throughout the tree canopy. In fact, in some cases, all the limbs on the fairway side are virtually denuded of foliage in just the last few years. While the barriers might protect the toughest and most durable part of the trees (the trunk), the most ecologically sensitive and important part of the trees (growing tips and terminal branches) will remain entirely unprotected and will continue to be impacted. While the mitigation effort is appreciated, it is next to insignificant with regard to being ecologically effective. The arborist reports that these Blue Oaks can only take this abuse for so long. The blue oak mitigation measures are nearly meaningless from the ecological standpoint; how will protecting the most durable part of the tree (trunks) mitigate impacts to the most sensitive parts (canopy and roots)? There are recognized oak tree experts that should be brought into this discussion.

O3-22

12) Since the DEIR never describes what material or design will be used for the barriers, it is impossible to determine if a) they will be effective, b) they won't be ugly and therefore have aesthetic impacts on the visual character of this scenic area (see comments above), c) won't negatively impact nesting and foraging birds.

**Proposed Mitigation for Soil Impacts**

13) Please discuss more clearly the details of implementing the proposed mitigation measures to address impacts to the soil (compaction and erosion) as well as the potential negative environmental effects of the proposed mitigation for soil compaction/erosion (isolated concrete pads and tons of mulch added in perpetuity).

14) What are the total feet (miles) of trails associated with the Disc Golf course (please account for the inevitable parallel routes)?

15) How many feet of boulders will need to be installed to delineate the fairways? What will keep people within these "boulder-lined paths" when they retrieve their inevitably errant disks?

O3-23

16) Where will these boulders come from? If they are from the site, what impacts will this cause? If from another site, where?

17) How will the boulders be placed? Will the City use tractors or other motorized vehicles to transport and place them? Will access routes need to be constructed/rehabilitated? Will there be soil/hydrology/season readiness criteria?

18) Since the vast majority of discs do not land within the fairway, how will the areas outside the "boulder-lined delineated fairways" be protected from impacts? This is a

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serious point of contention since the nature of disturbances relating to disc golf are by default completely different from all other forms of recreation. Hikers and bikers almost always stay on a single trail, and with exception to exceptionally rare and serious accidents, they do not impact oak tree trunks, and never, ever do they impact oak canopies. There has never been a recreation-related disturbance regime equating to what we see from disc golf. Even cattle only hit a site temporarily and move on once forage is taken advantage of. On these Tuscan Volcanic surfaces, livestock leave 10 out of 12 months for the site to rejuvenate. Carrying capacity of the limited forage and grazing behavior precludes further impacts. Contrary to what a few vocal disc golf proponents claim, there is no historic or existing land use with similar ecological impacts.

19) What is the precedent of using imported mulch as mitigation for impacts to soil compaction/erosion in Blue Oak Woodlands/Savannah and Volcanic Annual Grassland elsewhere in California? Is there any precedent, or is this purely experimental?

20) Please quantify the amount of mulch needed to protect the soil, how will its condition be monitored; what thresholds are established for reapplication? How frequently will it be reapplied? How will effectiveness be monitored/determined?

21) How will the mulch be certified "weed free"?

22) Where exactly will the mulch be needed? There already is extensive erosion/compaction around the tees, around the benches, around the tone poles and throughout the fairways.

23) How will this mulch be installed? Will motorized vehicles be used?

24) How will ongoing mulching and monitoring be funded?

25) What are potential impacts from the experimental mulch application to native biodiversity and water quality? This artificial tonnage represents a significant nutrient-pollutant loading on the site. This will foster the establishment and growth of non-native invasive species, including but not limited to Yellow Star Thistle, Wall Barley, Prickly Lettuce, and Medusahead grass. On these volcanic soils, the greatest native plant diversity is associated with the thinnest and least productive of soils. The greatest invasive weed cover is associated with deeper, more nutrient-rich soils. Addition of this mulch in perpetuity represents a major source of nutrient enrichment (pollution) that will significantly alter the floristic composition, and the "Nutrient Tea" from runoff will inevitably wind up in Big Chico Creek. How will this unnatural, unprecedented and significant nutrient loading affect the volcanic grassland vegetation and ecology of the uplands and the aquatic community of Big Chico Creek through decades/centuries?

26) How will application of mulch in-perpetuity affect the impressive biodiversity of "thin-soil-adapted" plant species that comprise the brilliant native floral displays?

O3-23  
(Cont)

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27) How will application of mulch in-perpetuity affect the well-being of "thin-soil-adapted" rare plant species (e.g., Bidwell's Knotweed, Butte County Checkerbloom)? This mulch application and mulch decomposition through the decades has great potential to completely alter the ecology of the site, both for terrestrial and downslope aquatic systems.

28) What are the fire hazards of all this mulch? There are already thousands of cigarette butts on the site, so it's fairly obvious that the City is incapable of enforcing the established May-November "no smoking rules" for the now unauthorized use at this location. Will accumulated mulch represent an unnatural fire hazard?

29) Since the soils are so shallow, aren't the root zones for the Blue Oak trees much larger than the drip line? Authorities on oak tree ecology report that the rooting zone can be as much as 3-times the areas of the canopy drip-line.

30) All of the proposed mitigation measures for soil and Blue Oaks described in the EIR are highly experimental, questionable in effectiveness, ecologically/aesthetically degrading, and represent significant impacts in themselves, yet there are no mentions of these predictable problems and potential uncertainties.

31) Why should we assume that placement of concrete pads will force disc golfers to voluntarily confine themselves to them? It seems absurd to assume that placement of concrete pads at "throwing locations" will result in people voluntarily restricting themselves to use them exclusively. Is it realistic to expect disc golfers to be crowding themselves together on these pads while one person after another throws, then they all walk single file on a single trail to the next concrete pad? More likely, there will be permanent concrete pads built, which will be surrounded by a halo of the same significant soil disturbances we already see at the throwing sites now, and a complex network of multiple parallel trails will remain/develop to connect the concrete pads and tone-poles. Why should we assume different? Will the placement of boulders along a single route between concrete pads keep disc golfers from leaving the "single pad-trail-route" to retrieve errant discs?

32) What will be the source of the Mulch? Sometimes commercially available mulch is made from things like shredded Christmas Trees, forest waste, landscaping waste, scrap wood materials, etc., and in itself is biologically toxic, at least until it's completely decomposed. What will be the quality control criteria of the mulch applied to this natural ecologically sensitive soil-plant ecosystem?

33) There is a once-beautiful and unique seep-wetland complex on the rocky outcrop towards the south end of the course. This has been severely degraded over the last few years. Hansen's Spikemoss (a slow-growing and long-lived species) was once lush and thick. It has been almost entirely replaced by barren rock, and much of the thin soil held by the spikemoss and virtually all of the geophyte species once there are now gone. This site continues to degrade. You do not mention permanent degradation already underway

O3-23  
(Cont)

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and ongoing under the “bootleg” setting (again a problem with inappropriately defined “existing conditions”).

34) What are the direct, indirect and cumulative impacts to these unique or otherwise sensitive natural resources (Vernal Pool, Wildflower Fields, Blue Oak Woodland and Savannah, Rare Plant Populations, Sensitive Soils, Aquatic Ecosystems) that are already happening and which will continue under the “E5.2.5.3-No-Project Alternative”? The natural setting cannot continue to endure the abuse without further significant degradation/impacts.

O3-23  
(Cont)

35) Direct, indirect and cumulative impacts of all project alternatives need to be completely described in detail as they relate to all potentially sensitive natural resources so an informed decision can be made.

**General questions regarding the Disc Golf project**

36) Why are the citizens of Chico forced to consider a 36-hole Golf course, when almost all other disc golf courses in the western U.S. are 18 holes? Hopefully the 36-hole proposal has more to do with analysis/demonstrated needs than a designer’s personal vision/ego. Two 18-hole courses are still a single 36-hole project in this analysis. Anything else is an attempt to piecemeal the projects in violation of CEQA.

O3-24

37) Will the course be handicapped accessible?

38) As an intensive recreation development, is the facility required by law to be handicapped accessible? If so how will the parking area, the bathroom, the trails and the entire course comply, if it is to be considered as a publicly funded intensive recreation development?

O3-25

39) Where is the economic analysis of the proposed disc golf courses? Implementation of the proposed project will be expensive enough, but in the long term it will require a significant and as yet undetermined long-term investment of public resources. What will be the cost of this course after construction. If in 10 years, gasoline will be \$6.00+ a gallon (as it is reasonable to assume) what will be the cumulative costs of maintenance and use? This consideration of long-term sustainability alone is a serious economic factor that is totally unaddressed. Where is the economic analysis? Perhaps a course at lower elevation and one accessible by pedestrians and bicyclists in-town would be a better alternative from purely an economic standpoint.

O3-26

40) Where are the proposed alternatives? Friends of Bidwell Park and others have suggested a number of alternative sites situated nearer to downtown Chico that would be accessible to all people of all ages and transportation capabilities, and in the long run would be eminently sustainable in comparison. Why are there no sustainable alternative sites proposed? There is no cost-benefit analysis that measures short-term and long-term expenses relative to location. One argument against locating the site closer to the town of



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Chico and at lower elevation has been the cost of land, but if the true costs are considered over a few decades, an initially more expensive land purchase closer to town will be offset by long-term lower costs of maintenance and lower costs for commute relative to the current bootleg-proposed site. This seems to be a very pragmatic argument in favor of constructing a disc golf course closer to downtown where all people of all age groups can more readily benefit from the sport, in perpetuity. This is a simple cost-benefit-sustainability analysis...where is it?

O3-26  
(Cont)

41) How will 32 cubic yards of concrete (4'x12'x 0.5'x 36 pads) be brought onto the site for construction of the throw-pads? Will the concrete pads need to be rebar-reinforced? Thirty-two yards of concrete (at 4,000lb per yard) amounts to about 128,000 lbs. (64 tons). At about one hundred 60lb dry-sacks required per 1.85 cubic yard of concrete, 1,730 sixty-lb sacks (~60 tons) will be required for transportation. At ~6 gallons of mix water per sack and 1,730 sacks required, there will be 10,380 gallons of mix water needed (86,673 lbs of water). A significant additional amount of water will be needed for cleanup. So, we are led to believe that disc golf volunteers will bring in at least 43+ tons of water and 60 tons of concrete (103+ tons) by hand? Disc golf proponents claim that they will transport and mix by hand...is this realistic? If not done by volunteers and by hand, then by whom and at what cost? There are also temperature minima and maxima for concrete setting (37-90 degrees F), so there is a seasonal window for this as well, which is not specified. Over what period of time will this volunteer construction take place? Are there any cement masons among the disc golf volunteers? Or, again is this another example of wishful thinking?

O3-27

42) When the concrete is brought in by hand, how will it be mixed, where will the mix-water come from, where will waste concrete and wash water be disposed of, and where will the delivery equipment and finishing tools be cleaned? All of these construction related activities have great potential to permanently degrade the ecologically sensitive site. Who will inspect the concrete-finishing for quality control? Will the volunteer-constructed concrete be of the same quality workmanship as the volunteer-constructed benches?

43) Concrete pads are not a good idea for too many reasons. Most importantly, there will be no impetus for users to confine themselves to them and soil impacts in the halo around them will be at least as severe as they are without concrete pads. And, as the site continues to degrade and ancient oak tree "obstacles" die (see comments pertaining to inadequate oak tree protection), the permanent pads will likely be abandoned as players adjust for more "challenging" throw-spots/fairways.

44) These concrete pads, along with the in-perpetuity-applied mulch, ineffective oak tree-trunk cages, and trailside boulder-lines are not realistic mitigation measures; it is wishful thinking. In fact, it is easy to see that these mitigation measures in themselves represent significant aesthetic and ecological impacts with little provable benefit.

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45) The proposed mitigation measures are potentially at least as aesthetically intrusive and ecologically degrading as the unmitigated bootleg-disc golf course-use, only more permanent.

46) These proposed measures convey a false sense of accountability (all of these measures are highly experimental), and as the EIR is written, there are no monitoring requirements, monitoring/reporting schedules, success criteria, nor remedial requirements.

47) This is a very poorly defined project with inadequate/experimental/damaging mitigation, an open end, and no long-term accountability.

48) Will the now-illegal course(s) be closed until construction is complete? If not, then why not?

49) How many benches will be installed? What are the potential impacts (erosion/compaction)? The existing illegally installed benches all have bare soil, broken glass and hundreds of cigarette butts around them, so it seems logical to assume that the new bench areas will have the same impacts. Will these heavily impacted areas require mulch too?

50) The DEIR fails to discuss the direct, indirect and cumulative impacts to the historic Humboldt Road. Including the portions that are impacted from the courses itself (not just the portion being paved over for the parking area).

51) Will there be trash cans installed on the course(s)? If so, how many and where will they be installed? How often will there be trash service to the site and how will this be funded?

52) How often will the toilets be serviced and how will this be funded?

53) Will there be drinking fountains?

54) Doesn't CEQA require complete analysis of alternatives, including previous proposed alternative sites? Since the City is proposing a Disc Golf course in Hooker Oak Recreation Area in Bidwell Park, shouldn't this be analyzed as a project too (or as an alternative)? Won't this be piece-mealing projects if it is not included?

55) What are potential growth inducing impacts (illegal camping, new bootleg extreme mountain biking trails, and illegal modifications such as benches) all which are evident at the site now? Won't this be more of a problem once the course(s) are official and more and more people use the site?

O3-27  
(Cont)

O3-28

O3-29

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56) Will there be local tournaments? If so, how often would they occur? How many people will be using the course then? What are the potential impacts? What additional mitigation will be required?

57) Will there be regional tournaments? If so, how often would they occur? How many people will be using the course then? What are the potential impacts? What additional mitigation will be required?

58) Will there be state tournaments? If so, how often would they occur? How many people will be using the course then? What are the potential impacts? What additional mitigation will be required?

59) Will there be national tournaments? If so, how often would they occur? How many people will be using the course then? What are the potential impacts? What additional mitigation will be required?

60) What are the impacts to wildlife from Disc Golf activity? There is no mention of how the continuous damage to the oak trees affects nesting birds and foraging birds directly, indirectly and cumulatively. Nor is there discussion of how the players may impact wildlife (i.e. noise disturbance).

61) Shouldn't there be a discussion of impacts to species using the cliffs for habitat? Since several holes on the proposed long course are adjacent to cliffs, discs routinely land over the sides requiring golfers to climb down to retrieve them. This has impacts on nesting birds and bats (including special-status species). The DEIR should discuss how the course design avoids, minimizes and mitigates for these impacts.

62) If a golfer falls off a cliff retrieving a disc (as they have in the past), will the City pay for the rescue?

O3-30

O3-31

O3-32

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Re: Comment on Draft Bidwell Park Master Management Plan and Environmental  
Impact Report

### Comments on MMP Appendix C Natural Resources Management Plan

#### Section 3 Vegetation Management

Jeff Mott, land manager for the adjacent Big Chico Creek Ecological Reserve, submitted numerous vegetation management comments during the MMP review process. Even though he's considered to be an expert on local wildland management issues, many of his comments and observations were ignored. We are submitting them again in the hope that this time his very relevant advice will be incorporated into the document so that the document reflects local conditions and knowledge, rather than generic boilerplate. His comments are noted in red text. Some of his comments were incorporated in minor ways in the document but the format in which he provided them is more useful from a land management perspective.

#### 3.1 Oak Woodlands

##### 4/ 3.1.3.2 WILDLAND FIRE

California's oak woodlands have a long history of both "natural" wildfire (e.g. wildfire caused by lightning strikes) and human generated wildfire (e.g. fires set by Native Americans, Spaniards, and ranchers) (Keeley 2001a 2001b 2002, Blackburn and Anderson 1993). Generally, low to moderate intensity ground fires have little to no impact on mature oaks and oak seedlings, most of which are capable of resprouting following a fire (most mature blue and valley oaks do not stump-sprout after a fire, only seedlings and pole-sized trees will sprout), and studies have consistently documented the resiliency of oaks to fires of all intensities (Griffin 1980, Plumb 1980, Tietje et al 2001, Fry 2002, Dagit 2002). In fact, oaks may even benefit from wildfire. Some researchers have suggested that the recruitment of new oak seedlings may increase after a wildfire, possibly because oak seedlings are better able to germinate and grow with the temporary lapse in competition from herbaceous plants (Davis et al 1991, Gordon and Rice 1993, Gordon and Rice, 2000). In spite of the research, Bidwell Park and the surrounding area lost many

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mature blue oaks where the intensity of fire was low to moderate. This is due to an accumulation of fuel at the base of the trees that caused the cambium to burn. Many of the trees did not die until several years after the fire.

While oaks have evolved various adaptation that allow them to cope with and, in some cases, benefit from periodic wildfires, it should be noted that most all oaks, including valley oaks and blue oaks are extremely sensitive to the sort of wind-driven, brush-fueled wildfire that could potentially occur within Bidwell Park. And, even though all oaks are capable of resprouting following wildfires (see resprouting comment above), oaks vary in their tolerance of fire and their resprouting abilities. Valley oaks, relative to other oaks, have the lowest tolerance of wildfire and are the least likely to resprout following a wildfire (mature Valley Oaks, the small ones resprout). Most other oaks found in Bidwell Park are able to survive most wildfires and will resprout from the root crown following a wildfire (Garrison et al 1996).

Section 5 of this document discusses wildfire prevention and the use of fire as a management tool in more detail.

#### 1.1 Meadows

##### 1.1.1 Overview

Meadows in the park make up less than 5% of the overall landscape but they provide important habitat for wildlife and humans. Some of the meadows in the Park are created by springs and seeps that keep them wet during a good part of the summer months. Others meadows exist due to dry, shallow soils, native peoples maintaining open spaces, and intense grazing practiced by the European settlers. The wet meadows and meadows with shallow soils naturally keep brush and trees from encroaching. Wet meadows act as important water retention reservoirs that retain, and slowly release water into the hydrologic system. Compaction of these meadows from grazing, roads, excessive human use, trails, heavy equipment, and vehicles reduces their capacity to hold and retain water. Other meadows created by pre and post settlers, and intense fire, are often home to sensitive plant and animal species.

##### 1.1.2 Management Objectives

- ▶ Protect wet meadows from activities that cause compaction and degradation
- ▶ Protect meadows with archeological significance and selectively remove brush and trees that encroach
- ▶ Involve the public through education and implementation programs.

##### 1.1.3 Management Issues

Bidwell Park incorporates a significant portion of the Big Chico Creek Watershed. As water becomes a limited resource in California, emphasis on water supply will become increasingly critical. Wet meadow maintenance and restoration is emerging as a major supply strategy to meet the water needs of humans and wildlife. We need to preserve this resource, which will require education and outreach to the various park user groups.

Management options for meadows that contain significant archeological resources will need to be discussed with the local Mechoopda tribe and community professionals. Since the natural fire regime has drastically changed in the past 100 years, many meadows are converting to brush

O3-33  
(Cont)

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and trees. Questions will arise whether to maintain these meadows by burning and hand pruning, or allow them to convert to another habitat type.

#### 1.1.4 Guidelines and Recommendations

Inventory meadows in Bidwell Park when funding or volunteer efforts are available

Refrain from building new roads and trails through wet meadows

Eliminate old roads and trails that bisect existing wet meadows where feasible. Restore the natural hydrologic flow in existing meadows where possible

Keep livestock and vehicles from compacting wet meadows

Begin a dialog with the Mechoopda tribe and local experts to protect meadows with archeological significance. Consider establishing a control burn program and/or selectively remove brush and trees that encroach on existing meadows.

Involve the public through education and implementation programs.

#### 5.6 Chaparral and Mixed Hardwoods

##### 5.6.1 Overview

The chaparral and mixed hardwood habitat association contains a broad diversity of plants that can not be characterized by several major dominant species. This habitat is highly variable and changes rapidly as you move short distances across the landscape. The dominant species can be California bay, black oak, interior live oak, buck brush, foothill pine, and a combination of these plus many others. This habitat is important wintering ground for the East Tehama Deer herd and is home to many bird, reptiles, mammals, and other organisms that don't exist anywhere else in Bidwell Park. The most important aspect in managing this habitat is to introduce disturbance so various age classes of plants are maintained. Disturbance can be in the form of fire, or cutting and pruning decadent stands of brush to promote stump sprouting.

##### 5.6.2 Management Objectives

- ▶ Develop a control burn program and include post-burn monitoring to determine long-term impacts to habitat
- ▶ Develop fuel breaks along existing roads by selectively cutting and pruning.
- ▶ Involve the public through education and implementation programs.

##### 5.6.3 Management Issues

Management issues associated with controlled burning are discussed in section 1/5, Fire Management. In general, the public is fairly aware of the benefits of using fire as a management tool. However, creating fuel breaks, hand cutting brush, removing dead plant material to save a mature tree from fire are not practices that have been widely used until recently. Therefore, there may be some resistance from the public unless adequate education and outreach accompany these activities. In addition, it is still viewed by some that if you leave the forest alone, it will take care of itself. Unfortunately, fire suppression activities have modified the forest habitat and we are gradually seeing our forests convert to grassland and brush. Maintenance of the ecosystem is necessary if diversity is to be maintained.

##### 5.6.4 Guidelines and Recommendations

Implement a control burn program. Burn large areas on a rotating basis to encourage variable age classes of plants. Monitor post burn impacts and modify the burn plan based on results.

Create and maintain fuel breaks 100 feet on each side of Ten Mile House Road and Musty Buck Road. Maintain an over story canopy to promote shade and wildlife habitat

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Remove brush and debris from the base mature trees that are deemed ecologically important to increase survival during controlled and uncontrolled fires.

#### 5.7 Riparian and Stream System.

##### 5.7.1 Overview

Big Chico Creek and the riparian areas that flank the creek are home to numerous sensitive species including the spring run Chinook salmon, western pond turtle, foothill yellow legged frog and other plant and animal species. At certain times of the year, human activities along the stream are fairly intense. Swimming in the creek when the spring run salmon are migrating and holding in pools undoubtedly places additional stress on the fish. Basking habitat for turtles is limited when humans occupy the same areas during the summer months. As human use increases along the stream, trash and fecal coliform will degrade water quality.

Another major impact on the riparian and stream system is the invasion of non native plants such as Spanish broom, Himalayan blackberry, vinca, ailanthus, arundo and others. The non-native bullfrog is reducing the native population of yellow-legged frogs in Upper Park and surrounding areas. These invasive species out-compete the native plants and animals for resources and quickly become dominant. The stream depends on native plants to provide nutrients and shade that cools water temperatures for the survival of the salmon, rainbow trout and others.

##### 5.7.2 Management Objectives

- ▶ Develop a recreation program that considers the needs of native plants and animals. Consider limiting swimming in specific areas and critical times for wildlife.
- ▶ Prioritize and control invasives plants and animals
- ▶ Protect mature trees from fire that provide shade to the stream
- ▶ Assess water quality and develop a plan to control pollutants.
- ▶ Involve the public through education and implementation programs.

O3-36

##### 5.7.3 Management Issues

Managing human activity along the stream could be expensive and difficult to enforce. A public education campaign is probably the best avenue to illicit changes in behavior. The Park already has a competent group of volunteers to help eradicate invasive plants and these people should be supported to remove plants and control vegetation around mature trees. The neighboring property to the north (Big Chico Creek Ecological Reserve) will assist with road improvements, bullfrog eradication and Spanish broom removal. They are also available for consultation and assistance on other ecological issues.

##### 5.7.4 Guidelines and Recommendations

Identify the holding areas for spring run salmon and basking areas for pond turtles and consider temporary swimming closures and signage to educate the public

Drain the pond at Ten Mile House Road to control the invasive bullfrog. The pond should be drained every-other year to control tadpole development.

Continue to work with State, federal and local agencies and groups to eliminate migration barriers to the spring run salmon.

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Develop a program that includes volunteers to remove invasive species with an emphasis on Spanish broom, Himalayan blackberry and arundo.

Protect mature trees from fire that provide shade to the stream by removing brush and combustible debris from around the base.

Monitor water quality and consider a program to reduce nutrient load to the riparian and stream from the golf course. Provide bathrooms and trash receptacles to reduce e-coli contamination.

Out slope dirt roads and install rolling dips where feasible to reduce sediment load to the stream. Ten Mile House Road should be the first priority.

O3-36  
(Cont)

#### Section 5 Fire Management

The lack of information about practical, area-specific fire management implementation techniques is one of the greatest disappointments of the Bidwell Park MMP/EIR. This section mostly regurgitated the 1991 Wildfire Management Plan, which, for the most part, was never implemented. The MMP admits that "No fire protection plan for Bidwell Park currently exists." (2.4.6.1) and "The city does not have specialized equipment specifically for wildland fires." (2.4.6.1). In the list of EDAW Plan Preparers (5.2), there is no one listed with expertise in fire management. There's no one from the Butte County Fire Safe Council listed either.

O3-37

Catastrophic fire is one of the greatest threats faced by both Lower and Upper Park. The "should" in "The Park Division should develop a fuels management program." (C.5.5) needs to be replaced by a "shall."

Jeff Mott submitted suggestions and practical advice regarding fire management, which was also ignored. Friends of Bidwell Park requests that his comments be added to the MMP. The BCCER, in just a few years and working with an equally limited budget and staff, has managed to significantly reduce the potential impacts of future wildfires at the BCCER. The City of Chico has done little to reduce potential impacts in Bidwell Park during the same time period.

**APPENDIX C 4/ 5.4.1.2 FUELS MANAGEMENT** Fire is the single greatest external force affecting terrestrial ecosystems in Northern California. Depending on circumstances it can be a force for change (as causing a stand of trees to be replaced by shrubs) or for stability (preventing shrub encroachment into a meadow or reducing fuel load to a level where mature trees are not damaged by subsequent fires.)

O3-38

Fire suppression has been shown to be inadequate and counterproductive since it allows fuel to accumulate. Each year the amount spent on fire-fighting goes up and so does the

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damage done by wild fires. Effective habitat management must assume fire will occur and focus on controlling the effect of that inevitable fire on the ecosystem.

Fire depends on weather and slope, which cannot be controlled, and fuel, which can. While all organic material in an ecosystem could be fuel in a sufficiently hot fire, in most wildland fires only certain components of the available fuel contribute to the fire. Chief among these are small-diameter dead wood not in contact with the ground and thick, waxy or resinous leaves such as those of buck brush, toyon, bay, mazanita, scrub oak, interior-live oak, and needles of conifers. These fuels generate enough quick heat to kill mature trees, which, themselves, are seldom consumed in a wildfire. An equally bad source of fire damage comes from slow-burning ground fuels like duff or dry logs that often accumulate on the uphill side of trees and generate localized heat for long periods after the passing of the fire front.

Even when the fire is hot enough to kill their leaves, many trees will survive, sprouting new limbs and leaves. However, if the base of the trunk is heated enough to kill the cambium layer, the tree will be effectively girdled and will die in a few years if not immediately. When only one side is heated enough to kill the cambium, bark will eventually peel from the killed spot, permitting invasion of fungus and insects that further weaken the tree. If not felled by wind or gravity, the tree will gradually grow new tissues around the wound and seal it off. A second fire coming before the dead wood is covered may burn into that dead wood and enlarge the wound. Repeated assaults will weaken the tree to the point where it eventually falls.

Since the fuel load around the base of a tree will determine the severity of fire damage to the tree, removal of this lethal basal fuel load will increase the chance of a given tree surviving the next fire. Dead wood and waxy-leaved shrubs should not be left within 10 feet of the base and heavy duff such as squirrel-dissected pine cones or rotting logs should not be left within three feet of the trunk. Leaning dead trees that will obviously fall against the base of another tree should also be removed. When working with limited funds, logical triage should be practiced with the amount of effort expended to protect an individual tree based on that tree's relative value (see box) and probability of surviving another fire. Effort should generally be concentrated on trees with little or no basal damage.

**Several factors influence the ecological value of a native tree:**

**Size** -- larger individuals are more valuable because they provide more ecosystem structure and require a longer time for replacement. However, a range of sizes is important to perpetuate the population. Different ages also provide different resources to other species (for example, juvenile oaks provide deer and rabbit browse while adult oaks yield acorns eaten by many species.)

**Scarcity in that area** -- Since nearly all species have other species that depend on them for some aspect of their life cycle, presence of even a few individuals of a large organism like a tree may substantially increase local biodiversity.

**Living spaces** -- damaged or even dead trees may provide cavities for dens or food caches.

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Cluster -- A group of trees provides a different habitat than does a single tree; therefore a group of trees equates to a valuable resource component.

Snags (standing dead trees) are a valuable component of the woodland ecosystem and should be left whenever practical since they provide perches for birds and food for insects such as beetles and termites that, in turn, provide food for other species. Snags are particularly valuable for woodpecker habitat.

#### Fuel breaks

Maintenance of a shaded fuel break may be thought of as shifting dominance from shrubs to trees. In the absence of fire, the various tree species gradually overgrow and outcompete the shrubs, which eventually die. If no fires occur for sufficient time the trees get very large and the shrub layer completely decomposes; subsequent fires can run over the ground killing seedlings without hurting the mature trees. However, if a fire comes through while there is still a mixture of shrubs and trees, the shrub layer will burn with enough heat to kill many of the trees. The shrubs will regenerate from the roots or from seeds and, with the fire-killed trees, soon provide enough fuel to carry another fire that will kill still more trees. Thus, a series of fires spaced a few years apart will create a shrub-dominated system.

To create a fuel break we artificially generate a system that mimics the mature forest. We remove shrubs, surface and ladder fuels, selectively leaving trees that will eventually be large enough to suppress shrub growth.

Fuel breaks don't stop a fire but they create an area of reduced fire intensity, providing a starting line for firefighters or reducing the heat that sweeps into an adjacent habitat.

#### Section 3.5.1 Decision-Making and Management Prescribed Fire Management (page 3-21)

Prescribed burns are obviously not an option in Lower Bidwell Park. The text needs to state that this applies to Middle and Upper Park only. Additional language should be added to develop fuel reduction methods that are appropriate to Lower Park

#### Section 3.5.4.7 Public Safety Goal PS/ES (page 3-40) O.PS/ES-6 See above.

Section 3.5.4.7 Public Safety Implementation  
"A Wildfire response plan *should* be developed..." This is not an optional element of the MMP—a Wildfire response plan *shall* be developed" is more appropriate language.

#### Section 5.1.3 Bidwell Park Fire Environmental Table C.5-1 Potential for Extreme Wildfire Within Bidwell Park

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Considering that this table notes that the potential for extreme wildfire within Lower Bidwell Park is 66% (almost as high as in Upper Park), much more attention should have been paid in the following pages to fuel reduction techniques that are suitable for Lower Park. Most of the focus is on Upper Park. A major fire in Lower Park would have catastrophic effects on not just the park, its vegetation and wildlife, but would also cause a significant economic loss for adjacent property owners, whose property values would likely plummet.

O3-41  
(Cont)

#### **Section 5.4.1.4 Wildfire Presuppression and Suppression**

It's very surprising that the Chico Fire Department made only recommendations that apply to Upper Park. Were they specifically asked to comment regarding the fire dangers of Lower Park? Have they been consulted regarding the creation of a fuels management plan for Lower Park?

#### **Section 5.4.2.3**

The paragraph about fire breaks ignores the "shaded fuel break" techniques which have proven to be more effective and less environmentally damaging. Why was no discussion of shaded fuel breaks included?

O3-42

### **Comments regarding EIR**

#### **E4.3.6 Hazards and Hazardous Materials**

##### **Naturally Occurring Hazards *Wildland Fire* (page E4-108)**

1. Since the 1991 Wildfire Mgt. Plan study indicated that the most serious threat is in Lower Park, why is there so little information in this plan regarding possible solutions to this problem?
2. "...approximately 162 wildfires had occurred in Bidwell Park between 1981 and 1990." Please update information regarding the number of wildfires that have occurred in Bidwell Park. Data that's 17 years old is not useful, especially since park usage and types of activities (e.g. mountain biking, disc golf) have increased significantly and also the park size has increased by 1457 acres since then. Also, please break out fires by location within the park.

O3-43

### **Cumulative Impacts**

#### **IMPACT CUM AES-1 page E4-13**

"Implementation of the BPMMP and associated Park Improvement Projects would not result in significant adverse effects on aesthetic resources. With regards to several aesthetic resources such as scenic vistas and viewsheds, the proposed projects would result in a beneficial impact to the environments."

O3-44

Regarding the proposed disc golf project, Friends of Bidwell Park does not think that replacing wildflower fields with 6" of mulch, smothering tree trunks in protective wraps,

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possibly installing larger shields to protect tree branches, delineating hundreds of feet of trail with tree branches or rocks (perhaps denuding the rest of the site to supply these), installing 36 or more 4'x12' concrete pads, and covering the historic Humboldt Road would provide aesthetic improvements to this site.

O3-44  
(Cont)

**Impact AQ-3b: Long Term Operation Emissions of the Park Improvement Projects  
page E4-31**

"Projects would only result in negligible additional trip generation from recreational users, as the projects are mostly aimed at accommodating existing uses."

O3-45

Please show projected usage of the disc golf site, including possible tournaments. Please explain how a disc golf facility, 4.5 miles from Bruce Rd. with no public transportation available to it, would not have additional vehicle trips to the site as the facility was developed and became more well-known.

**IMPACT BIO CUM-1 page E4-86**

"Bidwell Park provides a large, continuous habitat for many plant and wildlife species. It also functions as a migration corridor for wildlife. These functions will be preserved and enhanced by implementation of the proposed corridor and no cumulative impacts to biological resources are expected to result from project implementation."

O3-46

Please explain why the cumulative impacts arising from anticipated eventual development of Parcels 8 and 9 of the Canyon Oaks subdivision have not been included in this discussion. Earlier developments in Canyon Oaks have curtailed ridgetop wildlife migration, fragmented habitat, reduced the areas available for native plants and animals, introduced new invasive horticultural plant species to the park, impacted the park's viewshed, and created new trails.

Please explain why the cumulative biological impacts arising from the construction of two new bridges in Upper Park, which will provide increased access to the south side of Upper Park, have not been evaluated.

**IMPACT CUM CUL-1 page E4-97**

Please explain why the cumulative impact to Humboldt Road arising from the Oak Valley subdivision has not been included in this EIR.

O3-47

**IMPACT PS CUM-1 page E4-156**

"Implementation of the BPMMP and the four Park Improvement Projects would result in no impacts of fire protection, police protection, schools, Park, or other public facilities and less than significant impacts on the maintenance of public facilities. Thus, the proposed project is not expected to result in cumulative impacts on local or regional public services."

O3-48

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You have not provided any information regarding the last 17 years of fire history in Bidwell Park. How can the potential impact on fire protection be evaluated for the disc golf course site when the fire history of this site is unknown?

Has the Chico Fire Department been consulted regarding the proposed disc golf course plan to use 6" of mulch to reduce soil compaction at that site? Considering the lack of enforcement of the May-Nov Upper Park smoking ban at this site and the thousands of cigarette butts currently littering the barren ground there, the potential for fire seems to be increased with this proposal.

It's disingenuous to state that a project which has the potential to bring hundreds, if not thousands, of new park users to the Disc Golf/Trailhead Area will not create the potential for more wildfire, especially when you consider that many of these new users may be from out of the area and not familiar with the May-Nov smoking ban or the risk of wildfire in the area.

If Chico firefighters are busy fighting a wildfire at the remote Hwy 32 sites, of course, it will have an impact on their ability to simultaneously fight fires in the urban area.

**IMPACT TRAFFIC CUM-1 page E4-165**

"Implementation of the BPMMP and the four Park Improvement Projects will not result in an increase in traffic levels in the Park, adversely affect the local transit system or have an adverse effect on existing parking or in an increased demand for new parking. With regards to increase in circulation hazards at the Disc Golf/Trailhead area, coordination with Caltrans will be required."

You have not provided any past, current or projected future traffic information regarding the disc golf project to support the accuracy of this statement. Will a turnout lane be required on Hwy 32? Has any study been done regarding the prevalence of alcohol consumption at the site such as counting the beer cans & bottles in the site's 2 trash cans over a few months? Park visitors leaving this site pull directly onto a highway that has a 65 MPH speed limit and limited visibility in both directions—there's no margin for error. Have accidents occurred more or less frequently on that section of roadway than other access points?

O3-48  
(Cont)

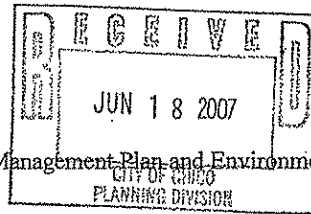
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June 18, 2007

To: Brendan Vieg  
City of Chico  
Planning Services Department  
P.O. Box 3420  
Chico, CA 95927

From: Friends of Bidwell Park (FOBP)  
P.O. Box 3036  
Chico, CA 95927-3036

Re: Comment on Draft Bidwell Park Master Management Plan and Environmental  
Impact Report



## Comments on Historical Resources pages

### Master Management Plan

#### Historic and Current Context of the Park Section 1.1.2 pages 1-2, 1-3 and 1-5

1. According to most historical documents, 1902 acres were donated in 1905, not "approximately 1903" acres.
2. The first sentence of the first paragraph has a grammatical error "...Chico Creek from Expanded to the Southern...". What was the intended meaning? Other sources (Boze, 2004 and Verna Mackey, pers. comm.) state that the second major donation from Annie Bidwell was 301 acres, not 302. Also, the same sentence implies that Children's Playground is considered part of Bidwell Park. Please clarify if it is or not.
3. Please clearly explain in detail why Annie Bidwell's Deed is no longer "legally binding" on page 1-3, (Perhaps include all legal documentation in appendices). Who made this legal determination, and based on what authority, criteria and legal precedence?
4. Is the City still committed to preserving the natural qualities of Bidwell Park for future generations to enjoy and appreciate as requested by Annie Bidwell and as promised by the City of Chico when it accepted her gift? This language was very clear in the current Management Plan for the park, for good reason. Why was this changed for the new Management Plan? Who decided that it should be changed/dropped as an explicitly stated commitment? This is a point of serious contention among many, and dropping this historical commitment opens the door for all sorts of future problems. To Friends of Bidwell Park, this is a serious matter and amounts to a simplistic normalization of previously unacceptable, incompatible and ultimately degrading activities.

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5. The first paragraph on page 1-5 is missing a reference to the acquisition of the Kennedy Tract (24 acres acquired by bequest in 1934, according to J. Boze, not 20 acres in "1930s or 40s" as stated on page 2-91). Other sources, including Chico Planner B. Vieg at a 6/13/07 public meeting, have stated that the TPL purchase was 40 acres, not 38 acres. Please confirm acreage both here and on page 2-91. Also, the Forestry Station acquisition is described here as 29 acres and on page 2-91 as 37 acres.
6. In the second paragraph, the Rod & Gun Club should be added as a park facility. Also, the Bidwell Bowl area (both sides of the creek) which presumably was part of the original 1905 grant and is still managed by the Bidwell Park and Playground Commission and Park Division for improvements, maintenance & reservations should be considered to be part of Bidwell Park, both here and in other sections of the document that list specific park locations.
7. In the third paragraph, "Checker bloom" should be "Checkerbloom"

O3-50  
(Cont)

Historic Content: Section 2.3.3.4, pg 2-90, paragraphs 1-3

Please refer to the list of references at the end of these comments. Information pertaining to these questions can be found in these publicly available sources, FOBP website at [www.friendsofbidwellpark.org](http://www.friendsofbidwellpark.org) (history) and attachments.

1. Why is this section completely void of any historical content pertaining to, and of Bidwell Park? There is no referral to the original Deed (Appendix A), there is no reference to the reason Annie Bidwell donated the Park to the City of Chico, there is no reference to any of the editorials from that very significant event in California's history.
2. What was the relationship between the Bidwell's, their beloved "Vallombrosa" and the citizens of Chico? These relationships formed the context for "The Gift".
3. What was the sentiment and intent of their donation? This donation was an unprecedented event in California history and a great celebration for the citizens of Chico. The Bidwell's donation was also the center of great hoopla recently with Rick Keene, Wally Herger and others celebrating and giving thanks and praise at the 100-year anniversary in 2005.
4. Were there concerns about the quality of the natural setting, potential future land-uses, activities or concerns about government that motivated the Bidwell's donation?
5. What is the history of land-uses before and after the donation?

O3-51

6. Why mention the “Wilkes Expedition” of 1841 but not the Bidwell-Bartleson Party of 1841? It seems more pertinent to the history of Bidwell Park to discuss how John Bidwell came to California, and why.
7. Why are there no description of the location and acreages of the two original Land Grants bought by John Bidwell (Rancho del Arroyo Chico, 26,000 acre land grant acquired in 1849 and 1850, State Historic Landmark #329)? It was two separate purchases.
8. Why is there no mention of Bidwell Park being a valuable remnant of this historical original Land Grant?
9. Why is there no mention of John Bidwell’s and Chico’s prominent role in agricultural innovation, early California and United States government and history? It seems that given the detail paid to the “larger historical California landscape” (e.g., Spaniards and Hudson’s Bay Trappers), equal or better detail could be expected for the actual subjects of study.
10. In paragraph 3, change “Rancho Arroyo Chico” to its correct name, “Rancho del Arroyo Chico” in 2 places.
11. Who were some of the other important historic persons known to visit the park (e.g., Joseph Hooker, William Le Conte, John Muir, William Brewer, Susan B. Anthony (at dedication), Errol Flynn, and likely others)?

O3-51  
(Cont)

Historic Content; Section 2.3.3.4, pg 2-90, paragraph 5  
Humboldt Road

1. Why is there not a more detailed description of this important California historical feature? Although it was conceived and partially funded by John Bidwell, the section built through Bidwell Park was likely built on a major original Native American trail and was likely built by members of the local Mechoopda Indian Tribe.
2. Shouldn’t this section quantify how much of the historic Humboldt Road is actually located within Bidwell Park, where it is, and describe its current condition? How much of it is preserved elsewhere for the public to view? We think that the only other section is along modern Humboldt Road and is threatened by development. What is the context of this smaller park-segment relative to the larger resource and threat?

O3-52



Historic Content: Section 2.3.3.4, pg 2-90, paragraph 6, pg 2-91, 1<sup>st</sup> paragraph  
Big Chico Creek Lumber Flume

1. Shouldn't this section quantify how much of the historic Big Chico Creek Lumber Flume existed in Bidwell Park and where it was located? Are there associated historical sites associated with the construction of this flume through Big Chico Creek Canyon (old camps and dump sites)?

O3-53

Omissions from Historic Content: Section 2.3.3.4, pg 2-90 and 2-91

Experimental Forestry Station, (Historical Landmark #840-2) and former Hooker Oak Tree, (Historical Landmark #313)

O3-54

1. This section fails to discuss the historical content and current condition of two California Historical Landmarks located within Bidwell Park: the Chico Forestry Station and Nursery (established 1888, one of the first two in the nation, Historical Landmark #840-2) and the site of the historical Hooker Oak Tree (Historical Landmark #313).

Historic Water Flume

1. The historic water flume parallels the Lower Trail and Yahi Trail throughout much of its length from Diversion Dam to Horseshoe Lake. Again, shouldn't this section quantify how much of the historic flume is present within Bidwell Park, where it is, and describe its current condition? Describing it as a "diversion dam and ditch" in Section 2.3.3.5 ignores the concrete and rock walls and floor along portions of the flume, the diversion gates, and the numerous rock bridges, many of which have the 1939 construction date embedded in the concrete. There have been significant recent impacts made to this flume with a sledge-hammer as part of unsupervised trail maintenance activities. There is also ongoing wear-and-tear associated with normal trail use and importantly, unauthorized mountain-bikers (the Yahi Trail is closed to mountain-bikers).

O3-55

Corrections to Historic Content, Section 2.3.3.5, page 2-91

1. In first paragraph, correct "Bidwells" to "Bidwell's" (It was owned by only 1 person).
2. The 1905 donation was 1902 acres, not 1092 acres.
3. Please identify the road that's described as the "alternative canyon road." Is it South Park Dr? Upper Park Drive? Please make this additional correction to the next sentence: "North Park Drive was renamed Petersen Memorial Drive in 1951." Also, the inclusion of the diversion dam and "ditch" within this same paragraph doesn't make sense—there's no road associated with the dam and flume.
4. "A small-bore range..." "located just north of the gate in Upper Park"—there are 3 Upper Park gates. To which does this refer?

O3-56

Comments on the Draft Bidwell  
Park Master Management Plan and EIR

4

Friends of Bidwell Park

5. "The addition of 9 more holes occurred in 1954-57." These new holes were on the south side of the creek so presumably a bridge was also constructed at that time.
6. "Live Oak Grove..." implies that this midget-car racing activity still occurs at this site. Permission was rescinded in 1966 (Boze, 2005)

Corrections to Historic Content, Section 2.3.3.5, page 2-92

1. The Forestry Station tract was 29 acres, not 37.
2. "Walnut trees located on the 24 (not 20) acres owned by the Kennedys..." This sentence implies that the Kennedys still owned this acreage in 1953. They didn't. Please correct the sentence.
3. "A dam forming the 4<sup>th</sup> Street..."—Anyone who has visited Lower Bidwell Park knows that the creek and its dam is much closer to Vallombrosa Way than to 4<sup>th</sup> St. It is never described in current park informational brochures as being the 4<sup>th</sup> St. dam. Generally, it is referred to as the One Mile Dam or Sycamore Pool Dam. If historically, it was referred to as the 4<sup>th</sup> St dam, then a sentence should be added to make it clear that you are referring to the current dam.
4. The one sentence that describes the current condition of these historic projects and sites is totally inadequate in the context of currently planned and future park projects that will have possible impacts on these sites. In addition, other post-settlement historic features that should have been included were not. For additional information, please see the "Possible Historic Features" table that we've appended at the end of these comments.
5. What is the history of land-use conflicts-resolution? For example, citizens of Chico pressured the City to prohibit off-road Four-Wheel Drive use. Local Jeep dealers actually used to encourage customers to test-drive the vehicles in Upper Park before purchase (W. Dempsey per. comm.). Why were the Skeet and Outdoor Rifle Ranges, soapbox car races, Horseshoe Lake water skiing, parachute jumping, and midget car tracks activities ended? This is especially pertinent because the Management Plan is supposed to address potential land-use conflicts, of which there is a long historic list. And now, many citizens (hikers, bikers, educators, consultants, scientists) justifiably perceive that the proposed Disc Golf Courses is yet another significant land-use conflict on the historic list. How did the old management plan document this?

O3-56  
(Cont)

## Comments regarding EIR

### Impacts to Cultural Resources; Section E4.3.4

#### Historic Humboldt Road; pages E4-93 to E4-95

1. The EIR discusses unavoidable impacts of 500 to 700 feet of the historic road because it would be covered over by the parking lot for the Disc Golf/Trailhead Plan. It fails to discuss the direct, indirect and cumulative impacts to remaining 1200 to 1400 feet of the road within the project area. The current bootleg short course and proposed short course map clearly shows the fairways crossing over the road in several areas.
2. Shouldn't the EIR discuss the impacts (and foreseeable impacts due to a currently proposed residential development) that would impact a very large section of the road closer to Chico, therefore making the impacts to the road section in Bidwell Park more significant?
3. Why is covering over 500 to 700 feet of the Humboldt Road and placing fairways through the remaining 1200 to 1400 feet considered "not significant" to historical resources?
4. Why is covering over 500 to 700 feet of the Humboldt Road and placing fairways through the remaining 1200 to 1400 feet considered "not significant" with regards to aesthetics? This is a very clearly defined area of the historic road in a very scenic area. To FOBP, the aesthetic impacts would be very significant.

O3-57

#### Omissions from Impacts to Cultural Resources; Section E4.3.4 Historic Water Flume

Since this historic water flume parallels the Lower Trail and Yahi Trail throughout much of its length from Diversion Dam to Horseshoe Lake, it seems that the potential for impacts should be discussed. Because it is associated with trails, portions of this historical resource have been damaged from volunteers working for the City to "improve drainage" and from wear and tear from hikers, equestrians and mountain bikers. We see no mention in the EIR of how the trail plan addresses this historic resource and how the plan avoids or minimizes these impacts. Trails Plan; page E4-93.

O3-58

#### Other Trail Plan Impacts

Also, since, as is stated in paragraph 1, a systematic cultural inventory has not been made of the park, it's equally likely that the construction of new trails or realignment of existing trails would negatively impact cultural resources as the closures would "result in beneficial effects on historic and archaeological resources."

Omissions from Impacts to Cultural Resources: Section E4.3.4  
Experimental Forestry Station

Since the Experimental Forestry Station Historic Landmark features could potentially be impacted by the Cedar Grove plan, it should be discussed in this section. There is no mention in the EIR of how the Cedar Grove Plan addresses this historic resource and how the plan avoids or minimizes these impacts. At the very least, an assessment should be made of the historic Experimental Forestry Station plantings to determine their current condition and whether they would be impacted by the project.

O3-58  
(Cont)

**Possible Historic Features in Bidwell Park**

(These features may not necessarily require preservation, but FOBP believes that public discussions should take place before any of them are altered or removed.)

| Site Name   | Estimated Construction Date | History/Condition                                     |
|---|-----------------------------|---|
| <b>Park Acquisitions/Losses</b>                                 |                             |   |
| Original gift of 1902 acres from Annie Bidwell                  | 1905                        | From Warner Ave. to east end of park                  |
| Additional gift of 301 acres from Annie Bidwell                 | 1911                        | Northeast corner of the park                          |
| Forestry Station 29-acre purchase from University of Calif.     | 1922                        | Area by Cedar Grove & Chico Creek Nature Center       |
| Kennedy Tract 24-acre bequest                                   | 1934                        | Site of walnut orchard, now reverting to oak woodland |
| 40-acre purchase from TPL (who acquired it from BLM)            | 1993                        | Site of unofficial disc golf courses                  |
| 1417-acre purchase on south side from E. Simmons & D. Drake     | 1995                        |   |
| CSU, Chico acquires park land between Warner & Arcadian Avenues | 1955                        |   |
| <b>West of Lower Park</b>                                       |                             |   |
| Bidwell Bowl  | 1938                        | Built by WPA, still in use                            |
| Annie's Glen  | 1950s                       | Created when Pine St. Bridge was built                |
| Camellia Way Park   | 1958                        | Still in use  |
| <b>Lower Park</b>   |                             |   |
| Entrance gates at E. 4 <sup>th</sup> St                         | 1934, Monday pm Bridge      | Still in use  |

O3-59

Comments on the Draft Bidwell  
Park Master Management Plan and EIR

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Friends of Bidwell Park

|   |  |  |
|---|--|--|
| and Cypress, including pillars & lights                       | Club   |  |
| Horseshoe pits  |  | Still in use   |
| Entrance gates at Vallombrosa Way, including pillars & lights |  | Still in use   |
| Sycamore Pool Dam   | 1921   | Still in use, has been replaced several times  |
| Sycamore Pool bridge  |  | Still in use   |
| Sycamore Pool fish ladder                                     | 1957   | Still in use   |
| Sycamore Pool   | 1921-1925  | Still in use, needs \$2M in repairs  |
| Campfire Council Ring   | 1954   | Still in use, needs repairs to mosaics   |
| Caper Acres   | Proposed in 1958 by Chico Women's Club, built 1970 | Still in use   |
| Sycamore ball fields  | 1930s, 1940s                                       | Still in use   |
| Bear's Lair by CCNC   |  | Former site of Bidwell Park Zoo  |
| Barn at Chico Creek Nature Center                             |  | Burned down Oct 2006   |
| Chico Creek Nature Center                                     | 1980, site in use as park headquarters since 1921  |  |
| Cork oak trees  | 1904   | Cork harvested several times in the 1940s, still growing                                       |
| Old homestead site  |  | Horticultural plantings still visible  |
| Scout island  |  |  |
| Cedar Grove group picnic area                                 | 1954   | Still in use   |
| Flume south of South Park Dr. (looks like dirt mound)         |  | Still exists between Centennial and Hwy 99   |
| Deer pen  | 1951   | No deer remaining, but still fenced area   |
| Large fig tree in deer pen                                    |  |  |
| World of Trees  | ~1900?   | Many specimen trees have died, cypress grove has oak root fungus, one of EIR's project areas * |
| Experimental Forestry Station                                 | 1888   | Historic Landmark #840-2 *   |
|   |  |  |
| <b>Middle Park</b>  |  |  |
| Hooker Oak tree   | ~1750  | Trees fell down in 1977  |

O3-59  
(Cont)

|   |   |  |
|---|---|--|
| Hooker Oak ball fields                                      | 1950s   | Still in use   |
| Five Mile dam & bridge                                      | First dam constructed in 1859 by J. Bidwell, current dam built 1942-45 (Boze, 2004) or 1960's (draft EIR) | Still in use   |
| Five Mile swimming area                                     | 1920s or earlier  | Still in use, but not an official swimming area now  |
| Five Mile changing facilities                               | First constructed in 1887 by J. Bidwell, replaced in 1922, replaced again in 19xx                         |  |
| Sycamore Bypass   | 1962  | Still in use   |
| Bridge at golf course                                       | 1953? When golf course was expanded to olive orchard on south side?                                       | Old bridge washed away in 1971, was replaced   |
| Bidwell Park Golf Course                                    | 1920s   | Major expansion in 1989  |
| Summer camp at Hooker Oak Park (now called Camp Chi-da-ca)  | 1951  | Still in use   |
| Horse Arena   | After 1953  | Still in use   |
| Hooker Oak park baseball fields                             | 1950  |  |
|   |   |  |
| <b>Upper Park (south side)</b>                              |   |  |
| 12-15' high (?) rock retaining wall across from golf course |   | Still in good condition  |
| Pistol range  | 1954  | Removed in 2005  |
| Olive orchard   |   | Still there, although part of orchard was removed for golf course expansion                |
| Sheep camp  |   | Rock sheep pen still visible   |
| Homestead near Bear Hole                                    |   | John Copeland recalls visiting the buildings with his brothers during the 1920's           |
| Wooden flume for transporting logs                          |   | Dismantled in 1xxx   |
| Possible flumekeeper's cabin site                           |   | Hasn't been located yet  |
| Humboldt Road in BLM acquisition                            | 1864  | Visible wagon tracks, proposed disc golf course parking lot would cover 500-700 ft of road |
| Ten Mile House Road   |   | Still there, has had major repairs over the years  |

O3-59  
(Cont)

|   |                                     |  |
|---|-------------------------------------|--|
| Cabin site at bottom of road  |                                     | Cabin torn down in 200x  |
| Man-made pond by cabin site   |                                     | Still there  |
| Fig & persimmon trees at cabin site   |                                     | Still there  |
| Old sheds and equipment near cabin site                                     |                                     | Still there—have condition and contents been inventoried?  |
| <b>Upper Park (north side)</b>  |                                     |  |
| Upper Park Road   | ~1911                               |  |
| Easter Cross  | ~1951                               | Replaced several times   |
| Soap box derby run  | 1958                                | Sections of asphalt still visible on hillside  |
| Rocks with grinding holes   | Pre-historic                        | North Rim trail near Blue Oak Trail  |
| Horseshoe Lake  | 1930s                               | Still in use, one of EIR's project areas   |
| Rod & Gun Club  | 1954                                | Still in use   |
| Rifle range   | 1926                                | Removed in 2005  |
| 2 concrete bunkers  | 1931 for the one that's still there | One removed in 2005  |
| Flume-Diversion Dam, flume walls, floor, rock bridges on north side of road | 1930s-1939 date on several bridges  | Built by WPA workers; Dam intact, most flume walls intact but in some disrepair, rock bridges intact |
| Flume-terra cotta pipe, standpipe by rifle range from another water flume   | 1957                                | Still visible  |
| PG&E cable across BCC upstream of Day Camp                                  |                                     | Concrete piers remaining   |
| Archery range   | 1946                                |  |
| Stone barbeque near former archery range                                    |                                     | Still visible  |
| Fish ladder by Salmon Hole  | 1958                                | Not totally functional, major upgrade planned  |
| Sandstone wall graffiti   | Pre-historic?                       |  |

**References should include**

Boze, M. Jeanne. 2004. Bidwell Park The Beginnings  
 Boze, M. Jeanne. 2005 Bidwell Park 2005 Centennial Timeline (attached)  
 Gillis M.J. and MF. Magliari. 2003. John Bidwell and California-The Life and Writings of a Pioneer. 1841-1900.  
 Moon, D. 2003 Chico- Life and Times of a City of Fortune  
 Mackay, Verda Chico History Minutes for KCHO, Northstate Public Broadcasting

O3-59  
(Cont)

O3-60

## Excerpt from the Chico Record

Tuesday, July 18, 1905

The lead story pertaining to the public meeting in which the City thanked Mrs. Bidwell for the gift to the City of the Park. The principal speaker, Jo D. Sproul, accepted the gift on the part of the City and closed his acceptance speech with the following language:

And now you say to us, that none shall take it from us; that when your temporal control shall cease, we and all the countless hosts that shall come after us, shall retain therein dominion and control forever; that this one spot shall be preserved to nature inviolate and through all time.

In love of you, in love and memory of him, we take this sacred trust to have and to hold inviolate so long as time may run.

Mrs. Bidwell responded as follows:

You need no assurance from me that your expression of appreciation of the gift just presented to you is appreciated. From the first years of my residence on Rancho Chico, a sadness has at times oppressed me as the thought has been borne on me that some day the beautiful, beloved, Chico Creek would be destroyed by the diversion of its waters and the slaughter of its trees. More recently my prayer has been that these fears be laid aside, and God who made the Creek and blest us with its custody be trusted to preserve when my power to do so shall have ceased; then it was given me to see a way by which it might be saved.

As much as you love Vallombrosa, Mazy Way, Wild Way, the Canyon and the Creek, the bonny birds, wild flowers and ferns, you can never appreciate or love them as we have loved and appreciated them. When Mr. Sproul had departed, after leaving with me the completed deed, and I looked upon my signature by which this property had been saved from destruction, and for the joy of the present and future generations, a sudden overpowering sense of what that name had been able to do excited in me a tender love for it, and sinking on my knees before it, I pressed my cheek upon it and thanked God that he had invested in that simple name, such blessed power

A panorama of the past moved before me, followed by one of the future when little children, young men and maidens, men and women of all ages; the sad, the discouraged, the happy, should enjoy this garden of God, because He had bestowed upon me the power and wisdom to preserve it.

It has not caused me a tear of heartache in the giving of it, but many a tear and sleepless night and heartaching night to breaking, have I given, dear friends, and the best years of my life, in efforts for the betterment and happiness of this community, for the protection of your homes, in God's sight at least, far more precious than the gift of this park precious as it is, and of which I believe you will prove yourselves worthy, teaching your children; also, to hold it in sacred trust. It is of sufficient value to you, to influence your choice of city officials, for if unworthy men be elected it will become a thorn and a torment.

I charge you, men and women, boys and girls, that you be faithful to this trust, remembering that God holds us accountable in the manner for which we use His gifts. I have chosen to secure this

O3-60  
(Cont)



park to you during my life rather than by will, knowing how often wills are broken. I have also thus voluntarily put it out of my power to sell it should financial stress come upon me or age weaken my sense of its sacredness or of the blessing it may be for all time.

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O3-60  
(Cont)

## **Bidwell Park Offer Accepted By Chico**

This is a quote from the Chico Daily Record, Thursday, July 20, 1905, from the resolution passed by the Board of Trustees of the City of Chico, accepting the Bidwell Park from Mrs. Bidwell.

"Resolved, that it is the sense of this Board of Trustees of the City of Chico, that the people of Chico owe a debt of appreciation and gratitude to Mrs. Annie E. K. Bidwell and her late husband, John Bidwell, greater than it is possible for us to express; that, on behalf of all the people of Chico, we hereby in adjourned regular session assembled, extend to Mrs. Annie E. K. Bidwell the deepest and sincerest appreciation and gratitude of all the people of Chico for her magnificent gift. Aid we hereby pledge to her the lasting loyalty and love of all the people of our City, and be it further

Resolved, that in accepting this great gift from Mrs. Annie E. K. Bidwell, we feel that it is given as a token from herself and late husband, John Bidwell, as expressed in her conveyance of the same, of their love and affection, and that that grand work of God may be preserved to his glory and the happiness and pleasure of the people of said City for all time!; and we recognize the sacred and binding obligation resting upon us and our successors in office for all time to sacredly observe the conditions and restrictions of the grant-- made as they were for the protection, preservation and perpetuation in all its beauty of this grand gift to our city. And we hereby pledge to our noble benefactress our sacred regard for her wishes and the firm resolve that they will be fulfilled."

O3-60  
(Cont)

## Chico Daily Record Editorial

Saturday, July 1, 1905

With but one thought uppermost in her mind, that of preserving for the benefit and enjoyment of the people of Chico and whoever also may come here, the most beautiful natural scenery of Bidwell Rancho, Mrs. Annie E. K. Bidwell will within a few days deed 1900 acres of land to this City for a public park. The full meaning of that gift is not measured in acres or units of value nor has Mrs. Bidwell, in determining how much of her estate should be given to this cause, considered the value of the land involved.

The land embodied in this proposed property has been a part of the Bidwell estate since the early days, is a part of the original grant, and some of it is as fertile as the valley of the Nile. The sentiment that prompted General and Mrs. Bidwell to preserve the natural beauty of this immense tract along Chico Creek; to spend thousands of dollars in the protection of the young oaks and vines and the building of roadways and pathways over the hundreds of acres, which others would have cleared and farmed for profit, is the same sentiment that prompts Mrs. Bidwell to welcome the time when she can execute a deed to this property to the City of Chico and feel assured that this beautiful hand work of nature will be preserved for the enjoyment and betterment of humanity,

In offering this magnificent park to Chico no selfish condition has been suggested nor any restriction named that should not properly be enforced by any city maintaining such a park....

Mrs. Bidwell's one idea, to preserve this beautiful natural park for the benefit it will work to humanity, believing that such grand scenery embodying as it does valley and mountains, creek and canyon, trees and vines, cannot but tend to make people more appreciative of nature and therefore better men and women. Given in such a spirit of unselfishness, even a gift of such immense value is not to be prized for its intrinsic worth, but for its beauty and the grand spirit in which given.

O3-60  
(Cont)

EXCERPTS FROM BOOK ENTITLED, "JOHN BIDWELL, PRINCE OF CALIFORNIA  
PIONEERS" By: Rockwell D. Hunt Printed 1942

Chapter: Rancho del Arroyo Chico Pages 237-250

In the spring of 1843 the present site of Chico was discovered by William Dickey and Edward A. Farwell. They named Chico Creek. The area was 5 sq. Spanish Leagues on each side of the creek. Farwell chose the land on the South side, while Dickey took the Leagues on the North. Land grants were given to American settlers who took the oath of Mexican citizenship from then Mexican Governor General Micheltorena who was located in Monterey, California.

1848 and 1849

Dickey mined with John Bidwell on Feather River. Dickey's land was purchased by George McKinstry, Jr. On July 6, 1849 deed was given by McKinstry to Bidwell conveying 1/2 of the total 5 Leagues. Bidwell paid \$1,785. On December 7, 1850 George McKinstry, Jr. conveyed his 1/2 interest to Justus McKinstry. On February 25, 1851 Justus McKinstry conveyed the same interest to John Bidwell for \$9,000.

On May 31, 1852 William Dickey conveyed to John Bidwell a deed quitclaiming his 5 sq. Spanish Leagues known as Rancho del Arroyo Chico. It consisted of more than 22,000 acres. Subsequent purchases brought total to almost 26,000 acres.

O3-60  
(Cont)

VERDA MACKAY  
853 Colt Tower  
Way Chico, CA  
95928

566-9705

COPY FOR KCHO NORTHSTATE PUBLIC RADIO A  
MINUTE OF CHICO HISTORY by VERDA MACKAY

This is Verda Mackay with a minute of Chico history.....

In 1841, when he was twenty-one, Chico city founder John Bidwell joined the first group of American settlers to travel overland to California. The 69 emigrants were known as the Bidwell-Bartleson Party. Although they were ready to leave the rendezvous in Missouri that May, no one knew where to go, not even the trail captain. For six months they trekked from Western Missouri over the Sierra-Nevada mountain range, and arrived in the San Joaquin Valley on November 4, 1841.

Bidwell wrote in his journal, "When you travel all day without water and food, you are hungry, and perhaps have to go half a mile for something to make a fire with. And when we could not find anything else, we had to pick up buffalo chips. If there is anything bad in a man's character, he will show it then. They used to say, that even a preacher could not cross the plains without swearing."

That's a Chico history minute..... I'm Verda Mackay.

Reference: California Territorial Quarterly No. 53 - spring 2003  
"First Emigrants on the California Trail" by Michael J. Gillis &  
Michael F. Magliari

\*Note: "The weary members of the Bidwell-Bartleson party stumbled their way at last into the San Joaquin Valley. Five days later, On November 4, they reached John Marsh's rancho, located fifteen miles inland from San Francisco Bay at the foot of Mt. Diablo.

Despite the name "Bidwell-Bartleson party," neither Bidwell nor Bartleson was ever really in charge of the pioneering expedition. Bartleson was an unpredictable character who could not be trusted and who rapidly lost the confidence of the group. For his part, the 22-year-old Bidwell was too young and inexperienced to be the party's leader. It was Benjamin Kelsey who emerged as the acknowledged, though unofficial, leader of the emigrants, thanks to his pathfinding skills.

O3-60  
(Cont)

INFORMATION FROM "BUTTE REMEMBERS" - 1973  
Published by: Butte County Branch, The national League of American  
Pen Women Page 9

THE HUMBOLDT ROAD  
Helen Sommer Gage

(I used the above for reference in writing a Chico History Minute for KCHO, Northstate Public  
Broadcasting 3/28/06)

This is Verda Mackay with a minute of Chico history.....

The Idaho mining boom in 1862 was the reason for a 94 mile road to be built from Chico to  
Susanville, and connect to a road to Boise. Big profits were made by towns along the way from  
miners and freight wagons using the road.

John Bidwell and three other Chico men obtained a franchise to build a toll road from  
Chico to Honey Lake, beyond Susanville. The company was incorporated in 1864 as the Chico and  
Humboldt Wagon Road Company.

By 1865, Humboldt Road was the most traveled and best route. The first stagecoach of a  
new company left Chico and arrived in Ruby City, Idaho in three days. Earlier stages took seven  
days to make the journey.

Newspapers heralded the event, "The first mail and express on the new schedule brought  
ripe apricots from Chico. We hope the next stage brings ripe peaches!"

That's a Chico history minute..... I'm Verda Mackay.

O3-60  
(Cont)

6/26/2007

To: Brendan Vieg  
City of Chico  
Planning Services Department  
P.O. Box 3420  
Chico, CA 95927

From: Friends of Bidwell Park (FOBP)  
P.O. Box 3036  
Chico, CA 95927-3036

Re: Comment on Draft Bidwell Park Master Management Plan and Environmental  
Impact Report

**Editing comments and questions**

**Master Management Plan**

**Table of Contents ii 2.3.1**

The Equestrian Center building should be included in this list of facilities.

**1 Introduction page 1-2-Paragraph 4**

The Rod & Gun Club is missing from this list. The Chico Equestrian Center is variously called horse arena, Chico Equestrian Association Arena, Equestrian Center and other similar names throughout this document. Naming for this facility should be standardized. It consists of a large riding arena, a small training arena and a building.

**1.2 Master Management Plan Update Paragraph 4**-In other places in the text of both documents, the BLM land is described as 40 acres not 38 (technically the land was purchased from Planning and Conservation League, which purchased land from BLM). Please be consistent.

O3-61

**2 Existing Conditions Exhibit 2.1.1**-Should identify location of Camellia Way Park. Deer pen label should be closer to the actual deer pen location.

**2.2.1 City of Chico General Plan & Zoning**

"...nearly the entire is identified as an (RCA)." Please provide a map that shows specifically which parts of the park are RCAs and which are not. For those areas that are not RCA, indicate their designations.

**2.3.3 Cultural Resources**

Please explain why the entire park has not been surveyed for cultural resources.

**2.3.6 Recreational Resources 2.3.6.2 Trails**

Does the 80 miles of trails include only official trails or also unofficial trails and trails that are not shown on any of the MMP maps, such as the creekside trails in Lower Park

Comments on the Draft Bidwell  
Park Master Management Plan and EIR

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Friends of Bidwell Park

6/26/2007

the north rim fenceline trail, the small trails in the Cedar Grove area and the trails through the disc golf course area? How was this trail distance calculated?

#### **2.4.1 Buildings**

Please make sure that the list of buildings, mentioned in many places in this document, contains the same buildings and follows the same naming convention, e.g. visitor/nature center in 2.4.1 versus 2.4.1.1 Chico Creek Nature Center.

#### **2.4.1.3 Kiwanis Community Observatory**

Construction of the outdoor seating area has been completed. Please note this and include construction date.

#### **2.4.2.6 Disc Golf (unofficial)**

Please provide written documentation regarding your statement that "Disc golf has occurred on the 40 (or is it 38 acres?-be consistent!) acres of ..." Is there anything in the City Council or BPPC minutes or staff reports at the time the land was purchased to document this use? What other uses were taking place on this property at that time and at what intensity of use?

#### **Exhibit 2.4.3-1b**

There is also a parking lot at the Equestrian Center

#### **Table 2.4.4.2-1 Middle Park Parking Capacity**

The Equestrian Center parking lot has been left out of this table.

#### **2.4.4.3 Access to Upper Park**

There's an additional access point for Upper Park that's frequently used by hikers and bikers who do a car shuttle, namely the small parking lot where Centennial Ave becomes Chico Canyon Road.

#### **2.4.4.4 Access off SR 32—Ten Mile House Road**

The correct name of the property owner to the north is CSU, Chico Research Foundation.

#### **2.5.2 Maintenance Staff**

Please update the maintenance staff and Rangers numbers to current levels. Please add the volunteer coordinator position.

#### **2.7 Planning Influences Park Interest Groups (page 2-117, 2-118)**

The local organization is Altacal Audubon Society, not Audubon Society. Big Chico Creek Ecological Reserve is listed twice. It's California Native Plant Society, not Plants and Kiwanis Chico Community Observatory (according to their web site). Ensemble Theatre of Chico and Shakespeare in the Park are the same organization (and, by the way, they're no longer using Bidwell Park). Chico Mountain Bikers should be added (they both ride and provide trail maintenance in the park). It's Sierra Club Yahi Group.

Comments on the Draft Bidwell  
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2

Friends of Bidwell Park

O3-61  
(Cont)



6/26/2007

**3.5.3.2 Biological Resources (page 3-17)**

Implementation Strategies and Guidelines 1.NC-1 If "High priority shall be given to protecting sensitive habitats such as vernal pools, wet meadows, ..." then why aren't weren't these areas mapped as part of the MMP/EIR? If "high priority" allows the destruction of 4 vernal pools in the disc golf project, then it's a meaningless term.

**Plants Objectives: O.P-3 (page 3-17)**

"Protect shallow Park soils from incompatible recreation activities, especially where the soils support sensitive plant populations." The disc golf area has both shallow soils and sensitive plant populations. Does this objective only apply to other parts of Bidwell Park?

**3.5.3.6 Recreational Resources Goal RecR-2 (page 3-27) Non-intensive Uses**

"For the purposes of the BPMMP, non-intensive uses are defined as uses that generally do not result in substantial disturbance or removal of natural (e.g., plants, wildlife, soils, hydrology), cultural, visual, aesthetic or other resources individually or cumulatively. Examples of non-intensive uses include trails in most areas, well-designed trails in sensitive areas, swimming in natural creek settings, nature observation, and limited amounts of off-trail foot traffic in non-sensitive areas."

Please explain how an activity like disc golf is non-intensive, especially since it doesn't meet any of these criteria.

**3.5.4.5 Circulation and Access Points Implementation Strategies and Guidelines LAP-4 (page 3.37)**

"Annie's Glen should be connected..." This project has been approved by the City Council, is in the 08/09 city budget, and has identified funding sources. What more that this does it take to get a "shall" not a "should" designation?

**Appendix E Trails Plan (page 1)**

Please correct acreage information in first paragraph. Bidwell Park is not the largest park per capita. See [http://www.tpl.org/content\\_documents/ccpe\\_100LargestCityParks.pdf](http://www.tpl.org/content_documents/ccpe_100LargestCityParks.pdf).

**EIR**

**Steep Slopes (page E4-109)**

"both official and unmitigated" Shouldn't this be "official and unofficial"?

**Former Military Practice Range (page E4-109)**

In the last paragraph, it's called Easter Cross, not Easter Day cross.

O3-61  
(Cont)

O3-1 The commenters note that the documents would have benefited from a thorough edit.

***Response:***

The comment is noted for the City's consideration. The documents will undergo further editing prior to finalization. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

O3-2 The commenters note that a description of the Cedar Grove project area needs to be added and that the project plan is too vague to be evaluated in the context of an EIR. The commenters detail areas that the plan failed to address (historic features, resident deer population, experimental forestry station tree plantings, invasive plants, and cumulative impacts of road reconstruction).

***Response:***

The following language will be added to the conceptual drawing and description of the Cedar Grove Area Concept Plan in Appendix G of the BPMMP and Section E.3.2.3 of the DEIR. The addition does not change the conclusions of the EIR.

The planning area for the Cedar Grove Area Concept Plan is bordered by a connector path between the Tree Walk, the adjacent residential area and the paved path on the south side of Big Chico Creek to the west, the paved path on the south side of Big Chico Creek to the north, Cedar Way to the east, and East 8th street to the south. Proposed improvements are confined to the parking areas and the Grove.

Regarding the elements the commenters would like to see addressed in the DEIR, please refer to the following specific responses.

Historic features: As stated on page E3-10 of the project description in the DEIR, the Cedar Grove Area Concept Plan includes rehabilitation, enhancement, and renovation of existing facilities at the site and improvements to parking, circulation, signage, lighting, and facilities such as restrooms. All of these improvements will take place in areas that are either already improved or are unimproved but heavily used at this time. Implementation of the project will not affect historic structures at the site that are previously unaffected, because only improvements to existing structures such as bathrooms are planned.

Resident deer population: The resident deer population would not be adversely affected by the proposed improvements. Low barrier fencing would be installed to direct traffic and keep people on paths. Temporary impacts from construction would be expected to be minor, as the overall area of construction is small. Equipment used during construction would be similar to that currently employed during use and maintenance of the site. No resident deer are expected to be displaced as a result of the proposed improvement.

Invasive plants/experimental forestry stations tree plantings: The proposed Cedar Grove Area Concept Plan does not include any project components that would result in adverse effects to the forestry station tree planting present at the site. While invasive weeds grow in the area, the effects of these weeds on adjacent properties and the cumulative impacts of the East 8<sup>th</sup> Street construction cited

by the commenter are not subject to analysis in this DEIR. Any construction/improvements to the site that would result from implementation of the Cedar Grove Area Concept Plan would be implemented in accordance with the City's BMP Manual. With regards to addressing problems related to invasive weeds that pertain to the Park in general, the BPMMP includes an entire section on invasive plants (Page 3-18, Volume 1), and the NRMP (Appendix C, Section 4 – Invasive Plant Management) contains further detail.

Cumulative impacts from construction: As mentioned above regarding the resident deer population, implementation of the Cedar Grove Area Concept Plan is not expected to result in a loss of habitat. Regarding the East 8th Street road reconstruction, this project is currently under construction and the expected completion date is 2008. Any noise and/or construction-related impacts on deer or other wildlife would, therefore, not be occurring at the same time as those associated with implementation of the concept plans.

- O3-3 The commenters note several typographic and consistency errors in Sections 2, 3, and Appendix G of the master management plan. The commenters suggest changes to make.

**Response:**

The specific requested edits and changes are addressed below. None of the revisions would alter the conclusions of the DEIR.

Changes on page 2-92: These two editorial changes have been incorporated into the BPMMP. Please note that they do not refer to Section 2.2.2.5 as stated in the comment letter, but to Section 2.3.3.5, "Bidwell Park History." No additional information about the zoo is available at this time.

Parking in Lower Park: This edit has been incorporated.

Exhibit 2.4.3-1a, edits to parking signs: This exhibit has been updated to reflect some changes. Please note that there are two parking lots on the north side of Sycamore Pool. The purpose of the exhibit showing the location of parking lots was to provide information where parking is generally available, not for the purpose of quantitative analysis of parking capacity.

Table 2.4.4.1-1: Lower Park parking capacity

Edit regarding change of parking lot location has been incorporated

Table 2.4.4.3-1: Edits to the table have been incorporated and the preceding paragraph has been edited.

Table 2.4.5.3-1 Trash Receptacles: The table has been edited.

Section 3.6.1 Cedar Grove objectives, implementation strategies, and guidelines on pages 3-46 and 3-47: Boundary comment - please refer to response to comment O3-2 above.

I.CG.2 wording: This implementation strategy (as well as all other elements of the BPMMP) was included and is worded this way as a result of many months of work with the Citizen Advisory Committee (CAC), review of the existing 1990 BPMMP, and extensive editing by the Bidwell Park and Playground Commission (BPPC). Changes to the specific language of the implementation strategies and guidelines will be made based on the direction of the BPPC and subsequently the City Council.

Explanation of "efficiently": The word "efficiently" is used in the sense of "comprehensively."

ICG.1. Relationship to the Cedar Grove Area Concept Plan: This implementation strategy is part of the BPMMP, which is the policy document that will guide the management of Bidwell Park, as well as the management of specific areas within the Park such as Cedar Grove. While some of the bulleted items in this implementation strategy may be addressed by specific elements in the proposed concept plan, the majority of these bulleted points address management issues related to ongoing Park maintenance that need to be addressed regardless of whether and when the specific elements of the Cedar Grove Area Concept Plan will be implemented. The reason the implementation guideline states that it shall be considered when implementing the concept plan is to ensure that ongoing maintenance is compatible with concept plan implementation.

Appendix G Cedar Grove Area Concept Plan: Please refer to the response to I.CG above for the relationship between the concept plan and the implementation strategy. Appendix G is a Concept Plan and thus does not address impacts on any resource-impacts resulting from the proposed project (i.e., implementation of the proposed project) are addressed in the DEIR.

Use patterns: The commenters state that the proposed striping of standard parking spaces does not work for the numerous delivery truck drivers, landscapers with large trucks and equipment trailers who stop to eat lunch in the shaded lot, RV's, 12-passenger vans and other types of vehicles that do not fit into standard parking lots.

**Response:**

These vehicles would be expected to use the parking lot the same way they use it now, which includes occupying more than one standard spot.

Regarding complaints from neighbors and damage to turf and irrigation from delivery trucks, these are effects of ongoing use of the site and are not tied to the implementation of the concept plan. Concerns related to specific events are a consideration of the Bidwell Park and Playground Commission when they review applications and provide approval for these events.

Missing information: Please refer to Section E3.2.3 regarding specific improvements planned as part of the Cedar Grove concept plan. This description also states that the purpose of the concept plan is to provide infrastructure for the area to accommodate the existing events and functions taking place in the Cedar Grove area. "Attracting" other events, as stated in the commenter's concerns, is specifically not part of the project's purpose.

Concept plan map: The map has been updated.

O3-4 The commenters note points of needed clarification and typographic errors in Sections E3 and E4 of the DEIR. The commenters suggest changes to make.

**Response:**

The specific requested edits and changes are addressed below. None of the changes alter the conclusions of the EIR.

Correct Cedar Way to Cedar Grove Way: Cedar Way is the correct name. The commenter stated that same name in its requests for edits to page 2-100.

Size of parking lot: The parking lot would be expanded when compared to current conditions. The new size would be approximately 25,000 square feet.

Parking lot efficiency/parking for oversized vehicles: Please refer to the answer to O3-3 “use patterns” above.

O3-4 Entry kiosk: The following bullet has been added at the end to the project description for the group picnic area in section 3.2.3:

- Establishment of an entry plaza to the group picnic area including an information kiosk and benches.

Purpose of the meadow trail: The purpose of the meadow trail (as well as all other trails described in the document) is to provide access and direct circulation.

Section E4.3.1 Aesthetics page E4-6: The designation of 8th Street as a local scenic road has been incorporated.

Reduction of unofficial trails to benefit aesthetics: The festival meadow trail at Cedar Grove provides circulation around the meadow. While people currently wander around the meadow, no official trail exists. Thus, directing traffic would be expected to reduce unofficial trails. The provision of small fences (also included in the Cedar Grove Concept Plan) would also help keep people on trails.

Section E4.3.3: Elderberry bushes were not inventoried in support of the concept plan, but the DEIR provides detailed information on how to address potentially significant effects on the species in Mitigation Measure BIO-2b. Furthermore, because the elements of the Cedar Grove Area concept plan would be largely implemented in areas that are already developed, the potential for elderberry shrubs to be present in these areas is extremely low.

Section E4-3.7.4, Status of paving at overflow parking area: The overflow parking lot, like the Cedar Grove area parking lot and the Nature Center parking, is currently unpaved. The text on page E4-123 states, “The Cedar Grove Area Concept Plan calls for the installation of three paved parking lots”; it does not state that the overflow lot is currently paved.

Section E4.3.9.4 Impact Discussion CUM-1, page E4-152: As stated in the project description in Section E3.2.3 and mentioned above in response to O3-3, “The purpose of the improvements is to provide enhanced infrastructure for the area to accommodate the existing events and functions that take place in the Cedar Grove Area ...” The goal is not to “presumably increase the number of outdoor concerts, festivals etc. at the site,” as stated by the commenter. Concerns regarding noise will continue to be handled through the City’s park permit program, which is independent of the BPMMP and Cedar Grove Area Concept Plan.

Section E4.3.12.4 Impact Discussion TRAFFIC-3, page E4-163. The Cedar Grove Area Concept Plan has been developed to accommodate existing events based on existing use during these events and is independent of street parking.

O3-5 The commenters feel the area immediately adjacent to Horseshoe Lake and the observatory would benefit from improvements in invasive plant control, signage and parking capacity and maintained in its natural grassland appearance. The commenter suggests the concept plan, as proposed, presents a “drastic makeover.”

**Response:**

The reasons stated in the commenter’s introductory paragraph are similar to the reasons the City directed its consultants to develop the concept plan. However, as stated in the introductory paragraph of the project description on page E3-9, the direction also included to “formalize the area’s

importance as the primary destination in Middle Park and as the primary access point to Upper Park.” A “drastic makeover” is not proposed.

O3-6

The commenters pose numerous questions regarding the master management plan for the Horseshoe Lake Project. Topics include: Lake water level, Americans with Disabilities Act (ADA) accessibility, maintenance costs, parking lots, revegetation, trails, maps, education, the observatory, and traffic.

**Response:**

The specific questions are addressed by topic below. The responses to the questions do not alter the conclusions of the EIR.

Lake level: No manipulation of water levels in the lake compared to current conditions is proposed. Maps defining the current minimum lake level do not exist, nor would this information be relevant to the DEIR analysis, because no changes are proposed. The concept plan uses the maximum lake level as a baseline.

ADA accessibility: The all-weather perimeter trail would be ADA accessible.

Additional maintenance cost due to improved infrastructure: The level of maintenance is not expected to increase, as the facilities are designed to accommodate existing use. Improving circulation and having additional trash receptacles and benches available could potentially decrease the level of maintenance needed, as off-trail use and littering at the site could be curtailed.

Maintenance funding: Like all other maintenance in the Park, maintenance of the area would be funded through the City’s General Fund as allocated by the City Council.

Expansion of parking lots B and C: Conceptual plans for the expanded parking lot B and C are shown in Exhibit 3.2.2.1. No footprint maps of the existing lots are available, although their approximate current size can be seen by their signature on the aerial photograph underlying the concept plan. Their approximate size can also be understood by their current parking space capacity: B (Easter Cross) = 25 spaces and C (Kiwanis Community Observatory) = 22 spaces. In each case, the proposed expansion would more than double the number of parking provided (58 standard and 4 ADA spaces at Easter Cross/B; 52 standard and 4 ADA spaces at Kiwanis Community Observatory/C); although the footprint expansion is not expected to be more than double, because clear demarcation of single parking spots would make for much more efficient use of the site. The exact location and extent would be determined during final design, at which point a topographic survey would be conducted and site drainage control would also be designed. In addition, any necessary technical studies will be completed.

Existing Successful Revegetation Projects/Number of Successful Revegetation Projects in Upper Park: These questions do not affect the DEIR analysis.

Watering responsibility: The City or its contractor would be responsible for watering plantings until established. With approval of the BPPC and coordination by the City’s volunteer coordinator, planting sites could also be “adopted” by local service organizations, community volunteers, youth groups or others.

Monkey Face Access: It is the intent of the Horseshoe Lake Area Concept Plan to consolidate access to Monkey Face as stated. It is also the intent to use a multi-pronged approach to achieving this goal which consists of better overall circulation around Horseshoe Lake, clearly demarcated trails, and strategic barriers, if necessary. Most of all, however, the City would rely on the education of users and the attractiveness of the facilities. While it is likely unrealistic to assume that all unofficial trails

would be abandoned at the time of construction of the facilities outlined in the concept plan, a substantial reduction could likely be achieved. The Horseshoe Lake Area Concept Plan would be implemented in close coordination with the Trails Plan. As depicted in Exhibit 3.2.1.2, the final approach to Monkey Face is a newly proposed trail. As stated on the same graphic, all alignments and relocations are to be designed and field verified before construction. Proposed improvements on top of Monkey Face include an overlook and educational signage.

Restoration plan: Closure and restoration of the decommissioned trails would be in accordance with methods outlined in the City's Trails Manual which is standard procedure for all trails work in the Park.

Observatory outdoor seating: The scale of the Horseshoe Lake Area Concept Plan used in the DEIR does not allow for all details of existing facilities to be depicted.

Fishing lines in trees: Fishing lines in trees are an inadvertent effect of fishing near lake edges. While outreach and education may be used, a potentially negative side effect should not be used to outweigh the benefits of the use as a whole. In addition, the Chico Bass club will be installing recycling containers for used fishing line around Horseshoe Lake.

Trail from parking lot B to C: The alignment shown on the map is conceptual and the final alignment would have to be designed and field verified, including the avoidance of vernal pools and minimization of impacts on any areas that could qualify as potential wetlands. As outlined in Mitigation Measure BIO-4, a delineation of jurisdictional wetland would be required prior to project implementation, and permits would need to be obtained, should any wetland impacts be unavoidable. Please also refer to Master Response 1–Nature of the EIR for an explanation of the programmatic nature of the analysis for the Trails Plan and the steps required prior to on-the-ground project implementation.

ADA accessible surfaces: Surfaces used to make an area ADA accessible will be the same as or similar to those currently used in the Park and will be determined during final design.

Confusion about trails: Please refer to the Trails Plan (Exhibit E3.2.1.2) for a depiction of trails to be maintained, newly constructed, or decommissioned.

Length of trail to be created/removed: Please refer to the Trails Plan (Exhibit E3.2.1.2) for the approximate alignments of trails. The exact length will be determined by final design and field verification and is not relevant to the DEIR analysis, as potential impacts from trails depend how they are designed and on the resources they traverse, not the length of the trail.

Trees at parking lot B: This is a concept plan. Final design will determine the exact number of trees to be planted, as well as other factors as explained above. All site conditions will be considered during final design.

Landscaping: The reason for removal of landscaping from the final mitigation plan for the observatory project is not relevant for the analysis of this DEIR. Please refer to the response to "Trees in Parking Lot B" above.

Need for parking lot expansion: The need was determined by the City based on observations during special event and regular site use, especially on days when Upper Park Road is closed.

O3-7

The commenters are concerned that the proposed Horseshoe Lake Project will significantly affect the ecological and aesthetic resources of the area. The commenters reference past failed mitigation attempts in the area.

**Response:**

Aesthetic impact issues are discussed in Section E4.3.1 Aesthetics. The commenter expresses an opinion about past mitigation efforts by the City, which is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

With regard to the planting/enhancement shown as part of the Concept Plan for Horseshoe Lake, this is not proposed as mitigation, but as part of an overall concept to enhance the Horseshoe Lake area, to improve aesthetics, and to soften the appearance of infrastructure. As the name implies, the plan is conceptual, thus there are no requirements yet for a specific number of trees or certain performance standards, and there is no required performance percentage. The concept plan would be implemented over time as funding becomes available and in steps by site location. Should planting at one location be unsuccessful, adaptive management would be applied to determine a better approach.

- O3-8 The commenters state that the Friends of Bidwell Park are strongly opposed to the development of the proposed Monkey Face trail and propose that there are several more suitable locations for the trail that would provide access to Monkey Face.

**Response:**

The comment is noted for the City's consideration. The exact routing of the trail to Monkey Face would be determined during final design and field verification and would take all aspects of trail design, including avoidance of sensitive resources, into account. The alignment, as currently shown, was developed by professional trail planners in an attempt to develop a trail plan that addresses multiple objectives, skill levels, age groups as laid out in the trails plan. Solicitation of input from interested parties was part of the Trails Plan development. A Trails Plan technical workshop was held during development of the Trails Plan, a CAC meeting was also devoted to the Trails Plan, and public input has been carefully considered during Trails Plan development. The opposition of Friends of Bidwell Park (FOBP) to this particular alignment is noted and will be considered during final design and field verification.

- O3-9 The commenters note that the EIR fails to provide a map or discuss possible impacts vernal pools in Middle Park's that are known to be present in the meadow area between Parking Lot B and C where trail construction is proposed.

**Response:**

The DEIR does address impacts to vernal pools. The presence of vernal pools in Middle Park is well known and described in the Biological Resource Section of the BPMMP. However, no park-wide wetland delineation has been conducted to date and no map depicting the extent and location of vernal pools and other resources in Middle Park (or other section of the Park) is currently available. These investigations are not necessary, because a detailed delineation is typically prepared once a final site design has been developed. The purpose of a delineation conducted according to U.S. Army Corps of Engineers Standard is to facilitate permitting of a project. The commenter asserts that impacts on the specific vernal pools species at the location mentioned are not addressed in the DEIR. As discussed in Master Response 1–Programmatic Nature of the EIR, the analysis of impacts resulting from the Horseshoe Lake Area Concept Plan and Trails Plan is programmatic because sufficiently detailed site plans have yet not been prepared and site specific resource inventories have not been conducted. However, the DEIR addresses impact to all biological resources that could occur as a result of project implementation. Please refer to the following impact discussions/mitigation in the Biological Resources Section of the EIR for impacts on vernal pools and the associated plant and



wildlife that apply to all Park Improvement Projects including the Trails Plan and the specific location of interest to the commenter:

- ▶ Impact BIO-1e: Adverse Effects of Park Improvement Projects on Unknown Occurrences of Butter County Checkerbloom, Bidwell's knotweed, and Other Special-status Plant Species;
- ▶ Impact BIO-2c: Adverse Effects of Park Improvement Projects on Vernal Pool Crustaceans and Western Spadefoot;
- ▶ Impact BIO-3e: Adverse Effects of Park Improvement Projects on Northern Volcanic Mudflow Vernal Pools;
- ▶ Impact BIO-4b: Adverse Effects of Park Improvement Projects on Jurisdictional Wetlands.

This impact discussion contains mitigation measures address impacts to vernal pools and other wetlands resulting from implementation of the Park Improvement Projects.

- O3-10      The commenters remark how little progress has been made in trails planning over the last 6 years. The commenters believe that upgrading the Middle Trail in Upper Park to become an all-weather trail should be a high priority and that more attention needs to be paid to closing and revegetating unofficial trails throughout the Park.

***Response:***

The commenter expresses an opinion about the progress to date and what parts of the Trails Plan to prioritize for implementation. These comments are noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- O3-11      The commenters request that a map showing the proposed hiking/biking trails for the Disc Golf Project site be provided, as well as discussed in the EIR.

***Response:***

Proposed trails and their connections to existing trails at the disc golf/trailhead site are shown in the two Exhibits titled "Disc Golf Concepts" in Appendix H of the BPMMP. Proposed trails traversing the site are shown on the Option A, B, and C Exhibits in Appendix H of the BPMMP. For the reader's benefit, the Option A, B and C Exhibits are also included in Section E 3 (Project Description) of the DEIR as Exhibits E3.2.4.1 through E3.3.4.3. Table O3-11-1 below presents a summary of proposed trail length by alternative based on the current design of Alternatives A through C.

In addition, there would be approximately 9,724 feet of 1.84 miles of trails on the site under all alternatives. These trails would be replacing and/or enhancing trails currently present on the site.

| Table O3-11.1<br>Approximate Length of Fairways by Alternative as Determined by GIS |         |        |             |                |
|---|---------|--------|-------------|----------------|
| Alternative   | Fairway | Season | Length (ft) | Length (miles) |
| Existing  | A       | n/a    | 3,822       | 0.72           |
| Existing  | B       | n/a    | 6,011       | 1.14           |
| A   | Short   | all    | 3,295       | 0.62           |
| A   | Long    | all    | 4,364       | 0.83           |
| A   | Long    | winter | 740         | 0.14           |
| A   | Long    | summer | 850         | 0.16           |
| B   | Short   | all    | 2,326       | 0.44           |
| B   | Long    | all    | 4,369       | 0.83           |
| B   | Long    | winter | 740         | 0.14           |
| B   | Long    | summer | 850         | 0.16           |
| C   | Long    | all    | 4,364       | 0.83           |
| C   | Long    | winter | 740         | 0.14           |
| C   | Long    | summer | 850         | 0.16           |

- O3-12 The commenters are concerned that a severe erosion problem exists near the eastern end of the Upper Trail.

The commenters point out a location with severe erosion they wish to be addressed in the Trail Plan. This comment is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- O3-13 The commenters note points that need clarification on pages 13, 14, 18, 20, and 21 in the Draft BPMMP.

**Response:**

The specific questions and comments are addressed below. None of the changes alter the conclusions of the EIR.

Methods: The process as described in paragraph 2 on page 13 of the Trails Plan (Appendix E of the BPMMP) was followed. The commenter's express an opinion about how this process did not follow the process depicted in Exhibit 3. This opinion is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

Qualifications of personnel conducting the site visit: The on-site assessment conducted in support of Trails Plan preparation was attended by a group of qualified specialists, including a hydrologist/water quality specialist, restoration ecologist/botanist, City Staff, and two certified landscape architects specializing in recreational planning and design with many years of experience in working for public agencies including the U.S. Forest Service, National Park Service, State Parks and other public entities managing large tracts of land.

Equestrian only trail in Middle Park: The need for this trail has been identified in cooperation with equestrians using the Park. The purpose is to get horses off the paved trail following the alignment of Upper Park Road.

Page 18 Photo: This photo will be relabeled as “Un-accessible path approaching Diversion Dam.”

Page 20 Comment: The commenters express an opinion about a statement used in the Trails Plan, which recommends that the City “make its stand clear on unofficial mountain biking trails.” This opinion is noted for the City’s consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

Page 21 Photo: The commenters state that the middle photo on this page may be mislabeled: The middle picture on page 21 had been relabeled as Middle Trail.

- O3-14 The commenters are concerned that an increase in usage of the south-side trails by equestrians and off-leash dogs will increase the soil erosion, invasive plants, and trampling of special-status plants and would like to know how this will be monitored and counteracted.

**Response:**

The potential for soil erosion is discussed in Impact GEO-2: Potential for Soil Erosion. The trails on the south side will be monitored and maintained the same way as all other trails in the Park in accordance with the BPMMP and the City’s Trail’s Manual. No specific mitigation is proposed for off-leashed dogs on the south side, as this is not an allowable use. The leash law will be enforced the same way it is enforced in other parts of the Park.

- O3-15 The commenter asks a hypothetical question of how mitigation measures presented in the DEIR would have been applied to protect a prehistoric site that was exposed by a fire from encroachment by a trail if the measures had been in place at the time.

**Response:**

While it is not within the scope of the DEIR to analyze past speculative scenarios, the process of addressing impacts to cultural resources is briefly described below. Potential impacts on cultural resources resulting from implementation of Park Improvement Projects are discussed in Section 4.3.4 of the DEIR. Furthermore, the management of cultural resources in the Park follows the policies outlined in the BPMMP. In the case described by the commenter, the site would have been evaluated for possible indirect impacts to the prehistoric site from the adjacent trail. If indirect impacts had been noted, the resource would have been assessed for significance, and, if found to be significant, the primary method of treatment would have been to mitigate the effects through trail modification or other methods to deter indirect impacts resulting from trail use. A situation like the one described by the commenter would be addressed on a case-by-case basis as each is unique. It is not within the scope of CEQA to analyze hypothetical “what if” scenarios.

- O3-16 The commenters are concerned that the objectives and implementation strategies for the Trails Plan Project will require an increase in funding for Park maintenance staff. As each is unique, situation like that described by the commenter would be addressed on a case-by-case basis.

**Response:**

The commenter states there has been a lack of increased funding over the last 20 years which is an economic issue. CEQA does not specifically address economic issues. However, trails inspection for

erosion could be conducted by trail users, volunteers and others, under the coordination of the City's volunteer coordinator. With regard to illegal trail building activity, all Park users are encouraged now and will continue to be encouraged in the future to report illegal activities in the Park to City staff.

- O3-17 1) The commenters are concerned that the proposed Disc Golf course and its mitigation strategies significantly compromises the aesthetics of the Park and would like to see a definition of "visual character."

**Response:**

"Visual character" refers to those qualities that make a site known for or characterized by its looks. The visual character of Middle and Upper Park is described in paragraph 3 on page E4-5. While different individuals may interpret the visual character of a site differently and subjectively, the information provided in E4.3.1 and Section 2.3.5 of the BPMMP is relevant to the analysis of visual impacts under CEQA as it describes the current conditions. As described under Response O2-3 (environmental baseline) above, CEQA analysis is based on current condition, i.e., conditions that can be observed by anyone at this time. It is not based on what Annie Bidwell may have seen in the past or what others might interpret the visual character to be in the future. It is unlikely and speculative that a "query" of Park users on their perception of visual character – as suggested by the commenter – would produce a more suitable or consistent baseline condition.

- O3-18 2) and 3) The commenters note that the proposed disc golf/trailhead project area is a unique site and is concerned that it will alter the "scenic vista."

**Response:**

The uniqueness of the site was recognized in the planning process in a variety of ways including in the objectives for the site included in the BPMMP. For example, Objective ODG/T-1 directs the City to "design, construct, manage, and maintain the disc golf/trailhead to enable multiple uses of the site, including, but not limited to disc golf, hiking, bicycling, equestrian use, viewing scenic overlooks, nature interpretation, photography, and other appropriate uses." This objective was developed with the clear vision to provide multiple users enhanced and managed access to the site, as it is seen as a unique site in the Park.

The DEIR acknowledges that the current unofficial and therefore unmitigated use has led to visual degradation, but also concludes that the proposed improvements, once installed and managed, will have a beneficial effect on visual resources when compared with current conditions.

- O3-19 4) and 5) The commenters strongly disagree with the assessment that the Disc Golf/Trailhead Area Concept Plan will enhance the visual character of the area. The commenter lists significant negative visual and aesthetic impacts.

**Response:**

The disagreement is noted for the City's consideration. However, the baseline that these potential impacts/improvements are compared to the current, somewhat degraded conditions at the site, not "pristine" conditions as may be inferred by the commenter. Disc golf courses in other locations have been successfully established and maintained without adverse effects on the natural resources and aesthetics of the environments they are located in. Examples include coursed in the redwood forest in the City of Arcata's Community Forest and the City of Truckee's course on the banks of the Truckee River.

The proposed concept plan includes only the amount of concrete needed for tees and targets and the concrete would be stained in natural colors. Potential barriers would not be installed “around hundreds of oak trees” as inferred by the commenter, but, in accordance with mitigation measure BIO-1c which includes many measures to reduce impacts of which “installation of shielding pole structures” is only one that would be used only in strategic locations. Boulders would be placed in strategic places to discourage use of certain trails, not “along several thousand feet of trail” – education and providing the appropriate infrastructure remain the primary methods for encouraging responsible use of the site. Trash cans will be installed to prevent littering and benches will be installed to replace the current “makeshift” structures. Woodchips would prevent continued erosion and compaction and would be placed only where trails and tees are located within drip lines or in the immediate vicinity of drip lines. These benches would have a more unified look. Finally, the proposed paving over the Humboldt Road has been eliminated by redesign of the site. Please also refer to Master Response 3–Cultural Resources/Humboldt Road and Master Response 5–Aesthetics above.

- O3-20 6) and 7) The commenters request that a better definition of the disc golf/trailhead project be included in the DEIR and that all trails be shown and analyzed.

**Response:**

Please refer to response to comment O2-4 for details on the disc golf project description and to response O3-11 above regarding trails in the area. The Trails Plan determines the overall trail network in the Park, while the larger scale area concept plans address finer level on-site design.

- O3-21 9) and 10) The commenters note that there is no comprehensive analysis for a California Natural Diversity Database (CNDDDB) Occurrence of Butte County Checkerbloom or how the Disc Golf/Trailhead Area Concept Plan would avoid and minimize impacts of White Stem Clarkia.

**Response:**

Impacts on Butte County checkerbloom resulting from the proposed project are addressed in detail in impact discussion/mitigation measure BIO-1a and BIO-1c, impacts on unknown occurrences of special-status plants (including white stem clarkia, if suitable habitat exists in the project area) are addressed in impact discussion/mitigation measure BIO-1e. The overall distribution of Butte County checkerbloom was taken into consideration during BPMMP development, including review of a recently completed thesis on the species, and during impact analysis and cumulative impact analysis. The mitigation measures provided in the DEIR will mitigate to less than significant any direct, indirect and cumulative impacts on the species resulting from BPMMP and Park Improvement Project Implementation.

- O3-22 11) The commenters are concerned about the effectiveness of the proposed Blue Oak Mitigation.

Please refer to Master Response 4–Oak Woodlands above for a detailed discussion on impact and mitigation measures pertaining to oaks, including the one raised by the commenter.

- O3-23 The commenters are concerned about the impacts and proposed mitigation included in the soil impacts section of the EIR and asks a series of questions.

**Response:**

The specific questions (as numbered in the commenter’s letter) are addressed below. None of the answers to the specific questions alter the conclusions of the EIR.

13) More detail regarding proposed mitigation measures to address impact on soils: The DEIR found impacts from soil erosion resulting from implementation of the BPMMP and Park Improvement Projects to be less than significant, because all work on these projects would occur by adhering to implementation strategies of the BPMMP, the City's BMP Manual, and methods outlined in the Trails Manual (Impact GEO-2), thus there is not a specific mitigation measure on which to provide more detail. The installation of concrete pads and placement of mulch are included in the activities analyzed in the DEIR.

14) Total feet of trails associated with Disc Golf: Please refer to response O3-11 above.

15) Feet of boulders to be installed to delineate fairways: The use of boulder to delineate fairways is not suggested. The "General Recommendations for Course Infrastructure" section on page H-12 of Appendix H of the BPMMP mentions the "for example, trails should be as narrow as possible and should be marked with natural lava rock instead of wooden planking." This example was given as one possible approach to integrate disk golf infrastructure with the natural environment. The placement of boulder was mentioned in Mitigation Measure BIO-1b for Butte County checkerblooms that states as one of many measures that "Where existing disc golf structures and trails in the vicinity of existing locations of Butte County Checkerbloom will be decommissioned, barriers (such as boulders) shall be placed to discourage use of these trails and structures). A similar use of boulder as barriers is suggested a part of Mitigation Measure BIO-1d to discourage use of decommissioned trails in wildflower fields that support Bidwell's knotweed and for general protection of wildflower fields in Mitigation Measure BIO-3d. Finally, use of lava rock is mentioned as one of many points in Implementation Strategy I.DG/T-1 in the BPMMP stating that "identification of disc golf holes shall be accomplished with natural materials (i.e., lava rock) instead of wooden planking. None of these mentions include recommendation for installation of lines of boulder along trails or fairways.

16) Source of boulders: Per Implementation Strategy I.DG/T-4 in the BPMMP "Materials used in the construction of this site should be imported to the area but be similar to on-site materials."

17) Placement of boulders/soil/hydrology/season readiness criteria: Boulders would be transported to the site with a small truck and placed manually. No permanent access routes would be constructed. Criteria for placement (and all construction) would follow the City's BMP Manual.

18) Protection of areas outside of "boulder delineated fairways": See response to "Feet of boulders installed" (15) above. The rest of the statement expresses the commenter's opinion and does not comment on the nature of the DEIR analysis. No further response is required.

19) Precedence for use of woodchips: This measure was recommended by a certified arborist with many years of experience and is not considered experimental. It is used in many City Parks around California.

20) Amount/frequency of mulch application: This will be determined as part of monitoring and adaptive management and cannot be quantifies beyond the "6 inch layer for a 20 foot radius" quantity provided in Mitigation Measure BIO-3c.

21) Weed free mulch: Mulch is comprised of woodchips and as such should not include weed seed.

22) Where would mulch be needed: As stated in Mitigation Measure BIO-3c mulch would be used "in cases where tees or trails are located within the dripline of oaks or in the immediate vicinity of driplines."

23) How would mulch be installed: It would be brought to the site by maintenance truck and distributed by hand or with a shovel and rake.

24) Funding: This is not a CEQA issue.

25) Impacts on nutrient balance/introduction of weeds: Mulching is a standard management practice to protect root zones and not “experimental” as stated by the commenters. It is not expected to “upset the nutrient cycle, introduce weeds and adversely affect water quality” because the application would be site specific and of a limited nature.

26) Effects of mulch on other plants: Please refer to response to O2-11 above.

27) Effects of mulch on special-status plants: Please refer to response to O2-11 above.

28) Increased fire hazard from mulch: The mulch would not be expected to be more flammable than the annual grasses and other dried biomass present on-site, thus there would be no increased fire hazard.

29) Size of root zone: While the root zone is larger than the drip line, application of mulch near the trunk is most critical, since that is the zone frequented by site users when they look for shade.

30) Nature of the mitigation measures (experimental, visually degrading): The mitigation measures were developed by qualified professionals in response to site specific conditions, and standard practices applied by arborists and are not considered experimental or visually degrading. While the commenter’s opinion on their nature is noted, no further response is required, since this is not relevant to the environmental analysis in the DEIR.

31) Concrete pad use: As stated in the “General Recommendations for Course Infrastructure” section on page H-12 of Appendix H of the BPMMP cement tees are recommended for the three following reasons:

- ▶ They require little or no maintenance once they are installed and will, over the long run, save money and time;
- ▶ They prevent the tees from gradually expanding over time as players search for good footing during wet weather;
- ▶ They may help lessen soil compaction by spreading out the pressure over a larger area when players are teeing off.

These recommendations were made by a qualified professional who is experienced in disc golf course design, management and use and has been personally observed the benefits of concrete pads to limit impact area.

32) Source of mulch: Mulch would be obtained from local sources, possibly from within the Park.

33) Impacts on seep wetland on south side of site: Please refer to Response to Comment O2-3 regarding environmental baseline. Also, please note that the proposed options for disc golf each occupy a smaller area than current uses which should benefit resources on the south side of the site.

34) and 35) The commenters would like to know the direct, indirect and cumulative impacts to unique for otherwise sensitive natural resources and the direct, indirect and cumulative impacts of all project alternatives as they relate to potentially sensitive natural resources to enable an informed decision: The DEIR analyzes the full range of potential direct, indirect and cumulative impacts.

O3-24 36) The commenters would like to know why the proposed disc golf course is 36-holes, when almost all other disc golf courses are 18-holes.

**Response:**

The concept plan includes two 18-hole courses, a beginner's course and one for more experience players. This concept was chosen based on known recreational needs. One of the alternatives analyzed in the DEIR is a single 18-hole course option.

O3-25 37) and 38) The commenters would like to know if the course and recreation development is handicap accessible.

**Response:**

Not all aspects of the course would be ADA accessible. Please also refer to response I1-4 below.

O3-26 39) The commenters note that there is no economic analysis or cost-benefit analysis of the proposed Disc Golf course or alternative sites.

**Response:**

The commenters asks for an economic analysis which is a social and economic issue not analyzed under CEQA. Furthermore, the issue of rising maintenance cost is universal to all Park maintenance. However, please note that Implementation strategy I. DG/T1 in the BPMMP calls for an "evaluation of funding (amount and source) for initial set-up and potential user fees or other sources for operation and maintenance."

40) The commenters inquire about alternatives analysis.

**Response:**

Please refer to response O2-17 above regarding the analysis of off-site alternatives.

O3-27 The commenters are concerned with the logistics of the construction and mitigation that will take place in and around the proposed Disc Golf course and poses a series of questions.

**Response:**

The specific questions are addressed below.

41) and 42) Who will install concrete tees and how will they be installed without environmental damage? While volunteers could be called upon to help with certain aspects of site construction, the more likely scenario would be a professional construction firm with oversight from the City implementing the project. This contractor would be required to be licensed and use BMPs from the City's manual to avoid adverse effects on the environment. Use of equipment for site preparation and transport was analyzed in the DEIR.

43) Commenters' statement: Concrete pads are not a good idea: Please refer to response O3-23 above for reasons why concrete tees are proposed.

44) and 45) Visual intrusive nature of proposed mitigation: Please refer to response O3-19 above regarding mitigation for visual impacts.



46) and 47) Merit of the mitigation measures The commenter expresses an opinion. All of the mitigation measures included in the DEIR were developed by qualified individuals. Many of them are standard industry accepted standards, while others are catered specifically to the site as a result of careful analysis. A mitigation and monitoring plan will be prepared at the prior to project implementation as part of the CEQA requirements for the project.

48) Will illegal course be closed until construction is complete: In accordance with Implementation Strategy I. DG/T-2, interim management guidelines to be implemented until build out occurs would be developed if disc golf is approved at the site. Interim management guidelines prepared for the site would provide guidance on site management such as how access to the site would be managed, how the construction schedule would be prioritized, how resource protection would be implement etc.

49) Number of benches: The exact number is not known, but would likely be one per tee, plus additional benches at viewpoints, independent of disc golf, and at the entry plaza. Trash receptacles will also be provided to prevent littering. Mulching would occur according to Mitigation Measures BIO-3c as explained above.

50) Impacts on Humboldt Road: Please refer to Master Response 3–Cultural Resources/Humboldt Road above.

51) Number and location of trash cans: Trash cans would be installed at strategic positions around the site. The number might be increased over time should the initial number not suffice to counteract littering. They would be emptied on a schedule that would vary with site use, similar to any other trash can in the Park.

52) Toilet service: The schedule for servicing toilets will be driven by site use patterns, similar to all other toilets in the Park and cannot be predicted at this time.

53) Drinking fountains: No.

- O3-28 54) The commenters note that CEQA requires a complete analysis of alternatives, including previous proposed alternative sites. The commenters believe that the proposed Disc Golf course in Hooker Oak Recreation Area in Bidwell Park be analyzed.

**Response:**

Please refer to response O2-17 above regarding the analysis of off-site alternatives. Also, please note that the Hooker Oak Recreation Area mentioned by the commenter is leased to Chico Area Recreation and Park District (CARD) and that the proposed kid's disc golf course at this location is underwent its own environmental review.

- O3-29 55) The commenters would like to see an analysis of potential growth inducing impacts (illegal camping, new illegal mountain biking trails, and illegal modifications such as benches).

**Response:**

The project is not expected to create new roads, jobs etc. in a way that would make it “growth inducing” in the sense of CEQA.

- O3-30 The commenters note that further discussion of tournament impacts on the Disc Golf course is needed (local, regional, state, or national tournaments). The commenter's ask a series of questions.

**Response:**

The specific questions are addressed below.

56) – 59) Local/regional/state/national tournaments: If the concept plan was fully implemented, the site could be used for official tournaments. The frequency of tournaments and maximum number of players allowed would be controlled through a special-use permit system the City would implement, similar to special-use permits used for other sites within the Park.

- O3-31 60) and 61) The commenters would like the EIR to discuss the impacts on wildlife and their habitat from Disc Golf activity and how course design avoids, minimizes, and mitigates for these impacts. They also would like to know how cliff nesting birds will be affected by disc golf activity.

**Response:**

Impacts to wildlife are addressed in detail in Section E4.3.3.4 of the DEIR.

- O3-32 62) The commenters would like to know who would pay for the rescue if a golfer falls off a cliff retrieving a disc.

**Response:**

Rescue and the associated cost would be handled the same for any site in the Park. This is not a CEQA issue.

- O3-33 The commenters feel there is inaccurate information in Appendix C Section 3.1.3.2 and suggest changes.

**Response:**

The comments submitted by Jeff Mott were carefully considered in the development of the Natural Resources Management Plan (NRMP). Similarly, comments from others on the NRMP discussion group were considered, and incorporated as appropriate. The NRMP as included in the BPMMP follows a format agreed upon by the City and the NRMP preparers.

- O3-34 The commenters provide recommended text for Appendix C Section 3 (Meadows: Overview; Management Objectives; Management Issues; Guidelines and Recommendations).

**Response:**

The provided materials related to meadow management will be considered during future expansion of the NRMP. The development process that describes how the NRMP will be expanded upon in the future is detailed in Section 2 of the NRMP on page C.2-1 in Appendix C of the BPMMP. It was not within the scope of the BPMMP Update to develop NRMP elements for all communities within the Park. The concept idea for the NRMP arose out of the desire of the City and its consultant to group existing issues and elements of the BPMMP pertaining to vegetation management in one specific place of the BPMMP Update that could be expanded upon later. The three specific issues that were addressed this way included oak woodland management, invasive plant management, and fire management. While it is desirable to expand upon these issues, any inclusion of new issues and its format should be subject to discussion with the BPPC and other experts, rather than a mere insert of information submitted. The noninclusion of the information at this time does not reflect upon the City's opinion of the submitter's qualifications.

O3-35 The commenters provide recommended text for Appendix C Section 3 of (Chaparral and Mixed Hardwoods: Overview; Management Objectives; Management Issues; Guidelines and Recommendations).

**Response:**

Please refer to response to O3-34 above.

O3-36 The commenters provide recommended text for Appendix C Section 3 (Riparian and Stream System: Overview; Management Objectives; Management Issues; Guidelines and Recommendations).

**Response:**

Please refer to response to O3-34 above.

O3-37 The commenters are disappointed in the lack of information about practical, area-specific fire management implementation techniques in the BPMMP/EIR and question the qualifications of the preparers.

**Response:**

The fire management element (Section 5 of the NRMP) was prepared by an experienced range ecologist with many years of practical management experience and reviewed by a senior restoration ecologist. It was also submitted to the City of Chico fire department for review and comment. Ideas were generally included. No new sections were incorporated into the element due to the focus on three specific areas for the NRMP. Other comments provided by Jeff Mott pertaining to fire management are on file with the City and will be incorporated during future updates of the NRMP.

O3-38 The commenters provide feedback and recommendations for changes in Appendix C Section 5.4.1.2.

**Response:**

The information submitted was considered for inclusion in the NRMP. However, when compared to the rest of the information in the fire element, the information provided was more narrative and not specific to Bidwell Park.

O3-39 The commenters feel that prescribed burns in Section 3 are not an option in Lower Bidwell Park, only in Middle and Upper Park. The commenters feel that additional language should be added to address fuel reduction methods that are appropriate to Lower Park.

**Response:**

The commenter's opinion is noted for the City's consideration. The specific language of the BPMMP policies and guidelines is the result of many months of work with the BPPC. Changes to these elements should only occur after discussion with the BPPC (for implementation strategies and guidelines) and the City Council (for objectives).

O3-40 The commenters state that "should" in I. PS/ES-7 be changed to "shall."

**Response:**

Please refer to response O3-39 above. Changes to the specific policy language of the BPMMP require additional review.

- O3-41 The commenters want to see more attention paid to fuel reduction techniques and management for Lower Park (Section 5.1.3 and Section 5.4.1.4) and comment on the nature of input provided by the Chico Fire Department, specifically the lack of comments with regards to Lower Park.

**Response:**

The comment regarding fuel breaks is noted for the City's consideration in the next update to the NRMP. The Chico Fire Department was asked to review the entire Draft NRMP and the comments listed reflect the input provided.

- O3-42 The commenters state that discussion of shaded fuel breaks was not included (Section 5.4.2.3).

**Response:**

The comment regarding shaded fuel breaks is noted for the City's consideration in the next update to the NRMP.

- O3-43 The commenters feel that more information regarding wildfire in Lower Park and updated information regarding the number of wildfires that have occurred should be included in the EIR (E4.3.6).

**Response:**

The comment is noted for the City's consideration. It is a request for additional information and does not specifically pertain to the analysis in the DEIR. Furthermore, the proposed improvements are not expected to result in a change in fire frequency in Lower Park. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- O3-44 The commenters feel that the proposed Disc Golf improvements do not provide aesthetic improvements to the site (Impact CUM AES-1).

**Response:**

FOBP opinion is noted. Please refer to response O3-19 above regarding impacts on aesthetic resources.

- O3-45 The commenters would like to see the projected usage of the disc golf site, including possible tournaments, and an explanation of how a disc golf facility 4.5 miles from Bruce Road would not have additional vehicle trips to the site (Impact AQ-3b).

**Response:**

The disc golf course, in its current state, is already well known and frequently visited and is already located 4.5 miles from Bruce Road. As stated in the cumulative impact analysis, development of the site is intended to accommodate existing use, not increase use of the site. Tournaments would only be allowed with a special use permit from the City. Thus, the conclusion is reached that additional trips are expected to be negligible. (Please also see Response O2-7 above).

- O3-46 The commenters would like to know why the cumulative impacts from anticipated development of Parcels 8 and 9 of the Canyon Oaks subdivision or from the construction of two new bridges in Upper Park have not been evaluated (Impact BIO CUM-1).

**Response:**

The cumulative impact analysis is focused on the related projects in Bidwell Park. The BPMMP and Park Improvement Project are expected to have beneficial effects on biological resources due to the reduction of resource damage and elimination of unofficial trails. As a result, the BPMMP and Park Improvement Projects would not make a considerable contribution to any potential cumulative biological impacts. The projects would also result in a positive cumulative effect on aesthetics/visual resources. Please refer to Master Response 5–Aesthetics above.

The specific projects mentioned by the commenter are the following:

Vesting Tentative Subdivision: Map S 02-10 Planned Development Permit 02-04: This application included parcel nine of the Canyon Oak Subdivision. This project encompasses approximately 45.5 acres and previously proposed to create 22 lots for a gross density of approximately 0.48 units per acres. This application has been withdrawn, thus the project would not be included in the cumulative impact analysis.

Twin Creeks Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-02): This application included parcel eight of the Canyon Oak subdivision south of the eastern terminus of Shadow Tree Lane. The project included the proposal to subdivide a 68.06 acres (parcel 8 of the Canyon Oak Subdivision map) into 14 parcels consisting of 12 single-family residential lots, a 1.35 acre parcel for a private street, and a 3.78 acre parcel for a public utility easement, and open space. Approximately 30 acres of the total site area is proposed for residential lot development with the remaining 38 acres to be preserved as permanent open space. The project creates a gross density of 0.18 dwelling units per gross acre and was approved by the City Council on January 16, 2007.

Besides the two projects mentioned above, no other developable parcels exist within the Canyon Oaks subdivision.

Please refer to Master Response 3–Cultural Resources/Humboldt Road above for a discussion referring to the Canyon oaks projects. As stated in the DEIR, no cumulatively significant effects would result from implementation of the BPMMP and the Park Improvement Project when taking recent projects in the vicinity into consideration.

- O3-47      The commenters would like an explanation to why the cumulative impact of the Oak Valley subdivision on the Humboldt Road was not included (Impact CUM CUL-1).

**Response:**

Please refer to response O3-46 above for the current status of the Oak Valley projects and to Master Response 3–Cultural Resources/Humboldt Road for a detailed discussion on the Humboldt Road and the resulting impacts from both projects.

- O3-48      The commenters provide feedback on Impact PS CUM-1 and would like information regarding the last 17 years of fire history in Bidwell Park be included.

**Response:**

Implementation of the BPMMP and the four Park Improvement Projects are expected to result in impacts on local public services. The idea that “hundreds, if not thousands” of new Park users not familiar with the smoking ban at the disc golf site will keep Chico firefighters busy at the Highway 32 site and prevent them from fighting fire within the city is speculative, as is the increased fire hazard from mulch at the disc golf site. The proposed disc golf central/trailhead facility would include a

message board that would be used as one means to educate site users regarding the dangers of wildfire hazard from smoking. Once the site becomes a focused recreational trailhead/node, it is anticipated that it would experience more scheduled patrols and maintenance visits.

O3-49 The commenters are concerned with traffic on SR 32 (Impact TRAFFIC CUM-1).

**Response:**

As stated in mitigation measure TRAFFIC-4: Coordination with Caltrans, safety concerns regarding turning in and out of the disc golf site will be addressed. The statement that studying beers cans in the trashcans at the disc golf site would provide data that could be used to predict increased traffic hazards is speculative. The speed limits on SR 32 are enforced by law enforcement agencies, not by the City. Coordination with Caltrans is anticipated to resolve issues pertaining to sight lines and turnouts.

O3-50 The commenter provides suggestions and changes to Section 1.1.2 of the BPMMP.

**Response:**

Please refer to the response to comment O1-2 above regarding changes that have been made to this section.

O3-51 The commenter proposes changes and gives feedback to Section 2.3.3.5, “Historic Content.”

**Response:**

For O3-51 comments 1-5 please refer to response to comment O1-2 above.

Comment 6. The Wilkes Expedition proceeded south near the Sacramento River, whereas the Bidwell Bartleson Party of 1841 arrived in California much further south.

Comments 7, 8, 9, 10, and 11. The historic context only provides a brief overview. Reference to the land grants and Park are provided in paragraph 3 of Section 2.3.3.4. Name of land grant has been changed to Rancho del Arroyo Chico.

O3-52 The commenters feel there should be a more detailed description of the Humboldt Road in Section 2.3.3.4.

**Response:**

Comments 1 and 2. See response to comment O3-2 above and additions to paragraph 5. Also refer to Master Response 3–Cultural Resources/Humboldt Road above.

O3-53 The commenters feel Section 2.3.3.4 should provide a detailed description of the Big Chico Lumber Flume and its associated historical sites.

**Response:**

Currently this resource is not well documented, and while there appears to be associated features, these have not been fully explored. As noted above in response to comment O3-52 specific locations are not provided in public documents.

- O3-54 The commenters note the omission of the Chico Forestry Station and Nursery and the Hooker Oak Tree in Section 2.3.3.4.

**Response:**

The following text will be added to the bulleted list on page 2-91.

California Historical Landmark 313, the former Hooker Oak, is located at the Hooker Oak Recreation Area. The tree was named by Annie Bidwell in 1887 in honor of Sir Joseph Hooker, an English botanist. This tree was claimed to be the oldest in the world (326 years), prior to falling on May 1, 1977.

The following text will be added at the end of the third bulleted item from the bottom:

The Chico Forestry Station and Nursery have been designated California Historical Landmark 840-2.

- O3-55 The commenters feel the description of the historic Water Flume in Section 2.3.3.5 is incomplete. The commenters provide suggestions.

**Response:**

The second bullet in Section 2.3.3.5 of the BPMMP will be added as a separate bulleted item and read as follows:

An historic water conveyance system was constructed in 1937 to divert water to the Park reservoir (now Horseshoe Lake) for use at the municipal golf course. The route parallels trails within the Park and reportedly the remains of this system consist of concrete and rock walls and lining, diversion gates and numerous rock bridges (Friends of Bidwell Park 2007).

- O3-56 The commenters suggest corrections to Section 2.3.3.5, “Bidwell Park History.”

**Response:**

Comments 1 and 2: Please refer to the response to comment O1-2 above.

Comment 3: The bulleted item number 2 has been corrected to read, “...was renamed Petersen Memorial Drive ... In addition, see response to OS-55 above.

Comment 4: The gate referred it is the gate on Upper Park Road near the rifle range. It is located at what is now parking area E.

Comment 5: No response required.

Comment 6: The bulleted item in Section 2.3.3.5 will be changed from “Live Oak Grove has been used ...” to read “In the past, Live Oak Grove has been used ...”

Corrections to Section 2.3.3.5 Bidwell Park History. The list provided on page 2-91 to 2-92 has been updated with the following edits:

Comment 1: The third to the last bulleted item will be changed to “...29 tract”. instead of “37 acres tract”

Comment 2: The next to the last bulleted item has been changed to read “24 acres” instead of “20 acres.”

Comment 3: For the last bulleted item the following text will be deleted: the 4th Street swimming pool

Comment 4: All cultural resources, including their constituents and condition, will be assessed for CRHR and/or NRHP eligibility. Potential impacts will be addressed on a project by project basis and mitigation measures will be developed as necessary. Where conflicts arise it is the goal of the City to mitigate those effects, where possible, through project redesign. This is merely a list of features in the Park.

Comment 5: Question regarding historic land uses: The City does not have information on why the historic land uses or site uses identified by the commenter were initiated or discontinued. Disc golf as a proposed use would be consistent with any other proposed uses of the site. The proposal is subject to CEQA review. A final decision will be made by the City Council.

O3-57 The commenters are concerned that not all impacts on Humboldt Road were discussed (E4.3.4). The commenters ask several questions.

Please refer to Section 3.1.1, “Master Response 3: Cultural Resources/Humboldt Road” above.

O3-58 The commenters note omissions in Section E4.3.4 (Historic Water Flume, Trail Plan, and Experimental Forestry Station).

**Response:**

The EIR states that implementation of the four Park Improvement Projects including the Trails Plan may result in direct or indirect disturbance to cultural resources, resulting in potentially significant adverse changes in historic or archaeological resources, and that this potentially significant impact requires mitigation. These mitigation measures are outlined in Mitigation Measures CUL-1, CUL-2a, and CUL-2b.

O3-59 The commenters list possible historic features in Bidwell Park that warrant public discussion before altered or removed.

**Response:**

As appropriate, this list of historic features will be incorporated into to the bulleted list in Section 2.3.3.5 on page 2-91 of the of the BPMMP as follows:

The following is a list of potentially historic resources provided by Friends of Bidwell Park (2007):

Bidwell Bowl, built by the Works Progress Administration (WPA) in 1938 and currently in use.

Annie’s Glenn constructed in the 1950s when Pine Street Bridge was built.

Entrance gates at East 4th Street, erected in 1934, and gates at Vallombrosa Way.

Campfire Council Ring erected in 1954.



Cedar Grove group picnic areas constructed in 1954.

Camp Chi-da-ca established at Hooker Oak park in 1951.

Additional resources of unknown dates are the Bear's Lair, scout island, and horseshoe pits.

O3-60 The commenters list and provide copies of references that should be included.

**Response:**

While specific historic information contained in the comments was included in the BPMMP, none was specifically referred to. Therefore, none of these references are included in the references cited section.

O3-61 The commenters list editing suggestions and questions.

**Response:**

The specific questions and comments are addressed below.

Table of Contents ii 2.3.1: no changes are warranted—the Chico Equestrian Association Arena is included under 2.4.2.3 under Recreational Resources.

Introduction page 1 paragraph 4: The Rod and Gun Club and Chico Equestrian Association Arena have been included.

1.2 Master Management Plan Update, reference to the BLM addition:

This reference has been checked throughout the document and is now referred to as approximately 40 acres and the BLM parcel.

Existing conditions Exhibit 2.1.1: edits have been incorporated. Please note that the number of the Exhibit is 2.1.1.1.

2.2.1 City of Chico General Plan and Zoning: zoning maps are available in the City's General Plan in the Open Space and Environmental Conservation Element (figure 7.1) on the City's Web site and a map is also included below.

All areas that were in Bidwell Park at the time of the adoption of the City's General Plan are designated as Resource Conservation Areas (RCAs) because they were under city ownership at the time of the development of this element of the General Plan. New acquisition areas in some cases are in Resource Management Areas (RMAs) because they are in areas that were acquired by the City subsequent to General Plan adoption.

2.3.3 Cultural Resources: The entire Park has not been surveyed due to lack of funding. No edit is necessary.

2.3.6 Recreational Resources 2.3.6.2 Trails: The 80 miles of trail include some smaller trails that may not be labeled on all maps. The information was not calculated, but is an estimate that was derived from the City's recreational brochures.

2.4.1 Buildings: Chico Creek Nature Center is used when referring to the specific building, visitor/nature center is used when referring to a type of facility. A consistency check has been conducted.

2.4.1.3 Kiwanis Community Observatory: the sentence has been changed to indicate that the facility includes an outdoor seating area. The construction date is not relevant.

2.4.2.6 Disc Golf (unofficial): request for documentation of uses of the site at purchase time: While it is general knowledge that the site was used for disc golf and other uses similar to current uses at the time of the purchase, the level of intensity and numbers of visitors frequenting the site are not known.

Exhibit 2.4.3-1b: Exhibits a and b have been updated.

Table 2.4.4.3-1 Middle Park Parking Capacity: The Chico Equestrian Association Arena parking lot has been added. The capacity of this lot is 25 cars or 10 cars and 10 trucks with horse trailers.

2.4.4.3 Access to Upper Park: The edit has been incorporated.

2.4.4.4 Access off SR 32 – Ten Mile House Road: The edit has been incorporated.

2.5.2 Maintenance Staff: The volunteer coordinator position has been added.

2.7 Planning Influences Park Interest Groups: The edits have been incorporated.

3.5.3.2 Biological Resources: Wetland mapping was not within the scope of the BPMMP; however, vernal pools were inventoried at the disc golf site during habitat mapping conducted in support of the special-status plan survey. Giving priority to protection does not exclude/prevent that impacts on a resource might ever occur consistent with other goals of the Park to provide recreational opportunities. The Mitigation Measures are designed to avoid, minimize and mitigate impacts. Future projects will be reviewed on a case by case basis. As is often the case with a larger planning documents such as a General Plan or Master Management Plan, these plans when compared with site specific projects, sometimes have competing, yet not incompatible goals and the environmental review conducted prior to project implementation has to identify potential conflicts and impacts and provide measure to mitigate the impacts.

Plants Objectives: O.3-3: This objective applies to all parts of the Park and was applied during design of the Disc Golf/Trailhead Area Concept Plan.

Recreational Resources Goal REDR-2 Non-intensive Uses: When carefully managed and played on a facility specifically developed for the sport disc golf would not be expected to result in substantial disturbance to a site. Acknowledging that some disturbance might occur from any activity, the BPPC chose to insert the term “generally” in this goal.

3.5.4.5 Circulation and Access Points Implementation Strategies and Guidelines I.AP-4.: The connection was not approved and funded at the time the BPMMP was developed but is now scheduled for completion in 2009. Leaving the statement as “should” does not preclude actions from getting accomplished. The term “should” carries significant weight in providing guidance for implementation of projects.

Appendix E: Trails Plan: The provided link will be checked for updated information and, if warranted, the statement will be updated.

EIR editorial comments:

Steep slopes: the qualifier “both official and unmitigated” has been eliminated, as it is not relevant to the analysis of the DEIR.

Former Military Practice Range: the edit has been incorporated.

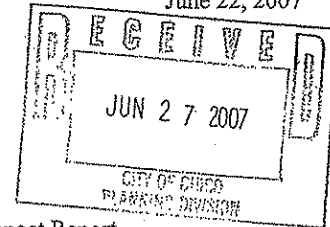
Northeast Center of the  
California Historical Resources  
Information System

BUTTE  
GLENN  
LASSEN  
MODOC  
PLUMAS  
SHASTA

SIERRA  
SISKIYOU  
SUTTER  
TEHAMA  
TRINITY

California State University, Chico  
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June 22, 2007



Mr. Brendan Vieg  
City of Chico Planning Services Department  
P.O. Box 3420  
Chico, CA 95927

Re: Bidwell Park Master Management Plan Environmental Impact Report

Dear Mr. Vieg,

Several weeks ago, I was contacted by Susan Mason (Friends of Bidwell Park) regarding concerns that the Bidwell Park Master Management Plan Environmental Impact Report (BPMMP EIR) did not adequately address cultural and historical resources known to be located within the Park. After reviewing the BPMMP EIR, I am taking this opportunity to provide comments and recommendations.

First, I would like to comment that the BPMMP and EIR were well-written, thorough, and nicely presented in a very professional, good-looking report. I agree with most of EDAW's conclusions. In the Draft Bidwell Park Master Management Plan Update, EDAW has stated that:

*"...few systematic cultural resource investigations have been conducted within Park boundaries. Topography, vegetation, and water sources have all contributed to the heavy use throughout prehistoric, early historic and contemporary times. Given such a landscape, it is almost certain that additional undocumented archaeological sites, features, and artifacts are present within the Park. As such, encountering such resources during ongoing and future development and utilization of the Park need to be addressed if these resources are to be preserved for future generations..."*  
(Draft BPMMP Update p.2-80).

EDAW further stated that:

*"Cultural resource protection was identified as a planning issue that was not adequately addressed in past planning efforts. While some work toward inventorying and adequate management of cultural resources has been done in the past, a complete cultural resources inventory as well as the development of a Cultural Resources Management Plan have been identified as needed tools for the sound management of the Park's many historic, ethnographic, and prehistoric resources..."*(Draft BPMMP Update p.2-12).

O4-1

We concur with these statements, and highlight the following points: (1) lack of systematic, comprehensive cultural resource surveys within the Park; (2) high sensitivity of much of the Park in terms of the potential for prehistoric and historic cultural resources; (3) the problem of ongoing impacts to archaeological sites associated with Park use as well as Park maintenance and improvement projects; and (4) the need for a complete archaeological survey of the Park in conjunction with implementation of a Cultural Resources Management Plan. We are concerned with the fragile nature of prehistoric archaeological deposits as well as ongoing impacts to historic archaeological resources such as rock walls, historic fence lines, and flumes located within the Park.

O4-1  
(Cont)

As EDAW has outlined, 32 sites have been recorded within the park; of these "...direct or indirect degradation resulting from existing trails, roads, or increased access by the recreating public has been documented at 11 of the 32 sites in the Park..." (EDAW E4-87). In order to avoid these ongoing impacts to cultural/historical sites, we recommend that the City of Chico hire a professional archaeologist (historical resources consultant or consulting firm) to assess previous work within the Park and conduct a complete archaeological survey of the Park. Through research, compilation of information from past work, and the field survey, a management plan for cultural resources should be generated. The management plan should outline site protection, avoidance, monitoring, evaluation and other treatment measures, a public interpretation program for cultural resources, and a burial treatment plan. As well as meeting the standard qualifications, we recommend that the consultant/consulting firm hired for this project demonstrate expertise in history as well as prehistory and the ability to consult with the Mechoopda and other tribes on an ongoing basis.

O4-2

Our specific concern regarding the BPMMP EIR is in regards to EDAW's recommendations concerning the Disc Golf/Trailhead Area Concept Plan as it would affect CA-BUT-892H, the historic Humboldt Wagon Road. As stated by EDAW, "...The wagon road has been determined to be eligible for listing in the NRHP and, as such, also qualifies as a historical resource under State CEQA Guidelines and is therefore eligible for inclusion in the CRHR..." (Draft BPMMP Update: p.E4-93). They further describe:

*"Construction of the proposed parking lot and associated facilities as outlined in the concept plans would directly affect a segment of the Humboldt Wagon Road, approximately 700 feet in length under Alternative A, a segment approximately 500 feet in length under Alternative B. The entire length of the recorded segment of the wagon road is approximately 1,900 feet, therefore direct impacts would compromise 26 to 37 percent of the route in this area. Based upon the intrusion of the associated facilities, the proposed Disc Golf/Trailhead has the potential to indirectly impact (or adversely change) the setting of other portions of the wagon road..."* (Draft BPMMP Update: p.E4-94).

O4-3

However, under Mitigation Measure CUL-1, they assert that:

*"...this segment of the road appears significant based upon the associated archaeological deposit (NRHP Criterion D/CRHR Criterion 4), which will not be impacted by construction, and the association of the wagon road with John Bidwell.*

*As currently designed, neither Alternative A nor Alternative B will result in destruction or alteration of the surrounding of the archaeological deposit, and impact only a percentage of the route associated with the original person responsible for its construction, John Bidwell [emphasis mine]. The surrounding environment of this segment of the route has been previously impacted by construction of a more recent dirt road that parallels the contemporary route of Highway 32, such that the immediate surroundings have been altered from what was present during the historic period. Therefore, because neither alternative would impact the archaeological deposit or substantially impair the significance of the resource as it relates to its association with a person of historic importance..., both alternatives would result in less-than-substantial adverse changes in the significance of this resource...”(EDAW p.E4-95).*

O4-3  
(Cont)

In this section, EDAW also indicates that mitigation resulting from the direct impacts associated with the Disc Golf/Trailhead Area Concept Plan would take the form of interpretive signage presenting an historic overview and the historic importance of Humboldt Road. **We strongly disagree with EDAW’s assertion that paving-over of a 500+ foot segment of the original track of Humboldt Wagon Road would not impair the significance of the resource.** In actuality, it is precisely the wagon ruts and remaining track of the wagon road that are considered one of the major contributing elements that make Old Humboldt Road eligible for listing on the National Register. The extant ruts, swales, and rock wall retaining features are virtually all that is left of Humboldt Road anywhere along its length. Both Jensen (1998) and Vaughan (1996) have recorded wagon wheel ruts, swales, and rock retaining walls which they considered significant features of CA-BUT-892H.

In 1985, Dr. Eric Ritter, Redding BLM Archaeologist, recorded the section of Humboldt Road currently slated for review as part of the Disc Golf Course project. At the time, he stated that the integrity of the road was “fair to good” while the artifacts (archaeological deposit) were “in poor condition.” We would assert that while the archaeological deposit certainly contains important information relating to use of the Humboldt Road, it is the road itself, and its association with John Bidwell and the history of the development of Chico and surrounding areas, that creates significance. EDAW has suggested that the presence of a dirt road near the Old Humboldt Road affects the immediate surroundings to the extent that the Old Humboldt Road’s significance has been compromised. This is inaccurate. While the environment may have changed slightly from John Bidwell’s time, in this location, it has not changed substantially.

O4-4

As development continues in Chico and the surrounding areas, important resources such as the Humboldt Wagon Road continue to be negatively affected. A good deal of the road has been paved over or otherwise lost through time due to development or other causes. The remaining ruts, swales, rock walls, and associated archaeological deposits, sparse and fragmented though they are, represent all that remains of this important resource. It is the responsibility of the City of Chico to protect what is left of this important resource for the people of this area and generations to come. While signage and interpretation of this historic resource may be appropriate for other reasons, the City

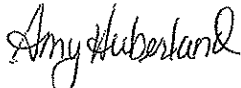
O4-5

should not approve these as a Mitigation Measure for impacts to this segment of Humboldt Road. Instead, impacts to or destruction of any intact sections of the road, associated construction features, or associated archaeological deposits should be completely avoided. In addition, the cumulative effects of this and other projects (e.g., Oak Valley Subdivision) on linear resources such as the Humboldt Wagon Road need to be considered. It is the responsibility of the lead agency to ensure that the integrity and significance of this and other similar resources are not compromised by the implementation of various development projects over time.

O4-5  
(Cont)

We appreciate your concern in preserving California's cultural heritage. If you have any questions regarding these recommendations, please feel free to contact me at the NEIC.

Sincerely,



Amy Huberland, M.A.  
Assistant Coordinator

Cc: Wayne Donaldson, SHPO  
Susan Mason, Friends of Bidwell Park  
Arlene Ward, Mechoopda Indian Tribe

- O4-1 The commenters are in agreement with most of the conclusions presented about historic and cultural resources and are concerned with the fragile nature of prehistoric archaeological deposits as well as ongoing impacts to historic archaeological resources.

**Response:**

The EIR states that implementation of the four Park Improvement Projects including the Trails Plan may result in direct or indirect disturbance to cultural resources, resulting in potentially significant adverse changes in historic or archaeological resources, and that this potentially significant impact requires mitigation. These mitigation measures are outlined in Mitigation Measures CUL-1, CUL-2a, and CUL-2b.

- O4-2 The commenters recommend that the City of Chico hire a professional archaeologist to assess previous work within the Park and conduct a complete archaeological survey of the Park.

**Response:**

Please refer to comment O3-58 above.

- O4-3 The commenters strongly disagree with the assertion that the paving-over of a 500+ foot segment of the original track of Humboldt Wagon Road would not impair the significance of the resource.

**Response:**

Please refer to Master Response 3–Cultural Resources/Humboldt Road above. In this portion of the alignment, the eligibility of the road for listing on the state register is related to its historic association with John Bidwell, rather than its physical features. This historic association would remain intact notwithstanding encroachment of park facilities into portions of the alignment. Furthermore, with the redesign of the project, no direct impacts would affect the Humboldt Road.

- O4-4 The commenters disagree that the presence of a dirt road near the Old Humboldt Road affects the immediate surroundings to the extent that the Old Humboldt Road's significance is compromised.

**Response:**

Please refer to Master Response 3–Cultural Resources/Humboldt Road above.

- O4-5 The commenters believe that the City of Chico should not approve the proposed Mitigation Measures for the impacts to Humboldt Road.

**Response:**

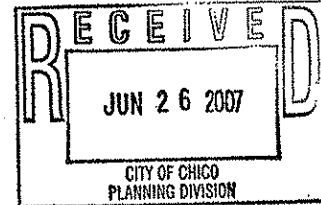
Please refer to Master Response 3–Cultural Resources/Humboldt Road above.





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Brendan Vieg  
City of Chico  
Planning Services Department  
P.O. Box 3420  
Chico, CA 95927



Hi Brendan,

I wanted to make some general comments on the EIR.

**Cedar Grove Plan** - Regarding the suggestion that the Nature Center lot may be paved, I should state that we do not see this as necessary. From a fire standpoint, it has been established (unfortunately too many times) that there is adequate room for truck turnaround. Also established by testing prior to the groundbreaking of the our new facility is the structural integrity of the driveway. This was done to allay concerns of the FD that there could be softening of the grounds in the event that fire trucks dump volumes of water on the driveway surface. Dust, if that is even a consideration in the paving of the lot, is not of significant consequence from our standpoint. Park staff feels paving can be a benefit from a maintenance standpoint. While this is logical, I hope an alternative can be pursued to help us in our efforts to maintain as natural a state as possible for our learning center.

O5-1

In general the above comments apply to Cedar Grove, but I realize that planned use for that area is different. Those uses, however, should be more defined before we act on paving the area as should the impact of East 8th Street modifications. Also, both the CCNC and Cedar Grove's role as habitat/corridor for deer is more significant than ever as the developments on East 8th and on Forest Avenue have greatly impacted wildlife habits in our area. This should be weighed in any consideration of tree and vegetation removal. Any expansion of the parking lot toward the creek would be of concern as well. Spillover area for parking seems to be appropriate and of course is used that way now. The road currently under construction for travel from Cedar Grove to our new facility and into the existing Nature Center is a road base material similar to what exists now in Cedar Grove. Paving the overflow lot adjacent to this road would be inconsistent with that.

O5-2

#### **Disc Golf**

It is important to get people out into the Park to enjoy it through various types of recreational activity. This aids in gaining appreciation for the Park's splendor and hopefully encourages better stewardship of its natural systems, which are impacted more each day. This is consistent with our mission to increase awareness and understanding of the Park in order to encourage more responsible Park use.

O5-3

The illegal use of the disc golf area prior to the Park Commission's conceptual approval of it, which was contingent upon environmental review, and the continued environmental damage to a this previous low-impact use area is very inconsistent with what we teach is responsible use of the Park: stay on the trails; learn more about the sensitivity/complexity of the park's plants and animals so as to become better stewards of nature; leave the Park as you found it. These are simple messages that drive our mission at the Center and ones that the policy makers should consistently offer to kids and adults alike. Although Park staff has encouraged DG users to reduce impact on the Resource Conservation Area, where the course is currently situated until the Commission determines whether disc golf is a wise use of that area, the damage continues. While spokespersons for users claim in the local press to

O5-4

have been stifled in their efforts to "improve" the area by the Commission and Park staff, they have made little effort to stop destructive activities, including the formation of unauthorized trails. The cessation of this activity should precede any "improvement." I am confused as to why disc golf at this site is even allowed to continue as use of the site is debated.

O5-4  
(Cont)

The issue of safety has also gone unaddressed on what is essentially a freeway without infrastructure that allows for safe entrance and exits onto the roadway. This is not a kid-friendly location. Conversely, the proposed CARD disc golf course in Middle Park is far superior in this regard. CARD's proposal should be the only disc golf course considered within Bidwell Park if we are to keep development and high-impact use out of Upper Park.

O5-5

The EIR, as I read it, limits discussion as to the type and breadth of the disc golf course in Upper Park as if it is accepted already. This stance is unfortunate and lacks vision. Options outside the Park can and should be more thoroughly explored. This should have been done at a much earlier stage, in my opinion, though the city has done little to insist on this flexibility. This does not mean it still cannot be done. CARD is already planning to submit grants to fund the course in Middle Park, something that users of the Upper Park course have not even considered seriously in my observation. I see the preference of CARD-only course as an easy Park/fiscal management decision, even as it may be a more politically difficult one.

O5-6

Remember that past Councils and the original BPMMP planners intended for Upper Park to be used in a low-impact way to preserve its natural beauty and health. This does not preclude the use of the area for certain forms of recreation. However, Disc Golf, as popular as it is, is not an appropriate activity in Upper Park. As such, we should now pursue the restoration alternative for the disc golf area area, disallowing further use of it for disc golf and restoring it, to the extent possible, to the state it was in prior to its use as a course.

#### Horseshoe Lake

I will confine comments on the HL plan to the need for improvements to parking lot E so that buses can turn around there. We use this area extensively as a drop-off for schools participating in CCNC programs.

O5-7

#### Trails Plan

My only comment at this point is that we should prioritize the restoration of unauthorized trails.

O5-8

Thank You for your efforts thus far,

Sincerely,



Tom Haithcock  
Executive Director  
CCNC  
891-4671

O5-1 The commenters feel that the Nature Center parking lot should not be paved.

**Response:**

Paving and striping are suggested to enable a more efficient use of the site and to control parking in the area, which would curtail more dispersed parking on or near natural resources. This more efficient use is mostly necessary during special events. Planting of additional trees is also included as part of the Cedar Grove Area Concept Plan to soften the impacts of paving and striping. However, the presented plan is a concept plan which will be refined prior to implementation. The City recognizes the desire of the Chico Creek Nature Center to keep the parking lot unpaved and will continue to coordinate closely with the Center's staff to reach a mutually agreeable solutions to both the City's and the Center's needs.

O5-2 The commenters feel that the planned uses for the Cedar Grove area should be more defined before implemented and that paving of parking areas may not be appropriate

**Response:**

As stated above, the City will continue to coordinate closely with the Center's staff to reach a mutually agreeable solutions to both the City's and the Center's needs. Furthermore, any expansion of parking areas would be balanced by planting of additional vegetation and would not be expected to impair the site's future values for wildlife habitat.

O5-3 The commenters state that it is important to get people out into the Park to enjoy various types of recreational activity and encourage responsible Park use.

**Response:**

The comment is noted.

O5-4 The commenters are confused as to why disc golf is allowed to continue as the use of the site is debated and to why such little effort has been made to stop destructive activities in the Park.

**Response:**

The City is striving to resolve the issue of unofficial disc golf activity through a redesign of the area that is environmentally sensitive and by implementing additional management measures, educational outreach and restoration efforts. City Council has given direction to let the use continue pending environmental review. In the meantime, until the issue can be resolved, the City can only apply management strategies available within the adopted frameworks for management of the Park. The current version of the BPMMP does not include the Disc Golf/Trailhead area site, because this site was not part of the Park at the time of plan adoption, nor does it include closure of the site to public access. This limits the City's options until the use of the site can be resolved through the BPMMP Update process.

O5-5 The commenters are concerned with the issue of traffic safety at the Upper Park Disc Golf site. The commenters also state their support for a proposed CARD disc golf site in Middle Park.

**Response:**

The transportation and traffic section (E4.3.12) of the DEIR addresses a potential increase in circulation hazards to motor vehicles, bicycles, pedestrians, equestrians and other traffic resulting from implementation of the four park improvement projects, including the Disc Golf/Trailhead Area Concept Plan site (Impact Traffic-4b), and states specific mitigation to implement to reduce traffic safety hazards to less-than-significant.

The commenter's support for the proposed CARD site in Middle Park is noted for the City's consideration.

- O5-6 The commenters feel that options for a Disc Golf site outside the Park should be more thoroughly explored and that, in keeping with the desires of former council member and BPMMP planners, disc golf should be eliminated from Upper Park

**Response:**

Comment noted. Please refer to the response to comment O2-17 above as to why no other full (i.e., two course), off-site alternative for disc golf is analyzed in the DEIR. The ultimate decision on which alternative will be chosen and implemented once the environmental review is complete lies with the City Council.

- O5-7 The commenters feel improvements need to be made to parking lot E by Horseshoe Lake, so that buses can turn around there.

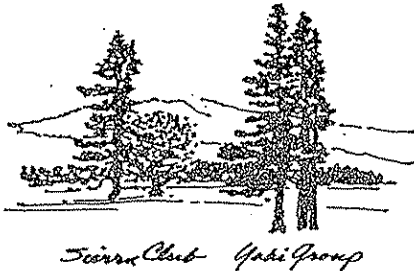
**Response:**

Comment noted. The City will coordinate closely with the Chico Creek Nature Center prior to implementing the Horseshoe Lake Area Concept Plan to ensure that adequate circulation is provided.

- O5-8 The commenters feel that restoration of unofficial trails should be of high priority.

**Response:**

Comment noted. The BPMMP includes decommissioning and restoration of unofficial trails.



Sierra Club, Yahi Group  
Post Office Box 2012  
Chico, California 95927  
[www.motherlode.sierraclub.org/yahi](http://www.motherlode.sierraclub.org/yahi)

Grace M. Marvin, Chair  
Home: 1621 N. Cherry Street  
Chico, CA 95926-3141  
[G-Marvin@sbcglobal.net](mailto:G-Marvin@sbcglobal.net)  
June 26, 2007

Mr. Brendan Vieg  
c/o City of Chico Planning Services Department  
P.O. 3420  
Chico, CA 95927  
[Bvieg@ci.chico.ca.us](mailto:Bvieg@ci.chico.ca.us)

Dear Mr. Vieg:

The Sierra Club-Yahi Group, which represents a five-county membership, submits the following comments on the Bidwell Park Master Management Plan Draft EIR regarding the proposed disc golf course.

The course would have significant negative impacts on the environment. While a parking lot could effect water run-off and result in unforeseen erosion problems, almost certainly it would encourage more vehicular traffic creating more pollution, traffic and safety issues. Additionally, sanitation will also be an issue. Restroom and trash collection facilities will be needed and have to be maintained to guard against the scattering of human waste in the area.

O6-1

Permanent tees and holes are being proposed. This does not solve the problem of the scattershot destruction of the area. There would also need to be permanent "fairways" to minimize the impacts on flora and fauna. However, it's unrealistic not to expect that shots will often land in the "rough" or that a golfer will position him/herself off the "fairway" to get the best angle to make a hole. The freewheeling nature of the game is part of its appeal. However, the problems - compaction and erosion - that were created when mountain bikers did not have permanent, mandatory trails will be duplicated.

O6-2

Except that the golfers want to enjoy the beauty of the area, there is no reason why the course must be sited there. Why not consider requiring current and/or future developments to set aside land for a disc course? If the course were more centrally

O6-3

located in the city, then there would be reduced transportation costs, less of an impact on air quality, and an increased likelihood that more people would use the course.

O6-3  
(Cont)

The disc golf course cannot be characterized as the highest and best use of the land. Upper Park is intended for low-impact use, not something as developed and intensely used as the site has become. There are no mitigation efforts practically available and enforceable that are sufficient to offset the impacts to the environment. In order to protect future options for all potential users of the park, the disc golf course should be denied.

In summary, the Executive Committee of the Sierra Club-Yahi Group specifically endorses keeping Upper Park wild. Personal inspection and concerns about damage to trees prompted the Executive Committee to re-consider the role of Upper Park in our community. We have reviewed the club's 2003 support of disc golf in Upper Park and believe that subsequent disc golf impacts and studies about disc golf in Upper Park require a change in our position. We believe that Upper Park should be kept as wild as possible, with the exception that the public should have access to Upper Park through well-maintained and signed trails. Preserving the park in this manner means that there should be no "developed recreation" such as disc golf in Upper Park. Instead, we urge that other parts of the Chico community be considered as a location for such activities, accompanied, of course, by conscientious environmental reviews.

O6-4

Thank you for your consideration.

Sincerely,  
Laura Grossman  
Vice-Chair of the Sierra Club-Yahi Group

Grace Marvin  
Chair of the Sierra Club – Yahí Group

- O6-1 The commenters believe the Disc Golf course would have significant negative impacts on the environment (water run-off, erosion, traffic, pollution, safety, and maintenance/sanitation).

***Response:***

The DEIR analyzes the full CEQA spectrum of potential resource impacts including water quality, soil erosion, traffic, and health and safety for the BPMMP and the four specific Park Improvement projects including the proposed Disc Golf/Trailhead Area Concept Plan. Where significant or potentially significant impacts were identified, the DEIR provides specific mitigation measure that would reduce these impacts to less-than-significant. Table E7-1 in Appendix E7 presents a summary of the environmental effects of the BPMMP and Park Improvement Projects, including the proposed disc golf course options. As depicted in Appendix H (Disc Golf/Trailhead Area Concept Plan) of the BPMMP, the proposed entry plaza includes a restroom, picnic area with trash receptacles, and information kiosks which are all expected to help manage use of the site in a manner that would present improvements over current conditions.

- O6-2 The commenters believe that the proposed permanent tees, holes, and fairways do not solve the problem of scattershot destruction.

***Response:***

The proposed infrastructure is only one aspect of managing use of the site. Other aspects include the design and layout of tees and targets (away from sensitive resources), implementation of protective features (e.g., pole structures protecting trees from disc impacts), educational outreach, monitoring, and adaptive management as outlined in the BPMMP. Together, these measures are expected to result in improvements of the environmental conditions at the site compared to current conditions.

- O6-3 The commenters note that a more centrally located Disc Golf course would reduce transportation costs, lessen the impact on air quality, and increase the likelihood that more people would use the course.

***Response:***

The City agrees that a more centrally located course would result in the environmental benefits stated by the commenter. However, no other suitable site that meets the course design criteria has been located to date. Please also refer to comment O2-17.

- O6-4 The commenters believe the Disc Golf course should be denied and endorses keeping Upper Park wild. They state that this presents a change in position from the organizations support for disc golf stated in 2003.

***Response:***

Comment noted. The ultimate decision on whether or not the site will be used for disc golf among other uses lies with the City Council. The DEIR presents an analysis of impacts and feasible mitigation measures and serves as a tool in facilitating an informed decision.





Comments submitted by Altacal Audubon Society regarding  
concerns about the BPMMP Draft EIR

**Disc golf**

1. Future health of the Blue Oak forest depends on its ability to recruit new saplings, sometimes outside of the existing drip line. Based on construction and daily projected uses of the site, *what are the impacts to future sapling recruits that start outside of the existing drip line(in fairways)?*(E4-76)
2. The large cliff face adjacent to the disc golf course has, for centuries, been a prime nesting habitat for Golden Eagle, Peregrine Falcon, Prairie Falcon, Red-tailed Hawk, and other raptors. Dawn Garcia (local bird researcher) states "Stray discs, and particularly retrieval of discs down this face (which I personally have seen), can negatively impact nesting raptors by causing them to abandon nesting activities." *Given the estimated amount of rounds of play per year, what is the probability that a stray disc could strike near a nesting site on this cliff face? How much of this type of disturbance would negatively impact a nesting raptor?*
3. All of the disc golf options, including the restoration alternative, call for avoiding certain areas that have already received an excess of soil erosion/compaction . *How long is it expected to take for soil to naturally regenerate on its own in these areas? Years? Decades? Centuries?*(E4-103,4)
4. Much is mentioned about the golf *tee* mitigation measures, but little is said about the impacts to soil around the *pins*. The nature of the play makes trail construction less defined in these areas, with less ability to funnel activities to narrow areas. *What is the estimated square yardage of soil impact around the pin areas? What is the total square*

O7-1

O7-2

O7-3

O7-4

*yardage of area to be mitigated by installation of a 6' layer of wood chips?*

O7-4  
(Cont)

5. The roughness of the terrain would make access by construction and maintenance vehicles difficult or impossible, necessitating service roads on the site. To assess the true impacts of the disc golf facility, information on service and construction vehicles is crucial. *What type of equipment is being proposed for use during construction? Skid-steered tractors? Front loaders? 4wd light trucks? Concrete mixer trucks? What associated impacts to soil and plants would each of these have?*
6. *What type of equipment is proposed for use in the maintenance of the course (installation of woodchips, watering of potential oak sapling re-plantings, weed clearing around re-plantings, etc.)?*
7. *What route will service/construction vehicles use, and what are the impacts of this activity on these routes?*
8. *If site alteration is needed to accommodate service/construction vehicles (service roads), have these impacts been accounted for in the EIR? Can the EIR, or BPMMP, sufficiently determine that service roads are not needed?*
9. *What is the embedment depth of the poles used to support the target pins, and what are the potential permanent impacts to the site by creating these holes? If holes are to be dug into Tuscan bedrock, what type of heavy equipment is needed to dig these holes?*

O7-5

O7-6

#### **Cedar Grove**

1. *What increase in heat will be generated from adding pavement to the Cedar Grove/Nature Center parking area?*
2. *Expanses of blacktop paving can be considered visually degrading in a naturalized park setting. Has this type of visual degradation been weighed against the impacts of "dust"? (E4-11)*

O7-7

3. *Are there other alternatives to “demarcation of parking spots” other than blacktop/painted lines that are considered for this EIR? (E4-11)*
4. *Have permeable parking surfaces been considered?*

O7-8

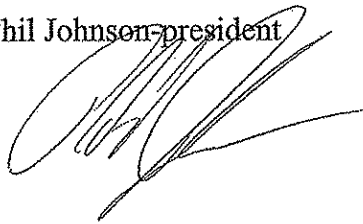
O7-9

**Horseshoe Lake**

The natural character of the northern slope of land leading down into Horseshoe Lake is open grassland. Lake edges generally have lower growing tule/willow vegetation. Adding tall trees can change the natural setting and block the view of the grassland and ridge line. *Has the height of the proposed trees on the north side been factored into the potential impacts to visual character and natural setting?*

O7-10

Phil Johnson-president





- O7-1 The commenters would like to know what the impact would be to future sapling recruits that become established outside of the drip line and potentially in the proposed fairways of the Disc Golf course.

**Response:**

Due to the highly used nature of the fairways, it is unlikely that sapling recruits would become established right in the fairways. Should they manage to do so despite the foot traffic, it is likely that their chance of long term survival would be low. This is an example of the types of indirect effects recognized by the DEIR as potentially significant in Impact BIO-3c. The DEIR contains mitigation measures to reduce and offset adverse effects on oak woodland resulting from the use of the site for a Disc Golf/Trailhead Area. Please see the mitigation for Impact BIO-3c, which includes tree replacement provisions. Please also refer to Master Response 4—Oak Woodlands above.

- O7-2 The commenters note that stray discs can negatively impact nesting raptors on the cliff face and would like to know the probability of a stray disc striking near a nesting site.

**Response:**

The potential for discs to go over the cliff edge is real, and some people may choose to attempt to climb down the cliff to retrieve them. Education signage that would be installed at the proposed entry plaza facility (See Appendix H of the BPMMP) would include information on the presence of sensitive resources on or near the site and would discourage retrieval of discs from the cliff face. The actual probability of a disc hitting near a nest would be very hard to predict; however, it is doubtful that it would happen often enough to actively disturb nesting raptors, especially recognizing design changes that pull disc golf facilities further from the edge of the cliff. When compared with existing conditions, the proposed disc golf layout has less activity immediately adjacent to the cliff, so existing risks would be reduced, rather than increased by the proposed design. Should direct observations indicate that nesting raptors are adversely affected by ongoing frequent disc retrieval, the City would implement adaptive management strategies as described in the BPMMP.

- O7-3 The commenters would like to know how long it would take for soil to naturally regenerate in areas of excess soil erosion and compaction.

**Response:**

The timeframe for soils to regenerate in areas that have been degraded by erosion is likely to be very long. In the context of CEQA review, one key question is whether adverse change would occur, in comparison to the existing conditions (baseline). Because the site is currently subject to unofficial use, when compared with existing conditions, the proposed installation of site improvements, active management of the site, reduction of overall footprint, and restoration components are expected to reduce erosion risks occurring at the site now.

- O7-4 The commenters would like to know the square yardage impacts to the soil around the golf pins.

**Response:**

It is speculative to attempt to determine the precise square yardage of impacts around pins, as it would vary based on difficulty of the particular hole, terrain, obstacles in the way, and other factors. Regardless of the exact area, it is reasonable to conclude that installed facilities with a reduced overall footprint would ensure that the area of affected soil would not be greater than existing conditions, and is expected to be less. Reducing the existing adverse conditions on the site is one of the objectives of the disc golf design.

- O7-5 The commenters have concerns about potential impacts and mitigation for construction, maintenance, and service vehicles at the disc golf site and would like to know what equipment would be used during construction and whether these impacts have been included in the DEIR

**Response:**

Impacts resulting from construction have been included in the DEIR. As stated in the air quality analysis of the DEIR (page 4-29) it is assumed the construction equipment for all park improvement projects would include trucks, a trail builder, graders, scrapers, paving equipment, dozers, loaders, excavators and other miscellaneous equipment. All of the larger equipment, such as dozers and scrapers, would be used for construction of parking lots and larger facilities only. The installation of disc golf tees and targets would not involve heaving grading, scraping, etc. and only minimal access by a small truck and personnel on foot would be needed to deliver materials to the respective site. Construction would be conducted in accordance with Implementation Strategies and Guidelines I. DG/T -1 through I. DG/T-11 of the BPMMP which provide specific guidance on how the site would be constructed, monitored and managed to prevent resource damage. A permanent service road in the interior of the Disc Golf/Trailhead Area site would not be needed.

- O7-6 The commenters would like to know the embedment depth and impacts of the poles used to support the target pins.

**Response:**

No holes would be drilled into the Tuscan Rock to embed poles. Poles would be placed into earth tone colored concrete tee pads, as stated in implementation measure I. DG/T -1 of the BPMMP. These pads would be poured at each tee and target site.

- O7-7 The commenters are concerned that paving over the Cedar Grove/Nature Center parking lot will increase heat and be visually degrading.

**Response:**

The area that would be paved is relatively small (45 standard plus 4 ADA spaces at Cedar Grove, 38 standard plus 2 ADA spaces at the Nature Center) and would largely occupy areas currently used for parking. Consequently, the size of the parking area visible to the public would not change. Many of these spaces are shaded by existing trees, so the overall increase in radiant heat resulting from paving would be small. Furthermore, the proposed concept plan includes planting of additional trees in/near the parking areas to provide shade and soften the appearance of delineated parking, thus counteracting both increased heat and adverse visual conditions. Formalizing the parking by providing paving and striping largely would make more efficient use of the existing parking area and curtail off-area parking in or near natural communities; this would reduce existing adverse aesthetic conditions of more random parking in other vegetated and natural areas.

O7-8 The commenters asks about alternatives to the demarcation of parking spots other than blacktop/painted lines.

***Response:***

Demarcation is the measure that allows for the most efficient use of the space without having to expand the overall parking area. When the City pursues the detailed design and implementation of the more formal parking, it will consider alternative, feasible surfacing material available for use in parking lots.

O7-9 The commenters would like permeable parking surfaces to be considered.

***Response:***

Comment noted. The City will consider permeable parking surfaces during detailed design and implementation phases of the project.

O7-10 The commenters are concerned that adding tall trees to Horseshoe Lake will change the natural setting and block the view of the grassland and ridge line. He would like to know whether the height of the trees has been considered in the visual impact analysis.

***Response:***

The shallow substrate and limited lake edge area are expected to naturally limit the ability of native trees to grow to excessive heights in this area. The addition of trees has been considered as part of the visual analysis and is expected to result in visual enhancement when compared with the current, somewhat degraded conditions.

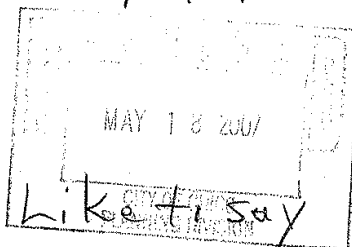




### **3.2.3 SECTION I. INDIVIDUALS**



5/17/07



Dear Sirs,

My family & I would like to say that we are in favor of the disc golf course as layed out in the EIR & General Plan. It's present location is GREAT & it need to stay there for years to come & be enjoyed by all! It is a wonderful way for kids, teen, young adults & adults to get exercise & enjoy the beautiful park that the Bidwells left us. Thanks for all your hard work.

11-1

Sincerely,

Deanne, Jeff, Justin  
& Sarah Rolfs



I1-1      The commenters state their support for the disc golf course.

***Response:***

The commenter's support is noted. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



**Brendan Vieg - Disc Golf**

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**From:** Mark <mark@cretedesign.com>  
**To:** <bviieg@ci.chico.ca.us>  
**Date:** 6/12/2007 12:17 PM  
**Subject:** Disc Golf

---

I am writing about the newly released Bidwell Park EIR and the future of disc golf in upper Bidwell Park.

To offer you a bit of background, my 16 year old son and I have been playing disc golf for the past eight years, and have been playing amateur tournament disc golf together for the past three years through the Professional Disc Golf Association (PDGA). My son and I enjoy the competition and the time we get to spend together playing and camping while attending disc golf tournaments. I want to assure you that my son and I have the best intentions and that we always respect the park rules, the land, and the facilities surrounding a disc golf course, as it is an integral part of the rules of life, disc golf play and personal conduct.

One of the problems we have locally is that the City of Chico has no tournament class courses for practice and events. I know that recently C.A.R.D approved a small course for the Hooker Oak Park Area. This small course will help redirect traffic from the current upper park site, and will be a excellent place for beginners to play disc golf, but is by no means a tournament class course. With the release of the EIR, the city council will be faced with the decision to either allow a disc golf course in upper park or remove the existing ones. Please keep these courses where they are, and give Chico the chance to become a world renowned place to play disc golf. Just to let you know, many top professionals, both locally, and from other states, and even the creator of the sport, Steady Ed Headrick, have visited and played golf in upper park. The reaction is always the same, one of elation and amazement (except for the archaic targets, and dirt tees). These players always say that if only we had the approved equipment installed, that the course would instantly be one of the top courses of the world, and could potentially bring top professional and amateur players from around the world for major competitions. The presence of thousands of disc golfer annually traveling to Chico would more than likely help the community socially and economically.

12-1

I realize that the EIR has many conditions to be met along with hard work and money in order to make our current home course a reality. We are ready, willing and able to step up to this challenge and I can assure you that when the course is installed my son and I will be the first people in line to volunteer our time, effort, and dollars to keep this course and the surrounding environment protected, clean and in shape. I have read through the EIR and I can see that all the park improvements and the disc golf course improvements would be a great asset for the park and the environment as well. I am sure you will receive letters from a few citizens who feel this report has not hit all the issues, and will express the need for yet another more specific EIR. It is my opinion the only reason you will hear these arguments, is because the EIR did not turn out like they thought it should. Their expected result would have made it clear that any improvements and a disc golf course would have no place in Bidwell park. As it turned out, the EIR recommendations were clearly in favor of all the mitigation plans, and even went as far as showing how these plans would make things more protected and much better than if not implemented.



Please let me know how I can be of service in making a permanent course in upper park a reality. I have talked to hundreds of people that have expressed interest in keeping Disc Golf at the upper Park location, and would be willing to volunteer their time and effort.

Sincerely,

Mark L. Bohn  
POB 763  
Forest Ranch CA, 95942



530-828-6475

|   |   |   |
|---|---|---|
|  |   | <i>Architectural Design</i><br><i>Structural Engineering</i><br><i>ADA Consulting</i><br><i>Interior Design</i> |
| <i>Architecture &amp; Planning</i>  |   |   |
| <b>Mark Bohn</b>  |  | 2540 Esplanade # 12<br>Chico, CA 95973<br><a href="http://www.cretedesign.com">www.cretedesign.com</a>          |
| <b>PROJECT MANAGER</b>  |   | Timothy J. Crete<br>Architect Lic. #C24094  |
| PH: (530) 345-6576  |   |   |

I2-1      The commenter explains the need and interest in keeping disc golf at the Upper Park location.

***Response:***

The commenter's interest is noted. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



**Brendan Vieg - Disc Golf in Chico**

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**From:** Keith McCurry <k\_s\_mccurry@yahoo.com>  
**To:** <bviieg@ci.chico.ca.us>  
**Date:** 6/12/2007 1:10 PM  
**Subject:** Disc Golf in Chico

---

Dear Brendan,

As you are full aware, a large number of Chico residents have a thriving support for the sport of disc golf. We are so optimistic that the City of Chico will recognize all the positives that this sport has to offer to our community. As a student of CSUC I wish to pledge my support for the course in Bidwell Park, though I will be unable to attend the upcoming meeting.

Disc golfers respect and love the outdoors and have a great reverence for Bidwell Park. We feel that a permanent disc golf course in Bidwell would positively effect the City of Chico and Bidwell Park, and would, in its current location be considered one of the best courses in the State of California if made permanent.

I concede that the current course does have its faults that can and should be mitigated, however, the current site has much to offer and I believe it should remain in place. I believe that Bidwell Park should provide for as many activities as possible and a permanent disc golf course would be a welcome addition.

Thank you for considering this issue and for reading my response.  
Keith

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Don't get soaked. Take a [quick peak at the forecast](#)  
with the [Yahoo! Search weather shortcut](#).

I3-1



I3-1      The commenter notes the need for a permanent disc golf course in Bidwell Park.

***Response:***

The stated need is noted. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



**Brendan Vieg - disc golf**

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**From:** "Cori Gifford" <yahifarm@earthlink.net>  
**To:** <bviieg@ci.chico.ca.us>  
**Date:** 6/13/2007 4:04 PM  
**Subject:** disc golf

---

I'd like to weigh in with a few public concerns regarding the disc-golf issue with the new master management plan:

Would choosing the modified project of moving the short course to Comanche Creek ,or leaving the course as it is be subject to mandated ADA Accessibility Guidelines? There are surely some wheelchair athletes out there who would love access to a good game of disc golf.

I4-1

I think the ADA passed sometime in 1990 and I'm not sure what exact date Chico is using as the beginning of the disc-golf course--would the date affect whether there should be ADA access?

Keeping Upper Park wild seems like a good idea to me, although I admit it has been personally challenging to weigh the different effects of other recreational activities such as regular golf, biking, hiking, swimming, etc. and their environmental effects when compared to disc golf. The fervor with which the two camps (for/against) have lobbied local press has been an interesting unfolding education on how we talk about resource management. As humans, it seems we often (unfortunately) need to be compelled by various agencies to protect our shared resources from/for ourselves.

I4-2

The thing that troubles me about the pro disc-camp is the sense of entitlement reported in local media. Comparing the damage to oaks made by woodpeckers, wind, lightning, old age and disease as akin or worse to the damage made by flying disks. ?. The 'survival of the fittest' attitude toward conservation? Disc golf is a wonderful family activity--it can be played in many locations. The value of the viewshed of the current location is irreplaceable.





I4-1 The commenter would like to know if the disc golf course is subject to ADA accessibility guidelines.

***Response:***

Due to the location and nature of the terrain, the Disc Golf/Trailhead Concept Plan Area may be difficult to navigate for athletes in wheelchairs or with other mobility impairments. Whether a site is designed to ADA standards is not determined by the date it is designed, but by the feasibility. The City strives to have as many facilities as possible in the Park completely accessible.

I4-2 The commenter notes the fervor with which people have argued for and against disc golf and is troubled by what he perceives as a sense of entitlement of the Disc Golf Community. He also states that the value of the viewshed is irreplaceable.

***Response:***

The commenter's concern is noted. It is the City's desire to resolve the ongoing controversy as soon as possible by certifying the Updated BPMMP and FEIR.



**Brendan Vieg - Disc Golf | support Option A**

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**From:** "Tony Chapman" <mail@tonychapman.com>  
**To:** <dpresson@ci.chico.ca.us>, <lcameron@ci.chico.ca.us>, <nkelly@ci.chico.ca.us>, <bviel@ci.chico.ca.us>  
**Date:** 6/13/2007 10:34 PM  
**Subject:** Disc Golf | support Option A  
**CC:** <chicodiscgolf@solutionscubed.com>

---

To whom it may concern,

I am a 30 year old professional that moved to Chico a little over a year ago from Portland, OR to take a job with a local company. In Portland I worked across from a Disc Golf course that was installed by the Intel Corporation as a recreational opportunity for it's employees and the surrounding community.

I would like to voice my support for and applaud the efforts that have been put into creating a nice recreational Disc Golf course in Chico.

One of the things that I really enjoyed about living in Portland was the abundance of nice parks where one could play disc golf. It is a great, low impact sport that people of all ages can play and enjoy.

Chico has some nice parks but to my dismay the nearest decent Disc Golf course is in the new park in Oroville. Adding one to Chico would be a very nice addition to our outdoor recreation opportunities!

Please support the Option A (18 hole beginner course and 18 hole advanced) plan for a Chico Disc Golf course at the upcoming Council meeting.

Thank you for your time.

Tony Chapman  
[mail@tonychapman.com](mailto:mail@tonychapman.com)

P.S. Avid Disc Golfers have been know to plan entire vacations on hoping from one course to the next across the country. There are several websites that list courses different states.

I5-1



I5-1            The commenter is in support of the Option A plan for a Chico Disc Golf course.

***Response:***

The commenter's support is noted. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



**Brendan Vieg - Comments on the B.P.M.Plan update.**

**From:** <The3Gairs@aol.com>  
**To:** <bviieg@ci.chico.ca.us>  
**Date:** 6/14/2007 3:15 PM  
**Subject:** Comments on the B.P.M.Plan update.

Dear Brendon;

I am amazed at the thoughtfulness and professionalism exemplified in the B.P.M.Plan Update and associated documents. Congratulations to all the hundreds of people whose input created it.

I note that an audit of the park's trees and natural resources is called for but not elaborated on. You may already know that the Sustainability Task Force is planning a city audit and that I have suggested to CSUC and the Task Force that in conjunction with that work they could include the trees and natural flora and fauna of the park and the city.

The University of California at Davis and the American Forestry Commission and others have produced the i-Tree software on a free CD which manages such an operation. This has been used and piloted in cities, locally in San Francisco, and **provides a financial justification for the work of tree management and care; quantifying the benefits of CO 2 absorption, oxygen generation, particulate matter reduction, cooling, habitat etc.**

I6-1

We are proposing extensions and amendments to the Chico Tree Ordinance at an upcoming Internal Affairs Commission meeting which will include a request to extend the ordinance to cover the trees in the upper and lower Bidwell Park.(see details on our website [www.treeaction.org](http://www.treeaction.org) ). This will bring to the public's attention how well, and thoughtfully those spaces are managed and bring the same level of care to the trees in the city; adding the advantage of transparency and the promotion of these activities to, and the education of ,citizens who at present have little idea about what goes on.

I live on the edge of the Lindo Channel and Bidwell Park and have had a close up view of what fire can do in this area. The Musty Buck fire is still fresh in my mind. It raced down into the upper Park and took 1100 acres of forest and a 'controlled burn' of grassland almost took out our new Fire Station with it .

As Lindo Channel is still full of ladder fuels it reminded me to ask you to **give some urgency to the designation and creation of fire breaks in the upper park areas and create better access for large equipment.** Last time extensive emergency tree cutting failed to limit the fire as it raced over roads, levies and around playing fields. Anyone can see that we are on the verge of another bad fire prone period and the downed partly consumed trees are still on the ground.

I6-2

Kind regards:

Alan G. Gair for TreeAction (see [www.treeaction.org](http://www.treeaction.org))





- I6-1 The commenter notes that an audit of the Park's trees and natural resources is called for, but not elaborated on. He provides suggestions on possible tools.

***Response:***

The commenter's suggestion is noted. Thank you for the information.

No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- I6-2 The commenter is concerned with the designation and creation of fire breaks in the Upper Park areas and the creation of better access for large equipment.

***Response:***

The commenter's concern is noted for the City's consideration. The NRMP, which is Appendix C of the BPMMP Update, addressed fire management—including wildfire management—in the Park in Section 5 starting on page C.5-1.



The attached letter from Andrew Conlin, a soil scientist with the NRCS, was submitted by Josephine Guardino at the July 13, 2007, Draft EIR Public Comment Meeting with a request that it be addressed as a comment in the Final EIR.

United States Department of Agriculture



Natural Resources Conservation Service  
Chico Soil Survey Office  
P.O. Box 3300 717 Wall St.  
Chico, CA 95927  
530 343-2731

Dennis Beardsley, Park Director  
Bidwell Park and Playground Commissioners  
P.O. Box 3420  
Chico, CA, 95927

12/8/04

Re: Comments from the site visit to the disc golf course site on November 13, 2004

Dear Dennis and Park Commissioners,

There are two general soil conditions on the site of the existing disc golf course:

- The treeless grassy areas and the grassy areas with scattered blue oaks are usually on shallow soils that are 4 to 20 inches deep over very hard volcanic mudflow bedrock. The soil textures are loam with some clay loams and the topsoil is 1 to 2 inches thick.
- The areas with denser stands of blue oak, foothill pine and shrubs are generally on soils that are 20 to 40 inches deep, often over volcanic sandstone or volcanic conglomerate. The soil textures are loams over clay loams and the topsoil is 1 to 3 inches thick.

The morphological characteristics of a soil profile are identified by soil horizons A, B and C. The A horizon, or topsoil, is very important for the soil to function as a medium for biological and hydrological processes. In the topsoil, organic matter, microbial activity, and roots are concentrated. The soil structure and strength produced by the biological interactions in the topsoil are important for dissipating raindrop impact and allowing precipitation to infiltrate into the soil.

17-1

The horizons below the A horizon are generally called subsoil. These horizons have less organic matter and the associated biological activity, and are more critical for anchorage, water retention and root aeration. Soil quality, or the ability of soils to perform their biological and hydrological functions is dependent on the soil profile existing intact and in a sustainable condition.

What I observed at the site is widespread erosion of the thin topsoil and the compaction of the remaining subsoil. The resulting increased runoff is becoming more of a problem as the concentrated surface flow scours the soil as it flows down slope. These shallow soils have a very limited capacity to withstand intense use over a large proportion of a site.

I have not observed this much surface area being degraded on similar land used for hiking, biking, or cattle grazing. The inevitable degradation that occurs on hiking and biking trails occurs in narrow corridors and does not usually impact the soil's functions across a site. Trail corridors can be designed and managed more readily than the wide fairways that I observed at this site.

17-2

Andrew Conlin, Soil Scientist, NRCS

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

Letter  
17  
Response

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Andrew Conlin, submitted by Josephine Guardino

June 13, 2007 (Note: The date on this letter stated July 13, which is after the date it was received; to keep the chronological order of comments received, the date on the letter was assumed to be June 13); the letter was originally prepared on December 8, 2004 to report results of a site visit to the disc golf course conducted by Mr. Conlin on November 13, 2004)

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- I7-1 The commenter provides information on soil conditions and horizons in general and notes the widespread erosion of the thin topsoil and the compaction of the remaining subsoil observed on his site visit.

**Response:**

The information is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- I7-2 The commenter notes that the degradation at the site is widespread, unlike what he has observed on trails. He states that hiking and biking trails can be designed and managed more readily than the Park's wide fairways.

**Response:**

The information is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



June 21, 07

Brëndon Vieg  
411 Main St.  
P.O. 3420  
City of Chico

Dear Mr. Vigg:

I am writing regarding the draft master management plan for Bidwell Park.

Upper Park is losing its charm and character. Wild and natural is giving way to special interest.

I'll pick on Disc golf first. Twenty-five acres is **Huge!** Damage gets done even with good intentions. Find a less fragile area and preferably on private land.

The night sky observatory is an eye sore. Everytime I enter the park this white building stands out in such an unnatural way. It is incredibly ugly shack in a beautiful spot. Too bad this happened. Let's make sure any further expansion is not an eyesore during the day for the other park users.

At least the gun club is brown and hidden in the trees. But then we know what it cost the city to clean up the lead from the horseshoe lake area. I'm sure at the time many people thought trap shooting was a good use for the park and would cause no harm.

And then there is the equestrian center. Again another special interest group having a piece of the park.

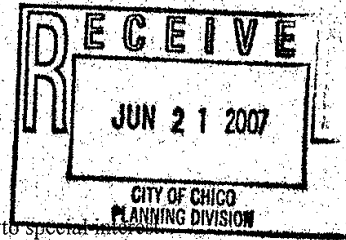
I sew with a group of 300 women who would like to take solar panels and hang them in the trees in upper park to power our sewing machines. Then we can enjoy the great light, commune with nature, and have models of flowers and trees for our quilts. I think we need 10 acres.

See the point? Lets stay with Annie Bidwell's intent and preserve our resource of a wild and scenic park for all of Chico.

No more piecing it out. It usually ends up in the deterioration of the area.

Thanks for your attention.

Sincerely,  
*Betty Volker*  
Betty Volker  
Chico



I8-1





I8-1      The commenter is concerned with the amount of parkland that is being given to special interest groups (for example disc golf, the night sky observatory, the gun club, and the equestrian center) and the loss of a wild and scenic park.

***Response:***

The commenter's concern is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



**Brendan Vieg - Park Master Plan**

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**From:** "Andy Tomaselli" <andytoma@earthlink.net>  
**To:** <bviieg@ci.chico.ca.us>  
**Date:** 6/24/2007 5:14 PM  
**Subject:** Park Master Plan

---

Dear Brendan Vieg,

From houses being built in Upper Bidwell Park's view shed, to "improvements" made to the unofficial but de facto public disc golf course, aesthetics and natural ecosystems are being systematically weakened and deteriorated.

We've made concessions to an expansion of the public golf course, and allowed a planetarium/observatory built on once wild lands.

The pressure to develop the Bidwell Ranch property to the northwest of Upper Park continues to this day.

Mountain bike use and the pressure to build more trails continues to increase with an increase in population and off-road recreation.

Please consider the above when planning for our beloved Park's future. Please choose to keep it wild and natural.

Respectfully,

Andy Tomaselli 510 Alder St Chico CA 95928 530-899-3766

Andrew Tomaselli  
[andytoma@earthlink.net](mailto:andytoma@earthlink.net)  
Why Wait? Move to EarthLink.

I9-1



I9-1      The commenter is concerned that the aesthetics and natural ecosystems of the Park are being weakened and deteriorated by special interest development.

***Response:***

The commenter's concern is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



**From:** "Michael P. Candela" <michaelpcandela@yahoo.com>  
**To:** Brendan Vieg <bviieg@ci.chico.ca.us>  
**Date:** 6/24/2007 7:02:46 AM  
**Subject:** Comments for the Draft BPMMP and EIR - Volume 1.

I respectfully suggest the following changes be incorporated into Volume 1:

Section 1.1.2. Delete the word "Expanded" and replace it with the word "Esplanade".

Section 3.3.1. The sentence should read "...the meaning or applicability....", rather than "...the meaning of applicability....".

Section 3.4.2. The last sentence appears to be incorrect. I believe the last sentence should be changed as follows:

"The BPPC determines policy interpretation, priorities and funding requests. The Chico City Council retains final authority to approve, overrule or modify the BPPC's actions and/or requests".

Section 3.4.4. In the last sentence of the first paragraph, delete the word "area" and replace it with the word "are".

Section 3.5.1. I respectfully suggest that the elderly and the disabled and/or physically challenged be included in I.DMM-11. (That it not be solely limited to "Youth").

Section 3.5.2.1. I suggest the following changes:

O.SLU-7: Insert the words "where feasible" in place of the words "when possible and or necessary".

I.SLU-3: Delete the word "should" in the second sentence and replace it with the word "shall".

I.SLU-4: Delete each "should" and replace them with the word "shall".

I.SLU-5: Delete the word "structural". Delete the word "should" and replace it with "shall".

I.SLU-6: Delete the word "should" and replace it with the word "shall".

I.SLU-7: Delete the word "should" and replace it with the word "shall".

I.SLU-17: Delete the words "only if" and replace them with the word "where". Delete the word "clear".

I10-1



Section 3.5.2.3. I suggest the following changes:

O.RC-1: I suggest the sentence read as follows:  
"Provide recreational opportunities for Chico residents and others in the Park that currently are not provided for in other local settings, while balancing the need to protect the Park's natural resources".

O.RC-4: I suggest the sentence be modified as follows: "Provide for public access and recreation along Creekside Greenways, Park lands, and other public open space".

O.RC-5: Delete the word "resource" from the sentence.

I.RC-1: Insert the word "intensive" between the words "Developed" and "recreation".

I.RC-3: Insert the word "intensive" immediately before the word "recreational".

I10-1  
(Cont)

Section 3.5.2.5. I suggest the following:

O.AQU-2: Insert the word "inappropriate" immediately before the word "development".

I.AQU-4: There are two places in this sentence that refer to the "park". I believe the "p" should be capitalized in both places.

Section 3.5.3: There are several places in this section which refer to the "park". I believe the "p" should be capitalized.

Section 3.5.3.1: I suggest the following changes:

I.G/S-3: Delete the word "should" and replace it with the word "shall".

I.G/S-4: Delete the word "should" and replace it with the word "shall".

O.H/WQ-7: Modify the last sentence to read as follows: "Additional stormwater outlets into Big Chico Creek shall not be permitted."

I.H/WQ-3: The last part of this sentence should read as follows: "...pumping of Big Chico Creek water for irrigation and other purposes shall be phased out, except for use by the Bidwell Golf Course and to fill and/or maintain Horseshoe Lake".

Section 3.5.3.2: I suggest the following:

O.NC-2: The last part of the sentence should read as follows: "...and require mitigation of negative effects on resources".

O.NC-6: Delete the words "or tends".

I.NC-3: Delete the word "should" and replace it with the word "shall".

O.P-1: Delete the word possible" and replace it with the word "feasible".

I.P-3: Delete the word "possible" and replace it with the word "feasible".

Section 3.5.3.6: I suggest the following change:

O.RA-3: Capitalize the "p" in the word "park".

I.PRU-7: Delete the word "should" and replace it with the word "shall".

I.PRU-8: Delete the word "should" and replace it with the word "shall".

Section 3.5.4.3:

I. Rstrm-1: Delete the words "should" and replace them with the word "shall".

Sections 3.6.3.1: I am somewhat confused as driving is listed as a "more intensive use" in this section. However, driving is listed as a "non-intensive recreational activity" in sections 3.6.1.1 and section 3.6.2.1. I would suggest deleting the word "driving" from section 3.6.3.1 altogether to avoid any confusion.

#### APPENDIX G CEDAR GROVE AREA CONCEPT PLAN:

Page G-1: The fourth paragraph states that 49 parking spots will be created. But then it goes on to list 45 standard spots and only 2 ADA spots. Exhibit 1 shows 45 standard spots and 4 ADA spots. Thus, I believe, page G-1 needs to be corrected to state there will be 45 standard spots and 4 ADA spots.

Thanks Brendan!(I'll send my comments regarding Volume 2 later today in a separate e-mail).

Mike Candela

I10-1  
(Cont)



I10-1 The commenter recommends several changes to be made to Sections 1, 3, and Appendix G of the BPMMP.

**Response:**

Each of the specific suggested changes/edits is indicated below, along with notes on whether or not the comment or and edit was incorporated. In general, comments and edits were incorporated if they corrected errors in spelling or syntax. If they related to specific policy language contained in the BPMMP, the edits were not incorporated at this time because the exact policy language included in the PBMMP was agreed upon by the BPPC during a series of review meetings. To make edits or changes to the policy language, the revisions would need to go through a similar review process with the BPPC and/or City Council. None of the changes incorporated alter the conclusions of the EIR.

Section 1.1.2. Delete the word “Expanded” and replace it with the word “Esplanade.”

**Response:**

Edit incorporated.

Section 3.3.1. The sentence should read “...the meaning or applicability...” rather than “...the meaning of applicability...”

**Response:**

Edit incorporated.

Section 3.4.2. The last sentence appears to be incorrect. I believe the last sentence should be changed as follows:

“The BPPC determines policy interpretation, priorities and funding requests. The Chico City Council retains final authority to approve, overrule or modify the BPPC’s actions and/or requests.”

**Response:**

Edit incorporated.

Section 3.4.4. In the last sentence of the first paragraph, delete the word “area” and replace it with the word “are.”

**Response:**

Edit incorporated

Section 3.5.1. I respectfully suggest that the elderly and the disabled and/or physically challenged be included in I.DMM-11. (That it not be solely limited to “Youth”).

**Response:**

Edit incorporated; please note that the edit applies to I.DMM-12, however.

Section 3.5.2.1. I suggest the following changes:

O.SLU-7: Insert the words “where feasible” in place of the words “when possible and or necessary.”

**Response:**

Edit incorporated; please note that the edit applies to Section 3.5.2.2, however.

I.SLU-3: Delete the word “should” in the second sentence and replace it with the word “shall.”

**Response:**

Edit not incorporated.

I.SLU-4: Delete each “should” and replace them with the word “shall.”

**Response:**

Edit not incorporated.

I.SLU-5: Delete the word “structural.” Delete the word “should” and replace it with “shall.”

**Response:**

The term, “structural,” was retained in the language of this implementation guideline to express the difference between encroachments by physical structures as opposed to encroachment by invasive plants. The second edit was not incorporated.

I.SLU-6: Delete the word “should” and replace it with the word “shall.”

**Response:**

Edit not incorporated.

I.SLU-7: Delete the word “should” and replace it with the word “shall.”

**Response:**

Edit not incorporated.

I.SLU-17: Delete the words “only if” and replace them with the word “where.” Delete the word “clear.”

**Response:**

Edit incorporated.

Section 3.5.2.3 I suggest the following changes:

O.RC-1: I suggest the sentence read as follows:

“Provide recreational opportunities for Chico residents and others in the Park that currently are not provided for in other local settings, while balancing the need to protect the Park’s natural resources.”

***Response:***

Edit incorporated.

O.RC-4: I suggest the sentence be modified as follows:

“Provide for public access and recreation along Creekside Greenways, Park lands, and other public open space.”

***Response:***

Edit incorporated

O.RC-5: Delete the word “resource” from the sentence.

***Response:***

Please note that Objective O.RC-5 obtains the word “resource” twice. The first mention refers to “natural resource protection” and the word was maintained in this instance for clarity reasons. The second mention applies to “resource compatible recreational uses.” The word was deleted here, as it would not change the intention of the objective.

I.RC-1: Insert the word “intensive” between the words “Developed” and “recreation.”

***Response:***

Edit incorporated.

I.RC-3: Insert the word “intensive” immediately before the word “recreational.”

***Response:***

Edit incorporated.

Section 3.5.2.5. I suggest the following:

O.AQU-2: Insert the word “inappropriate” immediately before the word “development.”

***Response:***

Edit incorporated.

I.AQU-4: There are two places in this sentence that refer to the “park.” I believe the “p” should be capitalized in both places.

**Response:**

Edit incorporated.

Section 3.5.3: There are several places in this section which refer to the “park.” I believe the “p” should be capitalized.

**Response:**

Edit incorporated.

Section 3.5.3.1: I suggest the following changes:

I.G/S-3: Delete the word “should” and replace it with the word “shall.”

**Response:**

Edit not incorporated.

I.G/S-4: Delete the word “should” and replace it with the word “shall.”

**Response:**

Edit not incorporated.

O.H/WQ-7: Modify the last sentence to read as follows:

“Additional stormwater outlets into Big Chico Creek shall not be permitted.”

**Response:**

This change is detailed and should be discussed with the BPPC prior to changing the Implementation Strategy.

I.H/WQ-3: The last part of this sentence should read as follows:

“...pumping of Big Chico Creek water for irrigation and other purposes shall be phased out, except for use by the Bidwell Golf Course and to fill and/or maintain Horseshoe Lake.”

**Response:**

This change is detailed and should be discussed with the BPPC prior to changing the Implementation Strategy.

Section 3.5.3.2: I suggest the following—For O.NC-2, the last part of the sentence should read as follows:

“...and require mitigation of negative effects on resources.”

**Response:**

Edit not incorporated. The word “potential” before negative effects is intended to show a commitment to proactive management, not just in reaction to actually occurring negative effects.

O.NC-6: Delete the words “or tends.”

***Response:***

Comment incorporated to read “...worsens the resource’s condition...”

I.NC-3: Delete the word “should” and replace it with the word “shall.”

***Response:***

Edit not incorporated.

In addition to the suggested edit the word “to” was eliminated from the end of the sentence.

O.P-1: Delete the word “possible” and replace it with the word “feasible.”

***Response:***

Edit incorporated.

I.P-3: Delete the word “possible” and replace it with the word “feasible.”

***Response:***

Edit incorporated.

In addition, a hyphen was added between “special-status” plants.

Section 3.5.3.6: I suggest the following change:

O.RA-3: Capitalize the “p” in the word “park.”

***Response:***

Edit incorporated.

I.PRU-7: Delete the word “should” and replace it with the word “shall.”

***Response:***

Edit not incorporated.

I.PRU-8: Delete the word “should” and replace it with the word “shall.”

Section 3.5.4.3:

I. Rstrm-1: Delete the words “should” and replace them with the word “shall.”

***Response:***

This particular change was not incorporated, because the ability of the City to upgrade existing facilities is dependent on funding and the change to the stricter “shall” does not account for the



potential constraint of inadequate funding to implement the BPMMP. “Should” in this case provides a commitment.

Sections 3.6.3.1: I am somewhat confused as driving is listed as a “more intensive use” in this section. However, driving is listed as a “non-intensive recreational activity” in Sections 3.6.1.1 and Section 3.6.2.1. I would suggest deleting the word “driving” from Section 3.6.3.1 altogether to avoid any confusion.

***Response:***

The City carefully reviewed the provided lists of activities and agrees that “driving” should not be listed in Section 3.6.3.1. The words “such as driving” have been eliminated from the sentence.

Appendix G Cedar Grove Area Concept Plan:

Page G-1: The fourth paragraph states that 49 parking spots will be created. But then it goes on to list 45 standard spots and only two ADA spots. Exhibit 1 shows 45 standard spots and four ADA spots. Thus, I believe, page G-1 needs to be corrected to state there will be 45 standard spots and four ADA spots.

***Response:***

Edit incorporated. The City also double-checked the number of parking spaces listed in the DEIR which is correctly stated at 45 standard and four ADA spaces on page E-3 in the DEIR.

## Brendan Vieg - Bidwell Park Master Plan

**From:** Tom Nickell  
**To:** DBEARDSL@ci.chico.ca.us  
**Date:** 6/25/2007 9:16:53 PM  
**Subject:** Bidwell Park Master Plan

Dennis, Thank you for the time to read my suggestions to the BPMP.

|  |       |
|--|-------|
| Remove Upper Park Disc Golf at sr-32   | I11-1 |
| Close all Upper Park to vehicle traffic, starting at HorseShoe Lake, and only allow ADA Visitors, and School Program | I11-2 |
| Hire Law Enforcement Retired Police to supplement the Park Rangers   | I11-3 |
| Keep Bidwell Park rustic in all improvements   | I11-4 |
| Strengthen the "Tree Ordinance"  | I11-5 |
| Protect all native plants, vernal pools, eco systems, wildlife, and natural habitat                                  |       |
| Protect all Visual Resources, and Scenic Characteristics, and no development on the ridge or involving Upper Park.   | I11-6 |
| Keep the Volunteer Coordinator position to promote the BPMP Plan   | I11-7 |

There is more to come...TOM NICKELL

**CC:** GJones@ci.chico.ca.us, dpresson@ci.chico.ca.us

**From:** Tom Nickell  
**To:** DBEARDSL@ci.chico.ca.us  
**Date:** 6/25/2007 9:31:38 PM  
**Subject:** Part two of my BPMP

THERE IS NO TEETH TO THIS PLAN!!! IT IS KNOWN THAT IF THERE IS NO TEETH, DON'T SEND IT TO ME!!

THESE ARE THE FOLLOWING AREAS WHERE; "SHALL" WILL BE!!!  
 DMM.3,I.MC1,2;O.SLU2,3;I.SU3,4,5,6,7,8,9,10,11,12,13,16,17,18;I.RC4;I.AQU1,2,3,4;I.PR2,4;I.G/S1,2,3,;  
 I.G/S5 (REMOVE SPECIAL REC. PROGS FROM  
 AREA;O.H/WQ6,7;I.H/WQ1,2,3;IAQ1,2,3;O.NC1.2(BMMP  
 SHALL);O.NC3,4,5,6,7,8;I.P2,3,4,5,6,7,11;I.P-9(DENY ALL VEHICLE TRAFFIC);  
 I.IP1,2,3,4,5,6,7;I.TW1,2,3;I.AR1,2,3,4,5,6,7,8,9;I.PF3;I.EB1;I.I/E1;  
 I.F3;I-SE2;I.RR3;I.VR1,2,3,4,5;O.VS1(ALL  
 VIEWSHEDS);I-VS1;I-NS1;I-RA1,2,3,4,5;I-T3,4,5,6,7,8,9,10,11,12,13,14,15,16;I-PRV2,3,4,5,9;I-F1,2,3,4  
 ,5,6;I.C/A7,8,13;  
 1PARKING1,2;O U/S-1 1,2;PS/ES1,2,3,4,5,6,7,8,9,10,11,12,13; I-R1,2,3,4,5,6,;  
 I-V1,2,3,4,5,6,7,8;I.D/S1,2,3;  
 WILL SEND YOU EMAIL NUMBER 3.....3 TOM

I11-8

**CC:** GJones@ci.chico.ca.us

**From:** Tom Nickell  
**To:** DBEARDSL@ci.chico.ca.us  
**Date:** 6/25/2007 9:46:05 PM  
**Subject:** THIS IS PART THREE OF THE EMAIL

Dennis, you are a true camper in my book!  
Here is somemore for the consultation.

**PLANT OBJECTIVES**

O.P.3 ecosystems, habitat, environment shall be added  
O.P.6 All traffic  
O.P.7 Close to all recreational activities

OTW-2 ISOLATE AREAS WHERE ENDANGERED OR THREATENED SPECIES NEST  
OTW-4 ALL (OF)

O.C/A2- ELIMINATE, NO VEHICLES  
O.PARKING2/3 ADD ELIMINATE'  
I-L1 ADD ELIMINATE (MINIMIZE)  
I-OU1 ROENT PROOF BINS  
I-M14,15,16--NO ELIMINATE  
O-UPPER5- REMOVE  
I-UPPER NO ON ALL 3,4,5,6,12,13,14,15

IN REFLECTION OF THE E.I.R. TH ERE IS NO "TEETH". AGAIN I SUGGESTED THAT THE SHALL  
BE, AND WILL BE "SHALLS" IN THE BPMP, AND THE EIR.

Dennis, you and your staff are working your tails off and it is greatly appreciated dealing with a new pup on  
the City Council. You and your staff have my greatest respect for the jobs that you do!!

Thank you so much,  
TOM NICKELL

O

**CC:** GJones@ci.chico.ca.us

I11-8  
(Cont)



I11-1 The commenter would like to see Upper Park disc golf removed at SR 32.

***Response:***

The commenter's statement is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I11-2 The commenter would like to see the Upper Park closed to vehicle traffic starting at Horseshoe Lake and only allow ADA visitors and school programs.

***Response:***

The commenter's statement is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I11-3 The commenter would like to see Law Enforcement Retired Police hired to supplement the Park Rangers.

***Response:***

The commenter's statement is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I11-4 The commenter would like to see Bidwell Park kept rustic in all improvements.

***Response:***

The commenter's statement is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I11-5 The commenter would like to see the tree ordinance strengthened.

***Response:***

The commenter's statement is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I11-6 The commenter would like to see protection of all native plants, vernal pools, ecosystems, wildlife, natural habitat, no development on the ridge or involving Upper Park, and protection of all visual resources and scenic characteristics.

***Response:***

The commenter's statement is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I11-7 The commenter would like to see the volunteer coordinator position kept to promote the BPMMP.

***Response:***

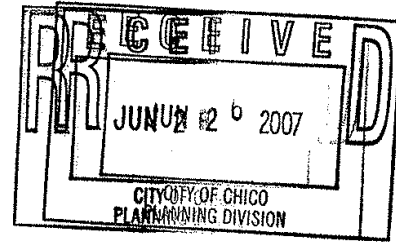
The commenter's statement is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I11-8 The commenter makes several recommendations for text changes.

***Response:***

The requests in the commenter's second e-mail suggests changes of the language in a lot of the BPMMP's Objectives and Implementing Guidelines and Strategies from "should" to "shall." During preparation of the BPMMP, the specific language of the guidelines was subject to many meetings of the BPPC and the language, as presented in the BPMMP, is the result of these discussions and at this point should be changed only as a result of City Council Action (for goals and objectives) and the BPPC (for Implementing Strategies and Guidelines). Specific information on interpretation of the BPMMP with regard to the words "shall" and "should" is provided in Section 3.3, "Interpretation of the Plan," on page 3-4 in Volume 1. The same holds true for the edits to, addition or deletion of certain elements of the BPMMP suggested in the commenter's third e-mail.

John B. Copeland  
374 Brookside Drive  
Chico California 95928  
June 25, 2007



Brendan Vieg,  
City of Chico Planning Services Department  
P. O. Box 3420,  
Chico, CA 95927

Comments related to environmental concerns and the Draft EIR for the Bidwell Park Master Management Plan update

It difficult to comment on parts of the Draft RIR where items in the EIR are referenced to the BPMMP update. In the case of Park Improvement Projects (E2.2.2)( page 19 of 597) alternatives considered refer to appendix H of BPMMP to explain what alternatives are offered. I hope the reader of these comments will understand that the Draft EIR seems incomplete and hard to follow by an unsophisticated reader.

I12-1

BPMMP Appendix H (p 335 of 382) notes that Disk Golf degrades wild flower fields growing on shallow Tuscan soil. Bare soil is progressively eroding and compacting. Trees are suffering from the compacted soil and being struck by discs. Professional Disc Golf Course consultant Michael Belchik (BPMMP 335 of 382) recommended three alternate course layouts: Alt A: Redesign short and long holes, each 18 holes. Alt B Redesign short course to 12 holes and redesigned long course. Alt C: Redesign single long 18 hole course for advanced players. Alt C is designed to reduce but not eliminate the impact on special interest plants checker-bloom and Bidwell's knotweed by moving fairways and paths to generally avoid them

Professional Consulting Arborist John Lichter (DEIR 337 of 547) was contracted to provide expert advice on managing and preserving blue oaks. He reported that disc golf is impacting the health of the trees due to soil compaction and branch tip loss He noted that the proposed courses, (of Belchik), will affect additional trees (342 of 547) which were not previously affected. Two of his recommendations were: 1) Install and maintain at least 6" of coarse woodchip mulch within the protection zone (twice the drip line area) of all blue oaks which are currently undisturbed and within the tee, fairway or pin of proposed course. 2) For trees with existing soil disturbance, during the winter, when soils are moist (and not wet), utilize a pneumatic excavator to pulverize the soil within the tree's root zone, and then apply woodchip mulch as recommended above. He also recommends cement tees. Lichter's recommendation to place 6" of mulch around each affected tree indicates no awareness or concern that this action would prevent the growth of forbs and thus destroy the fields. of annual flowers.

I12-2

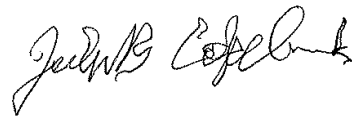
The wildflower fields in the Disc Golf Trailhead Area are very unique (84 of 547). These fields are considered to be "sensitive natural communities" by DFG and CNDDB It is



suitable habitat for Bidwell's knotweed with a high priority for protection. There is no way to mitigate this situation

The DEIR conclusion for the Disc Golf Trailhead Area recommends the Restoration Alternative as the best choice. Second choice would be concept "C" with an added new course developed on the Comanche Creek property currently owned by the city. I would suggest that other city owned property be considered for a future site for the advanced disc golf course. One possibility would be on either or both sides of Lindo Channel between Longfellow Bridge and Manzanita Bridge. Another would be Bidwell Ranch- above the vernal pools

I12-2  
(Cont)



- I12-1 The commenter notes that the DEIR seems incomplete and hard to follow by an unsophisticated reader.

***Response:***

The City acknowledges that the Draft BPMMP/DEIR is a complex document because of the fact that the DEIR addresses implementation of the BPMMP and the four Park Improvement Projects. Section 2.2 provides a summary of the alternatives analyzed. The reader is referred to the various Appendices representing the proposed Park Improvement Projects, which present the “projects” analyzed in the DEIR. Table E7-1 in Appendix E7 provides a summary of environmental impacts and mitigation that can help a reader understand the conclusions of the DEIR.

- I12-2 The commenter discusses the three recommended alternate disc golf course layouts and suggests that other city owned property be considered for the future site for the advanced disc golf course. He also comments potential adverse effects of placing woodchips around oak trees, and impacts on wildflower fields.

***Response:***

Please refer to Section 3.1.2, Master Response 4–Oak Woodland,” above. Potential impacts on sensitive natural communities, including wildflower fields are discussed in the DEIR (Impact BIO-3d: Adverse effects of Park Improvement Projects on Wildflower fields). This impact is found to be potentially significant and Mitigation Measure BIO-3d is included into the project(s) to address these impacts. Regarding the suggestions for alternative sites for disc golf, the commenter’s statement is noted for the City’s consideration.



June 25, 2007

To: Brendan Vieg  
Chico Planning Department

From: Scott Chamberlain

Re: Comment on Draft Bidwell Park Master Management Plan

1. General comments on Disc Golf/Trailhead Area Concept Plan:

- a. I fully support and agree with implementing the environmentally superior Restoration Alternative. The Modified Disc Golf Plan and the No Project Alternative options do little to improve the poor environmental state of the Disc Golf area.
- b. I would however, be in support of developing a disc golf course at the Comanche Creek site in Chico. A course at the Comanche Creek site would be much more accessible to a wide variety of people, rather than to people only owning cars. A course at the Comanche Creek site would allow people to easily ride bicycles to the course, creating a very low impact sport overall.
- c. Environmental integrity of sites within the city (e.g., Comanche Creek) are generally lower than that of sites outside of city limits, where chemical, noise and light pollution are at their most extreme. Thus, a course within Chico would have less environmental impact than a course within Bidwell Park.
- d. To offset the loss of environmental integrity of Upper Bidwell Park, there should be a fee for playing at the course. Integrity involves things that will never be surveyed by a mere consulting firm, such as below ground insect fauna that are extremely important for litter breakdown and ecosystem nutrient processing. These fees (even very minimal) could be used for restoration at the Disc Golf Course or elsewhere in the park. If the course was in a place like Comanche Creek fees would not be required, as the environmental integrity there is likely already compromised due to water, noise and light pollution.
- e. Animals are much more likely to be deterred from using the Disc Golf Course area if it continues to be used, especially if a parking lot is put in.
- f. Other large and magnificent city parks (e.g., Forest Park, Portland, OR) do not have disc golf courses in their parks. Neither should Bidwell Park.

I13-1

2. Comments on Park Vision, Goals, Objectives, and Implementing Strategies and Guidelines:

- a. Page 3-1, second paragraph from the bottom: The sentence "*The outstanding viewshed of Bidwell Park is protected*" should be taken out of the "Bidwell Park Vision", given the development project south of the park that the City of Chico Planning Commission allowed to happen. Some of those houses are enormous, and were built on purpose that way with the city of Chico's permission. At least be honest and remove this sentence from the Bidwell Park Vision, or state that the viewshed was nice in the past, but has recently been severely degraded. Hopefully no more development projects will be allowed that compromise the viewshed of the Park.

I13-2

- b. Page 3-10 & 3-19: I strongly support SLU-5, to protect the park from invasive plant encroachment. I further suggest that the city of Chico attempt to prevent properties that border the park from having known invasive plants that will no doubt invade the park (which is suggested in IP-7 on page 3-19).
- c. Page 3-20, TW-5: Although I applaud this attempt to control invasive bullfrogs, I would suggest making sure that no sensitive species would be harmed by draining the pond at Ten Mile House.
- d. Page 3-51 to 3-52: I don't see how Upper-1 and Upper-7 are compatible with Upper-4 and Upper-5. I strongly encourage a resource inventory as proposed in Upper-6.

I13-2  
(Cont)

Sincerely,

Scott Chamberlain  
2018 ½ Bissonnet St.  
Houston, TX 77005  
(former Chico resident of 6 years)

- I13-1 The commenter provides feedback on the Disc Golf/Trailhead Area Concept Plan. The commenter is in support of the Restoration Alternative, however would also be in support of developing a disc golf course at the Comanche Creek site in Chico due to greater accessibility and less environmental impact. The commenter suggests that to offset the loss of environmental integrity of Upper Bidwell Park a fee should be implemented for use of the course. The commenter also notes that animals are more likely to be deterred from using the Disc Golf Course area if it continues to be used. The commenter states that other large city parks do not have disc golf courses and therefore neither should Bidwell Park.

***Response:***

The commenter's statements are noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- I13-2 The commenter provides feedback on the park vision, goals, objectives, and implementing strategies and guidelines. The commenter suggests changes to make.

***Response:***

The commenter's statements are noted for the City's consideration. The specific language of the vision was drafted with members of the CAC and the public and cannot be changed at this time. The City has noted the commenter's support for implementing strategies and guidelines that control invasive species. Regarding the draining of the pond at Ten Mile House Road, this action would only be implemented after the development of a management/abatement program for nonnative wildlife species. This program would be developed and implemented consistent with the BPMMP, which includes many policies regarding the protection of special-status or sensitive species. The objectives for Upper Park (page 3-51), were developed in careful cooperation with the BPPC and are meant to clarify the role of Upper Park and the unique nature of disc golf, should this use be approved by the City Council.



TO: Mr. Brendan Vieg  
City of Chico Planning Services Department

FROM: Suellen Rowlison, R.N.,  
P.O. Box 3212 Chico, CA 95927-3212

RE: DEIR for the Bidwell Park Master Management Plan Update (BPMMP)  
Comments, June 26, 2007

My comments reflect a concern for California native plants and their habitat. The BPMMP seeks to reach balance between care of the native landscape and public use. Upper Park is in a more natural state, but further development and lack of sensitivity to biological resources will erode this treasure for future generations. Consider Yosemite National Park which is now reverting to a more natural state after years of infrastructure development and its effect on wildlife and landscape, air and water quality.

1.) Disc Golf alternatives A, B, C in Upper Park all have significant impacts that cannot be truly mitigated to insignificance. Soils will be compacted, whether it is concrete pads or woodchips, which inhibit plant growth. Blue Oaks will continue to be sliced by spinning discs and eventually die and not regenerate. How will Blue Oak Woodlands truly be mitigated beyond insignificance?

I14-1

2.)E5.2.5.2, the Restoration Alternative is the best compromise, but how are we assured that even this will not cause significant impacts? How will cultural resources be protected, ie. old Humboldt Road and the rock wall?

I14-2

3.) A Special Status Plant Survey was done in the Disc Golf area, but what about the areas for proposed Trails? Spring surveys need to be done to avoid trampling Butte County Checkerbloom, Bidwell's Knotweed and many other gorgeous displays of wildflowers and vernal pools and wetlands.

I14-3

4.) Table E5.3.1.1-1, Traffic 1- NI- No impact, 4bCirculation, PS- Potentially significant. If the Disc Golf area off of Hwy 32 becomes official, won't traffic be increased, especially if regional tournaments are held? Wouldn't a turn lanes and acceleration lanes be needed for highway safety?

I14-4





- I14-1 The commenter provides feedback on disc golf alternatives and would like to know how Blue Oak Woodlands will be truly mitigated beyond insignificance.

**Response:**

Please refer to Master Response 4–Oak Woodlands above. Mitigation Measure BIO-3c on page E4-76 of the DEIR is intended to mitigate direct and indirect potentially significant impacts on blue oak woodland resulting from implementation of the Horseshoe Lake Area Specific Plan, Trails Plan and Disc Golf/Trailhead Area Concept Plan. The first five measures listed apply to all three projects, followed by an additional 10 specific measures that apply only to the Disc Golf/Trailhead Area Concept Plan project site. These measures were developed based on-site conditions, oak woodland management guidelines provided by DFG and measures recommended by a certified professional arborist who assessed the site. These measures include monitoring of the oaks on-site and remedial measures for unavoidable impacts that may be detected during monitoring. Based on all of the above it has been concluded that Mitigation Measure BIO-3c, when implemented in all its phases, will reduce impacts on blue oak woodland at the site to less-than-significant levels.

- I14-2 The commenter agrees that the Restoration Alternative is the best compromise, but wants to know how it can be assured that this will not cause significant impacts and would like to know how cultural resources will be protected.

**Response:**

Please refer to Master Response 3–Cultural Resources/Humboldt Road and Response to comment O3-58 above.

- I14-3 The commenter would like to know if special status plant surveys were done in the areas for proposed trails.

**Response:**

Special-status plant surveys have not been conducted for the entire project area of the Trails Plan, although some areas have been surveyed in the past to support environmental review of a previously proposed version of a Trails Plan for Upper Park. To avoid adverse effects on special-status plants as a result of implementation of the Trails Plan, Mitigation Measure BIO-1c addresses potential adverse effects of the Trails Plan (and Horseshoe Lake Area Concept Plan) on previously documented occurrences of Butte County checkerbloom. The measure calls for a professional botanist to identify and clearly mark known locations for avoidance. Mitigation Measure BIO-1e addresses potential adverse effects on yet unknown occurrences of Butte County checkerbloom, Bidwell's knotweed and other special-status plant species resulting from implementation of the three Park Improvement Projects for which focused surveys for special-status plants have not been conducted. Mitigation Measure BIO-1e calls for these surveys and avoidance of documented occurrences prior to project construction. Because the timeframe for implementation of all proposed trails depends on available funding, it is best to conduct special-status plant surveys prior to final design and routing. Locations and extent of populations may shift over time and site specific special-status species surveys are generally considered outdated after several years.

I14-4 The commenter is concerned about increased traffic if the Disc Golf area off Highway 32 becomes official, especially if tournaments are to be held. The commenter is also concerned for highway safety and the need for turn lanes and acceleration lanes.

***Response:***

Please refer to responses to comments A4-1 and O5-5 above.

**Brendan Vieg - BPMMP Draft EIR**

**From:** "John Merz" <jbmerz@sbcglobal.net>  
**To:** <bvieg@ci.chico.ca.us>  
**Date:** 6/26/2007 4:36 PM  
**Subject:** BPMMP Draft EIR

Dear Brendan,

At this time, I am limiting my comments to the discussion of alternatives in the disc golf section of the Draft Environmental Impact Report (DEIR) that is currently open for public review as part of the Draft Bidwell Park Master Management Plan (DBPMMP). My comments are as follows:

1. The discussion of alternatives is inadequate. There are a number of additional sites that should have been analyzed. A partial list includes (a) the proposed short course at the Hooker Oak Recreation Area in Bidwell Park that is currently managed by the Chico Area Recreation and Park District (CARD); (b) the currently undeveloped neighborhood park and adjacent elementary school site on Henshaw Avenue in North Chico; (c) the 1st Avenue and Verbena neighborhood park site and adjacent Lindo Channel greenway, extending upstream to at least the Madrone Avenue bike path/bridge and perhaps as far as the Manzanita Avenue bridge. In addition to these sites, there has also been prior discussion about a disc golf facility at DeGarmo Park, with Community Park at 20th Street another likely location for at least some type of disc golf activity.
2. The current "unofficial" site off of Highway 32 has a long list of public health and safety impacts that are much more significant than a potential facility(ies) located within the urban core of Chico. Most prominent of these public health and safety issues are significant traffic impacts and wildland fire concerns. Additional issues include policing, access to medical care, generation of waste, and associated maintenance costs.
3. The current site, due to its location, scores very low in terms of sustainability.
4. The current site is not easily accessible to a good portion of the population, especially young children on bikes and others without private transportation.

I would request that the alternatives analysis be revisited in terms of disc golf and that the DEIR be recirculated once a more complete representation of likely alternatives has been identified.

I appreciate having the opportunity to comment and ask to be kept informed of any and all actions concerning the DEIR and the DBPMMP.

Sincerely,

John Merz  
 P.O. Box 4759  
 Chico, CA 95927  
 (530) 345-4050

I15-1



I15-1 The commenter feels that the discussion of alternatives for the disc golf section is inadequate and suggests a number of additional sites that should have been analyzed. The commenter notes that the current “unofficial” site off of SR 32 has a long list of public health and safety impacts in comparison to other potential facilities and is also concerned with traffic, wildfire, policing, access to medical care, generation of waste, and associated maintenance costs. The commenter notes that the current site, due to its location, scores very low in terms of sustainability and is not easily accessible to all portions of the population, especially young children on bikes and others without private transportation.

***Response:***

The DEIR analyzes the potential environmental effects of implementation of the BPMMP Update and four specific Park Improvement Projects within the Park. It does not consider alternatives on non-city lands. The City notes the commenter’s suggestions for potential consideration of other sites. The City has conducted a search for additional suitable sites in the past (please refer Response O2-17 above), however, none of these sites met all the criteria required for a full length professional course at a location that does not cause other conflicts. The Comanche Creek site was chosen as one alternative site outside of Bidwell Park, because it is in City ownership and could feasibly accommodate a disc golf course. The Hooker Oak Recreation Area is leased to CARD, and CARD is moving forward with its plans to provide a beginner’s course at this site. However, this new course is not expected to provide the same opportunities for advanced players as the SR 32 site. It would, however, be more accessible to children, by bike, and by public transportation. Potential impacts on health and safety associated with the use of the SR 32 site are addressed in various sections of the DEIR including Section 4.3.5, “Geology and Soils”; Section 4.3.6, “Hazards and Hazardous Materials”; Section 4.3.10, “Public Services”; and Section 4.3.12, “Transportation and Traffic.”



## COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR

Submitted by: Tom Barrett  
915 Karen Dr.  
Chico, CA 95926  
June 26, 2007

### Format and layout of document

The words “EDAW” appear on every page of both documents in the footer. This advertisement should be removed as distracts from the purpose of the document and this is a City of Chico document, not an EDAW document.

I16-1

### Trail Plan Maps Exhibits E3.2.1.1 and .2

There are two trail plan maps of Bidwell Park, both use different colors and line widths for trail and road designations making it difficult to read when moving from one map to the other without having to review and relearn each legend each time you change maps. Actually all of the maps are different, using different colors, line weights, and stippling for the same thing in different plans/maps. Trail designations should be consistent between maps and within the document for clarity. For example the primary road through Lower Park is colored yellow or orange with a heavy line weight depending on whether or not it is a “paved road”. The primary unpaved road through Upper Park is colored red and had a light line weight, whereas the dirt trails are colored black to really stand out and are a heavy line weight making the paths seem to be a bigger feature than the primary road. The paved road in the Middle and Upper Park Trail Plan map is yellow and not consistent the Lower Park Trail Plan map.

I16-2

In addition, the Creek designation (a thin blue line) is missing from the legend in the Middle and Upper Park Trail Plan. On the Lower Park Trail Plan Big Chico Creek is nicely designated as a thick blue line, but on the Upper Park Trail Plan map is it a thin blue line with less weight than the much smaller trails.

### Annie Bidwell Trail

One of the purposes of the Trail plan in the Master Management Plan and the DEIR was to address issues with the Annie Bidwell Trail. The DEIR does not address the Annie Bidwell Trail in whole or in part. The MMP dedicated a part of a paragraph to it and the Trail Plan for Middle and Upper Park have shown it on that map but not on the Lower Park Trail Plan map. The Annie Bidwell Trail was approved by the Park Commission, pending environmental review, but is absent from discussion.

I16-3

Critical areas of concern of the Annie Bidwell Trail include the section of trail South Park Drive from Cedar Grove to Centennial Avenue. This is the only area in the Park in which access is shared on the same roadway by pedestrians, bikers, equestrians, and motorized vehicles. Because of the narrowness of this section with the creek on one side



## COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR

and fences on the other there are no alternative locations for the movement of pedestrians, bikes, wheel chairs, or other non-motorized methods of transportation in this area; thereby placing pedestrians and motor vehicles in the same space, a very unsafe condition.

In addition, in a public hearing on the issue, parents expressed concern of their children using this roadway to provide access to school and operating their bicycles counter to the flow of traffic. The Park Commission voted to close this section of roadway to motorized vehicles once the bike trail from Marsh Junior High on El Monte Avenue was established. Without so much as a public hearing, or an agenda item in the Park Commission meeting, the Park Commission voted to eliminate the closure of this section of roadway. The Annie Bidwell Trail/South Park Drive in this section does not meet the City's and probably State standards for public pedestrian access by mixing motorized vehicles with pedestrians, bikes, wheelchairs, and other non-motorized vehicles. This section should be closed to motorized vehicles and access including parking be provided to the picnic sites from 8<sup>th</sup> Ave. The only picnic site which could be easily accessed by this closure needs to be removed as the dirt has washed out from around the base of the table and it is now perched and in an inappropriate site for a picnic spot because of the erosion from the Creek.

I16-3  
(Cont)

Other areas of concern that don't seem to be addressed adequately in the MMP and DEIR are the location and designation of the Annie Bidwell Trail from the Bidwell Mansion to Annie's Glenn, the under road access from Annie's Glenn to Lower Park, and along Centennial Ave from Five Mile to the access point at Chico Canyon Road.

### Disc Golf

There are a number of issues with the DEIR sections on the Disc Golf options.

#### 1. Aesthetics

Sources of light and glare (Impact AES-5): The development of a parking lot and bathroom for the disc golf area is likely to result in the area being lit at night for public safety purposes. As there is no light sources currently in the area this will result in a significant impact to the area in terms of light and glare and is not addressed.

I16-4

Impact AES-1b: The DEIR states that the implementation of the Disc Golf Concept plan "is expected to enhance the scenic quality of the project" site is not adequately discussed for the Disc Golf area, it is not discussed at all. Because the length of time of the development of the Concept Plan and DEIR from the time of the original conceptual approval by the Bidwell Park and Playground Commission for the environmental review and subsequent approval/disproval of this use at this site, significant damage has been done to the scenic quality of this site that is neither discussed nor remedy offered by the Concept Plan or DEIR.

I16-5

## COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR

The construction of concrete pads or tees, formal trails lined or otherwise marked, trunk protection devices, a parking lot, bathroom, and other facilities at this site along with more damaged trees, shrubs, and wildflower fields does not enhance the scenic quality of this site. If the disc golf course is installed, remediating the destruction of the scenic value of the area during the development period of the Concept Plan and DEIR from the unauthorized use is also not addressed.

Impact AES-1b: This section states that “environmental criteria were included in the design of the proposed Disc Golf/Trailhead Area Concept Plan that included areas for avoidance and protection.” While the design of the different course alternatives did take environmental criteria into consideration it did not and does not avoid or protect all areas of concern at this site as the DEIR alludes to. The authors of the DEIR do not distinguish between design and implementation. The design makes a number of assumptions that are not borne out by experience, i.e. disc will only land on “fairways” that are demarked as straight lines on a map. Discs land all over the place and players walk all over the place including sensitive areas, which are then trampled and destroyed.

I16-5  
(Cont)

The document also states that these natural resources contribute to the attractive visual character of the project site and they would be protected of the proposed course design, including the protection of oak species, wildflower fields, and the Humboldt wagon road which under the Concept Plan a significant portion of it on this site would be covered over by a parking lot. Again the statements in the DEIR are not proven valid simply by stating that this will occur. Personal experience and observations with this site and others indicates otherwise.

2. Air Quality: The document states that implementation of the Concept Plan would not result in a significant adverse impact on local and regional air quality yet it does not provide a trip and air pollution analysis. The Disc Golf course is located out of town without public transportation to reach it, and it is not an easy bike ride or walk to get to thereby requiring disc golfers to drive. The improvements to this area are likely to increase the trips generated to the site in a significant way yet there is no mitigation provided that would reduce trips or provide public transportation and therefore contributes to reducing air quality of the area.

I16-6

3. Biological Resources: The degradation of the flora and soils is not adequately addressed by the “formalization” of trails between the tees and pins. As shown by current usage, during frequent visits to the site, discs and disc golfers fan out in every direction from the “tee” to recover their discs, more so on the “beginner” courses where inexperienced players throw their discs everywhere. This has lead to widespread degradation of flora and compaction and erosion of soils throughout the site. The proposal is to provide a “trail” to channel and restrict walking on sensitive soils and plants. While this may be the “plan”, the reality is likely very different. The idea that disc golfer will keep to a built trail to recover their disc and not take the shortest possible path is not addressed as a possible outcome for any of the course designations. The DEIR does not address this very

I16-7

## COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR

reasonable “what if”. What if golfers don’t stay on the path, what will happen to the flora and soils in sensitive areas?

The Disc Golf Course Conceptual Plan does not provide a disc dispersion analysis to determine the distribution pattern and coverage of discs thrown from the tees and fairways down the fairways and targets. The document seems to state that discs will maintain the location within a narrow area and not be dispersed throughout the site and therefore does not analyze the impact of the distribution of thrown discs and is inadequate in its analysis and wrong in its assumptions. The area of distribution must taken into account because the DEIR states that the design mitigates the problems caused by the impacts of disc golfers but does not show any analysis which would back their assertions that the design would result in a reduced impact on sensitive species.

Mitigation Measure BIO-3c states that where possible trails, improvements and facilities shall be constructed outside of oak woodlands. The Disc Golf course design utilizes “oak woodlands” as obstacles which improve the quality of play making it more difficult having to get through or around trees; therefore the course design is directly counter to the statement of the mitigation measure and the design needs to be changed to mitigate for this problem. This mitigation measure then calls for the installation of shielding pole structures to protect groves of oaks in which the “pins” have been placed.

Baskets located in oak trees. The arborist’s report says that a great deal of damage is done to oak trees by the discs hitting growth parts of the trees (apical meristems) in addition to bark and limb damage by the hard edge discs. Yet the DEIR states that damage to the trees can be mitigated by protecting the trunks of the trees in the stands with the targets. What about the growth areas? This wasn’t addressed. There should be no targets within tree clumps or at or near bases of trees, nor should their be tees located within the drip line of trees. The compaction of the soil around the base of the trees can severely damage the trees by damaging root structures and compacting the soil forcing the water to run off away from the base of the tree, especially where thin soils occur as in this whole area. Oak trees and other trees in these savannah setting gain their nourishment from the decomposition of leaf and tree materials that drop from the tree and surround the base. If you notice the build up of organic materials in the leaf fall zones you will also notice that these areas stay greener longer due to the water retention property of the organic soil. By trampling these root zones around the base of the trees the ability of the soil to hold and retain moisture is severely compromised as the organic material is pulverized and tracked or blown away.

Mitigating this effect around the base of the oak trees by placing “woodchip mulch” can lead to introducing harmful organisms to the area and may have adverse impacts to the health of the oak trees. If “woodchip mulch” is to be used it must be woodchips from the type of oak trees it will be placed around and not other species of oaks or other trees. Many trees produce allopathic compounds which prevent growth of competing species which can inhibit oak growth.

116-7  
(Cont)

## COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR

One of the mitigations is to replant with oak plantings from seeds with a replacement ratio of 5:1 for trees that are lost that are greater than 5 inches at breast height. Blue Oaks are very slow growing trees that do not regenerate well, especially on sites with shallow soils like the disc golf site. This mitigation has not worked on the golf course at Bidwell Park. None of the oaks planted to mitigate for the destruction of oaks from the expansion of the golf course have survived, even after numerous plantings and this site has watering and better soils than the disc golf site.

I16-7  
(Cont)

Impact BIO CUM-1: States that "Park Improvement Projects would reduce impacts to sensitive biological resources when compared to current conditions." What it does not address is that during the course of the development of the Disc Golf Concept Plan and the DEIR a considerable amount of destruction has occurred from the City's refusal to control the site until the impacts could be assessed and a Plan developed and approved. This destruction is the baseline from which the statement says that conditions will be approved and the baseline should have been from the beginning of the process and not the end of the process.

### Hazards

The discussion of the Fire Management Plan does not state that this Plan was produced in 1991 prior to the purchase of the new acquisition on the south side and the Musty Buck Preserve a.k.a. Disc Golf area, and is out of date. In addition, some fire suppression work has been done in Bidwell Park and the whole Fire Management Plan needs to be revisited.

There is no discussion of hazards on the Disc Golf site. From the littering of cigarette butts around the course there is a high likelihood of continual wildland fires on the Disc Golf site in the future as there has been in the past. Simply banning smoking from the site does nothing unless it is enforced. If the Golf Course is allowed it will an intensive use area that does not have any protection from fire.

I16-8

Another hazard on the Disc Golf site is the high cliffs. There have been a number of incidents of disc golfers falling while attempting to recover their discs. The remote location of the site increases the hazard potential by a delayed emergency response time to get to victims. While the Disc Golf plan is to move the course away from the edges of the cliffs the disc golfers requested these dramatic hazards and the fairways still skirt the cliffs, creating a hazard.

### Public Services

This section states that the Hazards section (Section 4.3.6.4 Hazards and Hazardous Materials) of the BPMMP addresses wild fires, and shows that all potential hazards and hazardous material impacts, based on Appendix G of the State CEQA Guidelines, would be

I16-9

## COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR

less than significant, but it does nothing of the sort. It refers to the outdated 1991 Fire Management Plan but does not address fire issues in a high intensity use area like the proposed Disc Golf course that was historically been a low-intensity, low-impact use area.

I16-9  
(Cont)

Fires at the Disc Golf site and other remote areas of the Park will have a significant impact on the City's fire resources and fire impact on the Park and surrounding lands. Overland fire vehicles will have to be purchased by the City's fire department to access remote areas of the Park or fire suppression will have to wait for CDF vehicles that can access rough terrain.

### Police Protection

The development of the Disc Golf courses will result in a significant restructuring of Park Rangers and City Police duties. If the reactions of disc golfers to the current rules imposed on the area is indication, the police and ranger force will be busy managing behaviors in this area. During the winter months when the course was "closed" because of wet muddy conditions, the "closed" signs were torn down and the closure blatantly ignored. Disc Golfers walk around publicly displaying their beer bottles and cans even though it is posted that no alcohol is allowed. The same with dogs and the list could go on. The City will have to step up protection of the course (i.e. enforcement of the rules and regulations that are currently routinely ignored) to preserve what is left that hasn't been destroyed by the players over the past four or five years while waiting for these plans and environmental review to be conducted.

Bidwell Park is currently marginally staffed with Park Rangers. There are times when there are no Park Rangers patrolling anywhere in the Park during the day and they don't patrol at night anywhere. Opening an intensive use area with an activity in which illegal drinking and other activities have been the norm (as indicated by the numerous can and bottles, and in one case a person was seen dragging a pony keg of beer around the course by me) and rules and regulations are routinely ignored will only increase the work load on the existing rangers and police force. If not consistently enforced any regulation will be routinely ignored and the facility will degrade. Stretching a limited ranger force with an addition intensive use facility will diminish ranger services in other areas of the park. This is a significant impact.

I16-10

In addition the proposed parking lot and bathroom complex at the Disc Golf/Trail Head site will result in additional requirement for policing of the area. The parking lot is located away from Highway 32 and won't be seen from the Highway making it a prime spot for nighttime activities for high school kids and others (i.e. it will make a great "parking" and partying spot). Currently this activity is happening near the site on Humboldt Road but as development is built in that area and this parking facility becomes available, it will become the new parking site and will be trashed out in short order and policing will be problematic. The current "party" site on Humboldt is on County property making it a county problem, as this land is City property, police officers will have to add this to their routine patrol schedule and focus on it to keep problems down.

### Maintenance of Public Facilities

The use of the Disc Golf area by hundreds of people has caused serious deterioration of the natural habitat which made the Disc Golf area attractive in the first place. If one of the options gets approved there is a lot of remediation which will have to happen to the trampled and destroyed areas in the area at a significant cost to the citizens of Chico. If the no option is selected the whole area will have to be "fixed" and with no direct causal agent no one can be assessed for the damage.

I16-11

## COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR

As an intensively used public facility, the Disc Golf course will have to be maintained to a higher level than the rest of the Park left in its “natural” state. This cost will have to be borne by users of the facility, but Disc Golfers in every public meeting said that the course had to be “free” and they would refuse to play if they had to pay. Given this condition I don’t see how the Disc Golf facility will be adequately maintained to ensure a safe facility and to manage and maintain the sensitive areas adjacent to play areas.

I16-11  
(Cont)

### Trails – Maintenance

Currently trail maintenance is conducted through the use of volunteers. The City has never identified the costs associated with the full development of an adequate trail system in the Park. With over 80 miles of trails the cost to construct, maintain, and enhance them will be significant. So in light of the new facilities being proposed in the BMMP, the following statement in the DEIR does not make any sense:

*Implementation of the BPMMP would not result in an increased need for the maintenance of public facilities. The four Park Improvement Projects, once implemented, will provide additional public facilities such as trails, parking areas, a play structure, restrooms, picnic tables, interpretive kiosks, benches, trash receptacles etc. which will need to be maintained in order to function properly. However, implementation of any of the four Park Improvement Projects would not move forward until adequate funding for construction and maintenance of the projects has been secured. This would include adequate funding for staff to maintain the upgraded and new facilities.*

I16-12

How will it not result in an increased need for maintenance of public facilities? First sentence states, but the second sentence says they will need more maintenance to function properly. Most of the trails are existing and in need of maintenance, hence, they are established and no funding mechanism has been identified to provide maintenance to maintain and enhance.

Implementing the BPMMP will result in a significant need for additional funds to add, enhance, and maintain existing and new facilities.

### Increased Use of the Facilities

The DEIR stated that the improvements made to the Disc Golf course would not result in an increase use of the facility. How does EDAW come up with that conclusion?

The reason for the Disc Golf improvements is for an increased use of the facility. Disc Golfers have plans for major tournaments and activities once the facilities are improved which will result in a multiple increase (3 to 10 times) in usage. This will have additional impacts on traffic on entering and exiting off of Highway 32, additional impacts on the resources at the facility, require more maintenance and monitoring by Park Rangers and staff and a whole host of other problems associated with the cumulative impacts of an intensive use like this.

I16-13

**COMMENTS ON THE BIDWELL PARK MASTER MANAGEMENT PLAN AND DRAFT EIR**

**I16-13  
(Cont)**

The same can be said for the trails and other improvements to facilities in the Park. Improvements will have the cumulative effect of increasing usage of the resources and the degradation of the natural values of the Park.

- I16-1 The commenter feels that “EDAW” should be removed from the footer of both documents because it distracts from the purpose of the document.

**Response:**

The footer has been revised.

- I16-2 The commenter provides feedback on the map exhibits for the Trail Plan and would like to see uniform colors and line widths used for both E3.2.1.1 and E3.2.1.2. The commenter also notes that the creek designation is missing from the legend in the Middle and Upper Park Trail Plan, when compared to the Upper Park Trail Plan.

**Response:**

The reason the maps for Lower and Middle/Upper Park appear different is the relative scale; the scale for Lower Park is about twice as big as the scale for Middle and Upper Park. This was necessary to be able to display all of Middle/Upper Park on one map. The maps strive to be consistent to the greatest extent possible (i.e., orange lines refer to paved roads). Portions of South Park Drive in Lower Park are shown in yellow to make the distinction between those portions of the road allowing motor vehicles (orange) and those that do not (yellow). The reason the trails for Middle and Upper Park are shown as wide lines is explained in the note next to the legend, which states that the trail alignments shown are general corridor locations and that minor relocations of existing trails may be required within the corridors shown and that all alignments and relocations are to be designed and field verified before construction.

A blue line for Big Chico Creek will be added to the legend of Exhibit 3.2.1.2 and the color of the swimming area will be changed to distinguish it from the white marker used for access point in Exhibit 3.2.1.1

- I16-3 The commenter feels that the Trail Plan in the BPMMP and DEIR do not discuss the Annie Bidwell Trail sufficiently. The commenter provides feedback on the critical areas and would like to see the Annie Bidwell Trail/South Park Drive section closed to motorized vehicles and access, including parking, be provided to the picnic sites from 8th Avenue. The commenter notes other areas of concern that are not addressed.

**Response:**

The DEIR addresses the overall Trails Plan for the Park and the Annie Bidwell Trail is one of the trails addressed, though in certain areas (in Upper Park) it is different than a previously proposed version the commenter might be referring to. The previously proposed trail alignment has been superseded by this current planning effort. Specifically, for the segment of trail mentioned by the commenter, the Plan proposes to use an existing road to traverse from the top of the ridge to the bottom. In Lower Park, the trail uses existing trails/paths, so no new physical impacts on the environment would need to be addressed in the DEIR. Regarding the closure of a portion of South Park Drive, this proposal was discussed at length during the BPPC’s meetings addressing South Park Drive. These meetings were conducted as part of the BPMMP planning process. The layout of trails shown in the Trails Plan for Lower Park and analyzed in the DEIR reflects an analysis of the current



proposal. The commenter's concern regarding safety along this segment of South Park Drive is noted for the City's consideration. Impacts resulting in circulation hazards to motor vehicles, bicycles, pedestrians, equestrians or other traffic from the four Park Improvement Projects are addressed in Impact TRAFFIC-4 on page E4-163 and are found to be less than significant for the Trails Plan. If traffic hazards currently result from kids operating their bikes the wrong way down a one way street, this safety concern should be addressed through enforcement of circulation rules and outreach and education, rather than revisions to the Trails Plan, which addresses all user needs. Regarding the specific elements of the Annie Bidwell Trail mentioned by the commenter, several of these sections are located outside of Bidwell Park (Bidwell Mansion to Annie's Glen, along Centennial Avenue from Five Mile to the access point at Chico Canyon Road) and therefore would not be addressed in the Trails Plan for the Park. Regarding the under-road access from Annie's Glen to Lower Park, this is a separate project that has been analyzed in a separate environmental document and has been funded for implementation in 2008.

- I16-4 The commenter notes that the development of a parking lot and bathroom for the disc golf area is likely to result in the area being lit at night and because no current light sources exist in the area, this will result in an impact on the area in terms of light and glare, which needs to be addressed in Impact AES-5.

**Response:**

No lighting is proposed for the disc golf/trailhead area site.

- I16-5 The commenter feels that the implementation of the Disc Golf Area Concept Plan is not adequately discussed for the disc golf area in Impact AES-1b. The commenter also feels the authors of the DEIR do not distinguish between design and implementation in Impact AES-1b.

**Response:**

As mentioned by the commenter, the design of the disc golf area considered the resources that account for much of the scenic beauty of the site and the proposed facilities were designed to avoid or minimize adverse effects on these resources. Potential degradation of the site that could result from site use is acknowledged in various other sections of the DEIR (e.g., biology, geology and soils) and will be addressed either through mitigation measures provided in the DEIR (in the case of biological resources) or monitoring and adaptive management as outlined in the BPMMP for various resources.

The design process used for the site is outlined on page 2 in Appendix H of the BPMMP, which identified resources targeted for complete avoidance, buffer zones, and impact minimization. It did not state that all resources will be avoided. The DEIR identifies all impacts that would occur as a result of project implementation. For those impacts that cannot be avoided and would be significant or potentially significant, the DEIR provides a list of mitigation measures to be implemented to counteract the impact.

- I16-6 The commenter would like to see a trip and air pollution analysis for the implementation of the disc golf concept plan, because the disc golf course is located out of town without public transportation to reach it.

**Response:**

Please refer to response O2-7 above regarding impacts related to air quality.

I16-7 The commenter provides feedback on the Biological Resources Section with regards to impacts resulting from disc golf. Comments include degradation of the flora and soils between the tees and pins; oak woodland mitigation (BIO-3c; woodchips; and replanting); and the baseline addressed in Impact BIO CUM-1.

**Response:**

Degradation of flora and soils between tees: Providing trails and directing or channeling use is just one of the many elements used in the disc golf design. The DEIR does not state that no disc scatter will occur or that all users will stay on trails at all times. The BPMMP and DEIR take an integrated approach of resource inventory, site sensitive design by qualified professionals, education and outreach, and monitoring and adaptive management to balance recreational opportunities with resource sensitive management. The DEIR acknowledges the potential for impacts to occur and provides a host of mitigation measure to reduce these impacts to less than significant.

Oak woodland mitigation: please refer to Section 3.1.2, “Biological Impact Master Responses 4–Oak Woodland,” above.

Please also refer to response 02-3 regarding environmental baseline for the DEIR.

I16-8 The commenter discusses three areas that need to be addressed in the hazards section: a fire management plan, hazards on the disc golf site, and high cliffs.

**Response:**

While the BPMMP contains a fire management element in the NRMP, a complete update of this element was not within the scope of the BPMMP Update. However, an update of policies, objectives and implementing strategies and guidelines regarding fire management were within the scope and are included in section 3.5.4.7 of the BPMMP. These policies were closely reviewed by the BPPC.

Regarding hazards from smoking at the disc golf site/trailhead area, because better infrastructure would be provided, including waste receptacles, benches, and a kiosk for posting rules and regulations, the hazard is not expected to significantly increase from current conditions. Enforcement of the no smoking rule will remain in place. Approval and implementation of the concept plan would also enable community stewardship of the site, which would enable those who use the site to contribute to its maintenance by volunteering through the City’s volunteer coordinator.

I16-9 The commenter notes that the DEIR (Section 4.3.6.4) does not address fire issues in high intensity use areas like the proposed disc golf course or fire vehicle access to remote areas.

**Response:**

The City does not foresee the need to purchase overland fire vehicles as a result of any aspect of BPMMP implementation. As stated in Section 2.4.6.1 of the BPMMP, fire protection in the Park is provided by the City and, under a mutual aid request, by the Butte County Fire Department. An update of the fire management plan is desirable, but, as stated above, was not within the scope of the BPMMP Update.

I16-10 The commenter details the need for a significant restructuring of park rangers and City police duties.

**Response:**

Once the future use of the site has been determined by the City Council, the appropriate patrols will be determined on an as-needed basis, similar to all other facilities in the Park.

Regarding nighttime parties at the site, the City will explore adaptive management strategies as needed, similar to other facilities in the Park. This might include the installation of a gate or other measures.

- I16-11 The commenter feels that the disc golf facility cannot be adequately maintained to ensure a safe facility and to manage and maintain the sensitive areas adjacent to play areas if it is a “free” course.

**Response:**

The implementation strategies and guidelines in Section 3.6.3.3 of the BPMMP include the evaluation of funding for initial set-up and potential user fees or other sources for operation and maintenance, and opportunities for City-approved community involvement in the maintenance. Having an “official” project would also enable to City to provide clear guidance on site management and protection, assessment of fees, and coordination of maintenance efforts through the City’s volunteer coordinator as venues to maintain the site. This is similar to other facilities (e.g., trails) in the Park that are maintained by volunteers, or similar to the removal of invasive plants, which is organized by FOBP.

- I16-12 The commenter feels that implementation of the BPMMP would result in a significant need for additional funds for maintaining new facilities and trails.

**Response:**

The first sentence cited applies to implementation of the BPMMP, which is a policy document, the implementation of which is not expected to result in any particular cost. The cost arises from the specific projects implemented, thus the DEIR analyzes the resulting impacts and comes to the conclusion that projects would only be implemented with funding. Funding per se, while important for project implementation, is not a CEQA issue, as CEQA looks at changes to the physical environment.

- I16-13 The commenter would like to know how the conclusion was made that the improvements made to the disc golf course would not result in an increased use of the facility. The commenter provides reasons the improvements would increase use.

**Response:**

The conclusion was reached on the basis that all four Park Improvement Projects are designed and would be implemented to improve circulation and provide better infrastructure to manage current use. The three- to 10-time increase in usage stated by the commenter is speculative. Tournaments are a single focused use and would be handled through special use permits by the City and—like all tournaments—would have a cap on the number of entries they could allow.

CEQA 15064.5 "Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired."

The above are the regulations that guide the consultant in his analyses of impacts (both direct and indirect) to the cultural resource, in our case, a section of the old wagon road. It's very important that you have a complete understanding of these regulations. Staff tends to withhold certain pieces of information that prevents you from coming to a correct decision.

The regulation says you can't pave over the road if such paving impairs the historical significance of the feature. It also says the resource's "immediate surroundings", the setting, must be kept free of impacts if such impacts impair the historical significance of the feature. Impacts to the setting are called "indirect impacts" and they have an effect on the cultural resource. Presently, the main impact to the setting is the activities involved with playing with Frisbees. There is some physical damage to the setting but mainly it's a visual impact. And that kind of damage has been going on since the first Frisbee was thrown and continues to this day. These impacts have never been analyzed or addressed.

An impact that compromises the roadway, impairs the integrity and historical significance of the road must be mitigated, mitigated to a "less than significant impact." A loss of significance will result in a loss of eligibility for entry in the CRHR. A less than significant impact means just that. For example, if paving over a section of road has to be reduced to a lesser impact, then the parking lot has to be placed elsewhere, away from the resource and the resource's immediate surroundings. (signage will not do)

It takes a qualified archeologist/historian to determine if an impact is harmful to the resource's historical integrity. It also falls to that same consultant to determine proper mitigation measures - how far away from the resource and its setting must this parking lot be moved?

A cultural resources assessment should be scheduled at once. The consultant should be asked to analyze direct and indirect impacts caused by the present day golfing activities. Those impacts would include: cars on the road presently used for parking, any trees placed in the old roadway or the setting, the activity itself, people moving, tossing discs in the old road or in the setting. At the same time, the consultant can analyze the impacts caused by the BPMM Plan, direct impacts - paving over a section of the road, anticipated impacts - vehicles moving, parking, exiting. Will there be additional impacts to the setting? Toilets, snackstand, viewing stands, a clubhouse?

I17-1

The cumulative effect of all these impacts, direct and indirect, will be found to be devastating. Reducing them to less than significant impacts, will very likely result in the golfing activity being moved elsewhere.

The benefit to a few golfing participants must be weighed against the benefit to the people of California should the roadway be preserved and protected. I would like to see the City begin the process of getting the old road officially registered with state and national historical registers. I would then like to see the two segments of old road, the wagon ruts and the section we're dealing with now, be formed into a historic park, Humboldt Road Historic Park.

I17-1  
(Cont)

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700 feet of the old wagon road will be destroyed, buried under a parking lot to accommodate the BPMM Plan. Left improperly mitigated, this "substantial adverse change" will seriously impair the historical significance of the entire resource and cause a loss of eligibility for entry in the California Register of Historic Resources. This is a clear violation of CEQA regulations, 15064.5.

The roadway has already suffered considerable damage to its integrity from the time the first Frisbee was tossed years ago through all the changes added since then. The potential initial impacts and the subsequent additional impacts were never analyzed, addressed or mitigated. A cultural resources assessment was never authorized and it should have been.

I17-1  
(Cont)

I don't think the road is totally lost. I was up there a week ago after a thunder storm. It was during the week - no activity, no people or cars. The sense of history I experienced was profound. That part of the road was exactly like it was before the first Frisbee was thrown. Very likely, it was probably like it was when the last wagon passed on that road a hundred years ago.

We should have a cultural resources assessment at once before any further damage is done. It's possible the consultant will recommend the golfing activity be removed from the area if CEQA regulations are followed. It's time to restore the area to its former natural state and historical significance.

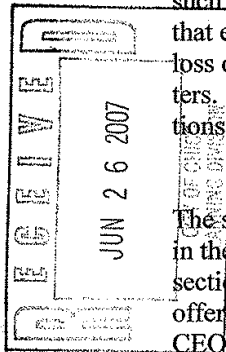
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BPMMP LAAL - Additional remarks

6/26/07



CEQA, the California Environmental Quality Act is very straightforward in the protection it affords our natural and cultural resources. CEQA regulations 15064.5, prohibit the demolition, destruction, relocation or alteration of a resource or the resource's setting if such demolition, destruction, etc., impairs the historical significance of the resource. In that event, the impacts must be mitigated – reduced to a less-than-significant degree. A loss of significance will cause the resource to lose eligibility in state and national registers. However, the City seems to have developed a pattern to circumvent these regulations when dealing with John Bidwell's Old Wagon Road.

The segments of the old road, the wagon ruts on Humboldt Road and the section of road in the vicinity of the disc golf course have been treated in the same fashion. Both have sections of the resource or the setting paved over and improper mitigation measures offered. The General Plan has Humboldt Road designated as a collector road but pesky CEQA guidelines prevent that from happening. The City gets around that problem by declaring the setting (Humboldt Road) for the wagon ruts to be badly compromised with steel towers, transmission lines, power poles and a road, SR 47, built in the vicinity. The EIR concludes that the Project will have no direct physical impact on Old Humboldt Road." There is no mention of any mitigation measures to reduce the impacts of a widened, paved road covered with traffic and bracketed by a pair of bike paths. Implementation of these indirect changes will seriously impair the historic significance of the resource. The segment will lose eligibility for entry in CRHR. CEQA is trumped by the General Plan.

The BPMMP Plan has a 700 foot area of the old wagon road and its setting designated as a parking lot but again, CEQA regulations 15064.5 stand in the way of that happening. Mitigation would likely require the parking lot to be constructed elsewhere, away from the resource and its setting. Far enough away as to no longer impair the historical integrity of the resource. The City sidesteps that problem by declaring the setting for the resource to be badly compromised with the construction of a dirt road in the immediate surroundings of the resource. The EIR concludes, "The resource, having lost all its significance can't be hurt by putting in a parking lot." The parking lot, (a substantial-adverse change) would result in a less-than-substantial adverse change in the significance of this resource." The inadequate mitigation of a sign hardly reduces the impact of the parking lot to a less-than-significant impact. Implementation of the alternatives, A and B, will certainly impair the significance of the resource to the point where the segment will lose eligibility in historical registers. The consultant should have cleared up his confusion concerning the impact of the dirt road by speaking to Amy Huberland, OHP and assistant coordinator of CHRIS, the California Historic Resources Information System here in Chico. CEQA is trumped by the BPMMP plan.

All activities at the golf course should be suspended and a proper assessment of cultural resources scheduled. The impact of the golf activities should be analyzed as well as the parking lots. The segment of old road should be treated as a viable, recorded resource that will one day be part of Chico's historic park, Humboldt Road Historic Park.

117-1  
(Cont)

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I17-1      The commenter requests that a cultural resources assessment be scheduled to analyze the direct and indirect impacts caused by golfing activities and impacts caused by the BPMMP and that all activities at the golf course be suspended until the assessment is complete.

***Response:***

Please refer to Section 3.1.1, “Master Response 3–Cultural Resources,” above.





Comments on Bidwell Park Draft Environmental Impact Report  
June 2007

These comments are limited to the Blue Oak Assessment and Disc Golf Courses

The damage sustained by the blue oaks in regard to foliage and branch tip loss is not mitigated. The arborist states that he knows no means of reducing the damage, but does state that the oaks are suffering from this and the damage can contribute to disease and subsequent death.

For trunk and limb damage to oaks, the suggested mitigation is protection of trunks with measures "such as" installation of shielding pole structures (p. E7-16). This is not specific language, and is possibly inadequate to protect trees. It would also be a blight on the scenic view, as it would introduce yet more man-made metal features to the landscape. Also, on pg.7 of the blue oak study, the wrapping of trunk or limbs with a protective material is suggested. Have there been any previous studies on this method, or any specific material identified that would be effective, yet maintain the health of the tree and the scenic beauty, or will this end up looking like a Kotex course?

I8-1

In the table "Tree Health and Soil Disturbance" and the following "Potential Design Layout Modifications", there are 20 blue oaks on the proposed short course and 91 blue oaks on the proposed long course that have no modification for their survival at all. These trees are at short course holes 4, 10, and 14, and long course holes 3, 7, 9, 10, 15, and 16. Are these 111 trees just considered an acceptable loss?

The recommendation to restrict foot traffic on the course to clearly defined trails and features to protect checkerbloom (p.E7-3, BIO-1b) is inadequate in that it fails to account for the nature of the sport. Discs do not typically land on a path for damage free retrieval. For an adequate mitigation, the study needs to include field study observation of the game in progress, or at least a working understanding of the game.

I18-2

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| <p>There was no bird or wildlife study conducted or mentioned in the EIR. The report lacks bird counts and possible nesting sites lost from the continued human and disc activity. Wildlife may have historically used this previously uninterrupted corridor north of Hwy. 32 to migrate and travel.</p> | <p>I18-3</p> |
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| <p>In the trails plan section, pg.5 of photos, an example of an unsuccessful trail closure is shown. The method used appears to be placing a log in the trail. Trail closure at the disc golf site is proposed to be the placing of boulders in trails. The placement of a large object has already been seen to be ineffective, and would not be a logical plan.</p> | <p>I18-4</p> |
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| <p>Policies of Open Space (J-7) OS-G-18 "Maintain oak woodlands and habitat for sensitive biological resources as open space for resource conservation and resource management" preclude the appropriateness of an intensive recreational project at the proposed disc golf site.</p> | <p>I18-5</p> |
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| <p>Law Enforcement Policy (J-9) S-G-10 "Provide rapid and timely response to all emergencies and maintain the capability to have minimum average response times." Is the response time to the remote golf site going to affect these averages? Impact is unknown.</p> | <p>I18-6</p> |
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Comments on draft BPMMP update document

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| <p>On page E4-50, impacts on biological resources are mentioned, and no study has been done on the disc golf site to determine if the area is a corridor for the Eastern Tehema Deer Herd.</p> | <p>I18-7</p> |
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| <p>Municipal Code Title 19.50 Special Purposes Zones indicates that RCA zoned areas are afforded permanent protection as open space (p.J-9). The proposed project site for disc golf is in an RCA zone, and therefore should not be considered as an appropriate site.</p> | <p>I18-8</p> |
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It is unfortunate that City of Chico staff have allowed citizen development in an RCA zone over a number of years, and have failed to protect this primary open space as regulated by law.

I18-8  
(Cont)

#### Personal Observation comments

The traffic study included in the EIR does not cover the Hwy. 32 location. There is no data on how many cars are at the site. My personal experience is that it is an unsafe location as far as traffic. On Saturday, June 2<sup>nd</sup>, while returning from Lake Almanor at about 5:30 pm, I was in a vehicle traveling west, and a pick up truck veered in front of our vehicle from the east bound lane and across our lane in order to reach the disc golf site. We were traveling at the posted speed limit of 55mph, and narrowly missed the truck. I observed approximately 20 vehicles in the dirt area.

I18-9

I also had a conversation with a park intern at a volunteer event on Thurs. June 7<sup>th</sup>, and the intern stated that she empties the trash cans at the site, and they are typically filled with beer cans and bottles. The remoteness of the site and the location on a highway add to the lack of safety for both players and the general public. I am also concerned about the fire safety danger of adding wood chips at the base of trees in an area where the May to September smoking ban cannot be enforced on a regular basis.

I18-10

Thank you for your consideration of these comments.

Jane Turney  
Chico, California



- I18-1 The commenter feels that the mitigation measures in the Blue Oak Assessment are inadequate. The commenter notes that the installation of shielding pole structures is not specific in language, is possibly inadequate to protect trees, and would be a blight on the scenic view. The same follows for wrapping trunks or limbs with protective material. The commenter wonders if the 111 trees on the proposed courses are just considered an acceptable loss.

**Response:**

The proposed installation of shielding post is just one of many measures proposed to reduce impacts on oak, and it does not call for metal posts. The Implementation strategies and guidelines for the disc golf/trailhead area specifically call for materials used in the construction to be imported but similar to on-site materials. Any shielding posts would likely be wooden and therefore of a color and texture that would blend in with the natural environment. No “wrapping” of oaks or “kotex course” are suggested in the mitigation measures as indicated by the commenter.

Please also refer to Section 3.1.2, “Master Responses 4–Oak Woodlands,” above.

- I18-2 The commenter is concerned that the recommendation to restrict foot traffic on the course to clearly defined trails and features to protect checkerbloom is inadequate because of the unpredictable nature of disc golf.

**Response:**

Restricting foot traffic at the site will direct traffic on trails between the holes and on trails proposed at the site for other uses. It is just one of many measures included in the BPMMP and EIR to protect Butte County checkerbloom at the site. When implemented together, these measures are expected to reduce impact to the plants on-site to less than significant.

- I18-3 The commenter feels that birds and wildlife may have used the corridor north of SR 32 to migrate and travel and that a bird and wildlife study should be conducted.

**Response:**

Habitat types at the site were mapped and qualified during the 2005 special-status plant survey (Appendix E3) and a reconnaissance level survey for wildlife use was conducted in support of preparation of the BPMMP update and analysis of the site. These surveys provided information of the current conditions at the site. It is impossible to determine what wildlife historically used the site, and the analysis of impacts for the DEIR is based on the “existing conditions” at the time the Notice of Preparation was published. Please refer to response 02-3 regarding baseline existing condition.

The biological resources section identifies all potential impacts that could result from implementation of the BPMMP and the proposed Park Improvement Projects and identifies mitigation measures if significant or potentially significant impacts are identified. For the Disc Golf/Trailhead Concept Plan Area, mitigation measures for wildlife include those that apply to: vernal pool crustaceans and western spadefoot habitat (BIO-2c); nesting raptors and nesting burrowing owls (BIO-2d); peregrine falcon (BIO-2d); and other special-status nesting birds.

I18-4 The commenter is opposed to the method to be used in trail closure at the disc golf site since the placement of a large object has already been seen to be ineffective.

**Response:**

As mentioned under response 18-2 above, this measure is proposed as one of many measures to deter park users from entering certain areas with sensitive resources (in this case Butte County checkerbloom), not as the general measure for trail closure. It needs to be reviewed in the context it is presented in (biological resources mitigation) and not as a proposed element of the trails plan. Trails in the Park are managed according to standards provided in the City's Trails Manual.

I18-5 The commenter feels that an intensive recreational project at the proposed disc golf site is in violation of open space policy (J-7) OS-G-18.

**Response:**

This is City General Plan policy. All General Plan policies must be weighed and balanced against each other and not looked at independently without context. The General Plan acknowledges the BPMMP as the document to guide use and protect resources in the Park. The proposed BPMMP contains numerous policies related to the protection of oak woodlands. Like with the General Plan, these sometimes competing goals and policies must be weighed against the use of Bidwell Park as a recreational park. Mitigation Measure BIO-3c contains specific measures to protect oak woodland from adverse effects due to implementation of the Park Improvement Projects. Please also refer to Master Response 4–Oak Woodlands above.

I18-6 The commenter is concerned with emergency response time to the remote golf site.

**Response:**

This is a City General Plan policy. Emergency response time for the site is not different from response times for other locations in Upper Park.

I18-7 The commenter notes that no study was conducted on the disc golf site to determine if the area is a corridor for the Eastern Tehema Deer Herd.

The assessment of wildlife habitat at the site included all wildlife, and information on the eastern Tehama Deer herd was reviewed and considered during preparation of the BPMMP update. The DEIR includes an analysis of adverse effects on wildlife movement, migration corridors and the eastern Tehama Deer Herd, and nursery sites (BIO-5) and concludes that potential impacts are less than significant.

I18-8 The commenter notes that the proposed site for disc golf is in a RCA zone and therefore should not be considered as an appropriate site.

**Response:**

First, the disc golf site is in a RMA, not in an RCA zone, as it was acquired after original Park boundaries were placed into the RCA designation. Further, the application of the RCA designation varies considerably within Bidwell Park as it covers the more intensely developed locations near downtown as well as the more remote reaches of Upper Park. The General Plan requires the preparation of a long-term comprehensive planning program for RCAs to ensure the long-term viability of these areas. The BPMMP and its associated EIR implement this General Plan requirement for Bidwell Park by inventorying sensitive resources and establishing comprehensive resource

management policies and programs for all areas of the Park. Consistent with the General Plan policies, these resource management policies and programs are balanced with policies pertaining to various recreational opportunities throughout the Park.

I18-9 The commenter is concerned about traffic on Hwy. 32.

***Response:***

Impact TRAFFIC-4 in the circulation and traffic section of the DEIR (Section 4.3.12) discusses the potential increase in circulation hazards to motor vehicles, bicycles, pedestrian, equestrian, and other traffic. Mitigation Measure TRAFFIC-4 calls for coordination with Caltrans regarding an encroachment permit and the need for additional signage and/or a left turning lane to address traffic hazards associated with the Park Improvement projects.

I18-10 The commenter is concerned about trash, general safety, and fire in the remote site.

***Response:***

Please refer to response I16-8 above regarding trash and fire safety.





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 Planning Services Department  
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 Chico, CA 95927

**From:** Jackson D. Shedd  
 1126 Arbutus Avenue  
 Chico, CA 95926

**Re:** Comment on Draft Bidwell Park Master Management Plan and Environmental Impact Report

*As the author of Amphibians and Reptiles of Bidwell Park and a Chico native who has enjoyed the Park since childhood, I feel a personal obligation to offer a contribution to this effort. There are notable inconsistencies regarding the taxonomy of the herpetofauna recognized in the Master Management Plan. Further, I would like to suggest the addition of one more reptile species recognized by the state as declining and known from Bidwell Park.*

### **Corrections and Comments on Terrestrial Wildlife**

#### **Section 2.3.2.3: Terrestrial Wildlife: Table 2.3.2-3, page 2-51**

The taxonomy for the amphibian and reptile species listed here are either inconsistent with the species account on pg 2-54, or is out-dated. Please change *Scaphiopus hammondii* to *Spea hammondii* for Western Spadefoot to be consistent with the account on pg. 2-54. The North American whiptail genus *Cnemidophorus* is now *Aspidoscelis*, and the Western Pond Turtle genus *Clemmys* has been changed to *Actinemys*.

#### **Section 2.3.2.3: Terrestrial Wildlife: California Whiptail, page 2-59**

The California Whiptail is a subspecies of the Western Whiptail. If continued to be listed in this document as such, the subspecific epithet should be included, along with the change from *Cnemidophorus* to *Aspidoscelis*: *Aspidoscelis tigris munda* (formerly *mundus*).

I19-1

#### **Additional Suggestions**

The inclusion of the American Badger as a part of Bidwell Park's fauna is a highly dubious notion. This species has been extirpated from its historical range from over most, if not all, of Butte County as well as much of the rest of California. There are just too many trails and visitors in the Park and not enough open, undisturbed grassland.

While the badger is highly improbable but listed in the BPMMP, a reptile that is more likely to still occur in Bidwell Park in the vicinity of North Rim Trail is the Coast Horned Lizard (*Phrynosoma blainvillii* [= *coronatum*]). This lizard is recognized by the state as a Species of Special Concern and not listed in the BPMMP. Although off-road vehicle activity probably had a negative impact on the horned lizard population on North Rim in

the 1960's and 70's, I have been told of two observations from that area. One was by Tom Barret in the 1970's and the other was an adult female in 1993 by Gilbert Mayfield and Mike Theide. If this species does still occur in the Park, its populations are of low densities. However, it could be possible they occur toward the upper reaches of North Rim, as they exhibit incredibly cryptic behavior and are active at this latitude during a time of year when less people hike the Park.

I19-1  
(Cont)

- I19-1 The commenter notes inconsistent taxonomy accounts and suggests changes. The commenter also notes the need include the subspecies epithet for the California Whiptail. The commenter also suggests the removal of the American Badger and the addition of the Coast Horned Lizard as part of Bidwell Parks' fauna.

***Response:***

Suggested edits to Table 2.3.2-3 have been incorporated.

Suggested edits to the species paragraph about California whiptail have been incorporated.

Additional suggestions:

American badger has been left in Table 2.3.2-3, but the "potential for occurrence in the study area" column has been revised to read: "could occur, though highly unlikely; mostly extirpated from Butte County.

The coast horned lizard has been added to Table 2.3.2-3 and the species descriptions.



**To: Breden Vieg  
Senior Planner  
Community Services Dept.  
City of Chico**

**From: Karen Laslo**

**Subject: BPMMP, DEIR  
Comments**

To: Brenden Vieg  
Senior Planner  
Community Services Dept.  
City of Chico  
411 Main Street  
Chico, CA 95927

From: Karen Laslo

Subject: BPMMP – DEIR, comments

Dear Mr. Vieg,

Please include my comments in the Bidwell Park Master Management Plan DEIR. I will limit my comments to the Disc Golf/Trail Project.

**Impact AES-4b: Degradation of Park's Visual Character with Implementation of Park Improvement Projects**

I want to comment on the aesthetics of the disc golf site, what the DEIR terms "Degradation of Visual Character." On page E4-12 the DEIR states the obvious, namely that the site at present is visually degraded by disc golf activity. But then it goes on to conclude that "Implementation of the Disc Golf/Trailhead Area Concept Plan would enhance this situation by minimizing the disc golf area footprint and providing additional infrastructure designed to avoid sensitive resources. Existing facilities would be upgraded and new facilities constructed in accordance with the Park's updated Design Standards, thus preserving and enhancing the visual character of the Park." Are we expected to swallow the contention that pouring two dozen or more concrete slabs and distributing tons of wood chips all about and encasing the trunks of oaks in some kind of metal or heavy plastic shield and building construction and maintenance roads to service the site is somehow an enhancement to the visual character of the park? The aesthetics of a natural and wild area is one of naturalness and wildness. You can't improve on this by providing infrastructure of so heavy handed a sort.

Further, I would like to point out that if Alternative A (see "Upper Bidwell Park Disc Golf Course" design by Michael Belchik, pg. H-11, and a letter to the City of Chico from Lon Glasner "A Few Ideas on Infrastructure and

I20-1

36 5'x8' concrete slab tees  
36 targets anchored in concrete blocks, or something  
36 benches  
36 directional signs  
36 par signs  
1 kiosk  
1 restroom building, size not determined yet but probably the size of Cedar Grove restrooms  
1 68-car parking lot  
lights for the parking lot (night sky will be degraded)  
trash cans  
"shields" around tree trunks

I ask, how can all of this development and concrete (reminiscent of the City Plaza) further enhance the beauty of an oak meadow? To me, the only thing that would enhance the beauty of this place is to restore it to some semblance of its former wild and natural state.

I20-1  
(Cont)

Lastly, I want to say that the view from the rim of the canyon in the (illegal) disc golf area is one of the most beautiful in the park, commanding a grand panorama of the canyon and creek below. However, I'm concerned that few people besides the disc golfers will be able to experience the view if the Disc Golf/Trail Project is allowed. Michael Belchik, in his Design Report, (page H-9, "Disc Golf Course Design Playability Criteria," item g) says, "Site should not have too many other uses as too many people can interfere with the play (i.e., Auburn course has too many people walking through, causing delays in play)."

#### **Oak Assessment, DEIR Appendices E4**

As it stands now the disc golf area is severely degraded with large areas of ground denuded of all foliage and subject to obvious and sometimes severe erosion. To this extent I'm in agreement with the DEIR Oak Assessment, which acknowledges as much. In addition, the tenacious and slow growing Blue Oaks have and are continuing to suffer visible damage from the loss of leaf tips and the impact of discs on limbs and trunks, which if continued is potentially fatal to the trees by weakening the trees' resistance to the introduction of disease. At many present sites the earth around the trunks of these oaks and even out beyond their drip line is trampled down to bare and hardened earth.

I20-2



Without these negative impacts, the area is one of natural beauty and health. The proposed Disc Golf/Trail Project is intended to mitigate these negative effects, but will certainly fail to do so if “mitigate” is meant to somehow return the area to a natural and healthful state. A single example will suffice to make my point: namely, the plan to put in concrete slabs at the tees and dump loads of wood chips around what are deemed “sensitive” trail areas and apparently around post areas as well. Concrete pads are not a “natural object” and for that matter will only minimally mitigate compaction and erosion. If every golfer were content to stay put on the concrete pad and not budge from there, it would work to a degree, but the instant he/she steps off the pad the protection is lost. (See Table E7-1, pg. E7-72, Summary of Project Impacts and Mitigation Measures.)

Also, to get from the concrete pad tee area to the post without having to leave the trail to recover a wayward disc, would require far greater accuracy and control than the most expert disc golfer can be expected to possess. As it stands now, many of the tees and post areas are located under the cover of Blue Oaks. You can’t protect a tree’s roots by pouring concrete on top of them.

The proposed mitigation for an improved disc golf course on the present site calls for girdling the Blue Oak trunks with some kind of protective shield (See Table E7-1, pg. E7-72, Summary of Project Impacts and Mitigation Measures and DEIR, E4 Oak Assessment.) But of course, discs don’t necessarily fly only at trunk level, and so damage to limbs and leaf tips goes unaddressed.

The DEIR does not address the environmental impacts of actually building the concrete tee slabs. Exactly how will they be put in place? You either have to have a huge cement mixer truck pour the slabs, or do it “by hand” with a wheelbarrow and heavy sacks of concrete. If it’s done “by hand” you also need a water source – where will this come from? Although the wheelbarrow way would be less of an impact I don’t see how it could be done at this site. That leaves the huge cement mixer truck that would have to be driven across the sensitive and already degraded soils, crushing native rocks and plants in its path. Or perhaps roads would have to be built to accommodate the cement trucks.

I20-2  
(Cont)

Again, the DEIR does not state how the huge amount of wood chips will be delivered and spread around the trees and paths. Since the wood chips will decompose through over time they will have to be spread over and over again. Exactly how will this be done and who will do it?

I20-2  
(Cont)

In his above-mentioned report, Belchik says, “Both courses would be used for tournaments.” (Pg. H-12, Application of Environmental and Course Design Principles to Upper Bidwell Park Disc Golf Courses, #3). In his letter to the City of Chico, Lon Glasner mentions “regional and national tournaments,” (pg.1) and suggests holding “3 tournaments,” per year (pg.4). The idea of “tournaments” brings up a lot of questions that the DEIR did not address: How many people does a “tournament” involve? Will there be spectators at these tournaments as well? If so, how many? What would be their impact to the environment if they didn’t all stay on the concrete tee slabs or wood chip paths? Where are the potential impacts from a large group of people playing all at once to oaks, plants, soil and wildlife? Will hikers, birdwatchers and view watchers be excluded from the area during a “tournament” because they would “cause delays in play?”

I20-3

#### **Geo-2: Potential for Soil Erosion**

On page E7-92 of the Summary of Project Impacts and Mitigation Measures, Table E7-1, it’s stated that the potential for soil erosion would be “Less than Significant.” However, the DEIR did not address the possibility of “differential erosion” that could occur in the soil surrounding the concrete tee slab when it rains, especially if the tee were on an incline. “Differential erosion” occurs naturally in nature, such as when the soil around a boulder is washed away by rain or snow. This erosion could cause the boulder to move, especially if it’s on a mountainside. While I don’t think the concrete tee slabs would slide off the site and down the hillside (at least not for many years) I do think differential erosion at the tee slabs has the potential to leave the slabs perched on top of otherwise eroded soil. Such a condition would be neither safe nor aesthetically pleasing.

I20-4

#### **Traffic, Appendix E6**

While the DEIR does give an extensive traffic study for Wildwood Ave. and Upper Park Road, it does not address the current or future traffic hazard on Highway 32 due to disc golf activity. Right now it’s a hazardous maneuver to make a left turn into the dirt parking lot off Highway 32 because there’s no left turn lane or even a sign that announces to a driver where the disc golf

I20-5

site is. It's even more dangerous to park across from the site and have to run across the highway to get to the site. The DEIR should have answers to these questions about traffic on Highway 32: How will these traffic hazards be dealt with? How many cars are turning into the disc golf parking lot now? What is the projection of increased traffic in this area of the highway if the disc golf project is developed? How many accidents have occurred there already? I think that not to have studied this part of Highway 32 for potential traffic hazards is a significant flaw in the DEIR.

I20-5  
(Cont)

**Wildlife, Mitigation Measure BIO-2f: Implement Measures to Protect Other Special-status Nesting Birds, pg.E4-70 and 71**

My husband, Lin Jensen and I have been “birders” for over 20 years. In the past we’ve monitored nests, done bird surveys and bird counts. We started the first ever Christmas Bird Count for Sierra Valley in Sierra and eastern Plumas Counties. Lin served as Sub-regional Editor for *American Birds*, reporting on the status of birds in eastern Plumas and Sierra Counties. We are listed as contributors to the *Checklist of the Birds of the Sierra Valley and Yuba Pass Area*. Birds are important to me and I value their contribution to my quality of life.

Of the three DFG “species of special concern” noted in the DEIR (pg. E4-70) the Loggerhead Shrike is one that breeds in our county and, “...could be affected during construction of the four Park Improvement Projects directly through loss of habitat and increased localized habitat fragmentation. *Substantial habitat loss and fragmentation would result in the reduction of population sizes and diminished use of the project area by some local wildlife populations, including these special-status species*” (my italics). The DEIR then goes on to contradict itself by saying, “However, implementation of the four park Improvement Projects would not substantially reduce nesting, foraging, or migration opportunities for these species in the Park because suitable habitat would not be removed in substantial quantities.” Either the birds will loose their habitat or they won’t. But beyond that, the most important thing the DEIR failed to note here is the disturbance to this “special-status” bird *right now* due to the disc golf activities that are occurring *now*. I’ll further comment on this point in the paragraphs below.

I20-6

Also on page E4-70, the DEIR says, “Removal and/or disturbance of active nests of Yellow Warbler, Yellow-breasted Chat and Loggerhead Shrike, as

well as common nesting birds that are protected under the MBTA and the Fish and Game Code, could also result from implementation of Park Improvement Projects. Disturbance of nesting pairs could result in nest abandonment and loss of active nests. Loss of active nests of these ‘special-status’ birds could result in a substantial adverse effect to local populations of the affected species. Loss of active nests of ‘common species’ would be inconsistent with MBTA and a violation of Fish and Game Code but would not constitute a significant impact under CEQA, as CEQA addresses impacts to ‘special-status species’ only. Impacts to ‘special-status’ nesting birds would be potentially significant and subject to mitigation.” I agree with most of this text. I understand that CEQA only applies to “special-status” birds, but the “common” birds should be protected from disturbance too. One reason they should be considered in the report is because they are our natural “pesticides”. They eat many of the insect pests that are harmful and a nuisance to humans, plants and trees. In addition, many are shrub nesters which means they nest close to the ground and human disturbance is much more likely to occur for them. Tree nesting birds would also be disturbed, especially if they were nesting in the small, slow-growing Blue Oaks. Regardless, the disc golf site is potential habitat for at least one of the special-status birds: the Loggerhead Shrike.

I20-6  
(Cont)

On page E4-71 the DEIR states how construction and development of the disc golf site will be conducted so as not to disturb “nesting special-status birds.” Again, I think it’s necessary to include the unlisted birds here as the DFG has done. I doubt that the birds won’t be disturbed during construction, especially since a major part of developing the disc golf course involves paving over a lot of their habitat with concrete (reminiscent of the Park Plaza) and protection of the birds will only be extended to them when “feasible and practicable.”

The DEIR states that before construction begins “To avoid potential impacts to active nests of ‘special-status’ birds, a qualified biologist shall conduct preconstruction surveys to identify active ‘special-status’ birds nests within 500 feet of the construction areas.” However, for a survey to be accurate the disc golf activity would have to be discontinued for at least one “bird year” cycle, to see which birds would be nesting in the area if they weren’t already being displaced from their normal breeding habitat by the current disc golf activity.

A major flaw in the DEIR is that it does not investigate the potential disturbance of the actual disc golf activities on the “nesting ‘special-status’ birds” and unlisted birds *that is occurring right now and will occur in the future*. An oak savannah woodland, such as the proposed site for the disc golf project is potential habitat for numerous species of birds, many of which are tree nesters, ground nesters and shrub nesters. A few examples of low and tree nesting birds that could be found in the disc golf area are: Lesser Goldfinch, Oak Titmouse, Bewick’s Wren, Northern Flicker, House Wren, Nuttall’s Woodpecker, Acorn Woodpecker, and Blue-gray Gnatcatcher. All of these birds are known to breed in our county (Birds of Butte County, Altacal Audubon Society’s checklist; *Birder’s Handbook*) and most likely could be *trying* to breed in the disc golf area right now. These birds are simply being driven from the site at present and will be even more impacted when the site gets “improved” and more golfers and spectators arrive to play. Recently, when I was at the site I observed discs flying into bushes and players searching for their discs amongst the bushes. Many of the smaller birds nest in those bushes and would be greatly disturbed by the activities of disc golf players. It is important to protect the breeding activities of our native birds because, as I said above, we depend on them, not only as natural pest control, but also for distributing native plant seeds and for the aesthetic beauty they provide for us. Anyone who has read Rachel Carson’s *Silent Spring* will understand the value of our native birds, whether they are listed as endangered or not.

I20-6  
(Cont)

Among the larger birds present at the site is the California State listed endangered Peregrine Falcon, a pair of which has been frequently sighted at the cliff edge directly adjacent to the disc golf course. Recently, on May 21, 2007, I took Andrew Grant, a research biologist with the Santa Cruz Predatory Bird Group, up to the disc golf site to see if we could find out if the Peregrines were nesting on the cliffs below the disc golf course. We did see one of the pair and its behavior when it saw us appeared to be one of territorial defense common to Peregrine behavior in the vicinity of a nest. While no nest was sighted at that time or later that day from below at Bear Hole parking lot, the cliff face is ideal for Peregrine nesting, and existing evidence argues the presence of a nest at the locale at this time. Peregrines, particularly while mating and nesting, can be easily alarmed and potentially driven from the site. My husband, Lin Jensen and I monitored a Peregrine Falcon nest for the U.S. Forest Service in Sierra Valley, eastern Plumas County for several years. We discovered that if a pair of falcons is allowed

to exist in relative security and peace, they will faithfully return year after year until they are eventually replaced by their own offspring.

I20-6  
(Cont)

Chico is blessed to have these Peregrines and many other species of native birds in Upper Park. If we want to have any wildlife at all for our children and grandchildren to be able to observe in their natural habitat, then these birds, and all the other wildlife, should be protected against unwarranted intrusion.

### **Economic and Social Costs of Implementing the Disc Golf/Trails Project**

While I couldn't find any reference in the DEIR to the cost of developing the disc golf site, it's a matter that needs to be addressed *before* it's built. While reading the **Summary of Project Impacts and Mitigation Measures, Table E7-1**, I noted that the City of Chico is listed as the "Responsible Party" for all of the mitigations. The lack of cost estimates is a remarkable omission, considering the potential price of mitigating this project. Do the people of Chico have any idea how much it will cost them to construct the disc golf site according to the design by Michael Belchik. The restrooms alone will be very expensive, let alone the endless yards of concrete for slabs, the wood chips, road construction, lighting, sign posting, etc. Wouldn't a disc golf course be less expensive to build if it were put in an area that already has at least some of the infrastructure that is needed to accommodate the anticipated popularity of the course and the large number of people expected to utilize the site?

I20-7

Also, I've heard that there are "hundreds" of children who like to play disc golf. I ask, why then would you build this course way up in the hills where kids would have to be driven all the way up there to play? It would be a major trip for their parents. Why not put it down below where kids could, for example in the summer, ride their bikes, take the bus or when they want a family outing, be driven by their parents to a course that's not so far away? And if there are "hundreds" of adults who play then why not put it down closer to where these people are so they don't have to drive so far? Putting the disc golf course closer to Chico would be in keeping with the Mayor's Climate Agreement plan to reduce greenhouse gases.

I20-8

### Summary Comments

I would like to learn to play disc golf myself. However, I could not do so at the present site with good conscience. The present disc golf site is too constrained with expensive mitigations that will need on-going maintenance and repairs and, in the end, will not sufficiently protect the soil, the plants, trees, and wildlife that once inhabited the area. It's located too far away to be convenient for the "hundreds" of players who now play and for those who might want to play, especially for kids. In other words, the present site is just not the appropriate place for such a worthy recreation as disc golf.

I hope that those in charge of making the decisions for our Bidwell Park will not decide to implement the Disc Golf/Trails Project in Upper Park just because the (illegal) course *is already there now*. That is not a good reason to compromise this fragile and yet wild and scenic place. On page E5-34 – E5-35, the DEIR admits that the CEQA required "Environmental Superior Alternative" is the "Restoration Alternative" and not the damaging and costly alternative of trying to mitigate a disc golf course at the present site. I know many people like to play disc golf and I would like our community to come together and find a more appropriate site. But Upper Park is not the right place.

120-9

With its craggy cliffs, oak and pine woodlands, sloping steeply down to the blue-green, boulder strewn Chico Creek far below I understand why many people call Upper Park "The Little Grand Canyon." Many times I've stood on the rim of the canyon, at eye level with Turkey Vultures, Red-tailed Hawks and even Peregrine Falcons. I believe that the present disc golf site is part of the gift that is Upper Park and that it should remain intact, in its natural wild state, for future generations. Please choose the Restoration Alternative.

Thank you for considering my comments.

Karen Laslo  
468 E. Sacramento Ave.  
Chico, CA 95926

- I20-1 The commenter notes that the implementation of the Disc Golf/Trailhead Area Concept Plan would add to the degradation of the visual character of the park and that you cannot improve the aesthetics of a natural and wild area by adding infrastructure. The commenter explains that the Upper Bidwell Park Disc Golf Course Alternative A does not further the enhancement of the oak meadow and expresses concern that the view from the rim of the canyon will be limited to only disc golf players if the disc golf/trail project is allowed.

**Response:**

As stated in the DEIR and mentioned by the commenter, the site is currently visually degraded. The DEIR examines changes from the current conditions that would occur with project implementation. The proposed infrastructure on the actual course would be a reduction of overall impacted area (trails, tees, fairways) when compared with current conditions. In compliance with Section 3.6.3.3 Disc Golf/Trailhead Objectives, Implementation Strategies and Guidelines the site would specifically be managed to avoid or minimize adverse effects to natural, cultural, and other environmental resources (goal 1) and for multiple recreational uses (goal 2). This includes earth tone tee pads, use of natural materials, reduction of adverse effects, monitoring and adaptive management, opportunities for community for site stewardship and maintenance, and many other provisions. Based on the proposed management and the reduction of overall footprint, the DEIR reached the conclusion of an improvement of the visual character.

No improvements “reminiscent of City Plaza” as alluded to by the commenter are proposed. No nighttime lighting that would adversely affect the night sky is proposed. The parking lot would replace the current dirt parking lot in the Caltrans ROW. The design of the overlooks and trail through the site specifically aim to accommodate multi use while minimizing user conflict, in response to Mr. Belchick’s recommended playability character.

Please also refer to response I18-1 above regarding the proposed shielding structures and to Master Response 5–Aesthetics above for a more general discussion of impacts to aesthetics and visual resources.

- I20-2 The commenter provides feedback on the degradation of Blue Oaks and the proposed Blue Oak mitigation strategies. The commenter questions the ability of the concrete slabs, wood chips, and protective shields to truly “mitigate.” The commenter also notes that the DEIR does not address the environmental impacts of building the concrete tee slabs or upkeep of the wood chips.

**Response:**

Please refer to Master Response 4–Oak Woodland above regarding the various methods proposed to reduce impacts on oak trees.

Please also note that the site is not currently in a pristine oak woodland state, that no “pouring of concrete on tree’s roots” or “girdling of blue oak trunks” is proposed, and that the design of concrete tees is used to prevent expansion of the tee area over time due to lack of footing.

Please refer to response O3-19 above regarding the methods that will be used to install the tees at the site.



I20-3 The commenter notes that the DEIR does not address the impacts involved with using the disc golf courses for tournaments.

**Response:**

Tournaments would be handled through special use permits by the City and – like all tournaments - would have a cap on the number of entries they could allow. Having a better infrastructure in place would also help manage the site better in response to short term increased use.

I20-4 The commenter points out that differential erosion was not addressed in the DEIR.

**Response:**

Differential erosion – as well as other management issues that cannot be reasonably foreseen at this time – would be handled through monitoring and adaptive management of the site in accordance with implementation strategy I. DG/T-9 in the BPMMP.

I20-5 The commenter notes that the DEIR does not address the current or future traffic hazards on SR 32 due to disc golf activity.

**Response:**

Please refer to responses to comments A4-1 and O5-5 and I18-9 above.

I20-6 The commenter notes inconsistencies regarding the discussion of impacts on other special status birds on page 4-70 of the DEIR. She also notes that the DEIR failed to address current disturbances to special-status birds due to disc golf activities and that “common” birds should also be protected from disturbances.

**Response:**

To clarify the intention of the impact discussion on other special-status bird species, the sentence the commenter is referring to in the middle of the first paragraph on page E4-70 for Impacts Bio-2f will be revised to read as follows:

*...Substantial habitat loss and fragmentation **could potentially** result in the reduction of population sizes and diminished use of the project area ....*

Regarding current disturbances to common and special-status birds, the City acknowledges that any human activity in the Park has the potential to adversely affect local populations of wildlife. The only way to completely eliminate these impacts would be to exclude human activities from a particular site. The DEIR does not focus in ongoing issues, but on a change in conditions that would occur with project implementation. In the case of the disc golf/trailhead area the impacts on common and sensitive resources would be expected to be somewhat diminish as a result of better facilities, a smaller footprint, monitoring, adaptive management, and outreach and education.

Please refer to the Responses to Comments A3-2 and O7-2 above regarding potential impacts on cliff nesting raptors, including peregrine falcon.

I20-7 The commenter points out that there is no reference to the cost of developing the disc golf site.

***Response:***

The commenter's concern about the cost of developing the disc golf site, which is an economic issue, is noted for the City's consideration. CEQA does not analyze economic issues. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

I20-8      The commenter questions the isolation location of the disc golf site and its accessibility.

A kid friendly course is currently proposed by CARD in the Hooker Oak recreation area. This course is not expected to be suitable for more advance players. Please refer to response 02-17 above for a brief history on screening for off site alternatives and the reason that no other alternatives sites currently exist.

I20-9      The commenter is in support of the Restoration Alternative.

***Response:***

The commenter's support is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



As a long time Chicoan, I've watched with great horror - as a no regulation, free for all, overthrow approach to Management of this - Wonderful Park of ours.

Mt bikers trashed much of upper Park, making miles of new trails everywhere.

The Golfers took over a big chunk of Park land. Disc golfers took over & damaged a chunk of upper Park, and now they want to cement it! On a regular basis drinking & drug use is done at the disc golf course.

The Rich ruination of our view shed....

Special interest has taken over the Park... weakening & deteriorating it's natural Beauty. It's B time to return the Park back to it's traditional uses. Swimming, horse back riding, hiking, bird watching, picnicing, strolling, dog walking, climbing, fishing, relaxing, Romance, family time, wild flower viewing, jogging, biking on approved trails, geology, education, photo taking.

Please stop all this special interest, keep the Park Natural, before it gets more out of hand →

I21-1

"Save the park - Protect the Park - keep it wild"

I21-1  
(Cont)

P.S. Although I have never used the observatory,  
it seems <sup>like a</sup> low impact use, for many to enjoy.

Please consider my comments, thank you for  
your time

Nita Torres  
510 Alder St  
Chico CA,

I21-1      The commenter feels that special interests have taken over the Park and it needs to stop in order to keep the Park natural.

***Response:***

The commenter states a concern. This concern is noted for the City's consideration. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



Brendan Vieg  
Senior Planner

Here are comments about the disc golf section of the BPMMP EIR.

#### E5.3.5.2

At this time any other sites are only potential and hypothetical. No other sites have been approved or can be played on. They do not exist and cannot be considered as options until they do. Opposition is certain with any of them. Many other sites have been proposed and ruled out in the past for various reasons, which has led us to where we are with this process today. This history of other sites and why they were ruled out should be included.

The two 18 hole courses, with future consideration of other Lower Park sites was by far the preferred option when a vote was taken by the Citizens' Advisory Committee.

The potential to develop and approve them in the future and the recent agreement by the Friends of Bidwell Park to not oppose Lower Park disc golf sites, DOES give a further means of flexibility and potential mitigation to the Hwy. 32 site. Seasonal site rotations and temporary site recovery for impact areas would provide an extra means of addressing the opponents expected problems IF the planned methods are not sufficiently effective. This will also decrease the amount of use and traffic that would even further decrease said feared tragic and catastrophic impacts to the site.

These are notes to consider for the "Environmental Effects" of each Alternative under "Biological Resources."

#### E5.3.5

According to the botanical studies, Butte County Checkerbloom, and Bidwell's Knotweed populations have actually increased during the recent years of unmitigated use. There is a case to be made that some soil disturbance is preferred by these plants which are more often found along trails and parking lots in other parts of the park. I have not read in the EIR Draft where any crustaceans have been found or even plant species specific to vernal pools at the Hwy. 32 site.

Gregg Payne

I22-1

I22-2





- I22-1 The commenter provides feedback on potential disc golf sites. In response to Section E5.3.5.2, the commenter notes that no other sites have been approved or can be played on and that many other sites have been proposed and ruled out in the past for various reasons. The commenter feels that the history of these other sites and the reasons they were ruled out should be included in the EIR.

***Response:***

A brief history of alternative site screening for disc golf is included in response O2-17 above.

The commenter's support for the current site is noted. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- I22-2 The commenter notes a possible explanation for the increase of Butte County Checkerbloom and Bidwell's Knotweed and that no section in the DEIR addresses where any crustacean or plant species specific to vernal pools have been found at the SR 32 site.

***Response:***

No specific botanical study is cited by the commenter and the statement about the increase of special-status plants is speculative. No surveys for crustaceans have been conducted at the SR 32 site; their potential to occur at the site was assessed based on the presence of the habitat types that typically support these species. The vernal pools at the site were mapped during the special-status plant surveys at the site and the presence of characteristic or diagnostic species is one of the main methods by which professional botanists characterize plant communities or habitat types.

No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.



**Public Comments addressing the Draft EIR's current lack of disclosure of the Draft BPMMP's inconsistencies with the existing specific resource management plan policies and local policies protecting biological resources of the existing BPMMP, and inadequacies in mitigation and/or the adequacy of the Draft BPMMP to reduce impacts to a less than significant level due to the inherent changeability of Implementation components that are sighted by the EIR as the means by which impacts will be reduced to less than significant.**

Submitted by Randy Abbott, member of the Public. 1151 e. 10<sup>th</sup> Street, Chico, CA 95928

"The BPMMP is the specific resource management plan for Bidwell Park..... No other resource management or resource conservation plans apply to the management of Park lands."(pg.E4-133)

The current (1990) BPMMP is still the existing document for management of the Park until an updated plan is adopted by final resolution by Council. The Goals, Objectives, and Management Recommendations of the 1990 plan are part of existing conditions dating to 10-14-05 and therefore a disclosure of significant changes to and inconsistencies with this (as referred to in the EIR) 'specific resource management plan' resulting from the proposed adoption of the Draft BPMMP is a reasonable thing to request of the Final EIR.

From Section 2 of the Draft,

"To more clearly define roles and responsibilities and achieve efficiencies in Park management, another key issue addressed in the BPMMP Update is division of the plan into policy components (goals and objectives) to be overseen by the City Council, and implementation components (implementation strategies and guidelines) to be overseen by the BPPC and General Services Director. This change from the 1990 BPMMP is reflected in Chapter 3. (2-119)"

This in itself represents a significant change to Management policy because currently, the BPPC has no power to alter the BPMMP's contents outside of an amendment process that also requires council (elected official) approval.

Further, with regards to the BPPC's power to alter Implementation components of the Plan, many of the impacts described in the EIR are said to be inconsequential because implementation strategies contained within the Draft BPMMP when implemented will reduce such impacts to less than significant. How is it possible to allow the BPPC or others power to alter components of the plan upon which the reducing of impacts to less than significant levels is dependant?

A study of where Objectives of the 1990 Plan are found in the Draft BPMMP shows that many Objectives and/or the management concepts they described are now presented as implementation components – some mandatory, some not - subject to change at the behest of the BPPC. The results of that study are represented by the Table below.

While the scope of the table does not include the tracking of the Management recommendations of 1990 BPMMP's Section 5, the clear cut removal of two of those recommendations are included here as they represent significant changes to the specific management plan for Bidwell Park.

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In the interest of noting where mandatory language does appear below, please note the 'must' that appears in 'Recommendation A':

1) 5.1.1 Decision Making and Management

Issue 4:

The intent of Annie Bidwell's gift to the City of Chico is held in high regard among park managers and park users.

Recommendations:

A) Annie Bidwell's requirements as noted in the Deed of Conveyance must always remain a primary consideration in all decision making related to Bidwell Park.

B) The Deed of Conveyance should be used to maintain the City's dedication to stewardship of Bidwell Park.

C) The Goals, Objectives and Recommendations in the MMP should be considered as a supplemental policy statement for management of Bidwell Park.

--- and ---

2) 5.1.8 , Issue 4, the portion of Recommendation 'a' that reads, "Large undeveloped properties should be subject to more specific conditions prior to actual development applications."

Nothing like either of these important existing policies is contained within the Draft; the EIR should disclose their absence as a significant impact to the existing specific management plan for Bidwell Park.

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The table below contains all the goals and objectives from the 1990 BPMMP.

Following each excerpt you will find an abbreviation or two that describe the nature of the change in simplest terms, for instance R = Removed when an objective is completely missing and nothing arguably similar has taken its place.

Following each set of abbreviations you will find a location or list of locations where the old objective or goal or their reasonable equivalent can be found in the April 2007 Draft Plan.

In some cases a brief note pertaining to the change is added.

**Significant impacts resulting from changes:**

Because changes at the BPPC level to the Implementation components are not subject to either environmental review or Council (Elected official) approval, the placing of an existing Objective or Goal into the Implementation component category is a potentially significant impact.

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Another potentially significant impact to existing policies that results from the ‘Downgrading’ of Objectives to Implementation component occurs when discretionary language is added to the former Objective or its equivalent. Discretionary language essentially makes the former Objective of Park Management an ‘option to consider’. In many cases Objectives central to good stewardship of The Park’s natural resources have been so altered.

Whether a new, different, but arguably equally effective Goal or Objective has taken the downgraded entry’s place varies from case to case. Every effort was made in the making of this table to identify new Objectives and Goals in the new Draft that might be interpreted as reasonably equivalent.

When a 1990 goal or objective now appears as an IS&G, the term ‘downgraded’ is applied in the Table attached to identify these changes.

For the purposes of this public commentary, only instances of Removal, Downgrading of an Objective to an Implementation Strategy, or Altered for the Bad (ALT-b) need apply.

Instances where changes have occurred resulting in direct or indirect conflicts (impacts) to local policies protecting biological resources have been highlighted in dark red. Other policies whose ‘downgrades’ are not highlighted may be similarly changed, affecting other City resources.

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#### **Key to Abbreviations:**

**S:** Same as 1990 (or very close).

**UG:** Upgraded to Goal

**DG:** Downgraded to.... Usually one level, a Goal becomes an Objective, an Objective becomes an Implementation Strategy, etc.

**R:** Removed; not replaced with similar.

**ALT-sim, g, b:** Altered; either similar (**sim**), for the good (**g**), or for the bad (**b**). Good or bad from a conservationist’s perspective.

**M:** Moved to new subject heading.

**O:** Objective

**I:** Implementation Strategy and/or Guideline

|  |                  |                           |  |
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| <b>Table showing moved, altered, downgraded and removed Goals and Objectives of the 1990 BPMMP as they appear in the 2007 Draft BPMMP</b>  |                  |                           |  |
| <b>2.1 Decision Making and Management</b>  |                  |                           |  |
| Goal: To implement a coordinated decision making and management process.   |                  |                           |  |
|  | <b>S, ALT -g</b> | Goal, pg.3-7              |  |
| <b>Objective #1:</b> Clarify the roles of CARD, the Bidwell Park Commission, the Chico City Council and other entities charged with roles pertaining to Bidwell Park.  | <b>UG</b>        | Goal, pg.3-7              |  |
| <b>Objective #2:</b> Use the Master Management Plan as a tool for decision making and as a means of conflict resolution so that decisions reflect consistent and defensible interpretations of the plan.<br>(*While the new objectives listed at right do all make reference to using the BPMMP as the basis for decision making, there is no call for decisions to reflect "consistent and defensible interpretations". This omission reflects a potential significant impact to the value of the policy. | <b>ALT -b*</b>   | O.DMM-2,4,5,&6<br>Pg. 3-7 |  |
| <b>Objective #3:</b> Apply an amendment process for the Master Management Plan that allows for the incorporation of new data and conditions without compromising the overall philosophy and intent of the plan.  | <b>DG</b>        | I.DMM-2,pg.3-7            |  |
| <b>Objective #4:</b> Allow new data to become officially recognized and incorporated into the Master Management Plan.  | <b>DG</b>        | I.DMM-3,pg.3-7            |  |
| <b>Objective #5:</b> Acknowledge and support active citizen input in the decision making process.  | <b>S</b>         | O.DMM-8,pg.3-7            |  |
| <b>Objective #6:</b> A Joint Powers or Lease Agreement should be entered into between the City of Chico and CARD whereby CARD will manage Bidwell Park.  | <b>R</b>         |                           |  |
|  |                  |                           |  |
| <b>2.2 Natural Resources</b>   |                  |                           |  |
| Goal: To recognize the complexity of the ecological communities in Bidwell Park and the diversity of   |                  |                           |  |
|  | <b>ALT-b*</b>    | Goal PR-1,                |  |

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| management procedures required to protect and integrate them with human activity.<br>(* Note that "to protect and integrate" has been changed to "when integrating human activities into the Park..."; see also Goals PR -2,3 and 4 pg.3-12<br><b>Objective #1:</b> Encourage the regeneration and perpetuation of the native ecosystems.   |                 | Pg. 3-13   |
| <b>Objective #2:</b> Favor native plants over exotics based on environmental conditions and design goals.<br><b>Objective #3:</b> Control the spread of undesirable, invasive and exotic plants (Ailanthus, Poison Oak, Giant Reed, Vinca Major, Himalayan Blackberries), which compete with or harm natives.   | <b>ALT-sim</b>  | Goal BR, pg.3-16,<br>O.NC-1, pg.3-16   |
| <b>Objective #4:</b> Plan for replacement and recruitment of young native trees and shrubs in existing mature, even age stands, managed recreation areas and riparian areas.  | <b>ALT-sim</b>  | O.P-1, pg.3-17   |
| <b>Objective #5:</b> Protect rare, threatened and endangered plants and animals.  | <b>ALT-g*</b>   | O.P-1, pg.3-18<br>(*Note mention of wildlife habitat.)                                     |
| <b>Objective #6:</b> Implement planting programs designed for specific areas.   | <b>ALT-sim</b>  | O.NC-3, pg.3-17<br>O.NC-7, pg.3-17   |
| <b>Objective #7:</b> Develop a clearly defined pruning and maintenance policy for preserving trees and wildlife values.   | <b>ALT-sim</b>  | O.P-2, pg.3-17<br>O.TW-1, pg.3-19  |
| <b>Objective #8:</b> Restore and protect natural riparian areas.<br>(*Despite some more specific language relating to aquatic habitat needs, the clear simple call to 'restore' is gone. Remember that most of Lower Park's riparian zone is on dire need of intervention if we are to see native species survive the competition from invasives. The Lower Park herb layer is almost completely lacking the native plant diversity it once had.) | <b>DG</b>       | I.P-2, pg.3-18   |
| <b>Objective #9:</b> Practice sound horticultural practices to preserve trees.  | <b>R</b>        | (* the call to develop policy is gone but see I.MS-4, pg.3-42)                             |
| <b>Objective #10:</b> Utilize fire management guidelines.   | <b>ALT-b*</b>   | O.AR-1,2, 3&4<br>I.AR-4, pg.3-20<br>(note the 'should')<br>See also:<br>O.Lower-3, Pg.3-45 |
| <b>Objective #11:</b> Protect the watershed of Big Chico Creek and promote improvement of surface and groundwater quality for public use and aquatic species.<br>(* note: "aquatic species" has become "fish and terrestrial wildfire")   | <b>ALT-g</b>    | O.P-6, pg.3-17   |
| <b>Objective #12:</b> Apply water conservation measures in irrigated areas.   | <b>ALT-sim</b>  | O.PF-1 &<br>I.PF-2, pg.3-21  |
| <b>Objective #13:</b> Protect and enhance native wildlife habitats to achieve a balanced ecosystem.   | <b>ALT-sim*</b> | O.H/WQ-1,<br>pg. 3-15  |
| <b>Objective #14:</b> Enhance anadromous fisheries and support the Dept. of Fish and Game's efforts to manage the fisheries of Big Chico Creek.   | <b>R</b>        |  |
|   | <b>ALT-sim</b>  | O.NC-1, pg.3-16  |
|   | <b>S</b>        | O.AR-1, pg.3-20  |

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| <b>Objective #15:</b> Conserve and protect natural resources.  | <b>ALT-g, UG</b>            | Goal BR, pg.3-16  |
| <b>Objective #16:</b> Protect archeological resources by identifying and resolving use conflicts and restricting public access to certain information.   | <b>UG, DG, ALT-sim, M</b>   | Goal CR,<br>O. CR-3, pg.3-21<br>I. CR-1, pg. 3-22                   |
| <b>Objective #17:</b> Identify and protect aesthetic resources.  | <b>UG, ALT- sim</b>         | Goal AR, pg.3-25<br>O. VR-1, pg.3-26                                |
| <b>2.3 Park uses, Events and Facilities</b>  |                             |   |
| <b>Goal:</b> To apply appropriate intensities of Park use and distributions of facilities to meet the changing needs of the Park users while protecting the natural intrinsic resources of the Park.   | <b>S</b>                    | Goal F, pg.3-31<br>Goal LU-1, pg.3-8<br>(appears twice)             |
| <b>Objective #1:</b> Effectively manage current and projected levels of Park use.  | <b>S, M</b>                 | O. VU-4, pg.3-12  |
| <b>Objective #2:</b> Understand the areas and types of activities that are suitable to the facilities. Refocus Park uses, events and facilities for safe and enjoyable family use.   | <b>DG</b>                   | I. PRU-3, pg.3-30   |
| <b>Objective #3:</b> Restrict uses that cause substantial environmental deterioration, individually or cumulatively.<br>(*Restrict uses..." differs from the 2007 DP's, "shall be mitigated" - for better or worse is a hard call. There is no mention of the 'individual or cumulative' nature of the cause of impacts.)  | <b>ALT-b*</b>               | O. PRU-3 pg.3-30<br>I. PRU-3, pg. 3-30                              |
| <b>Objective #4:</b> Manage use intensity based on carrying capabilities established through analysis of environmental factors.  | <b>ALT- sim, ALT-b?</b>     | O. NC-6, pg.3-17  |
| <b>Objective #5:</b> Focus developed recreation outside of Bidwell Park and emphasize natural features and facilities for passive recreation use within the natural areas of the Park. Emphasize wilderness recreation in Upper Park.<br>(* no mention of 'wilderness recreation in Upper Park', and 'natural areas of the Park' has been changed to a very undefined 'minimally developed areas of the Park'. ) | <b>ALT sim &amp; b*, DG</b> | O. RC-2, pg.3-11<br>I. RC-1, pg.3-11                                |
| <b>Objective #6:</b> Redesign, relocate or discontinue the use of facilities that are known to contribute substantially to the decline of natural features or conditions.  | <b>R</b>                    | (O. NC-6 pg. 3-17 is likely as close as can be found in the 2007DP) |
| <b>Objective #7:</b> Design and locate new facilities, such as pedestrian bridges, to minimize adverse environmental effects.  | <b>S/ALT- sim</b>           | O. RF-1, pg. 3-33   |
| <b>Objective #8:</b> Emphasize uses and facilities that cannot be provided anywhere else but Bidwell Park. (For example, tennis courts should not be provided in Bidwell Park but provided at other facilities in the city).   | <b>ALT- sim</b>             | O. RC-1, pg. 3-11   |

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| <b>Objective #9:</b> Promote the construction of new park facilities in other parts of Chico to relieve recreational use pressure on Bidwell Park.  | <b>ALT- sim, DG</b>                                 | I.SLU-15, pg.3-11<br>O.RC-3, I.RC-3,<br>Pg3-12 |
| <b>Objective #10:</b> Apply design standards for common facilities.   | <b>S</b>  | O.RF-2, pg.3-33<br>O.DS-1, pg.3-43             |
| <b>Objective #11:</b> Clarify the use and role of Park facilities such as dams, stream diversions, wells, trails and buildings.   | <b>R</b>  |  |
| <b>Objective #12:</b> Require special event sponsors to demonstrate what measures will be taken to reduce impacts on Park resources.  | <b>DG, ALT- sim</b>                                 | I.SE-3, pg. 3-25                               |
| <b>Objective #13:</b> Develop management plans for each management zone; base on recommendations, policies and Management Unit concepts presented in the Master Management Plan.<br>(* Note that in 1990 there were 32 management zones representing 32 unique geographic areas. Under suggestion by the consultant [EDAW], the draft's proposal is to reduce the number of 'zones' to four: Lower, Middle, Upper and Disc Golf.<br>The possibility for a "plant community" based Natural Resource Management Plan is present, but the NRMMP is developed only to the stage of infancy at this point and will take a great deal of funding and support to establish). | <b>ALT- sim*</b>                                    | O.MC-5, pg. 3-7                                |
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| <b>2.4 Circulation and Access</b>   |   |  |
| <b>Goal:</b> To develop an efficient and safe circulation system which clarifies access rights and responsibilities for formal and informal circulation uses (motor vehicles, horses, bicycles, pedestrians, runners, disabled persons, special user groups and wildlife).  | <b>ALT-b*</b><br>(*Lacks any reference to wildlife) | Goal C/A<br>Pg.3-36                            |
| <b>Objective #1:</b> Motor vehicles in Bidwell Park should be used for access only; recreational use of Bidwell Park roads by motorists should be phased out.   | <b>ALT- sim</b>                                     | O.C/A-2,<br>pg.3-36                            |
| <b>Objective #2:</b> Utilize existing city streets beyond Park boundaries, to the extent possible, for motor vehicle circulation.   | <b>DG</b>   | I.C/A-4, pg.3-36                               |
| <b>Objective #3:</b> Establish appropriate bicycle and pedestrian entries and access points to the Park and a link to the University campus and downtown.   | <b>ALT- sim</b>                                     | O.AP-1, pg.3-37                                |

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| <b>Objective #4:</b> Encourage non-motorized modes of travel to, from, and within Bidwell Park.   | <b>S</b>   | O.C/A-4, pg.3-36   |
| <b>Objective #5:</b> Use certain portions of the roadways in Bidwell Park for motor vehicle access, bicycles and roller skaters. Use trails for pedestrians and equestrians where feasible.   | <b>ALT-g<br/>DG</b>  | I.C/A-5, pg. 3-36  |
| <b>Objective #6:</b> Prevent new north-south roadways from dividing Bidwell Park.<br>(Expansion of existing north-south roadways is more desirable than new roads)  | <b>S</b>   | O.C/A-3 pg.3-36  |
| <b>Objective #7:</b> Closely follow "signal warrant" processes and financial planning for intersections in the park vicinity so that pedestrian, equestrian and bicycle movements are accounted for in traffic signal planning and design.  | <b>DG, S</b>   | I.C/A-6, pg.3-36   |
| <b>Objective #8:</b> Connect park bicycle routes to the Chico Bicycle Pathway system where appropriate.   | <b>S</b>   | O.T-1, pg.3-29<br>I.C/A-1, pg.3-36<br>I.T-7 & 8, pg.3-29 |
| <b>Objective #9:</b> Establish defined areas and policies for off-road bicycles.<br>(*Establishing policies and areas for mountain biking was in fact one objective that was accomplished while the 1990bpmmp has been in effect. Municipal code 12R.04.070 and 12R.04.100 clarifies City policy in this regard, however mention of the code's content is not obviously reflected in the 2007DP). | <b>ALT- sim or<br/>b, DG</b>   |  |
| <b>Objective #10:</b> Eliminate unauthorized roads and paths.<br>(*Note that 'should' is used in the 2007DP language, rather than 'shall').   | <b>ALT- b*, DG</b>   | O.T-1, pg.3-29<br>I.C/A-7, pg.3-36<br>I.C/A-8, pg.3-36   |
| <b>Objective #11:</b> Clarify motor vehicle, pedestrian (including roller skaters) and cyclist roadway use rights and responsibilities.   | <b>DG, ALT-b</b>   |  |
| <b>Objective #12:</b> Use centralized parking areas in appropriate locations such as under State Route 99 to reduce walking distances to sites that are inaccessible to motor vehicles. These parking areas should be designed to avoid creating conflicts with other park uses including existing access and trail use.  | <b>ALT- sim*</b><br>(*The reference to 99 has been removed).               | O.Parking-1<br>Pg.3-38                                   |
| <b>Objective #13:</b> Use design techniques at roadway/pathway crossings that require the appropriate movements while minimizing unsafe and unpleasant bicycle or pedestrian circumstances.   | <b>R*</b><br>(*Perhaps O.RA-7 is a broader way to encompass this concept.) |  |
| <b>Objective #14:</b> Assure appropriate levels of access by maintenance and emergency vehicles.<br>(* In this case the 1990 language is clear and to the point, 2007DP's language seems vague and misleading)  | <b>ALT-b*</b>  | O.AP-2, pg.3-38  |
| <b>Objective #15:</b> Increase, where appropriate, access points for pedestrians and cyclists.  | <b>ALT- sim</b>  | O.AP-2 and associated                                    |

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| <p><b>Objective #16:</b> Minimize parking impacts during special events.</p> <p><b>Objective #17:</b> Establish contained parking areas in Upper Park.</p> <p><b>Objective #18:</b> Utilize design techniques and signage to discourage roadside parking.</p> <p><b>Objective #19:</b> Add handicapped accessible parking to any new parking areas or redesign of existing ones.</p> |  |  | IS&G's pg. 3-38                                       |
|  | <b>S</b>   |  | O.parking-3, pg. 3-38                                 |
|  | <b>ALT- sim</b>  |  | O.parking-4 pg. 3-38<br>I.Upper-6, pg.3-52            |
|  | <b>DG</b>  |  | I.DS-2, pg.3-43<br>See also:<br>O.parking-4, pg. 3-38 |
|  | <b>ALT-g, DG</b>   |  | I.Access-1&3,<br>pg. 3-32                             |
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| <b>2.5 Security, Safety and Public Health</b>  |  |  |   |
| <b>Goal:</b> To provide a secure, safe and healthy environment for all park users.   | <b>S</b>   |  | Goal PS/ES, pg. 3-40                                  |
| <b>Objective #1:</b> Clarify all rules and regulations in the park and make sure that park users aware of them and how they are enforced.  | <b>ALT- sim</b>  |  | O.RR-1, pg.3-25<br>I.RR-2, pg.3-25                    |
| <b>Objective #2:</b> Vigorously enforce all rules and regulations and prosecute violators.   | <b>ALT-b*, DG</b><br>*Note the<br>'should' and<br>lack of clear<br>commitment to<br>the<br>enforcement |  | O.RR-1, pg. 3-25<br>I.PS/ES-2, pg. 3-40               |
| <b>Objective #3:</b> Establish fines and penalties (including public service commitments) so they effectively discourage unacceptable activities in Bidwell Park.  | <b>DG,ALT-b*</b><br>(*once again,<br>'should' vs.<br>'shall')  |  | I.PS/ES-3<br>Pg. 3-40                                 |
| <b>Objective #4:</b> Establish routine enforcement standards for specific use areas such as One-Mile Pool, Five  | <b>DG,ALT-b*</b>   |  | I.PS/ES-4   |

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| Mile Pool and Upper Park.  | (*another should)                      | pg. 3-40                                     |
| <b>Objective #5:</b> Notify Park users that undeveloped natural areas within the Park are to be used at their own risk.  | <b>DG,S</b>                            | IRR-4, pg. 3-25<br>O.Upper-9, pg. 3-52       |
| <b>Objective #6:</b> Assist in the phased relocation of the rifle and pistol range out of Bidwell Park.  | <b>R</b>                               |  |
| <b>Objective #7:</b> Identify and clarify risks associated with swimming, hiking and other activities in Upper Park including slower response times by emergency services.   | <b>DG,M</b>                            | I.Upper-10, pg. 3-53                         |
| <b>Objective #8:</b> Set up an emergency response protocol for park users and management.  | <b>DG,ALT-sim</b>                      | I.PS/ES-5, pg. 3-40                          |
| <b>Objective #9:</b> Use strategically located information centers and public telephones to decrease emergency response times.   | <b>DG</b>                              | I.PS/ES-6, pg. 3-41                          |
| <b>Objective #10:</b> Implement design solutions where safety and security are compromised by physical circumstances.  | <b>DG,ALT-b</b><br>(*another 'should') | IDS-3, pg. 3-43                              |
| <b>Objective #11:</b> Improve access to restroom facilities in Middle Park and Upper Park.<br>Improve and add new restroom facilities at:<br>1. Cedar Grove: Improve restroom facilities.<br>2. Walnut Grove: Add future restroom.<br>3. One Mile: Improve restroom facilities.<br>Restrooms facilities should be handicapped accessible.  | <b>ALT-g</b>                           | O Rstrm-1, pg. 3-33<br>I. Access-1, pg. 3-32 |
| <b>Objective #12:</b> Implement mosquito abatement program.  | <b>DG,ALT-sim</b>                      | I.PS/ES-10<br>Pg. 3-41                       |
| <b>Objective #13:</b> Ensure that Bidwell Park is a safe resource for all users and users groups.  | <b>ALT-g</b>                           | O.PS/ES-1, pg. 3-40                          |
| <b>Objective #14:</b> Close the Park to motor vehicles at night with the hours to be set by the city, except in approved night use areas.  | <b>S,DG</b>                            | IC/A-9, pg. 3-36                             |
| <b>2.6 Education</b>   |  |  |
| <b>Goal:</b> To explain park systems and encourage park users to accept personal responsibility for the effect of their actions on the park, thus reducing adverse impacts and management requirements.<br>(* 'Stewardship' does in many ways equal 'responsibility', but there seems to be a shift away from 'personal' responsibility throughout the plan with less emphasis on consequences, responses to degradation, etc.). | <b>ALT-sim? b?*</b>                    | Goal I/E, pg. 3-23                           |
| <b>Objective #1:</b> Utilize a coordinated signage system to guide park users with respect to facility locations   | <b>DG, ALT-</b>                        | I.I/E-3, pg. 3-24                            |

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| and park rules.<br>(* "Park rules" is missing from the new reference to signage, but "rules and regulations" appears under the objective that relates to the CCNC....).   | <b>sim*</b>            | O.I/E-2, pg. 3-23                                   |
| <b>Objective #2:</b> Utilize natural processes and phenomena to explain why certain activities are encouraged and others are discouraged.<br>(* Careful reading of the Draft shows the objective is reduced to something that " should be considered").       | <b>DG,ALT-b*</b>       | I.I/E-2, pg. 3-23                                   |
| <b>Objective #3:</b> Utilize Bidwell Park as the setting for natural resource education.  | <b>ALT-b? sim?</b>     | O.I/E-7, pg. 3-23                                   |
| <b>Objective #4:</b> Maintain a master calendar of organized activities and events.   | <b>ALT- sim</b>        | O.I/E-3, pg. 3-23<br>I.I/E-2, pg. 3-24              |
| <b>Objective #5:</b> Provide for information centers with maps and pamphlets at the CARD Center, One Mile Rec. Area (summer only), the Nature Center, Five Mile Rec. Area (summer only), Hooker Oak Rec. Area and Horseshoe Lake.                             | <b>ALT- sim</b>        | O.I/E-3, pg. 3-23                                   |
| <b>Objective #6:</b> Organize a data gathering system designed to provide a collection of information about Bidwell Park.   | <b>M, ALT- sim, DG</b> | I.DMM-2, 8, 9, pg.3-7,8 and others                  |
| <b>Objective #7:</b> Guide community groups, students and businesses in establishing responsibility for Bidwell Park.   | <b>S</b>               | O.I/E-8, pg. 3-23                                   |
| <b>Objective #8:</b> Determine which groups and organizations will commit to involvement and responsibility for Bidwell Park.   | <b>ALT-g, M</b>        | New section on Volunteers;<br>Various, pg. 3-42, 43 |
| <b>Objective #9:</b> Support the Chico Creek Nature Center in its efforts toward education in Bidwell Park.   | <b>ALT-g</b>           | O.I/E-1 & 2, pg. 3-23                               |
| <b>2.7 Maintenance</b>  |                        |   |
| <b>Goal:</b> To provide an efficient maintenance program that keeps Bidwell Park's facilities and resources safe, clean, attractive, functional and in harmony with the users and natural resources of the Park.  | <b>S</b>               | Goal MO, pg. 3-41                                   |
| <b>Objective #1:</b> Utilize maintenance methods that minimize adverse affects on natural conditions (irrigation, mowing, trimming etc.) and control detrimental impacts caused by humans and natural processes (vegetation build up, pests, acts of nature). | <b>DG,S</b>            | I.MS-2, pg. 3-41                                    |
| <b>Objective #2:</b> Establish an appropriate base funding source to allow the maintenance crew to accomplish the tasks required.   | <b>ALT- sim</b>        | O.MS-2, pg. 3-41                                    |

I23-1  
(Cont)

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|---|---|--|--|
| <p><b>Objective #3:</b> Apply a defendable system where maintenance priorities are organized by task type, frequency and geographic area to focus available labor and funds on key issues.</p> <p><b>Objective #4:</b> Generate community support, through public education efforts, for minimizing avoidable park maintenance tasks (litter pick up, vandalism repair, etc.).</p> <p><b>Objective #5:</b> A safety inspection program should be established whereby all areas and facilities are scheduled for appropriate safety reviews. Areas may receive anywhere from daily (children's play areas, restrooms, picnic areas) to weekly to annual inspection, as appropriate, to monitor concerns. These inspections should be recorded, and any safety concerns appropriately corrected. The program should be designed to minimize the exposure to the of the operation agency, City of Chico, and to protect users and public resources.*</p>   | <b>R</b>  |  |  |
|   | <b>ALT-sim</b>  | Goal I/E, pg. 3-23<br>& associated Objectives<br>And ISG's                 |  |
|   | <b>ALT-sim</b><br><br>(* that's how my copy of the 1990 BPMMP has it written-RA). | O.MS-1, pg. 3-41   |  |
| <b>2.8 Off-Site Issues</b>  |   |  |  |
| <p><b>Goal:</b> To provide a proper framework for decisions related to off-site properties and circumstances that have the potential to adversely or positively impact the purpose of Bidwell Park.</p> <p>(* Although nearly identical, the 2007 DP language fails to mention off site issues that may benefit the Park, such as right of ways or the acquisition and development of recreational lands outside of Bidwell Park).</p> <p><b>Objective #1:</b> Use Bidwell Park's status as a regional attraction and resource to protect beneficial values threatened by development of off-site properties.</p> <p><b>Objective #2:</b> Develop timely recommendations and positions for particular properties and projects by following off-site developments activities and influencing policy formation.</p> <p><b>Objective #3:</b> Require developers and other project applicants to mitigate their respective negative impacts on Bidwell Park. City staff should consider impacts on Bidwell Park when they comment on the scope and content of environmental impact assessments.</p> <p><b>Objective #4:</b> Encourage the development of facilities and areas for active recreation outside of Bidwell Park.</p> <p><b>Objective #5:</b> Support General Plan provisions requiring neighborhood parks with new development.</p> | <b>ALT-b*</b>   | Goal LU-2, pg.3-8  |  |
|   | <b>R</b>  |  |  |
|   | <b>ALT-sim, M*, UG</b>  | Goal SLU-2, pg.3-9<br>O.SLU 1&2, pg. 3-9                                   |  |
|   | <b>ALT-g</b>  | O.SLU-2, pg. 3-9   |  |
|   | <b>ALT-sim, DG*</b>   | O.RC-3, pg. 3-11<br>O.RC-2, pg. 3-11<br>IRC-2, pg. 3-12<br>IRC-4, pg. 3-12 |  |
|   | <b>DG</b>   |  |  |

|  |                     |   |
|--|---------------------|---|
| <b>Objective #6:</b> Support City Council approval of funding methods for neighborhood parks.  | <b>ALT- sim</b>     | ORC-3, pg. 3-11   |
| <b>Objective #7:</b> Encourage implementation of General Plan provisions providing for public access and recreation along creek side green ways.   | <b>ALT-g</b>        | ORC-4, pg. 3-11   |
| <b>Objective #8:</b> Clarify Park boundaries and protect from encroachment.  | <b>ALT- sim</b>     | O.SLU-8, pg. 3-10   |
| <b>Objective #9:</b> Support adequate buffer policies to protect view shed and water shed.   | <b>ALT. sim</b>     | O.SLU-1, pg. 3-9<br>I.SLU-6, pg. 3-10<br>O.H/WQ-1, pg.3-15<br>O.VS-1, pg.3-26 and others referring to viewshed. |
| <b>Objective #10:</b> Encourage plans and designs for Lindo Channel and the banks of Big Chico Creek that maintain recreational uses in these areas all the way to the Sacramento River.<br>(* Note new mention of natural resource protection).   | <b>ALT-g*</b>       | ORC-5, pg. 3-11   |
| <b>Objective #11:</b> Oppose new north/south road crossings through the Park.  | <b>ALT- sim</b>     | O.C/A-3, pg.3-36  |
| <b>Objective #12:</b> Maintain communications with owners of property in locations that could ultimately affect Bidwell Park.  | <b>DG</b>           | I.SLU-7, pg. 3-10   |
| <b>2.9 Funding and Implementation Resources</b>  |                     |   |
| <b>Goal:</b> To utilize all appropriate funding and implementation resources to accomplish the goals and objectives identified by the Master Management Plan for Bidwell Park.<br>(* No goal appears under the section on funding –3.5.8, pg.3-43; use of “should”).   | <b>R*,DG,ALT- b</b> | O.FI-1, pg. 3-43  |
| <b>Objective #1:</b> Provide information that leads towards development of a long-range financial plan for recreational facilities and programs for the Chico Urban Area that would allow for a practical consolidation of the services provided by the City of Chico and CARD and an equitable distribution of the burden on residents of the Chico Urban Area. | <b>R</b>            |   |
| <b>Objective #2:</b> Provide management strategies that justify the use of a variety of funding mechanisms.  | <b>R</b>            |   |
| <b>Objective #3:</b> Implement a volunteer and contributor program that harnesses the willingness of volunteers to accomplish tasks identified in the Master Management Plan and other specific plans for the Park.  | <b>ALT- sim, M</b>  | O.V-1, 3 & 4, pg. 3-42,43<br>I.V-1, pg. 3-43  |
| <b>Objective #4:</b> Determine tasks which can be accomplished by volunteers.  | <b>ALT- sim, M</b>  | O.V-4, pg. 3-43<br>I.V-2, pg. 3-43  |
| <b>Objective #5:</b> Encourage groups to improve areas specific to their use.  | <b>DG</b>           | I.FI-2, pg. 3-44  |

I23-1  
(Cont)



|   |                    |                    |
|---|--------------------|--------------------|
| <b>Objective #6:</b> Provide recognition for contributions of money, time and effort by groups at each site.  | <b>DG</b>          | I.FI-3, pg. 3-44   |
| <b>Objective #7:</b> Encourage Butte College and Chico State University faculty and students to study and provide assistance to Bidwell Park.                     | <b>ALT-sim, DG</b> | IDMM-10, pg. 3-8   |
| <b>Objective #8:</b> Encourage private sector donations for park improvements by utilizing corporate recognition as an incentive.                                 | <b>DG,ALT-g</b>    | I.FI-4, pg. 3-44   |
| <b>Objective #9:</b> Establish trusts which provide revenue for Bidwell Park in perpetuity.   | <b>DG</b>          | I.FI-5, pg. 3-44   |
| <b>Objective #10:</b> Apply user fees, with discretion, for specific activities in Bidwell Park.  | <b>DG</b>          | I.FI-6, pg. 3-44   |
| <b>Objective #11:</b> Avoid toll booths and/or toll gates for access to Lower and Middle Park.<br>(*Upper Park is now included in areas not likely to see tolls). | <b>DG,ALT-sim</b>  | I.C/A-10, pg. 3-37 |

I23-1  
(Cont)

#### Summary :

- Number of 'Downgrades' : 39
- Number of 'Upgrades' : 5
- Number of 'Altered – bad' : 16
- Number of 'Altered – good' : 11
- Number of 'Removed' : 12

I23-1 The commenter states that the current 1990 BPMMP is still the existing document of the Park until an updated plan is adopted and the Goals, Objective, and Management Recommendations of the 1990 plan are part of existing conditions dating to 10/14/05 and therefore a disclosure of significant changes to and inconsistencies with this specific resource management plan resulting from the proposed adoption of the Draft BPMMP should be included in the Final EIR. The commenter provides a table showing moved, altered, downgraded, and removed Goals and Objectives of the 1990 BPMMP as they appear in the 2007 Draft BPMMP.

***Response:***

As stated by the commenter, the 1990 BPMMP is the existing management plan and is currently guiding Park management. As apparent by the controversy over disc golf, disagreement on trails management and other ongoing issues, the 1990 BPMMP does not provide guidance for all resource issues that may arise, nor does it include guidance for management of those areas that were not part of the Park when the plan was developed. In fact, these were the very circumstances that prompted the need for a comprehensive BPMMP update.

The DEIR examines the consequences of implementation of the updated BPMMP on the environment, compared on the baseline of “current conditions” of these resources in the Park. It does not examine the consequence of policy changes, as the commenter suggests it should.

The reason the BPPC was given more flexibility with respect to Park management was to “more clearly define roles and responsibilities and to achieve efficiencies in Park management” as stated in the BPMMP and cited by the commenter. The commenter interprets this as a significant change in park management that should be examined and also mention a “downgrade” of objectives to implementation components.

The updated BPMMP addresses all aspects of park management that were either addressed in the 1990 plan or found to need addressing as a result of user surveys, scoping, regulatory agency input, and extensive work of the Citizen’s Advisory Committee specifically assembled for the update process, discussions with park managers and personnel, and local specialists.

The updated plan in its entirety then underwent close review by the BPPC, the group specifically charged with advising the City on Park management issues. While the update attempted to incorporate all elements of the 1990 Plan, some were found to be no longer applicable, while others were found in need of refinement, expansion, interpretation and amendment.

The fact that the updated plan distinguishes between goals and objectives (the rules for park management) and implementing strategies and guidelines (the “how to” manual for transforming goals and objectives into reality) is a practical one and not one intended to “downgrade” the powers of City Council or upgrade the powers of the BPPC. Any changes made by the BPPC would need to be consistent with the goals and objectives for a particular resource topic.

The decision making and management aspect of the BPMMP was revised to reflect the complexities surrounding management of large tract of lands under current conditions, as Annie Bidwell’s intent could not have foreseen many of today’s issues. Annie Bidwell’s deed is included in the BPMMP update and it is not the intent of the City to ignore the deed.

The table provided by the commenter provides a detailed comparison of the 1990 Plan and the 2007 BPMMP for all elements that were included in the 1990 Plan. It does not provide comparisons for the many aspects of park management that were not even mentioned in the 1990 Plan, for example the additional number of objectives included that were developed in response to current conditions, the site specific guidance provided in the BPMMP update, and other aspects. For example, the 17 objectives included in the Natural Resources Management elements of the 1990 Plan, which included natural and aesthetic resources, are now addressed in 8 objectives for natural community management, 9 objectives for plant management, 1 objective for invasive plant management, 5 objectives for terrestrial wildlife management, 6 objectives for aquatic resources management, 1 objective for prescribed fire management, 3 objectives for cultural resources management, 2 objectives for ethnographic resources management, 1 objective for archeological resources management, 4 objective for visual resources and scenic characteristic management, one objective for view shed management, and one objective for night sky management. Each of the objectives is supported by at least one implementation strategy and guideline, in some cases by more than one. In addition, the updated BPMMP contains a specific natural resources management plan and an outline for a cultural resources management plan to be developed. Nevertheless, the commenter argues that several of the natural resources policies have been altered for the “bad” when compared with the 1990 Plan.

A similar comparison could be made for other issues. The proposed BPMMP update presents a comprehensive document that, when implemented, is expected to carefully balance recreation in the Park with resource management.

**Comments on Section E-4 Environmental Impacts –  
4 specific Park ‘Improvement’ Projects**

Submitted by Randy Abbott, member of the public, 1151 e. 10<sup>th</sup> Street, Chico, CA 95928

**ALL COMMENTS ADDRESS DEFICIENCIES IN PROPOSED MITIGATION,  
INSUFFICIENTLY DISCLOSED IMPACTS, AND/OR INSUFFICIENTLY  
DESCRIBED ‘EXISTING CONDITIONS’ (SEC.2)**

**Impact AES 1b:**

- Grasslands/wildflower fields
- Vernal pools
- Blue Oak woodland and individual trees
- de-vegetation of landscape

Impacts not listed: Horseshoe Lake Project: Introduction of trees to areas of the Park that are (Biologically and aesthetically) natural grassland habitat and/or wildflower fields; Areas of Horseshoe Lake perimeter and North Rim trailhead. ( This was noted at CAC meetings on the subject )

This should be construed to imply the Aesthetic significance of the remaining uninterrupted vista present at the site that captures the view of the Tuscan ridge meeting the ‘Valley floor’ with its biologically distinct plant communities and geologic formations forming both a purely visual aesthetic as well as an aesthetic display of natural history unaltered by the building projects and landscaping designs of ‘modern’ mankind.

Impacts not listed: Disc Golf/Trailhead Area Project: The ‘filling’ and therefore loss of 4 small vernal pools from the scenic vista; the addition of large mulched areas within the scenic vista in locations currently in an unaffected state (Belchik proposals); The installation of man made tree protectors (Further, these are completely un-described and un-illustrated in the EIR and the Disc Golf Appendix, therefore likely impacts to the aesthetics of the site remain undisclosed); Impacts to the scenic vista resulting from a greater total footprint of de-vegetation than currently exists. (see below -\*1); Impacts to the scenic vista resulting from a greater total number of de-branched and partially defoliated trees as a result of disc strikes to blue oak and other shrubs than currently exists.(see below -\*1)

\*1 – Note: The project proposal and accompanying EIR put forth the theory that present impacts of various types, including impacts to the scenic vista, will be lessened as a result of relocating a given amount of infrastructure to currently un-impacted areas with the caveat that new methods of mitigation (Tree protection poles and mulching of tee surrounds, a central trail and possibly the ‘greens’ around the baskets) will limit new impacts to trees to a less than significant level.

Part and parcel of this theory is that abandoned, currently impacted areas will regenerate with native flora, and de-branched trees in these abandoned areas will heal into healthy trees thusly reducing the overall current impact foot print.

I24-1

There is no guarantee that passive restoration of the native landscape will or can occur before the same de-vegetated areas are covered by invasive plants listed in the EIR as existing at the project site.

Mitigation lacks a standard to which potential reseeding seed source is to be held (i.e. what native and/or local wildflower field compatible seeds would be used).

There is *no* mitigation offered to offset impacts to Blue Oak leaves, apical meristems, or branches,( which contribute to *both* the health and aesthetic value of the tree), only proposed, un-described protection to the tree trunks.

I24-1  
(Cont)

### Impact AES – 3

- Grasslands/wildflowerfields
- Legal responsibilities of the City to uphold contract

Impacts not listed: Horseshoe Lake Project: Because of cumulative historical impacts to aesthetics at the site, alteration of the grassland habitat by the introduction of trees into that ecotype's aesthetic would result in a breach of contract between the City and the Citizens of Chico.

The City accepted responsibility for ownership of the Annie Bidwell Deeded park land in the nature of a trustee for the benefit of the citizens of Chico, and the title is vested in *the people*.

Despite the City's full fee interest in the property which amounts to the nullification of interest in the real property once held by Bidwell's heirs, the contract implied between the City and the Public to honor the terms upon which a property is purchased, deeded or conveyed into the public domain using the terms and conditions contained within the instrument of legal property transfer (the Deed) remains, unless removed by a vote of the people applicable to all of the people (voters) of the City of Chico.

The City is thusly bound to honor the conditions of the deed to "preserve as far as reasonably possible for the beauty of the said Park...", along with other conditions such as to use the land as a public park .

Section 1 of the BPMMP incorrectly describes these conditions as having been removed from the deed, and Section 2 fails to describe these matters in their entirety.

I24-2

### Impact AES-4

- Humboldt Road
- Vernal pools
- Addition of mulch
- Tree trunk protectors
- De-vegetation of the site
- De-branching and de-leaving of Oaks and other shrubs
- Effectiveness of cliff setbacks
- Unauthorized trails
- Trees added to grassland/wildflower fields

I24-3

Impacts to the visual character not listed and/or inadequately described:

Disc Golf/Trailhead Area Project:

The covering of sections of the Old Humboldt Road for the purposes of a parking lot; For members of the community who value the visual character of the Historic Road this is very significant, especially in the context of a Park that bears the road builders name;

The 'filling' and therefore loss of 4 small vernal pools which will damage the visual character of the site; The addition of large mulched areas in locations currently in an unaffected state (Belchik proposals) negatively affecting the visual character ; The installation of man made tree protectors (Further, these are completely un-described and un-illustrated in the EIR and the Disc Golf Appendix, therefore likely impacts to the aesthetics of the site remain undisclosed); Negative impacts to the visual character resulting from a greater total footprint of de-vegetation than currently exists. (see below - \*1); Impacts to the visual character resulting from a greater total number of de-branched and partially defoliated trees as a result of disc strikes to blue oak and other shrubs.(see below -\*1) ;

The Belchik proposals supposedly establish set backs from the cliff that would potentially lessen the current amount of discs that are lost over the cliffs. This in turn might have a positive effect on the visual character in the cliff area due to a healing of the vegetation that is currently impacted from unofficial disc retrieval trails. However no standards of monitoring the effectiveness of the course adjustment is provided to ensure that discs will no longer be sent errantly over the cliff's edge.

The result of ineffective setbacks will be a significant continuing and worsening degradation of the visual character of the cliff area due to the incompatibility of unauthorized trails on the steep slopes of the area that will result in increased erosion over time. Therefore monitoring for the effectiveness and a plan to address potential ineffectiveness of the setbacks needs inclusion in the mitigation measure.

Impacts not listed: Trails Plan: Impacts caused by management's non-response to future unidentified unauthorized trail making and unauthorized social trails.(see \*2 below).

Impacts not listed: Horseshoe Lake Project: Introduction of trees to areas of the Park that are natural grassland habitat; horseshoe lake perimeter and North Rim trailhead. (This was noted at CAC meetings on the subject)

\*1 – Note: The project proposal and accompanying EIR put forth the *theory* that present impacts of various types, including impacts to the scenic vista, will be lessened as a result of relocating a given amount of infrastructure to currently un-impacted areas with the caveat that new methods of mitigation (Tree protection poles and mulching of tee surrounds, a central trail and possibly the 'greens' around the baskets) will limit new impacts to trees to a less than significant level.

Part and parcel of this theory is that abandoned, currently impacted areas will regenerate with native flora, and de-branched trees in these abandoned areas will heal into healthy trees thusly reducing the overall current impact foot print.

I24-3  
(Cont)

There is no guarantee that passive restoration of the native landscape will or can occur before the same de-vegetated areas are covered by invasive plants listed in the EIR as existing at the project site, including a standard to which potential reseeding seed source is to be held (i.e. what native and/or local wildflower field compatible seeds would be used).

There is no mitigation offered to offset impacts to Blue Oak leaves, meristems, or branches, which contribute to both the health and aesthetic value of the tree, only proposed, undescribed protection to the tree trunks.

\*2- Note: The language of the trails plan contains no mandatory language describing who, when, where, or how the ongoing problem of unauthorized trail creation will be monitored nor is there clear mandatory language that binds the City to respond at all – response remains optional.

This affects several CEQA Impact types including Degradation of the visual Character, Impacts to Biological resources, Impacts to Cultural and Physical resources, Soils and potentially Hydrology.

Unofficial trails are acknowledged in the existing conditions section of the EIR discussion of erosion (Section 2) as a *process*. In fact, unauthorized trails exist as ongoing social phenomena just as much as a temporary and finite current number of unauthorized trail locations.

I24-3  
(Cont)

#### **Impact BIO-1b and Mitigation Measure Bio 1b**

- Lack of adequate proposal options-impacts to checkerbloom
- Unclear setback criteria for checkerbloom
- Unclear Fairway description and setback
- Unclear DG use pattern criteria
- Unconsidered impacts to BCC habitat
- Unconsidered impacts to shrubs and rocks that currently 'protect' BCC
- Insufficient 'decommissioning' mitigation
- Insufficient mitigation that sights optional (discretionary) BPMMP Objective
- Lack of mitigation for post construction maintenance activities

I24-4

Inadequacies of the Impacts description and Mitigation Measure of Bio-1b, and the failure of proposed course options (A, B, and C) to adequately reduce impacts to CNPS 1b listed plants to less than significant:

No option is given for course layout that avoids the immediate vicinity of Butte County Checkerbloom on long course holes 3, 4, and 17, why? It is unreasonable to propose a course for all three course options that does not reasonably avoid impacts to CNPS 1b plants. Inviting intensive recreation in close proximity with these plants is irresponsible stewardship and doesn't reflect a meaningful attempt to minimize impacts 'at the site'.

It remains undisclosed which Butte County Checkerbloom populations will be subject to a minimum 25 foot setback indicated as necessary where physical site constraints exist as noted on page E4-53. Please clarify what criteria define a physical constraint and if the 25 foot setback associated can be applied to future course alterations.

It is unclear what the document means by a '50 foot setback' where this applies to fairways; Is this meant to imply 50 feet from the center line of the fairway? Or from a fairway's edge?

What is the EIR's definition of a fairway's width? How was the criteria established? What is the average thrown disc's deviance from the center line of a fairway? What is the maximum deviance?

Page E4-53 claims that 'improvements have been designed to restrict foot traffic to clearly defined trails and establish clearly defined tees, targets, and fairways.' There is no further reference to how a fairway is clearly defined. Despite having a central trail, a purpose of a fairway is to travel to the location of a thrown disc, and a player will readily leave a central trail to access the disc. The result is the creation of multiple trails stemming from the central trail. This type of use of Butte County Checkerbloom habitat has direct impacts on potential future populations of Butte County Checkerbloom and potentially impacts to existing populations if setbacks are not sufficient.

Similarly, the mulching of tees, central trails and target areas, and "Target to Tee" trails in currently unaffected areas (Belchik proposals) represents direct impacts to Butte County Checkerbloom habitat and should be noted as such.

The EDAW special status plant survey report-- field survey forms -- refer to 8 occurrences of Butte County Checkerbloom in which there is partial 'protection' to the plants due to shrub cover. One such form refers to the plants being protected because they occur at the base of a rock. Does the EIR use this as criteria for allowing closer placement of intensive recreational facilities to the plants?

It should be noted that impacts to shrubs as a result of disc retrieval at the site has resulted in destruction to shrubs and therefore shrubs cannot account for protection of 1b plants.

Likewise, golfers currently use rocks to build infrastructure at the sight, and this is an established social pattern at the unsupervised and remote sight. Unauthorized maintenance at the site using the materials approved for site construction (a.k.a. rocks) can potentially result in direct or indirect impacts to B.C. Checkerbloom.

The use of boulders as a means of indicating fairway and trail decommissioning is proposed by Mitigation Measure Bio-1b, however the use of locally collected rocks has been the means disc golfers have used to identify their tees for some time. As a practical matter, I suggest a 4 x 6 inch sign placed at near ground level indicating that the path is closed for restoration.

Note also that the collection of rocks and boulders at the sight for general purposes outlined in the proposal will have a negative impact on fauna (reptiles, small mammals and insects) that live under the rocks

Despite the statement in Mitigation Measure Bio -1b that Objective O. P-8 of the BPMMP *shall* be implemented, the wording of the Objective clearly states that implementation (of the Objective ) can occur "as funding or volunteer efforts allow."

I24-4  
(Cont)



Therefore a rewording of the Objective as a mandatory directive, either in the BPMMP or as a mitigation measure *sans* “as funding or volunteer efforts allow,” is required to adequately define a mandatory mitigation measure.

Further there is no schedule or method provided by the measure defining when or how the monitoring and documentation of Butte County checkerbloom shall be accomplished by the City.

I24-4  
(Cont)

It appears the disc golf project is not held to the same standard as the Trails Plan/Horseshoe lake Plan as found in Mitigation Measure BIO-1c that calls for appropriate mitigation to be developed through consultation with CDFG. Is the proposed mitigation for placement of Disc golf use in close proximity to B. C. Checkerbloom the result of consultation with CDFG? This should certainly apply to the acknowledged use of the site for disc golf in close proximity to Butte County Checkerbloom (Holes 3, 4, and 17 – Long; Hole 12 – Short).

**Impact BIO-1c and Mitigation Measure BIO-1c**

- **Lack of mitigation for post construction maintenance activity**

Deficiencies in Mitigation Measure Bio-1c:

Does not require City to implement any mitigation measure during future, post-construction period maintenance of official trails or other infrastructure that are part of the Trails Plan and Horseshoe Lake Area Concept Plan.

I24-5

**Impact BIO-1c and Mitigation Measure BIO-1c and Impact BIO-1e and Mitigation Measure BIO-1e**

- **Unauthorized trails**

EIR/Draft BPMMP/Trails Plan do not effectively address impacts that occur/potentially may occur from current and future incidents of unauthorized trail occurrence.

The following quotes from the Trails Plan and BPMMP are presented to indicate the EIR/project’s acknowledgement of existing Unauthorized Trails and related unauthorized activities and the lack any mandatory language that would result in the monitoring of the Park for current and future unauthorized impacts that potentially would significantly affect Butte County Checkerbloom (as well as other sensitive resources), and the lack of mandatory language that holds the City accountable to affected sensitive resources . Quotes are italicized, and discretionary non-mandatory language is highlighted in red

I24-6

Despite the statement,” *The area concept plans are intended to show proposed enhancements in greater detail and provide specific recommendations for phasing, management, maintenance, and improvements in these areas,*” The fact is no specific language that address who, when, where, how unauthorized trails shall be monitored for and addressed is included in the Trails Plan or BPMMP, despite a fair description of what may be **optionally** done at the City’s discretion.

*The sensitive resources within the Park are being impacted by increased use, and careful consideration to resource protection will need to be incorporated into any plans for future trail maintenance, construction, or closure.*

*This document is intended to serve as a guide for future trail maintenance, improvement, construction, and closure within Bidwell Park.*

*Reasonable restoration of soils and plant communities should accompany trail route closures where exposure of significant soilless hard pan surface or other significant erosion has occurred.*

#### *Monkey Face*

*Multiple unofficial trails extend up the face, creating an unsightly appearance from Horseshoe Lake and causing erosion*

*Further field review, documentation, and monitoring will be required to implement a successful trail system.*

#### *2. Discourage off-trail use.*

*Address unofficial trails for either closure and restoration or establishment as an official trail.*

*The assessment of the condition of existing trails will be ongoing. Assessment time should be included in the Park's annual maintenance budget and should be done at a regularly scheduled interval, perhaps annually or as funding allows.*

*The City should make its stand clear on unofficial mountain biking trails. ( this statement is incongruous with existing municipal code policy that already exists, restricting Mountain bike use to authorized trails while in Upper Park.)*

#### **From the DRAFT BPMMP:**

*O. T-1. Create a trail system that accommodates a variety of users and experiences and considers the following:*

- Eliminate and implement measures to discourage the creation of new unofficial trails;*
- Trail closure when necessary should include a reasonable measure of habitat rehabilitation, signage, or other method to indicate closure, and monitoring to ensure future non-use and achievement of rehabilitation goals;*

*4 of 9 photos beginning on page 4 of the Trails Plan, 3 of 9 photos on page 5, at least 1 photo on page 6, one photo on page 7, one photo on page 19 show examples of unofficial (unauthorized, social) trails. These photos document the existing presence of unauthorized (Unofficial) trails in the Park.*

*Unofficial trails are also acknowledged in the existing conditions section of the EIR discussion of erosion (Section 2) as a *process*. This indicates that unauthorized trails exist as ongoing social phenomena, not only as a temporary and finite current number of unauthorized trail locations.*

*Thusly, while the planning document acknowledges the unauthorized trail phenomena, and the EIR states the fact that the entire park has not been surveyed for*

124-6  
(Cont)

sensitive resources, it fails to logically address the potential impacts to sensitive resources by mitigating for these potential impacts, by requiring a guaranteed schedule of monitoring for (such as annually), and closure of, as yet unidentified and future unauthorized (unofficial) trails.

I24-6  
(Cont)

#### **Mitigation Measure BIO-1e**

- **Mitigation of ground disturbance during maintenance**

This mitigation measure fails to provide similar mitigation for potential impacts resulting from trail *maintenance* activities such as are provided for any ground disturbing activities allowable on a segment by segment basis during *construction* of Specific Projects, as this applies to the regular maintenance activities of the park wide trail system and future, post-construction maintenance of new official trails identified in the Trails Plan.

I24-7

#### **Impact Bio-1d and Mitigation Measure BIO-1d**

- **Duplicitous impacts to wildflower fields**
- **Fairway vs. trail definition**
- **Multiple trails**
- **Need for accurate mapping**
- **Insufficiency of mitigation (discretionary language)**

Speculative assumptions of Impact BIO-1d: "It is anticipated that wildflower field communities...will establish...in the decommissioned parts of the 'existing' disc golf Course footprint, (etc.)"

This is speculation, especially due to the presence of several invasive plant species at the site.

The possibility exists that wildflower fields will passively reestablish, but in order to guarantee a lessening of impacts to the wildflower field resource at the site, further Mitigation needs identification.

Mitigation Measure BIO-1d refers to minimizing the number of trails, and to decommissioning existing trails through wildflower fields. It makes no mention of fairways. Please disclose the difference between fairways and trails for the purpose of this EIR and associated planning documents, and provide an accurate description of each proposed fairway. What is the definition of a fairway? What is its maximum width? Does it allow multiple trails? If not, how will fairway use through wildflower fields not result in multiple trails? What is the maximum number of trails per fairway that will result in currently unaffected wildflower fields as a result of each Project Option (A, B, C)?

I24-8

What is the source of the 'boulders' suggested to be placed 'just outside any points where trails enter the wildflower community'? Please disclose these points by providing detailed maps of trails and fairways, showing the fairway's official boundary in relation to the wildflower field communities present at the site.

The EIR should remove discretionary language, "as funding or volunteer efforts allow", and create a specific mandatory schedule for the monitoring of wildflower field communities, as well as mandatory documentation methods standards to make the mitigation measure referring to "Plant Objective O.P-8 of the BPMMP", an effective, mandatory mitigation measure.

**Impacts and Mitigation Measure(s) Bio-2d (1)&(2)**

- **Insufficient mitigation for nesting raptors**
- **Need to monitor cliff setback effectiveness, establish fine for 'littering' of discs**

Both Bio 2d 1 & 2 address potential impacts that may result from construction, but no discussion or related mitigation of impacts that may result from disc golf use at the site are disclosed. Golf Discs are most often made of hard unforgiving plastic that would likely injure or kill a bird or damage a nest if contact is made.

Because new areas previously unaffected are proposed at the site, it is imperative that if surveys for nesting raptors for construction discover raptor nests at locations potentially affected by disc golf play, a means of avoiding impacts to the affected nest sites is implemented.

The EIR should account for this potentially significant impact.

Furthermore the protection of nesting Peregrine Falcons directly adjacent to the Disc Golf / Trailhead area should be a higher priority than the locating of an intensive recreational facility with the potential to impact the safety and viability of the bird population.

Course changes (as per Belchik) to establish set backs from the cliff are proposed that would potentially lessen the likelihood of injury or disruption to the raptors present, as well as lessen the current amount of discs that are lost and sometimes retrieved using unofficial trails in the cliff area, however no standards of monitoring the effectiveness of the course adjustment is provided to ensure that discs will no longer be errantly sent over the cliff's edge, potentially affecting the Raptors.

124-9

It should be noted in the EIR that the flight of a disc is not an extension of its original flight trajectory, but changes dramatically with the loss of disc spin and momentum. In the case of a disc thrown over a cliff, with enough air under it to allow a significant loss of spin and momentum, a disc may begin to descend in any direction depending on the influence of air currents it is no longer able to 'overcome'. A disc will typically descend at a sharp angle in this uncontrollable direction, gaining a peak momentum generated by gravity and allowed by current air conditions until contact with earth is established. It is quite possible for a disc to be thrown over a cliff which crashes into the cliff itself after a loss of initial momentum and direction reversal, and thus it is possible for an errant or intentionally thrown disc to impact the nest site.

A fine for 'Littering' should be established and the act of throwing a disc off the cliff area should be sited as an example of littering at the Disc golf facility kiosk, along with disclosure of the fine amount.

**Impact BIO-3c**

- **Impacts to previously unaffected Oak Habitat**
- **Impacts resulting from continued unmitigated use after official construction**

124-10

Impacts not listed: The loss of potential tree nursery sites at previously unaffected areas that are part of the Belchik proposals. This is a significant and unavoidable impact because no mitigation is proposed or likely possible that offsets the 'walk anywhere within the fairway' effects of trampling.

This unavoidable impact also applies to the tee, target and narrow central trail areas because of proposed mulching.

Adverse effects of Disc Golf on oak woodlands are described in the EIR and associated arborist's report, including impacts to foliage and branch tips as well as bark. These are listed as 'potentially significant impacts', when in relation to project proposals these are actually 'significant and unavoidable' because 1) Up to Over 100 trees previously unimpacted are potentially affected by the proposals, and 2) No mitigation is offered to protect foliage and branch tips, nor to protect the bark of branches.

Without significant changes to the proposal or Mitigation Measure for Oak Woodland, the City is required to submit a statement of overriding consideration if these unmitigated impacts are allowed to occur.

Other impacts not listed: Potentially significant impacts to Oak Woodland resulting from continued unmitigated use of the area as has been established as the social norm with the assistance (complicity) of the City.

The City has consistently failed to enforce Municipal Code **12R.04.140 that prohibits destruction, injury, cutting or taking of any natural condition of the landscape** within Bidwell Park, and failed to implement both its General Plan and State and Federal law requiring final environmental review adoption before project development. This has created a social environment in which lawlessness is considered normal and acceptable behavior.

#### Mitigation measure BIO-3c

- **Insufficient mitigation as part of 'decommissioning' goal**
- **Unclear criteria for new structure placement**
- **Potential impacts from proposed fencing – alternatives suggested**
- **Use of discretionary language as Mitigation**
- **Project's contradictions with mitigation sited (NRMP)**
- **Soil compaction at target areas**
- **Monitoring period for Blue Oak planting**
- **City's mitigation record**

The potential for 'boulders' placed as barriers to discourage use of decommissioned trails (does the EIR author mean 'fairways'?) is untested. No mitigation in the form of monitoring and duration of monitoring or enforcement is proposed, nor is specific mitigation that would describe standards for successful trail closure and/or rehabilitation.

A certain level of site enforcement should be included in the Mitigation Measure if trail/fairway closure is seriously proposed. Establishing a fine for the use of areas outside the official disc golf course for intentional disc golf play will be required to counter the existing prevalence of disregard for current Municipal Codes that prohibit the injury of natural conditions of the Park exhibited at the site.

**"12R.04.140 Destruction, injury, cutting or taking of any natural condition of the landscape - Prohibited.**

124-10

124-11

No person shall destroy, injure, cut, or take any natural condition of the landscape, including, but not limited to, flowers, shrubbery, plants, vines, trees, grass, wood, or rocks, in or from any city park or playground except with written permission of the park director.”

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

Criteria for “deeming necessary” the placement of ‘new structures and impervious surfaces in the drip line of Oaks’...’ to reduce footprint size of trees’ has not been disclosed by the EIR.

It is unclear (undisclosed) what type of fencing will be used to demarcate the 1 foot beyond oak tree drip lines during construction. It is possible for many types of fencing to have a direct impact on a tree’s roots, thus impacting a tree’s health, especially in an area of limited ground water where a given root may be the tree’s sole access to sufficient ground water for survival or may contribute a critical amount of water for the tree’s survival.

Trees at the site have been sited as slow growing due to a lack of readily available water in the EIR’s assessment of Oak trees at the site.

“Oaks in this environment survive to maturity only when roots have accessed fissures in the Tuscan formation that provide access to sufficient water”, (Chris Boza – on site meeting w/BPPC). Without confirmation of where a tree’s roots access these fissures, the use of large metal stakes or large wooden stakes is an unnecessary risk to the tree’s health.

It is recommended that a number of hand placed ‘plastic flags on a wire’ (commonly used in the resource assessment trades) placed every 2 feet along the proposed barrier, or 1 inch plastic tape following a circumference of hand placed 2 foot bamboo stakes will be sufficient indicators to reasonably educated and supervised construction crews to result in avoidance of the Oak resource during construction.

This method of ‘fencing’ has the added benefit of lessening the impacts to the visual character of the site during construction.

It is currently unclear whether the phrase ‘shall be implemented’ with regards to the NRMP’s Oak management guidelines is meant to override the discretionary (optional) character of the NRMP’s guidelines for Oak tree management.

The NRMP guidelines call for an *increase* in Oak Tree recruitment; how does the implementation of Mitigation Measure BIO-3c accomplish this increase?

The NRMP guidelines call for mechanical removal of woody debris from the base of Oak trees to prevent damage to mature Oaks during wildfires; Mitigation Measure BIO-3c calls for the *installation* of a 6” layer of woodchip mulch in many places (disc golf only). What is the total square footage of Oak woodland surface area subject to woodchip mulching? What actions are required to protect the Oaks in the case of wildfire? Is it likely impossible to protect the health and/or lives of Oaks subject to Wildfire when a 6 inch woodchip mulching/kindling is present within the drip line of the trees.

I24-11  
(Cont)

No mention of mulching any given radius surrounding Targets (Baskets/Pins) is disclosed by the EIR; Is this a typo, or intentional? How does the EIR propose to limit soil compaction around basket/pin areas?

5 years is an inadequate amount of time to monitor Blue Oak planting success given the slow growth and growth habits of this plant.

Blue Oak seedlings typically occupy the shaded areas within the drip line, sometimes remaining 2 feet tall or less for years ("20 years is not unusual", Boza – onsite meeting with BPPC) until a change in light availability following the death of the Parent tree or significant limb allows the tree to proceed in growth pattern to a larger size. Even then, there is no guarantee that the tree nursery will produce a large mature tree or that a surviving tree will access enough water to allow it to grow beyond restricted size. Blue Oaks, like many drought tolerant species, can age a full lifespan while retaining a relatively small size, given the correct environmental conditions.

Therefore the replacement of a large Blue Oak, that fulfills not only its own life function as a tree, but as a large tree provides a given amount of acorn (Mast) food source to the Oak Woodland environment, significant shaded area suitable for Sidelcia Robusta habitat, significant branch structure to provide nesting and perching opportunities and a myriad of other environmental functions, with a 5 year old likely ½ inch maximum central stem thickness seedling is an inadequate mitigation to impacts of disc golf that result in tree mortality.

Further the city has no established record of successful mitigation through the planting of Blue Oaks, despite several attempts. (BP municipal golf course, Horseshoe Lake toxic clean up.)

Acquisition of new public lands with similar shallow soils and ridge top Blue Oak Habitat set aside as off site mitigation is one recommended method of mitigating for any such unavoidable impacts resulting from construction or ongoing use.

I24-11  
(Cont)

#### **Impact and Mitigation Measure BIO-3d**

- **Impacts to Wildflower fields in light of long term development trends**
- **Impacts to Wildflower fields and insufficient mitigation for *construction* of parking lots and landscaping**
- **Insufficient impact description**
- **Unclear fairway definition (again)**
- **Unclear mitigation-seed type & source for re-seeding**
- **Suggestions for temporary fencing**

I24-12

Applicable to Horseshoe Lake concept plan: Wildflower fields are a primary attraction to visitors of the Middle Park area during the springtime. Impacts to Wildflower fields have been ongoing for years as a result of *authorized* development including the creation of manmade Horse Shoe Lake, the rerouting of the Upper Park Road, inclusion of a separate bike path in that project, construction of the Observatory (a wonderful

educational facility), and the removal of a large tract of soil and relocation of a parking lot that resulted from a toxic clean up of a shooting range.

This has diminished the footprint of land available to wildflower fields over time. While these impacts predated the scope of this EIR, they never the less influence the cumulative impacts of the proposed project.

With due respect to the EIR's planned improvements for lake shore and lake habitat, as well as treatment of trails and trail construction within the proposed project, the direct impacts caused by the *construction of* new lake shore treatments and new proposed facilities and associated landscaping proposals at the site including at new picnic tables, and parking lot B and potentially the expansion of Parking lot B all displace the wildflower field community unnecessarily.

Both disclosure of impacts and mitigation are underdeveloped within the EIR:

Construction of non-trail components of the project proposal are not required by Mitigation Measure BIO-3d to identify and avoid wildflower fields. No quantified description is provided that indicates what areas or amounts of wildflower field will be displaced by non-trail components of the project.

Existing trees at the site (as mentioned in appendix E of the BPMMP) are trees that have been planted on the man made retaining dam of Horseshoe Lake, and their willow offspring, no native trees occupy the shallow soils of the Lake's northerly edge. No trees naturally currently exist in the direct vicinity of parking lot B or on the shallow soils of the Lake's northern edge. Comments received at the CAC meetings from Woody Elliot representing CNPS pointed out that trees are not found in these areas because inadequate environmental conditions (shallow soils) exist.

Impacting a man made lakeshore by including wetland plants such as willow, etc. can enhance the ecology of the area, planting trees of any sort upon wildflower field habitat detracts from the eco-value.

Applicable to the Disc Golf Area Proposals: Without a clear description of fairway boundaries, it is not possible to judge the impacts to wildflower fields that may result from project implementation and facility use. Proposals indicate only by a line on map that wildflower fields are allowed to function as fairways.

Lack of adequate fairway boundary description is a recurring deficiency in the EIR's disclosure of project description, and associated impacts and mitigation to various resources.

Please disclose the seed content standard to which seed for 're-seeding' will be held, if any.

Please consider defining appropriate methods of fencing, such as bamboo stakes and plastic tape or other methods that limit the impacts to the visual character of the construction sites.

#### **BIO- 3e Impacts and Mitigation Measure**

- **Insufficient Mitigation (incomplete)**

Mitigation is insufficiently described because it is known that four vernal pools will be lost/filled as a result of Disc Golf project development, yet a description of exactly how

124-12  
(Cont)

124-13



this impact would be mitigated by ‘replacement or restoration/enhancement’ as potentially required by decisions by USACE remains undisclosed.

I24-13  
(Cont)

#### **BIO -7 Impacts and Mitigation**

- **Conflicts with Municipal Code and General Plan**
- **Occurrence vs. development**
- **Trails Plan and conflicts with Muni Code**
- **Prior consistency of BPMMP (1990)w/ other City policies**
- **Draft’s Conflicts with GP and Muni Codes**

Several components of both the Draft BPMMP and the Disc Golf area Project are in direct conflict with more than one existing City policy protecting biological resources, including portions of Municipal Code Section 12R and the Resource Conservation Area designation of the General Plan that is part of the City’s Open Space Action Plan (see page 7-2 in General Plan), an open space plan required by the Government Code.

The Resource Conservation Area designation is defined in the General Plan, “RCAs provide opportunities for various non-development oriented uses. They may be used for limited passive recreation, educational purposes, as sites for scientific study, or as locations for off-site mitigation banking “(Page 7-10 Gen. Plan 1994/99)

According to the EIR (page E4-130), “RCAs are designated to recognize the presence of sensitive and valuable habitat requiring protection and conservation in perpetuity...”

I24-14

The Resource Conservation Area designation went into effect when the General Plan was adopted in 1994, and allowed pre-existing intensive developments for ‘active’ recreation to remain.

In effect, future development oriented uses were off the table within RCA areas at that point, with the exceptions of facilities for “limited passive recreation, educational purposes, as sites for scientific study, or as locations for off-site mitigation banking”.

This action was consistent with the Current (1990) BPMMP which states, “Focus developed recreation outside of Bidwell Park and emphasize natural features and facilities for passive recreation use within the natural areas of the Park. Emphasize wilderness recreation in Upper Park.” (2.3, Objective 5 Park Uses, Events, and Facilities; Page 30) and on page 5, “Developed recreation opportunities should be shifted to other outside park resources, while improvements in Bidwell Park would emphasize passive uses and maintenance of existing facilities where appropriate.”

#### **Disc Golf and RCA/GP:**

While the EIR and existing conditions section of the Draft BPMMP document (Section 2) claim that Disc golf has occurred at the site since 1989, this description is not a description of ‘disc golf *development*’.

The RCA status was applicable to the site as per City policy when the land was purchased as an addition to Bidwell Park.

'Disc Golf *development*' may possibly predate allowable cutoff dates for describing existing conditions in a CEQA document as claimed by the EIR's authors, however it does not predate the adoption of the General Plan.

*Development* of the Disc Golf site can be dated to the installation of metal tone poles.

Since the Document uses personal communication with Gregg Payne to 'establish' the reference date for disc golf 'occurrence' (set at 1989), there is no reason why the document's authors cannot include a date from the same source (G.Payne) for the permanent installation of the metal tone poles.

Prior to that event, environmental conditions at the site were not impacted by the social disc golf play that occurred in small numbers of people on an undeveloped landscape. (personal communication from Randy Abbott received by City and EDAW prior to Belchik proposals – see #3 below).

Despite the lack of consideration for introducing a disc golf development into an undeveloped landscape by the EIR, there still remains a conflict with the RCA status of the site and the existence of the Disc Golf development because the *development* of disc golf is not a pre-existing condition in the Resource Conservation Area, i.e. the two designations are currently incompatible.

The EIR must address this incompatibility.

Mitigation of this conflict must be included in the proposal, likely removing areas within the Disc Golf project boundaries from RCA status in the GP in the event the Disc Golf Project is approved.

124-14  
(Cont)

(Footnote #3 – The following is content of a letter submitted by Randy Abbott to Dennis Beardsley, Petra Unger (of EDAW) and Brendan Vieg on 10-3-05 ,” the intensity of use by disc golfers did not alter the landscape until after 1997. This I know 1<sup>st</sup> hand as one who started playing the course- according to Gregg Payne when I asked him how long the tone poles had ‘been up’- two months after the tone pole installation.

At that time there were no visible paths emanating from the tee areas, and no tell tale loss of living leaves from the tee side of fairway blue oaks. Within a year, even with (by today's standards) very light usage, paths had formed. Therefore I find it unbelievable that any significant established use that would in anyway override the policies involving developed recreation in Bidwell Park could have existed prior to 1997.”)

#### **Disc Golf and the Muni Code 12R; 12R's relationship to the current BPMMP and RCA:**

The disc golf development also contradicts Municipal Code 12R.08.040 that restricts the BPPC and others from designating a City Park or playground or portion of such park or playground as an area for intensive use if such area has been dedicated as open space to remain in its natural state, or has been dedicated to a passive recreational use requiring peace, quiet and tranquility, and, by reason thereof, the regular use of such park or playground or portion thereof for public events would normally be incompatible with such dedicated use; or that has been previously set aside to remain in its natural state or for uses that generally require peace, tranquility and quiet.

12R.08.040 also includes a complete list of areas within Bidwell Park that have been dedicated for intensive use,( note that none of these fail to qualify as pre-existing conditions at the time of the GP's adoption.):

"1. The following portions of Bidwell Park. as delineated in Exhibits "A" through "D" attached to this chapter:

- a. The One-Mile Dam recreation area,
- b. The Council Ring area,
- c. The Cedar Grove area,
- d. The Five-Mile Dam recreation area.
2. a. North Park Drive from Vallombrosa Avenue west to Vallombrosa Way.
- b. South Park Drive from 4th Street east to Centennial Avenue.
- c. Upper Park Road from Wildwood Avenue east to end of the road.
3. The following additional parks and playgrounds:
  - a. Children's Playground,
  - b. Plaza Park,
  - c. Depot Park".

The adoption of the 1990 BPMMP describes Upper Park as a "wilderness preserve", and consistently describes a commitment to "preserving and protecting the Park's natural resources"(Page 13, 1990 BPMMP) (i.e. to remain in a natural state).

The EIR describes impacts of Disc Golf that will occur as a result of Disc Golf Project Implementation and disc golf use as including impacts to Oak tree woodlands and vernal pools as well as wildflower fields. This is in direct conflict with Municipal Code 12R.04.140, the Prohibition of destruction, injury, cutting or taking of any natural condition of the landscape (within Bidwell Park). (full text below)

The EIR fails to provide adequate mitigation for these conflicts with the Municipal Code.

**The Trails Plan and O.T-1 and I.T-11 of the Draft BPMMP as drafted are also in conflict with certain Municipal Codes:**

- **12R.04.070 Bicycles - Other restrictions in Upper Bidwell Park.**

Bicycle use in Upper Bidwell Park shall be permitted only on the roads and trails. No bicycle use shall be permitted on the trails whenever the park director determines that damage to the trails is likely due to wet weather conditions. Roads closed, permanently or temporarily, to motor vehicles are trails for the purpose of this section.

- **12R.04.100 Bicycles - Use near banks of pools or swimming areas and in creeks -Prohibited - Exception.**

Bicycle use is prohibited within 100 feet of the banks of any swimming pool or swimming area in Bidwell Park, except where established roads for vehicle traffic or bicycle paths are situated at a closer distance. Bicycle use is also prohibited within Big Chico Creek except when permission is granted by the park director or the Bidwell Park and Playground Commission.

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

- **12R.04.140 Destruction, injury, cutting or taking of any natural condition of the landscape - Prohibited.**

I24-14  
(Cont)

No person shall destroy, injure, cut, or take any natural condition of the landscape, including, but not limited to, flowers, shrubbery, plants, vines, trees, grass, wood, or rocks, in or from any city park or playground except with written permission of the park director.

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

Conflicts with these codes occur because the Trails Plan and Draft BPMMP provide a policy of unauthorized trail tolerance through the creation of *optional* implementation strategies that undermine the Muni Code's mandatory protection of the natural conditions of the Park and prohibition of bicycle use off trail, etc.

The draft BPMMP only prompts the City to '*consider*' the elimination and discouragement of unofficial trails.

The Trails Plan states, "*The City should make its stand clear on unofficial mountain biking trails. If it is decided that such use is not allowed in Bidwell Park the regulation should be clearly stated at trailhead regulatory signs and in brochures and trail maps.*"

This implies that no existing Codes or policies exist, and tiers to the proposed Draft BPMMP's *non*-mandatory (optional) call to '*consider*' eliminating unofficial trails. (O.T-1 pg.3-28, 29 – nor does any I.S.& G. refer to any mandatory closure of unofficial trails).

To allow continued use of Unauthorized trails and to allow the creation of new unauthorized trails through the policies created in the Draft Trails Plan and Draft BPMMP is also in direct conflict with Existing policies of the current BPMMP:

"Eliminate unauthorized roads and paths." (Page 32, 2.4, Objective 10)

After referring to "80" miles of trails in the Park, the same paragraph in Section 2 (pg.2-94) states that "All trails in Upper Park are open [to all users], except the Yahí Trail".

It is unclear if the figure '80' miles includes trails in Lower and Middle Park, and if this figure includes trails currently defined by 'unauthorized' status. The General Services director, Dennis Beardsley has publicly stated that Official trails in Upper Park are those with official names.

The point of this portion of public commentary is not to take issue with the trails identified in the Trails Plan slated for official status, the point is rather to ask for clarification of treatment of those not designated as official and to seek policy consistency with existing City ordinances in that treatment as described in the policies subject to the Project and Program EIR.

Does the Update process seek to de-establish the unauthorized status of unofficial trails not identified in the trails plan as official as this status relates to existing municipal codes? Does the Update process seek to establish an order in which all unofficial trails are open to all users? Does the Update seek to allow the creation of new unauthorized trails by defining a usable trail as any trail? How does the Update differentiate between off-trail use and use of an unofficial trail? Are Unofficial trails considered off-trail use, or does the City have no policy for use of unofficial trails?

Similarly, the lack of mandatory unofficial trail closure policy applies to future unauthorized trail development, whether intentional or unintentional.

I24-14  
(Cont)

Page 2-19 of the Existing Conditions section of the EIR describes the process by which unofficial trails are created, "Once erosion has occurred, the rocky and rutted trail conditions cause trail users to seek smoother, less eroded routes, leading to widened or "unofficial" trails." 'Less eroded routes' certainly include unofficial trails that establish an entirely new route upon the landscape.

The use of off trail areas of the Park and the creation of unofficial (social, unauthorized) trails are one in the same thing. It is disingenuous to state otherwise, especially on soils characterized by the EIR thusly," Most of the project site soils have a high to very high potential for runoff, indicating that the potential for erosion by water is also high." This is especially true in Upper and parts of Middle Park because the soils are shallow, sit on top of a substrate of limited water absorbing capacity and have a high ratio of stones and cobbles to fines. Thus the potential for significant impacts to the natural conditions of the Park is very high if these new policies that conflict with existing policies are allowed adoption as Park Management policy.

Mitigation to these conflicts with current Municipal Codes should be a change in Trails Plan and Proposed Draft BPMMP language that is consistent with codified policies pertaining to mandatory resource protection and Bicycle use in the Park.

Section 12R of the Municipal Code should be included as part of Appendix J.

**Conflicts with existing local ordinances that would result from adoption of certain sections of the Draft BPMMP affecting areas set aside to remain in a natural state.**

The Proposed Draft BPMMP is also in conflict with **Municipal Code 12R.08.040** that restricts the BPPC and others from designating an area for intensive use that has been previously set aside to remain in its natural state or for uses that generally require peace, tranquility and quiet.

In section 3.6 .1.2 and section 3.6.2.2 Language allows the optional development of new intensive uses outside of areas currently developed for intensive use, i.e. the natural areas of the Park. No mandatory language exists that will restrict new intensive developments to currently developed footprints.

It is very unclear what the terminology used in the Draft BPMMP , "minimally developed areas of the Park, (IRC-1, pg.3-11)" means.

Without a clear definition of what areas of the Park are allowed future development of facilities for intensive use, it is impossible not to conclude that designations of intensive recreational facilities within areas set aside to remain in a natural state, are allowed to occur under the Draft policies of the Updated BPMMP.

This is poignantly clear when the 'permissible uses' as described in sections 3.6.1.1 and 3.6.2.1 are specifically applicable to the entire Park Zone --i.e. Lower Park and Middle Park. The logical application of these policies is to allow new intensive use facilities anywhere in Lower and Middle Park in direct conflict with Muni Codes.

This is potentially also in conflict with the RCA designation of the Park, if a future proposed development outside current development footprints is not for 'limited passive

I24-14  
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recreation, educational purposes, as sites for scientific study, or as locations for off-site mitigation banking.”

I24-14  
(Cont)

Mitigation for this conflict to local policies and ordinances should include a change to Draft BPMMP language that reflects consistency with existing local policies and ordinances.

#### **GEO-2**

- **Insufficient description of impacts resulting from a lack of unauthorized off trail use of the resource**
- **Lack of effective mitigation**

Although the description of impacts (page E4-102) refers to ‘creation of new paths or trails by Park users who do not stay on the marked trails’, and recounts that yes, this is a challenge faced by other park systems, it fails to disclose that all proposed policies in the Draft BPMMP and Trails Plan that address the closure of unofficial, unauthorized, social, or unmitigated trail use or creation are strictly optional due to a lack of mandatory language.

I24-15

Further, no specific scheduling of monitoring for unauthorized activities is included in the Draft BPMMP or Trails Plan, so there is no reasonable expectation that recommended guidelines would ever be implemented.

Once annual monitoring of the Park is the minimum recommended.

#### **IMPACT HAZ-7**

- **Increase to wildfire risk**
- **Need to assess impacts from emergency vehicles on resources**

The increase of fuel load via a 6 “ woodchip mulch surrounding tees and along central trails and potentially surrounding targets at the Disc Golf Project site would increase risk of wildland fire.

I24-16

Mitigation should include an amendment to any existing Wildfire management plan for Bidwell Park or lacking such, a plan shall be required that addresses emergency response to the site, including the access of fire suppression vehicles. The impacts of these vehicles on the biological resources in the event of a wildfire at the site should be included in the final EIR.

Functional non-flammable alternative might be considered: Gravel of same type as found on site?

#### **Impact LU-1**

- **Inconsistencies with General Plan and municipal code**
- **Insufficient description of existing conditions – planning process**
- **Need for Mitigation of inconsistencies**

I24-17

Several components of both the BPMMP and the Disc Golf area Project are inconsistent with more than one existing City Policy, including portions of Municipal Code Section 12R and the Resource Conservation Area designation of the General Plan

that is part of the City's Open Space Action Plan (see page 7-2 in General Plan), an open space plan required by the Government Code.

The Resource Conservation Area designation is defined in the General Plan, "RCA's provide opportunities for various non-development oriented uses. They may be used for limited passive recreation, educational purposes, as sites for scientific study, or as locations for off-site mitigation banking "(Page 7-10 Gen. Plan 1994/99)

According to the EIR page E-130, "RCAs are designated to recognize the presence of sensitive and valuable habitat requiring protection and conservation in perpetuity..."

The Resource Conservation Area designation went into effect when the General Plan was adopted in 1994, and allowed pre-existing intensive developments for 'active' recreation to remain. This action was consistent with the Current (1990) BPMMP which states, "Focus developed recreation outside of Bidwell Park and emphasize natural features and facilities for passive recreation use within the natural areas of the Park. Emphasize wilderness recreation in Upper Park." (2.3, Objective 5 Park Uses, Events, and Facilities; Page 30) and on page 5, "Developed recreation opportunities should be shifted to other outside park resources, while improvements in Bidwell Park would emphasize passive uses and maintenance of existing facilities where appropriate."

While the EIR and existing conditions section of the Draft BPMMP document (Section 2) claim that Disc golf has occurred at the site since 1989, this description is not a description of 'disc golf development'. 'Disc Golf development' may possibly predate allowable cutoff dates for describing existing conditions in a CEQA document as claimed by the EIR's authors, however it does not predate the adoption of the General Plan.

Development of the Disc Golf site can be dated to the installation of metal tone poles. Since the Document uses personal communication with Gregg Payne to 'establish' the reference date for disc golf 'occurrence' (set at 1989), there is no reason why the document's authors cannot include a date from the same source (G.Payne) for the permanent installation of the metal tone poles.

Prior to that event, environmental conditions at the site were not impacted by the casual disc golf play that occurred in small numbers of people. ( personal communication from Randy Abbott received by City prior to Belchik proposals).

Despite the lack of consideration for introducing a disc golf development into an undeveloped landscape by the EIR, there still remains a conflict with the RCA status of the site and the existence of the Disc Golf development *Because the development of disc golf is not a pre-existing condition* in the Resource Conservation Area, i.e. the two designations are incompatible.

Therefore mitigation of this inconsistency must be included in the proposal.

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Unless indicated as allowable under Federal, State, County or Local (CITY OF CHICO) ordinance or law, the City cannot adopt a resolution to allow a new

I24-17  
(Cont)

recreational facility development with potentially significant impacts to the environment without first adopting by final resolution of City Council an environmental document stating the significant environmental effects of a project, identifying feasible ways to minimize the significant effects, and describing reasonable alternatives to the project that can reduce or avoid significant environmental effects.

The City is only now in the process of doing this for the disc golf project, despite pre-environmental document adoption permission by staff to allow the development of disc golf courses at the site. This permission by Staff marks the beginning of the City's complicity with pre-environmental review development of the site, and is a part of the public record, preceding the City's first Initial Study. \_\_\_\_\_

The Draft BPMMP Section 2 fails to identify the existing state of the planning process on 10-14-05 as non-compliant with environmental law: allowing a development designed without the benefit of sufficient environmental analysis, including review of consistency with existing Local Policies and Ordinances.

Disclosure of these facts is important to the CEQA process, and to the decision making process based on a full disclosure of the facts.

The disc golf development is also inconsistent with Municipal Code 12R.08.040 that restricts the BPPC and others from designating an area for intensive use that 'has been previously dedicated as open space to remain in its natural state, or has been dedicated to a passive recreational use requiring peace, quiet and tranquility...' The RCA status (limited passive recreation) was conveyed to the site as per City policy when the land was purchased as an addition to Bidwell Park.

The adoption of the 1990 BPMMP describes Upper Park as a "wilderness preserve", and consistently describes a commitment to "preserving and protecting the Park's natural resources"(Page 13, 1990 BPMMP).

The EIR describes impacts of Disc Golf that will occur as a result of Disc Golf Project Implementation and disc golf use as including impacts to Oak tree woodlands and vernal pools as well as wildflower fields.

This is in direct conflict with Municipal Code 12R.04.140, the Prohibition of destruction, injury, cutting or taking of any natural condition of the landscape (within Bidwell Park).

The EIR fails to disclose Mitigation for these conflicts to the Municipal Code.

The Trails Plan as drafted is also inconsistent with certain Municipal Codes:

- Bicycle use restricted to trails when in Upper Park (12R.04.070)
  - Prohibition of Bicycle use *within* Big Chico Creek or upon its banks (12R.04.100)
- And from the current (existing) BPMMP, "Eliminate unauthorized roads and paths." (Page 32, 2.4, Objective 10)

The Trails Plan states, "*The City should make its stand clear on unofficial mountain biking trails. If it is decided that such use is not allowed in Bidwell Park the regulation should be clearly stated at trailhead regulatory signs and in brochures and trail maps.*"

I24-17  
(Cont)



This implies that no existing Codes or policies exist, and tiers to the proposed Draft BPMMP's *non*-mandatory (optional) call to 'consider' eliminating unofficial trails.(O.T-1 pg.3-28, 29; I. C/A -7, page 3-36 – no I.S.& G. refers to mandatory closure of unofficial trails).

Mitigation for these inconsistencies with current Municipal Codes should be a change in Trails Plan and Proposed Draft BPMMP language that is consistent with codified policies pertaining to resource protection and Bicycle use in the Park.

Section 12R of the Municipal Code should be included as part of Appendix J, but is not currently included in the draft.

The Proposed Draft BPMMP is also inconsistent with Municipal Code 12R.08.040 that restricts the BPPC and others from designating an area for intensive use that has been previously set aside to remain in its natural state or for uses that generally require peace, tranquility and quiet.

In section 3.6 .1.2 and section 3.6.2.2 Language allows the optional development of new intensive uses outside of areas currently developed for intensive use, i.e. the natural areas of the Park. No mandatory language exists that will restrict new intensive developments to currently developed footprints.

This is potentially also inconsistent with the RCA designation of the Park, if a future proposed development outside current development footprints is not for 'limited passive recreation, educational purposes, as sites for scientific study, or as locations for off-site mitigation banking.'

Mitigation for these inconsistencies to local policies and ordinances should include a change to Draft BPMMP language that reflects consistency with existing local policies and ordinances.

I24-17  
(Cont)

#### **Impact PS-5**

- **Inadequate impact description – effects to the maintenance of public facilities**

It is inappropriate for the EIR to claim that construction of the Four Park Projects will not move forward until adequate funding is secured and to use this as justification for not providing information on project costs.

The EIR's authors should not assume these projects will not move forward, possibly affecting the funding of other public facilities maintenance.

The decision to adopt the new BPMMP and of the four park 'improvement' projects should be directly influenced by cost. Because cost affects the implementation of all City policies ongoing, because there is never enough money for all policies to be implemented at any one time, a decision to adopt *any* new policy is always in relation to an atmosphere of inadequate funding.

The EIR is clearly deficient if it does not disclose 1) current cost estimates to build each Park 'improvement' project and 2) estimated long term mitigation and maintenance costs, projected a minimum of 5 years.

I24-18

#### **UTIL-4**

- **Oversight?**

What is the water supply for the proposed restrooms at the disc golf site?

I24-19

- I24-1 The commenter discusses grasslands/wildflower fields, vernal pools, Blue Oak woodland and individual trees, and de-vegetation of landscape impacts for the Horseshoe Lake Project and the disc golf/trailhead area project that are not listed in Impact AES-1b.

**Response:**

Please refer to response O3-7 regarding aesthetic impacts from trees planted at Horseshoe Lake.

Impacts on vernal pools: this impact is discussed in Impact BIO-4b: Adverse Effects of the four Park Improvement Projects on Jurisdictional Wetlands.

Impacts of wood chips: Please refer to Master Response 4-Oak Woodlands above.

Impacts from shielding poles: please refer to response I18-1 above. Please also refer to Master Response 4-Oak Woodlands above.

Impact from large area of de-vegetation: The proposed project would reduce the footprint of the site when compared with current conditions. It also uses a smaller overall area of the site by not placing structures in the far western end of the site, therefore, less oak trees are expected to get struck when compared with current conditions.

Impacts from greater number of struck oaks: The proposed project would reduce the footprint of the site when compared with current conditions. It also uses a smaller overall area of the site by not placing structures in the far western end of the site.

Overall, the analysis of aesthetic impacts looks at the implementation of the project when compared with the current, degraded conditions at the site. The DEIR does not claim that “pristine conditions” will be restored. Please also refer to Master Response 5-Aesthetics above.

- I24-2 The commenter addresses grasslands/wildflower field impacts for the Horseshoe Lake Project that is not listed in Impact AES-3. The commenter also notes legal responsibilities of the City to uphold the contract.

**Response:**

Please refer to response O3-7 regarding aesthetic impacts from trees planted at Horseshoe Lake.

The City notes the commenter’s disagreement on legal obligations of the City to uphold Annie Bidwell’s Deed. The matter has been reviewed by the City’s legal counsel as part of the BPMMP update process and the information presented in Section 1 is found to be correct.

- I24-3 The commenter discusses multiple impacts for the Disc Golf/Trailhead Area project, Trails Plan, and the Horseshoe Lake Project that should be included under Impact AES-4.

**Response:**

Please refer to Master Response 3–Cultural Resources, Humboldt Road for issues pertaining to impacts on this resource.

Please refer to response I24-1 regarding aesthetic impacts on vernal pools, wood chips, tree protectors, de-vegetation, broken tree branches, tree planting at Horseshoe Lake, etc.

Cliff setbacks are expected to enhance the scenic quality. Monitoring and adaptive management conducted by implementing I. DG/T-1 is expected to address adverse effects, should any be detected during monitoring.

Trails Plan – aesthetic impacts from future nonresponse: This statement is speculative and cannot be addressed in the DEIR.

- I24-4 The commenter addresses inadequacies of the Impacts description and Mitigation Measure of Impact BIO-1b and the failure of proposed course options (A, B, and C) to adequately reduce impacts on CNPS 1B listed plants to less than significant.

**Response:**

The mitigation provided for impacts on Butte County checkerbloom at the disc golf site uses an integrated approach starting with site sensitive design and then using avoidance, buffers, fencing during construction, education and outreach, data collection, and adaptive management to further reduce impacts. The mitigation measure was developed by qualified professionals with many years of experience in developing feasible mitigation measures and, when implemented in its entirety, is expected to reduce impacts on Butte County checkerbloom resulting from the proposed project to less than significant. The impact discussion does not state that it could be guaranteed that there would never be any impacts. The information requested by the commenter is far beyond what could reasonably be expected to assess the impact to one particular resource, nor would it be expected to result in a different conclusion regarding the nature and severity of the impact.

DFG has reviewed the DEIR. Comments provide by DFG are included in comment letter A-3. DFG did not suggest any revisions to mitigation proposed for Butte County checkerbloom.

- I24-5 The commenter notes that Impact BIO-1c and Mitigation Measure BIO-1c lacks mitigation for post construction maintenance activity for the Trails Plan and Horseshoe Lake Area Concept Plan.

**Response:**

Once construction of trails and the Horseshoe Lake Area concept plan, management of trails would be subject to the standards outlined in the City’s Trails Manual, and management of all other sites, including Horseshoe Lake, would be subject to the provisions of the BPMMP which includes specific management guidelines for Middle Park, including the Horseshoe Lake area (see Section 3.6.2).

- I24-6 The commenter feels that the EIR/Draft BPMMP/Trails Plan do not effectively address the impacts that occur or that potentially may occur from current and future incidents of unofficial trail occurrence in Impact BIO-1c, Mitigation Measure BIO-1c, Impact BIO-1e, and Mitigation Measure BIO-1e.

**Response:**

The DEIR examines the impacts on the physical environment resulting from a specific project – in this case the Trails Plan. The Trails Plan calls for the elimination of many of the unofficial trails in the Park, thus the DEIR looks at the resulting impacts which in this case would be beneficial.

The commenter would like the DEIR to analyze results of future illegal uses, which are not part of the proposed project and thus are not analyzed in the DEIR.

Future monitoring and adaptive management in the Park will be conducted in compliance with the BPMMP update, and future trails management will be conducted by continuing to implement the city's Trails Manual.

- I24-7 The commenter feels that Mitigation Measure BIO-1e fails to provide similar mitigation for potential impacts resulting from trail maintenance activities such as are provided for any ground disturbing activities allowable on a segment by segment basis during construction of specific projects.

**Response:**

The DEIR examines impacts from implementation of specific projects, not impacts from ongoing maintenance, which are part of the current conditions. Further, ongoing maintenance would be done consistent with the City's Trails Manual.

- I24-8 The commenter lists duplicitous impacts on wildflower fields, fairway vs. trail definition, multiple trails, need for accurate mapping, and insufficiency of mitigation (discretionary language) as issues to be addressed in Impact BIO-1d and Mitigation measure BIO-1d.

**Response:**

The protection approach for wildflower fields at the project site utilized an integrated effort of documentation (mapping), site sensitive design (impact avoidance and minimization), and mitigation (to offset residual impacts).

Mitigation Measure BIO-3d: Implement Measures to Protect Wildflower Fields is expected to reduce residual impacts to less than significant. The data requested by the commenter is beyond what could reasonably be expected. Even if available, it would not be expected to alter the conclusion of the DEIR.

- I24-9 The commenter feels there is insufficient mitigation for nesting raptors, the need to monitor cliff setback effectiveness, and the need to establish a fine for the littering of discs in Impacts and Mitigation Measure(s) BIO-2d (1) & (2).

**Response:**

The mitigation provided for nesting raptors and peregrine falcons was developed by qualified wildlife biologists and is consistent with guidance from the California Fish and Game Code.

A "fine for disc littering" as suggested by the commenter is unrealistic, as it could not be monitored and enforced on a consistent basis.

- I24-10 The commenter feels that Impact BIO-3c has left out impacts on previously unaffected oak habitat and impacts on Oak Woodland resulting from continued unmitigated use of the area as has been established as the social norm.

**Response:**

The impact analysis for oak woodland considers the entire site and the mitigation measures provided apply to the entire site. Please also refer to Master Response 4–Oak Woodlands above. The mitigation measure provided, when implemented in its entirety, is expected to reduce the impact to oak woodland to less than significant. This is based on an analysis of implementation of the proposed project when compared with current conditions. Since the impact is found to be less than significant with mitigation, the need for a “statement of overriding considerations” requested by the commenter is unnecessary.

While the comment regarding the City’s failure to enforce municipal code is noted, it is not relevant to the analysis of the DEIR and no further response to this part of the comment is required.

- I24-11      The commenter provides feedback and recommends changes to Mitigation Measure BIO-3c. The commenter discusses the changes to make.

**Response:**

The commenter’s suggestions are noted for the City’s consideration. Please also refer to Master Response 4–Oak Woodland above.

- I24-12      The commenter details changes to Impact and Mitigation Measure BIO-3d. The commenter addresses impacts on wildflower fields in light of long term development trends and insufficient mitigation for construction of parking lots and landscaping applicable to the Horseshoe Lake Concept Plan. The commenter feels the disc golf area proposal has an unclear fairway definition, unclear mitigation-seed type and source for reseeding, and provides suggestions for temporary fencing.

**Response:**

The DEIR analyzes impacts resulting from proposed projects, not from previously existing conditions or past projects. The commenter assumes that the entire area surrounding Horseshoe Lake would be classified as “wildflower fields,” including the areas proposed for lakeshore enhancement, parking lots, etc. Not all areas around Horseshoe Lake would qualify as wildflower field – some areas would be classified as annual grasslands, others as vernal pools, etc.

Mitigation Measure BIO-3d spells out how wildflower fields shall be inventoried, avoided, and protected during the construction of Park Improvement Projects, and how the public shall be educated about the presence and importance of this resource. No seeding/planting is proposed.

- I24-13      The commenter feels that mitigation is insufficiently described in Impacts and Mitigation Measure BIO-3e because four vernal pools that will be lost as a result of the disc golf project is not addressed.

**Response:**

Impact BIO-3e describes the loss of vernal pools at the Disc Golf/Trailhead site, and thus acknowledges the impact and the required agency consultation and mitigation requirements. Because these vernal pools qualify as wetlands likely subject to USACE jurisdiction under Section 404 of the federal Clean Water Act, the mitigation for this impact is described in Mitigation Measure BIO-4b: Implement Measures to Protect Jurisdictional Wetlands. Mitigation Measure BIO-4b, when implemented in its entirety, will result in a no-net-loss of wetland functions and values and thus would be expected to reduce impacts on vernal pool resulting from Park Improvement Projects to less than significant.

I24-14 The commenter notes and discusses areas of conflict with the General Plan and Municipal Code to be addressed in Impact BIO-7.

**Response:**

As stated in Impact LU-1 on page E4-130 of the DEIR and explained in Response O2-15 above, a certain hierarchy applies to the management documents for Bidwell Park. The Land Use Element of the General Plan designates the BPMMP as the management document for Bidwell Park. Section J of the Municipal Code contains specific rules and regulations for Bidwell Park. The City does not believe that there are any inconsistencies of the proposed BPMMP with the General Plan or the Municipal Code as stated by the commenter. The City Council will be making the final decision on the adoption of the BPMMP Update. If at that time any inconsistencies were detected, amendments to the General Plan or Municipal Code would be recommended.

Furthermore, it is unclear from the commenter's letter exactly how the BPMMP Update would be inconsistent with the noted Municipal Code Sections. Simply because an "activity" in the Park is not consistent with the Code does not mean that the entire management plan is inconsistent. The BPMMP recommends the closure or removal of unofficial trails (Objective O. T-1, Implementation Strategy I. T-9 and I. T-10, Exhibit 1 and 2 in Appendix E of the BPMMP – Trail Plan). The mention of signage about not using unofficial trails does not mean that the BPMMP update is unclear about the management of these trails as stated by the commenter, it merely acknowledges that the public needs to be educated about the detriment of unofficial trails.

Allowable uses in each of the three proposed Park Zones are stated in Section 3.6.1.1 on page 45 for Lower Park, Section 3.6.2.1 on page 40 for Middle Park and in Section 3.6.3.1 on page 51 for Upper Park of the BPMMP Update. The proposed BPMMP Update, like the existing BPMMP, is clear on the fact that Upper Park is not intended for more intensive uses. However, based on the history of use of the SR 32 site for disc golf, and because this site is one of the new acquisition areas that have been added to the Park since preparation of the last BPMMP, continuing the use of disc golf at this specific location is explored in the BPMMP Update for consideration by the City Council. In addition to the proposed use of the site for disc golf, the location will also serve as a trailhead.

A final discretionary decision on the adoption of the BPMMP Update, disc golf, the Trails Plan and other specific components of the plan will be made by the City Council when it considers the BPMMP, EIR, and recommendation of the BPPC.

I24-15 The commenter notes insufficient description of impacts resulting from a lack monitoring of unofficial off trail use of the resource and lack of effective mitigation in Impact GEO-2.

**Response:**

The DEIR analyzed impacts resulting from implementation of proposed projects, not from ongoing conditions. While annual monitoring of unofficial trails is desirable, this should be in accordance with the Trails Manual and should not be described as an undisclosed project specific impact in the DEIR.

I24-16 The commenter notes an increase to wildfire risk from woodchip mulch surrounding tees and along central trails and potentially surrounding targets at the disc golf project site and that mitigation should include an amendment to any existing Wildfire Management Plan for Bidwell Park in Impact HAZ-7.

**Response:**

The use of wood chips at the site is not expected to increase wildfire risk when compared with current conditions, which consist of very dry biomass and an annual grass understory under an oak woodland

canopy. Thus, there would be no increased risk of wildfire or of the wood chips functioning as a fuel ladder and no additional mitigation specific to wood chips would be required.

- I24-17 The commenter notes inconsistencies with the General Plan and Municipal Code that should be included in Impact LU-1 and therefore, mitigation is needed.

The SR 32 site is an addition that was not in the Park when the General Plan was adopted. The site is currently classified as an RMA and the BPMMP provided guidance on the proposed management of the site. The approval of the proposed project would in essence serve as the Park Directors approval. The process of updating the BPMMP is the overriding document for Park Management and the new areas have been added to address the management of all park property.

Please also refer to Response I 12-14 above.

- I24-18 The commenter states inadequate impact description for the effects of maintenance of public facilities in Impact PS-5.

***Response:***

The commenter's concern about funding of proposed projects and park management, which is a social and economic issue, is noted for the City's consideration. However, CEQA does not analyze funding. No further response is necessary, because the comment raises no questions or new information regarding the adequacy of the environmental analysis in the DEIR.

- I24-19 The commenter wonders what the water supply is for the proposed restrooms at the disc golf site for Impact UTIL-4.

***Response:***

The restroom provided would be a composting toilet or similar facility, so no water supply would be needed.

## EIR – Public Comments-Section E5 – Alternatives

Submitted by Randy Abbott, member of the public, 1151 e. 10<sup>th</sup> Street, Chico, CA 95928

“Section 15126.6[a] of the State CEQA Guidelines requires that an EIR (1) describe a range of reasonable alternatives to a proposed project, or to the location of the project, that would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant effects of the project and (2) evaluate the comparative environmental advantages and disadvantages of the alternatives. An EIR need not consider every conceivable alternative to a proposed project, but must consider a reasonable range of potentially feasible alternatives that will foster informed decision making” (pg. E5-1)

### **Insufficiency of EIR to set forth alternatives that reasonably reduce a significant or potentially significant adverse effect of the proposed project.**

Horseshoe Lake Specific Project: Significant direct impacts considered in this project should include the potential displacement of additional grassland, wildflower fields, and Vernal Pools (Northern volcanic mudflow vernal pool plant community) that result from landscaping of portions of the Project, and from parking lot expansion at Parking lot B;

The EIR should consider Cumulative Impacts to these resources taking into account past impacts resulting from approved and mandated projects including: Construction of Chico Municipal Golf Course and expansions of that facility, the rerouting of Upper Park Road, construction of bike path, construction of Horseshoe Lake, Various parking lots, including the recent relocation of Parking Lot E.

Cumulative impacts to the aesthetic and biological value of these resources have been significant over time, therefore the project proposal should strive to reduce to a minimum further impacts to these resources to the greatest extent feasible within the Project Objectives.

All of the Project’s Objectives can be realized without the addition of landscaping that displaces the native flora naturally occurring at the site. Especially in the context of impacts created by *attempts* to establish trees and/or shrubs that may or may not be successful, as past attempts to establish similar plantings in similar environmental conditions has frequently proven unsuccessful in City Projects.

Likewise, it may reasonably be possible to provide additional parking by addressing the potential maximum capacity of the existing Parking Lot B footprint by the addition of cement wheel stops that serve as markers delineating parking ‘spots’. The current lot encourages cars to park at random degrees of closeness because there is no such delineation.

Because *all* of the Project Objectives can be met, and potentially significant impacts to both aesthetic and biological resources can be avoided by NOT planting trees and shrubs where Wildflower Fields, Grasslands or Northern volcanic mudflow vernal pool plant community currently exists, and because there is reasonable expectation that additional parking capacity of existing Parking footprint can be achieved without the expansion of the existing Parking Lot B footprint, it is reasonable to request an Alternative be set forth by the EIR for the Horseshoe Lake project pursuant to Section

I25-1



15126.6[a] of the State CEQA Guidelines cited above, that include these suggested alternative project criteria.

The above recommended Alternative to the Horseshoe Lake project should not be construed to limit proposed lakeshore treatments pending avoidance of Wildflower Fields, Vernal Pools or Grasslands from the construction of the same.

Disc Golf/ Trail Head Specific Project: Despite a range of labeled Alternatives within the Disc Golf /TH Project Proposal, and despite a range of labeled CEQA Mandated Alternatives, totaling 6 possible proposals, only one Alternative – the Restoration Alternative – has the potential to reasonably avoid or significantly lessen significant impacts to Butte County Checkerbloom (CNPS 1b). Similarly, significant impacts to Oak Woodlands and Wildflower Fields are consistently present in all but the Restoration Alternative.

(Referring to B.C.C.), Holes 3, 4, and 17 of the long course are **in the immediate vicinity of known locations of this plant species.**” (Pg. E4-52).

According to the EIR, all project proposals and alternatives except for the Restoration Alternative impact the same known occurrences of Butte County Checkerbloom in the Long Course area.

Therefore Alternatives within the Project Proposal, and Alternative ‘C’ of the CEQA required alternatives – the only alternatives that meet the stated DG/TH Project Objectives – are demonstratively too similar to permit a reasoned choice between a project that significantly impacts a sensitive resource (CNPS 1b B.C. C.) and a project that could avoid or substantially lessen this significant impact.

Given the size of the site, it should be possible to AVOID all impacts to Existing known occurrences of Butte County Checkerbloom and still achieve the stated Project Objective of including disc golf suitable to ‘tournament’ play. It may even be possible to reduce impacts to Wildflower Fields by redesigning the site for a minimum 18 hole facility using existing maps of sensitive resources. Although it may be difficult to analyze relative potential impacts to Oak Woodlands based on maps produced for the EIR because these maps fail to illustrate the specific footprints of Oak Woodlands, it should not deter the EIR from providing at least one alternative that meets the Project Objective, avoids CNPS 1b species, and further reduces impacts to Wildflower Fields, even if additional fieldwork and design is necessary.

The following suggestion for an Alternative 18 hole disc golf facility is made without the benefit of Oak Woodland analysis. While impacts to Oak Woodlands is a major Public concern and an unavoidable impact of the Project, the possibility exists that the City will pursue the Stated Objective of including Disc Golf into a multi use development of the area by any means necessary- even if they must rewrite every existing policy and ordinance to do it.

Consideration of impacts to Oak Woodlands should be comparatively weighed in terms of numbers of Oaks currently and potentially newly affected by the suggested alternative, as has been included in the arborist’s report for current course design options.

I25-1  
(Cont)

Note that the B.C. C adjacent Proposed holes # 2 and #12 Long are also within the functional 'play zone' of the fairway, therefore this suggested alternative attempts supply a design that would substantially lessen potential impacts to these B. C. C. occurrences.

**Abbreviations: S=Short course as proposed, L=Long course as proposed, T=Tee, B=Basket (or target)**

**Suggested potential Alternative Course Design to avoid B.C.C. (CNPS1b)**

**Hole #1:** Use S-T #1, Use S-B #2

**Hole #2:** Use S-T&B #3

**Hole #3:** Use S-T #5, Use S-B #6

**Hole #4:** Use S-T #16, Use S-B #17

**Hole #5:** Use S-T #18, Use S-B #18

**Hole #6:** Use L-T&B #1

**Hole #7:** (pending analysis) Create alternative T adjacent multi-use trail (approximately 100' North of and 50' East of currently proposed L-T #2, and new alternative B approximately 100' Northwest of currently proposed L-B #2.

(This alternative design uses the multi use trail for golfer circulation, removing a duplicitous B to T parallel trail, and reduces likely impacts to B.C.C shown on the map within the range of disc play for proposed Hole L #2.

**Hole #8:** Use L – T&B #14

**Hole #9:** Use L – T&B #15

**Hole #10:** (pending analysis) Create alternate (NEW) T adjacent and North of L-T 16; new B located slightly SW of currently proposed L-B #12

**Hole # 11:** Use L – T&B #5

**Hole #12:** Use L – T&B #6

**Hole #13:** Use L – T&B #7

**Hole #14:** Use L – T&B #8

**Hole #15:** Use L – T&B #9

**Hole # 16:** Use L – T&B #11

**Hole # 17:** (pending analysis) Create an alternative hole between proposed L-B #11 and approximately 50 feet north of proposed L-T #12 (or similar least impactful design)

**Hole # 18:** Use L – T&B #16

It is important that the EIR meet CEQA requirements to make a reasonable effort to supply alternatives that significantly reduce impacts to sensitive resources while still achieving Project Objectives, but this is especially important for the proposed Disc Golf/Trail Head project because the DG/TH project negatively affects quantitatively more known sensitive resources than all other Specific Projects combined. An argument could be made that quantified, known, unavoidable impacts resulting from adoption of the DG/TH project proposal dwarf quantified, known, unavoidable impacts to sensitive resources that result from adoption and implementation of the Program (BPMMP) and other Projects combined, as currently drafted in this EIR.

Because the DG/TH Specific Project does account for the greatest percentage of known impacts to sensitive resources resulting from the entire Bidwell Park Master Management Plan Update Project, it is reasonable that alternative locations be identified

I25-1  
(Cont)

and analyzed by the CEQA process. Due to a lack of environmental analysis, it is unclear that the sole off-site alternative sighted in section E5 (Modified Disc Golf Plan) is practical or desirable for an alternative site, and is therefore inadequately presented as a CEQA alternative that might “avoid or substantially lessen any of the significant effects of the project.”

I25-1  
(Cont)

Therefore it is reasonable that the EIR:

- 1) Provide thorough environmental analysis of the proposed alternative site identified by the Modified Disc Golf Plan.
- 2) If said alternative site substantially increases total BPMMP Update project impacts to known sensitive resources, locate and analyze an alternative off-site location that does avoid or substantially lessen impacts to sensitive resources.

Faulty Analysis of the ‘no project alternative’ for the Disc Golf / T.H. Project:

The analysis of impacts fails to incorporate the logical and legal application of the non-Zone Specific (Parkwide) Goals and Objectives of the BPMMP and furthermore, enforcement of **Municipal Code 12R.04.140 that prohibits destruction, injury, cutting or taking of any natural condition of the landscape** to current use and conditions of the so called, “Hwy. 32 Site”.

I25-2

**Comments relating to Project Objectives:**

The Draft BPMMP’s failure to meet Project Objectives:

The BPMMP fails to ‘resolve planning issues pertaining to current Park management’ because it fails to resolve the main source of user conflict currently present in the Park and in the Community: the non-enforcement of local policies and ordinances designed to both protect the ecosystem of the Public resource and establish a criteria by which recreational impacts are allowed.

The BPMMP also fails to clearly resolve similar problems with the City’s past disregard for CEQA required planning protocol.

Despite the language of Objectives O.MC-1 and O.MC-3, no implementation strategy for these objectives is set forth by the Planning document.

Without a clear mandatory implementation policy that binds City decision makers to adhere to Federal, State, and Local environmental laws and guidelines, past performance shows that an abandonment of these statutes and policies is possible.

I25-3

The BPMMP fails to ‘resolve planning issues pertaining to current Park management’ because it fails to clearly, with mandatory policy, define a schedule for monitoring for new unauthorized development of ‘unofficial trails’, and fails to state that closure of unauthorized trails is a mandatory maintenance task.

While this issue has not socially erupted into as major a source of conflict as the Disc Golf phenomena, probably due to the innocence of off trail users who do not benefit from the lack of educational signage present, and the incremental, cumulative nature of off trail use, this issue has

been identified by both the environmental and cultural resource stakeholders in the process as a primary concern.

I urge that the EIR suggest/make changes to currently optional (discretionary) language addressing unauthorized trail closure, making those policies mandatory with words such as 'shall' and 'must', and include a once yearly monitoring program as additional and mandatory implementation policy.

Taking these important steps provides a solid foundation upon which to base all future trail development decisions, including the building of new trails identified in the Trails Plan and future as yet un-proposed trails.

I25-3  
(Cont)

Failure of the Trails Plan to meet Project Objectives:

The Trails Plan fails to clarify circulation patterns in Lower Park because many existing trails are not included in the Trails Map of Lower Park. Examples: Creek side trail that accesses Council Fire Ring, Creek side trails on north and south side, Trail from Hwy 99 @ northeast nexus with Peterson Drive that extends NE to join Vita Course Trail., etc.

Failure of Disc Golf / Trail Head Project to meet Project Objectives:

The Disc Golf Project fails to mitigate for the locating of disc golf use at the site *if* the intention of the Project Description is to allow 'professional' tournaments at the site.

OS-1 zoning allows only for 'non-professional' athletic fields and facilities, thusly a change to the zoning of the site may be required. (OS-2 may allow for professional tournaments?)

Inadequate analysis of 'Modified Trails Plan 1:

The reopening of closed portions of South Park Drive results in obvious environmental impacts that are not considered in the existing analysis (of impacts of the Trails Plan).

Several impacts and potential impacts need evaluation before the environmental effects of this Alternative can be adequately considered described for purposes of a CEQA Alternative.

- Effects to an established user population
- Increase of hazards *within the Park*
- Increase of user conflicts *within the Park*
- Potential impacts to riparian and aquatic habitats if road construction is necessitated directly or indirectly by the project.

I25-4

Inadequate analysis of impacts and mitigation of Modified trails Plan 2 :

The closing of currently open sections of South Park Drive to vehicles as described in the EIR makes no exception (such as 'Blue Plate Access') for currently allowed Disabled Access. This may be a direct violation of the ADA pending an interpretation by the Department of Justice.

If it is the Lead Agency's intent to mitigate for this impact, such mitigation needs to be included in the EIR.

Inadequate analysis of the Modified Disc Golf Plan

E5.3.5.2 lists several potential impacts specifically associated with the proposed alternative site at Comanche Creek, yet offers no analysis of these impacts, nor offers mitigation for any impact identified in that analysis.



- I25-1 The commenter provides feedback and recommendations for the Horseshoe Lake specific project and the Disc Golf/Trailhead project in Section E5. The commenter feels that there is an insufficiency of the EIR to set forth alternatives that reasonably reduce a significant or potentially significant adverse effect of the proposed project. The commenter provides specific comments on alternatives that should be considered, for two of the proposed Park Improvement Projects, the Horseshoe Lake Area Specific Plan, and the Disc Golf Area Concept Plan.

***Response:***

**Alternatives to the proposed Horseshoe Lake Area Specific Plan:** As disclosed in the DEIR, implementation of the Horseshoe Lake Area Specific Plan would result in potential impact to some of the natural communities present at the site, due to the proposal to construct new trails and expand existing parking lots. Where these impacts could result in adverse effects on special-status species, or on sensitive natural communities such as vernal pools, other wetlands, and wildflower fields, the DEIR contains a discussion of these impacts (please refer to Impact Bio-1c, Impacts Bio-1e, Impact Bio-2b, Impact Bio-2c, Impact Bio-2d, Impact Bio-2e, Impact Bio-2f, Impact Bio-3c, Impact Bio-3d, Impact Bio-3e, and Impact Bio-4); and where appropriate, suggests specific mitigation measures to avoid, reduce or compensate for these impacts. The DEIR concludes that with implementation of the proposed mitigation all impacts to biological resources resulting from the proposed projects, including the Horseshoe Lake Area Specific Plan, would be reduced to less than significant. The commenter is also concerned that the proposal to plant native riparian trees along the edge of Horseshoe Lake would result in displacement of natural communities and, if unsuccessful, would result in unsightly effects/adverse effects on the site's aesthetics. The Horseshoe Lake Area Specific Plan was designed to counteract site degradation that is resulting from heavy ongoing use and inadequate and confusing infrastructure. Implementation of the Plan should result in clearer circulation and parking patterns, clearly demarked trails, and re-vegetation of areas along the lake edge that are currently mostly bare. Thus, as concluded in the Aesthetics discussion of the DEIR and in Master Response 5–Aesthetics, above, implementation of the Horseshoe Lake Area Specific Plan is expected to result in beneficial impacts to the site's aesthetics. Implementation of the Plan would also result in a reduction of the overall number of trails, thus having a footprint that is similar to or slightly less than that currently existing. Because there are no new impacts to reduce that would result from the proposed project, no need to find additional alternatives existed, and no additional alternative were analyzed during preparation of the DEIR.

**Alternatives to the proposed Disc Golf/Trailhead Area Specific Plan.** The commenter asserts that the restoration alternative presented in the DEIR is the only alternative that has the potential to “reasonably avoid or significantly lessen significant impacts to Butte County checkerbloom.” He also criticizes the alternatives for not reducing the impacts to other biological resources such as oak woodlands and wildflower fields. The commenter fails to mention the very design criteria employed to develop the options. These criteria were considered during the planning and conceptual design processes and included the presence of sensitive resources, including Butte County checkerbloom, oak woodland, and wildflower field. Significant restrictions were applied to the design of the site, based on the presence of these resources. Please refer to page H-1 through H-9 in Appendix H of the BPMMP (Disc Golf Design Environmental Criteria, including maps). Thus, all alternatives chosen for the project already included measures to minimize impacts to these resources. However, because any use of a site has the potential to impact resources, and because not all resources could be completely avoided, the DEIR contains mitigation measures for impacts to Butte County checkerbloom and other

special-status plant species, as well as oak woodlands and wildflower fields, to offset impacts resulting from construction and operation of the site. In addition, adaptive monitoring would be employed to assess how site use affects all resources, not just those of special-concern. The commenter also argues that due to the nature of the impacts of the Disc Golf Trailhead Area site, alternatives locations need to be identified and analyzed by the CEQA process. The commenter states that it is unclear (due to lack of environmental analysis) where the sole off site alternative at Comanche Creek is practical or desirable. The DEIR analyzes potential impacts resulting from use of the offsite alternative and, as required by CEQA, compares them to the impacts resulting from implementation of the proposed project. The decision of whether the offsite alternative is practicable or desirable will ultimately be made by the City Council, when voting to approve or reject the project or its alternatives. As discussed above under Response O2-17 above, various other alternative sites have been considered and rejected over the years.

- I25-2 The commenter feels the analysis of impacts fails to incorporate the application of the non-Zone Specific Goals and Objectives of the BPMMP and enforcement of Municipal Code 12R.04.140 to current use and conditions of the SR 32 site.

**Response:**

The scenario the commenter is looking for (cessation of disc golf and enforcement of municipal code) is analyzed as the “restoration alternative.”

Please also refer to Response I 24-14 above regarding the relationship between the BPMMP update and the Municipal Code.

- I25-3 The commenter details three incidents where, in his perception, the proposed projects fail to meet the Project Objectives (Draft BPMMP; Trails Plan; and the Disc Golf/Trailhead Area Concept Plan). The commenter suggests changes to make.

**Response:**

**BPMMP:** The commenter asserts that the BPMMP fails to meet the objective of “resolving planning issues pertaining to current Park Management” because it fails to address “non-enforcement of local policies and ordinances designed to both protect the ecosystem of the Public resource and establish a criteria by which recreational impacts are allowed”. The commenter also refers to problems with what he calls the “City’s past disregard for CEQA required planning protocol”, calls for “clear mandatory implementation policy that binds City decision makers to adhere to Federal, State and Local environmental laws and guidelines”, does not define a “mandatory schedule for monitoring of new unofficial trails”. The policies in the BPMMP were developed by incorporating existing policy, adding new policy, where applicable, and providing clarification as needed. The policies were reviewed by the BPPC over a series of meetings, and the language in the policies was agreed upon by city planners and managers, the City’s consultant, and the BPPC. The language as currently included addresses all planning issues that needed to be addressed, based on extensive work with the CAC, BPPC and involved parties. The Draft MMP has also been provided to regulatory agencies and other interested parties for review and comment, and no deficiencies were found.

**Trails Plan:** The commenter asserts that the Trails Plan fails to meet the project objective of “clarifying circulation patterns in Lower Park” because “many existing trails are not included in the Trails Map of Lower Park.” The Trail Plan for Lower Park includes all major roads and trails. Smaller trails such as the creekside trails mentioned by the commenter are not included, as they do not significantly contribute to the circulation patterns in the Park.

**Disc Golf/Trailhead Area:** The commenter asserts that the Disc Golf Trailhead Area Concept Plan fails to “mitigate for the location of disc golf use at the site *if* the intention of the project description is to allow “professional” tournaments at the site. According to the commenter, OS-1 zoning of the site only allows for “non-professional” athletic facilities. While tournaments would be allowed at the site, no rezoning would be required.

- I25-4      The commenter feels there is inadequate analysis of Modified Trails Plan 1 and 2 and of the modified Disc Golf Plan.

***Response:***

**Analysis of Modified Trails Plan 1:** “Effects to an established user population” and “increase in user conflict” are not CEQA impacts that can be measured against an established threshold. Increase in “circulation hazard” is identified in the DEIR as a potential impact resulting from implementation of this alternative. Minor increases in themselves do not rise to the level of impact. No additional road construction would be anticipated as a result of this alternative, therefore, it is not necessary to analyze potential impacts to riparian and aquatic habitat.

**Analysis of Modified Trails Plan 2:** This alternative is not intended to exclude ADA access. Should it be adopted, arrangements would be made in compliance with ADA requirements. No mitigation is necessary.

**Analysis of Modified Disc Golf Plan:** The alternative analysis for the modified disc golf alternative provides a list of impacts that would occur at each site (Disc Golf/Trailhead area site and Comanche Creek site). The impact would generally be the same as those described in the DEIR for the proposed project. Where a previously undiscussed impact would occur, a brief explanation of the nature of the impact is provided (i.e., inconsistency with local policies and zoning regulations). CEQA does not require that alternatives are analyzed at an equal level of detail as for the proposed project, but at a level that allows comparison of the nature and level of impacts between alternatives. The information provided meets these criteria. CEQA also does not require that separate mitigation be developed for alternatives.





Significant Inaccuracies in and Omissions from the Draft BPMMP and Draft EIR

Submitted by Randy Abbott, member of the public. 1151 e. 10<sup>th</sup> Street, Chico, CA 95928

**The following inaccuracies and/or omissions are identified by their page and/or section number where they occur/should occur.**

Various impact descriptions, E1, E1.1; The EIR states that the impacts generated from the Projects and Program are insignificant because they impact a small percentage of similar habitat type(s).

The EIR goes on to claim that Baseline descriptions, Impact descriptions, and Mitigations identified in the EIR can be tiered to similar future developments within the Park.

The EIR omits a quantified description of how much of each habitat type can be impacted as a result of these tiered applications of Mitigation before a significant impact occurs.

2-2, 2.1.2; Omits the history of significant cumulative impacts to the Grassland and Northern Volcanic Mudflow Vernal Pool Plant Communities sustained over time by the development of those resources. Examples include: Construction of Chico Municipal Golf Course and expansions of that facility, the rerouting of Upper Park Road, construction of bike path, construction of Horseshoe Lake, Various parking lots, including the recent relocation of Parking Lot E.

This should be construed to imply the Aesthetic significance of the uninterrupted vista present at the site that captures the view of the Tuscan ridge meeting the 'Valley floor' with its biologically distinct plant communities and geologic formations forming both a purely visual aesthetic as well as an aesthetic display of natural history unaltered by the building projects and landscaping designs of 'modern' mankind.

Despite the non-man made nature of the plant community types present, they are, as implied by Sec. 2.1.2, among the primary reasons people visit the area. Thus decisions that affect these resources should be based on an existing conditions description that pays respect to past cumulative impacts.

2-16, Surface hydrology map lacks vernal pool features

2-3 and Appendix E, pg.9; Both maps of Lower Park do not identify existing trails along creek, including the trail that accesses the Council Fire Ring, and others.

2-91; 2.3.3.5; Incorrect number of original deeded parkland acres from Annie Bidwell is given.

Should read : 1,902.88 acres

Also: The Historical Description completely omits the historically documented conditions of land use provided with the original deed and fails to describe the Bidwell's

I26-1

intent to preserve the beauty and natural conditions of the area by including these conditions in their generous gift.

This is not only a serious omission of historic accuracy on a local level, but fails to describe an important achievement of two of California's most important pioneers of European descent, as well as overlooks the formation of one of California's original tracts of (ecologically) preserved land.

Decision makers at Council level may not be aware of the historical significance of these facts.

1-5: Inaccurately claims the original land use restrictions were "removed from the Deed" in 1949. The deed has not changed, despite the purchasing of the reversionary interests by the City in 1949 that resulted in a full fee interest of Bidwell deeded parklands.

The record should be accurately described.

2-8; 2.2.1.2 fails to describe the existing Bidwell Park Master Management Plan.

A reasonable synopsis of the central themes of this document, including its prioritizing of the conditions of the Bidwell deed, and the weighing of land use decisions against preservation of the Park, would be commensurate with an accurate description of existing conditions.

( For reference purposes: In the 32 zone-specific section of the 1990 Plan, a few examples of problematic use patterns are provided: creek bank erosion (page 5, 101,132, 155) ; soil compaction (page107) ; impacts to Oaks (page 111) ; Excessive # of trails (page112, 119, 125,129,138) ; heavy use leading to habitat degradation (page 118, 123) ; the need to keep use intensity down to achieve natural Valley Oak regeneration (page124) ; damage from unmanaged mountain Biking (page125) ; erosion of the north rim trail tread (page139, 148) ; need to monitor Mt. Bike race location (page 147) ; the presence of important plant species and the need to manage use intensity on the north facing slope , including on land that the City at that time had yet to purchase(page 154).

Each of these problems has specific recommendations to improve conditions.)

2-98: Omits the date when disc golf development was allowed to occur at the Hwy 32 site. "Disc golf has occurred on the 40 acres of former BLM land along SR 32 since 1989," does not describe 'development.'

"In 1999, the BPPC and City Council authorized the continued use of the site as a disc golf course pending environmental review" may be true, but does this coincide with permission to develop the site by adding Tone Poles and other infrastructure?

The Statement "The disc golf course currently consists of a short and long course with 39 "holes" in place over about a 25 acre area," seems very inaccurate. What criteria are used to arrive at the acreage figure?

2-107: Fails to list the historic Humboldt Road, Pine Trail or Rain Forest Trail as additional access from Hwy.32.

2-113: Contact information for the Bidwell Park Endowment fund has been omitted.

Appendix E and related environmental analysis of Trails Plan:

126-1  
(Cont)

While the trails plan explains,” *The process for the Bidwell Park Trails Plan varies slightly from the typical process in that limited field analysis was conducted (key locations only, not entire trail system),*” (T.P. 5.0, Pg.13),

It is unclear which sections of the trail system received field analysis, if any, and what was included in that field analysis. That analysis information should be included, no matter how slight.

While the Trails Plan seeks to formalize a number of social trails that exist on South side of Upper Park, proposing to bring these trails up to Trails Manual standards, one trail appears on the Trails Map to be an exceptionally steep route that descends from the disc golf area to the Guardian Trail. As a matter of disclosure for responsible decision making, and as a component of responsible trails analysis for the consideration of adoption of a social trail, the EIR should provide a description of this trail’s steepness as a component of erosion potential.

Appendix E and related Environmental documents also fail to address the existence or suitability of the ‘Brouhard Trail’ or other alternatives to retain historical connectivity dating to well before 10-14-04 between the South Rim and Guardian trails and the Annie Bidwell Trail.

Appendix J, Omits reference to or content of Municipal Code Section 12R ; the reference to the Muni code on page E3-3 is highly inaccurate because of this.

Appendix H-3, 4, 5, and E3-17, 18, 19, Maps of disc golf proposals omit locations of trails that would lead players from one target to the next tee. In the case of Alternate B this is especially a problem because the short course holes do not follow one another. If the City were to allow development of this option the result would likely be players throwing at random targets and creating trails and fairways that transect the wildflower fields this option seeks to avoid.

Section 2.1.3.1: Omits Map of current, existing conditions of the Disc Golf / Trail Head Project area.

Because the EIR uses 10-14-04 as the applicable date describing ‘existing conditions’ of the Project Site, and because the “No Project Alternative” amounts to a continued, unmitigated use of the Site, it is reasonable that the EIR provide an accurate description of the existing site, including Maps that illustrate the locations of existing fairways, fairway trails, tee and target green footprints, and the location of sensitive resources.

Glossary of Terms; Omission of working definitions for the terms ‘Focused’ and ‘Emphasized’ , and ‘Minimally developed areas’ as these terms are used in I.RC-1 (pg.3-11) “Developed recreation shall be ‘focused’ outside the Park, and facilities for non-intensive use shall be ‘emphasized’ within the minimally developed areas of the Park”

E4-130, Omits a description of what specific parts of the Park are (as claimed by the EIR’s authors) exceptions or exemptions to RCA status.

E4-52, TYPO: States Concept Plan C would result in one ‘21’ hole long course, rather than one ‘18’ hole long course, as proposed.

E4-58, TYPO: ‘Butte County Checkerbloom’ appears where ‘Bidwell’s Knotweed’ should.

E4-153, TYPO: ‘Wildlife’ appears where ‘wildfire’ should.

126-1  
(Cont)



I26-1 The commenter notes several inaccuracies and/or omissions. The commenter suggests changes to make.

Each of the specific suggested changes/edits is indicated below, along with notes on their incorporation.

Impact descriptions E1, E1.1 – commenter states that EIR describes impacts as insignificant because of small percentage of habitat affected and requests quantified description of how much habitat can be impacted as a result of “tiered application of mitigation” before a significant impact occurs.

***Response:***

Section E1.1 neither attempts to provide quantitative descriptions, nor does it state that impacts have been found to be insignificant. Section E1.1 explains the purpose of the EIR, followed by a description of the type of EIR in Section 1.2.

Page 2-2 of the BPMMP, Section 2.1.1. The commenter states that this section omits the history of cumulative impacts to grassland and northern mudflow vernal pools.

***Response:***

This section is a description of existing conditions and includes a brief history of the construction of Horseshoe Lake. It does not include any impact analysis. Impact analysis is included in Volume 2.

Page 2-16. The commenter states that the surface hydrology map provided lacks vernal pool features.

***Response:***

The surface hydrology map shows only major features, such as Big Chico Creek, seasonal and ephemeral drainages and very large wetland features. It would be unreasonable to show smaller wetlands, vernal pools and other features at this scale. Furthermore, no park wide inventory of vernal pools and other wetland features has been conducted.

Page 2-3 and Appendix E page 9: The commenter notes that these maps do not identify existing trails along the creek, including the trail that accesses the Council Fire ring, and others.

***Response:***

Only major trails and connections are shown. The smaller trails mentioned by the commenter do not add significantly to circulation patterns in the Park.

Page 2-91: Commenter states that incorrect acreage was cited and that the historical description omits historically documented conditions of land use provided with the original deed.

**Response:**

The cited acreage has been corrected. The rest of the section is a brief overview of historical dates and does not provide the level of detail the commenter desires for any of the features or events listed. However, Annie Bidwell's Deed is included in its entirety in Appendix A of the BPMMP, for complete reference to decision makers and others who may be interested in a similar level of detail as the commenter.

Page 1-5. Commenter states that land use restrictions were not "removed from the deed."

**Response:**

The last sentence of the first paragraph in section 1.1.2 Historic and Current Context of the Park has been revised to read as follows:

In 1949 the City of Chico purchased the reversionary interests for the lands, resulting in ownership of full fee interest by the City.

Page 2-8, Section 2.2.1.2. Commenter states that this section fails to describe the existing Bidwell Park Master Management Plan and gives several examples of specific information from the 1990 Plan that should be included, in his opinion.

**Response:**

The entire 1990 Plan is available for review on the City's website for those interested in specific elements. The essence of the 1990 Plan has been included in the 2007 BPMMP Update, as applicable.

Page 2-98. Commenter states that the "date when disc golf development was allowed to occur is omitted" and wants to know if this "coincides with the permission to develop the site by adding tone poles and other infrastructure. Commenter also requests the source of information for the acreage cited.

**Response:**

The date has been added to the cited sentence as follows:

On 10/26/98 commissioner Sheley made a notion for the BPPC to declare its intent to consider a proposal to allow disc golf to remain on the existing highway 32 site. The notion passed unanimously.

Allowing continued use of the site for disc golf assumed that certain infrastructure to support the use would be needed. The acreage was obtained through GIS analysis.

Page 2-107. Commenter states that this section fails to list the historic Humboldt Road, Pine Trail and Rain Forest Trail as additional access from Highway 32.

**Response:**

The following has been added to Section 2.4.4.4 Access off SR 32:

Upper Park can also be accessed via the historic Humboldt Road and via the Pine Trail which is located directly across from Santos Ranch Roach on SR 32. The Rain Forest Trail is another access trail east of the BLM property that traverses from the ridge to the South Rim Trail.

**Response:**

The following sentence has been added to the end of section 2.5.1.2. Information on how to donate to the fund is available at the North Valley Community Foundation.

Appendix E and related analysis of Trails Plan. Commenter requests detail on field assessment conducted in support of the Trails Plan and asks to include specific information on the steep connector trail from the Disc Golf Area to the Guardian Trail and suitability of the “Brouhard Trail”

**Response:**

Please refer to response O3-13 regarding information on the field assessment conducted in support of the Trail Plan. Regarding the proposed revisions, the Trails Plan does not discuss sections of trails in the level of detail desired by the commenter. As proposals for new trails or realignments of trails proceed, these proposals will be reviewed and considered at the level of detail desired by the commenter. Regarding the mention of the Brouhard trail, Mr. Brouhard has built a trail on his property as an alternative to the trail that crosses his land west of the BLM property. The BPPC approved the creation of a short trail to connect to Mr. Brouhard’s trail which then connects to the South Rim Trail.

**Appendix J**

Commenter states that Appendix J omits reference to or content of Municipal Code Section 12R, and that this omission makes the reference to the Municipal Code on page E3-3 “highly inaccurate.”

**Response:**

The information provided in the EIR is accurate as it cites that Appendix J contains “those elements from the City of Chico General Plan and Municipal Code relevant to the implementation of the BPMMP. A reference has been added to Appendix J of the BPMMP that refers to Chapter 12R of the Chico Municipal Code entitled “Rules and Regulations of Bidwell Park”. The Chico Municipal Code is available on the City’s website at the following link: <http://www.ci.chico.ca.us/MunicipalCode/Home.page.asp>

Comments regarding Appendix H-3, 4, and 5, and Section E3-17,18 and 19. The commenter stated that he would like to see trails that lead from one target to the next tee.

**Response:**

This information is provided below (Exhibit 3.2.3-1).

Section 2.1.3.1 Commenter requests a map of current, existing conditions of the Disc Golf/Trailhead project areas that illustrates the location of existing fairways, fairway trails, tee and target green footprints, and the location of sensitive resources.

**Response:**

A map of the location of sensitive resources is included in Appendix E-3 (Special-Status Plant Survey Report) of the DEIR. A map of existing facilities is included below. (Exhibit 3.2.3-2)



Glossary of Terms: The commenter would like to see working definitions of the terms “focused”, “emphasized” and “minimally developed areas” as used in Implementation Strategy I. RC-1 on page 3-11.

***Response:***

These words were not considered technical terms that might be unfamiliar to the general public and therefore did not warrant inclusion in the glossary. They have their generally accepted meaning as set forth in the dictionary.

E4-130: The commenter states the document omits a description of what specific parts of the park are exceptions or exemptions to RCA status.

***Response:***

Please refer to Response 3-61 above.

E4-52. The commenter points out a typographical error – 21 holes vs. 18 holes.

***Response:***

21 holes were cited here, to reflect the proposal of 18 holes plus three alternates. This has been clarified in the text of the DEIR on Page E4-52.

E4-58. The commenter points out a typographical error.

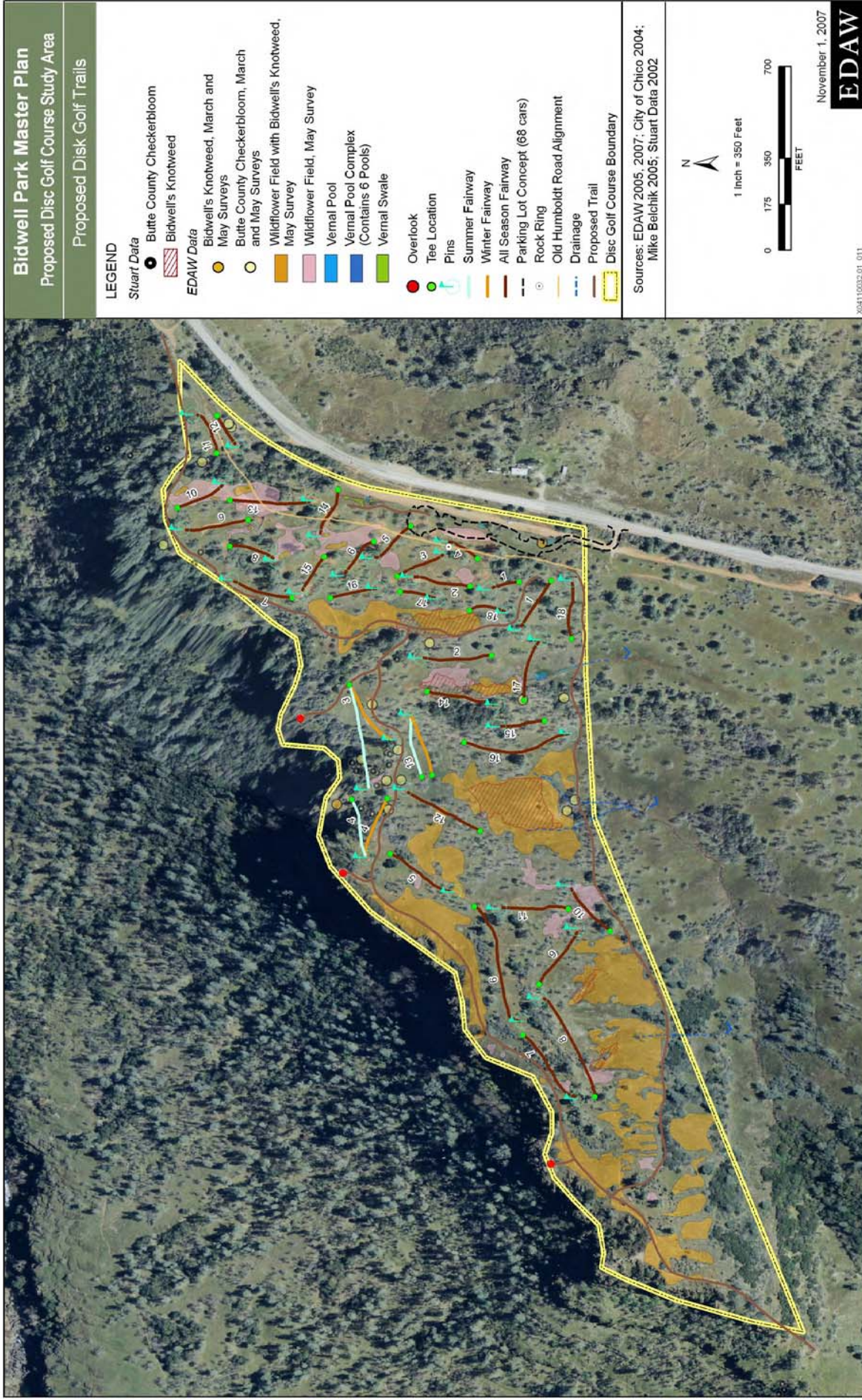
***Response:***

The error has been corrected.

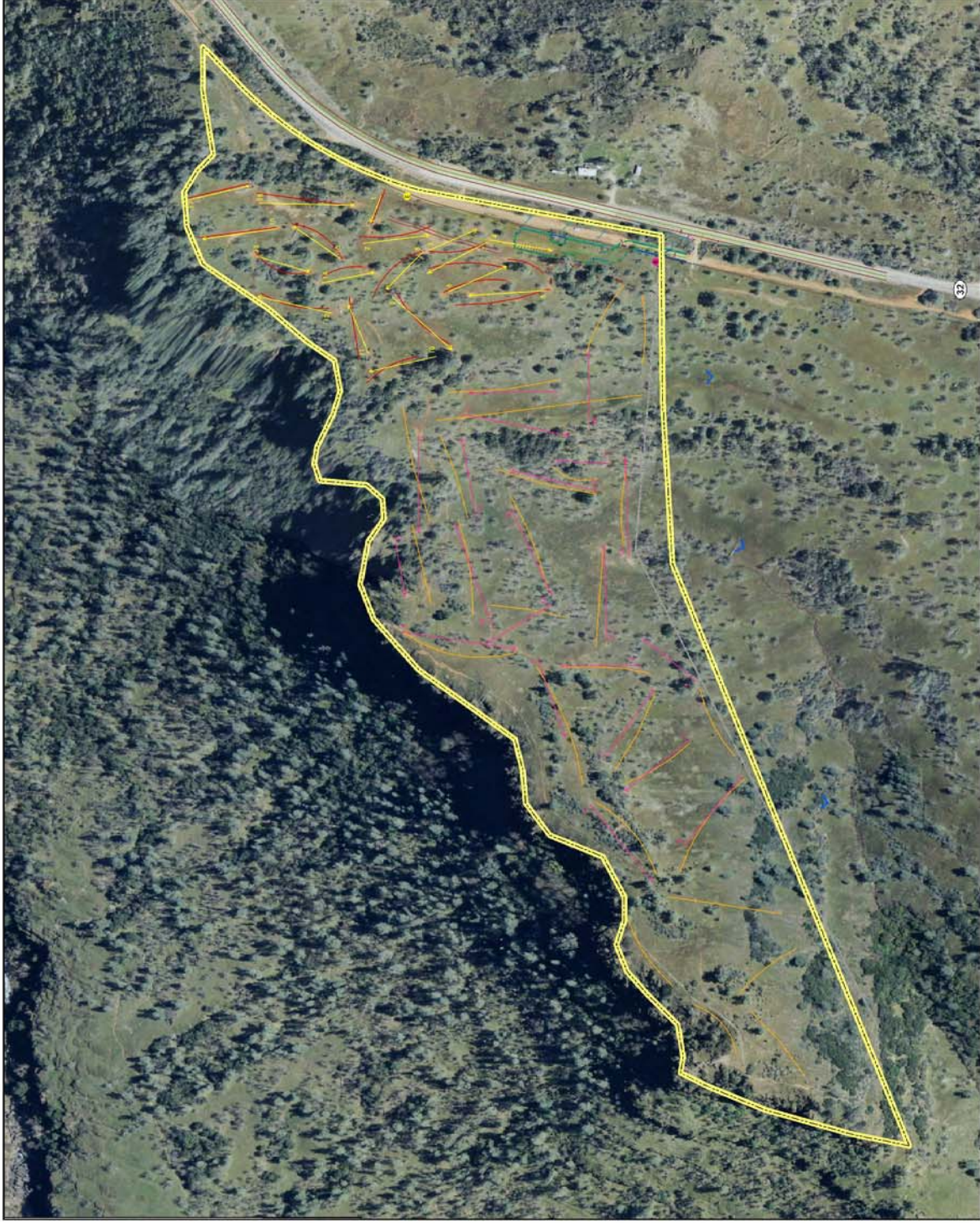
E4-58. The commenter points out a typographical error.

***Response:***

The error has been corrected.







**Bidwell Park Master Plan**  
Proposed Disc Golf Course Study Area

Existing Facilities

**LEGEND**

- Disc Golf Course Boundary
- Fairway A (Existing)
- Fairway B (Existing)
- Fairway A  
(Previously Proposed, now obsolete)
- Fairway B  
(Previously Proposed, now obsolete)

Sources: EDAW 2005, City of Chico 2004,  
Lon Glazner 2005

1 inch = 350 Feet

0 175 350 700  
FEET

N

May 4, 2008

**EDAW**

X04110032.01 007

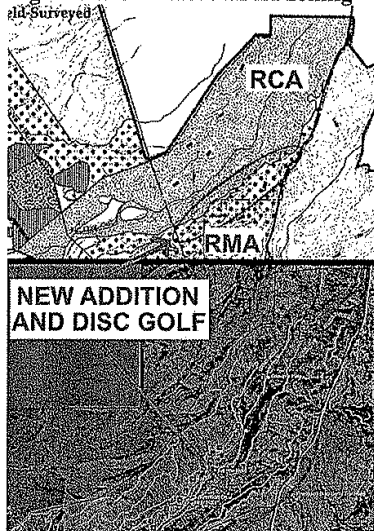
**To: Brendan Vieg – Senior Planner**  
**Bidwell Park Master Management Plan EIR Comments**

With the cost of the Bidwell Park Master Management Plan nearing \$500,000 and the City of Chico in a budget crisis I have to wonder just how much more money the city is willing to spend to study and locate the sport of disc golf. Not a single dollar has been spent to actually improve or manage a site for disc golf. 13 years have passed since the BLM property was purchased and still no decisions have been made.

This document describes why option A is the most appropriate EIR alternative for the Disc Golf / Trailhead Project. It also discussed some of the shortcomings of the “Restoration Alternative”, and concerns over specific plants and their treatment in the EIR.

**Option A “Preferred Alternative” (18 hole advanced course and 18 hole beginner course) -** The highway 32 site has a zoning overlay as a resource management area (RMA) versus the remainder of Bidwell Park which is considered a resource conservation area (RCA). Even if the site was zoned RCA it would be consistent with the General Plan and existing uses of OS-1 and RCA zoning to build a disc golf facility at the highway 32 site. Multiple EIRs and botanical studies, as well as multiple disc golf course designs have been evaluated for the BLM site. The first course design consisted of 45 disc golf holes. There currently exist 39 disc golf holes at the site. The largest disc golf option (option A), which was the “preferred alternative” as selected by the Bidwell Park and Playground Commission and the BPMMP CAC maintains 36 disc golf holes. Option A reduces the area used by disc golfers by 30-40%. Option A protects Bidwell’s Knotweed, Butte County Checkerbloom, and reduces soil compaction around Blue Oak trees. This is also the only option that both meets the “project objectives” and meets the needs of the existing user base.

**Figure 1 RCA versus RMA zoning**



I27-1

The disc golf / trailhead project EIR objective is to build an environmentally sensitive disc golf course at the heavily studied Upper Park site. It is not to heavily study the site in order to remove disc golf. For these reasons the “no project alternative” and “restoration alternative” should not be selected.

Chico’s General Plan speaks directly to the issue of outdoor recreation in an RMA. The Draft Bidwell Park Master Management Plan seems to address these requirements completely.

**General Plan Section 7.2 Implementing Policies: Biotic Resources  
OS-I-26**

*Recreational & Education Plan. Guidelines and standards for providing, and limiting, recreational activities, if applicable to the RMA, including descriptions of proposed recreational activities within public open space (e.g., parkways, green space, or golf courses). Where biological resources will abut urban uses, ways to restrict or prevent access into those habitats should be prescribed. An educational program to increase public awareness of sensitive resources and use restrictions, including instructional and interpretive signage, hiking trails with descriptive pamphlets/guides, wildlife viewing platforms near preserve areas, and other types of public information should be included, if appropriate.*

Additionally the General Plan describes the highway 32 trailhead nicely with regards to being an appropriate recreation site.

**General Plan Section 7.4 Open Space Classifications**

*Open space for outdoor recreation. Areas of outstanding scenic, historic and cultural value, areas particularly suited for park and recreation purposes including access to lake shores, beaches, rivers, and streams, and areas that serve as links between major recreation and open space reserves, including utility easements, stream- and riverbanks, trails, and scenic highway corridors are all considered open space for outdoor recreation.*

The highway 32 site as a trailhead and disc golf facility provides an excellent opportunity to view and experience Bidwell Park. The geography of the area lends itself to separation of more isolated areas south of Big Chico Creek, and so does not threaten to infringe on areas of Bidwell Park that are less traveled.

**Guiding Policies: Parks and Recreational Open Space**

*PP-G-1 Develop a diversified, high quality public park system that provides recreation opportunities at a variety of scales for all residents.*

The “preferred alternative” Option A provides a course for both beginners and experts at disc golf. See the draft Master Management Plan Goals DG/T-1,2, and 3 as well as the objectives and implementation strategies and guidelines of that document for more information on why Option A was selected as the “preferred alternative” by both the BPPC and the CAC for the master plan update.

Additional mitigation for Option A that were not referenced in the Disc Golf / Trailhead project EIR but could be considered include...

I27-1  
(Cont)



1. Locating an additional disc golf site closer to the City of Chico: An additional course in Bidwell Park or some other city property could reduce use of the existing sites and therefore reduce impact. If sites evaluated include previously evaluated locations then the history of why those sites were not previously selected should be discussed.

2. Locating a seasonal site to move the beginner course to during certain times of the year: Seasonal rotation of the beginner course between the highway 32 site and an additional site in Bidwell Park or some other city property could reduce use of the existing sites and therefore reduce impact. If sites evaluated include previously evaluated locations then the history of why those sites were not previously selected should be discussed.

**Restoration Alternative EIR Option:**

The restoration alternative would build access, parking, and lookout improvements at the highway 32 site. Only disc golf as a recreation would be removed. Restoration of the site would require a work plan and an additional EIR. The skills needed to restore the site do not exist within the current city staff. Therefore, in order for this alternative to be implemented, the City of Chico would have to hire additional consultants and spend over and above the half-million dollars expected to be spent on Bidwell Park's Master Management Plan.

In essence the City of Chico would remove the only component of the Disc Golf Course / Trailhead project that could be privately funded, and replace it with a gardening project for consultants. The "restoration" would probably cost as much as a disc golf course would cost to build. There is no mention in the restoration alternative as to what state the site would be restored to. Prior to disc golf the site was used for hunting, four-wheel drive, and cattle grazing. Is that the restoration point? Prior to city ownership the site was used for disc golf.

Even opponents of the current site argue that disc golf is good and necessary and courses need to be built in Chico. By selecting the restoration option the City would still need to locate and possibly buy property, perform studies, negotiate with neighbors, and fund a disc golf course. If new site was not well received by disc golfers there would be little enthusiasm for private funding.

The restoration alternative is the absolute worst fiscal decision that could be taken related to the disc golf issue. It would put undue financial burden on the city, and fails to meet the project objectives. The city has no experience in this line of work, and the "restoration alternative" is an unrealistic and inappropriate CEQA alternative.

Finally, the Trails Plan project EIR contains no "restoration alternative". The Trails Plan includes areas of the Disc Golf / Trailhead project. There has been no delineation between impacts caused by hiking, biking and disc golf at the disc golf site. No trails or recreation components taking place in either the New Addition or the BLM property have been officially approved by the City of Chico. To direct a "restoration alternative" at only one recreation use when none have been officially approved seems discriminatory. Since the entry level cost for disc golf is much lower than mountain biking it could be seen that that discrimination occurs on an economic level. In order to assure that no park user is discriminated against a "restoration alternative" should be included for trails in the New Addition and BLM properties. Another option would be to remove the "restoration alternative" from the Disc Golf / Trailhead EIR.

I27-1  
(Cont)

**Consistent Treatment of Natural Resources:**

All Disc Golf / Trailhead project EIR options that improve disc golf facilities also protect Bidwell's Knotweed. It is important to point out that Bidwell's Knotweed does not require legal protection, and that the city has not adhered to these policies previously. At the disc golf site Bidwell's Knotweed grows mostly along footpaths created by the recreation. It is also prevalent in the heavily traveled beginning section of the North Rim Trail. Since Bidwell's Knotweed is considered equally in the trails project EIR and the disc golf/trailhead project EIR it would seem that the most heavily used portion of North Rim trail could have foot traffic directed elsewhere, if the city is to be consistent.

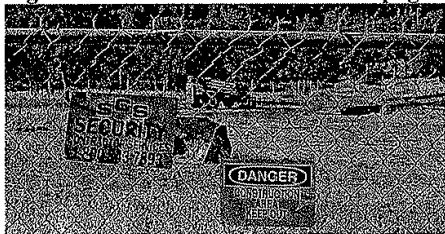
Decision makers at the city should consider fully the implication of placing a very common plant that grows abundantly along paths off limits to foot traffic. Without a park wide botanical study there is no telling what impact this might have on park use. That's not to say that disc golf cannot be designed around this plant. That has already been done.

Historically there has been little consistency in the consideration of this plant. The recent Horseshoe Lake lead clean-up project ignored and bulldozed Bidwell's Knotweed. The plant was not listed as a botanical species of interest in the EIR for that project. The bulldozing of knotweed occurred while the disc golf design was being constrained by the presence of knotweed. Note that the plant was bulldozed in an RCA and put off limits in an RMA zone. That does not seem to be consistent with the city's zoning policies. Why does that inconsistency exist?

Finally in comparing the previous Stewart botanical survey with the most recent botanical survey completed by EDAW it can be seen that the occurrences of Bidwell's Knotweed and Butte County Checkerbloom have increased in between the two studies. While some might argue that the original study was incomplete there can be no definitive information that proves that as a fact. What evidence exists that disc golf has had a negative impact on Butte County Checkerbloom and Bidwell's Knotweed?

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**Figure 2 Construction for lead cleanup ignored Bidwell's Knotweed**



**Figure 3 Bidwell's Knotweed that was bulldozed during cleanup**



- I27-1 The commenter supports Option A as the Preferred Alternative and discusses shortcomings of the Restoration Alternative. The commenter also questions why no restoration alternative was studied for the other proposed Park Improvement Projects.

**Response:**

The commenter's support for Option A is noted for the City's consideration.

With regards to the restoration alternative, economic issues regarding the restoration alternative are not a CEQA issue and would not require "an additional EIR" as stated by the commenter. The commenter also refers to the restoration alternative as "a gardening project for consultants" and questions what the site would be restored to, and calls this alternative "unrealistic and an inappropriate CEQA alternative."

The restoration alternative was added to the analysis as it falls within the range of "reasonable alternatives" the site could be used for. While the commenter's concerns regarding this alternative is noted, the alternative remains a viable scenario for site use.

The commenter also suggests the addition of other disc golf facilities in the city as additional mitigation measures. A history of the search for suitable additional sites is included in Response O2-17 above. A small beginner's course was recently opened by the Chico Area Recreation District (CARD) at the Hooker Oak Recreation Area which CARD leases from the City.

With regards to "restoration alternatives for the trails plan," the trails plan proposes the closure of many unofficial trails in the park. This closure could be referred to as the "restoration aspect" of the trails plan.

- I27-2 The commenter points out that there needs to be consistent treatment of Natural Resources. The commenter notes that while the disc golf/trailhead project options protect Bidwell's Knotweed it does not require legal protection and the city has not adhered to these policies previously. The commenter points out difference between the findings of previous botanical surveys of the site.

**Response:**

Bidwell's knotweed was on the list of "resources to be avoided to the greatest extent feasible" during the redesign of the disc golf site. While not legally protected, as pointed out by the commenter, the plant does have a special connection to the SR 32 site, as this is the "type locality" for the species, i.e., the site where the plant was first collected and documented. The "inconsistent treatment" between projects partially arises from the nature of the project, i.e., a clean-up project that requires soil movement is by its very nature different than a design project which is more flexible in its treatment of resources. With regards to the differences in findings of the two botanical surveys conducted at the site, the City does not wish to speculate what conditions may have caused the difference in findings. Plants respond to various environmental conditions and their abundance and distribution vary in response to these conditions over time, thus any inventory of botanical resources could be considered a "snapshot in time." This is the same reason a "monitoring and adaptive management component" is added to any park project that is built in close vicinity to sensitive resources.





### **3.2.4 SECTION P. PUBLIC HEARING COMMENTS**



THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF BUTTE

REPORTER'S TRANSCRIPT OF  
PUBLIC COMMENT RE BIDWELL PARK DRAFT EIR

Wednesday, June 13, 2007

SPEAKERS:

BRENDAN VIEG, Senior Planner  
City of Chico

ORIGINAL

PETRA UNGER, EDAW  
Project Manager

PATRICK MURPHY, Senior Planner,  
City of Chico

FRANCIS FARLEY

JOSEPHINE GUARDINO

JAMES MELLEM

SHAWN HUGHES

LON GLAZNER

TRAVIS COPPER

JOHN COPELAND

GREGG PAYNE

Reported by:

KIMBERLY E. DURSO, CSR #11372



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"Conference Room Accommodations in Several Northern California Locations"

6/13/2007

1 WEDNESDAY, JUNE 13, 2007

2 ---000---

3 MR.. VIEG: In the interest of getting the meeting  
4 started and getting us through this process, so people can  
5 get home and spend time with their family and friends, I'm  
6 going to get started here. And then if people come in, we  
7 might have to repeat some of the advice we're giving now.

8 My name is Brendan Vieg. I'm a Senior Planner  
9 with Planning Services Department, City of Chico. And I'm  
10 working as one of the staff members facilitating the Bidwell  
11 Park Master Management Plan update, as well as the  
12 preparation of the environment impact report.

13 I want to quickly clear up, there was a couple  
14 articles in some local newspapers, as well as some stories  
15 in the press, or TV, suggesting that tonight we were  
16 receiving comments, or that council was receiving comments  
17 on the plan, as well as disc golf. That is not the case.

18 Tonight is a very limited scope meeting. Its  
19 focus is predominately on receiving comments on the adequacy  
20 of the environment impact report prepared for the Bidwell  
21 Park's Master Management Plan. There's no council here.  
22 The meeting, in fact, is not being televised. It is being  
23 reported. We have a stenographer here tonight to capture  
24 your comments.

25 So that's just to let you know, again, tonight,

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1 what the scope is. I think it's a little more limited than  
2 what some people had anticipated.

3           Where we are in the process. I mentioned an  
4 environmental impact report has been prepared. We created a  
5 60-day review period for the EIR. That's the longest  
6 available time allowed by the California Environmental  
7 Quality Act, or the latter part of that, with comments being  
8 due at the end of this month, June 26th. Those comments  
9 need to be provided to me, Brendan Vieg.

10           I provided some sheets at the back of the room.  
11 First, there is a notice back there, the availability of the  
12 EIR. It tells you where and how you can submit it: written  
13 format, e-mail, tonight in the form of a verbal. Also,  
14 there is a comment form back there, if you would like to  
15 fill one out tonight, with your written comments, and leave  
16 that with us tonight.

17           Again, I mentioned the scope of tonight's meeting  
18 is fairly focused, again, on comments from the public and  
19 agencies on the adequacy of the environmental document.  
20 We're not here to speak to the merits of the project,  
21 whether you're for or against a certain aspect of the plan.  
22 We will try to clarify if there's specific questions that we  
23 have answers for at the time. But for the most part, we're  
24 taking comments. They're being captured by the court  
25 reporter. And those comments then will be taken and

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1 responded to as a part of a final EIR. The final EIR will  
2 be prepared by staff, in conjunction with the City's  
3 consultant, EDAW.

4 Again, comments can come in many forms: written,  
5 verbal, e-mail. Once the comments have been received and  
6 they are responded to in the form of a final EIR that will  
7 be made available to agencies and public prior to  
8 consideration of the plan, Volume 1, by both Bidwell Park  
9 and the Bidwell Park Playground Commission. We'll be  
10 soliciting their recommendations to council as well as the  
11 environmental impact report; and that will go to council,  
12 we're expecting, some time in the fall.

13 We have Petra Unger here tonight from EDAW, the  
14 consultant. She's going to give a quick, brief overview on  
15 the details of the EIR. And then the remainder of the  
16 meeting will be dedicated, again, to getting your comments  
17 on the EIR.

18 One more thing I'm going to request: Even if you  
19 give your comments tonight verbally, we have found it would  
20 be to your own benefit to submit your comments in writing,  
21 to ensure they're captured the way that you would like them  
22 to be captured and reflected. Your comments, if you give  
23 them verbally tonight, will be responded to. But again, I  
24 strongly suggest you try to put them in written format  
25 before the June 26th date. And they will also then be

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1 responded to as well.

2 With that, I'm going to turn it over to Petra and  
3 then we'll open it up to the public.

4 PETRA UNGER: Thanks, Brendan. What I would like  
5 to do is give a really brief overview as to what is included  
6 in these two documents, because it is a large document with  
7 a lot of information. And in order to comment on the EIR,  
8 it's important that people understand how these documents  
9 relate to each other.

10 So there's two volumes. Volume 1 is the draft  
11 Master Management Plan update. And what this volume  
12 contains is all the information that is known about the  
13 resources in Bidwell Park. It's basically an existing  
14 conditions description. So it serves as a document for  
15 depositing that information. It also serves as the setting  
16 information for the environmental impact report.

17 So the environmental impact report, which is  
18 volume 2, will be referring back to the information  
19 contained in Volume 1. And where that's the case, it will  
20 refer back to the specific section. It will say the Special  
21 Status Plan information is section -- in Section 2, 3, 5,  
22 and so on.

23 Also in Volume 1 is what we call "The Master  
24 Management Plan Update" or, "The Plan." That is Section 3.  
25 It's called "Park Vision, Goals, Objectives and

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1 Implementation Strategies and Guidelines." That is the  
2 description of how the City intends to manage the park in  
3 the future. And so the EIR looks at the impact of  
4 implementing the plan.

5 And then the volume also contains several  
6 technical appendices. Some of them are just there for  
7 writing information. However, there are four appendices  
8 that present specific projects. There is Appendix E, which  
9 is the trail plan; Appendix F, The Horseshoe Lake area  
10 specific plan; Appendix G, the Cedar Grove area concept  
11 plan; and Appendix H, the Disc Golf area concept plan. Four  
12 very specific projects that are also analyzed in detail in  
13 the EIR. And the EIR refers to these projects as the "park  
14 improvement projects."

15 So Volume 2, then, is the environmental analysis  
16 that we are receiving the comments on. And it's important  
17 to note that there are two levels of analysis. There is one  
18 under the CEQA, called the program EIR, that looks at the  
19 environment implementing the plan. And then there's a  
20 project EIR that looks at the project-specific impacts of  
21 those four projects. So it is a complex document.

22 Also, as I mentioned, it does refer back to the  
23 existing condition in Volume 1. It also contains  
24 alternatives, as required by CEQA, for both the plan and  
25 those four specific park improvement projects, as well as

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1 cumulative impacts; those are also required by CEQA.

2 And so finally, I want to give a little overview  
3 of the timeline of the environmental review as it pertains  
4 to this entire EIR. When the City starts an environment  
5 review process, they publish a notice of preparation. That  
6 was done way back in October 14, 2004. And then at that  
7 time, there was a public scoping meeting that was held to  
8 receive comments from the public and the agencies on the  
9 EIR, on the proposed project. And so then the plan itself  
10 and the projects were developed.

11 There were a bunch of technical studies conducted  
12 in support of them, throughout 2005 and early 2006. And  
13 then the environmental analysis, the preparation of the EIR,  
14 took place in summer 2006 through spring 2007. And once the  
15 document was completed, the City published a notice of  
16 availability, which is the document Brendan mentioned that's  
17 at the back of the room. And that basically notified the  
18 public and the agencies that this document is now publically  
19 available for review, and invited comments.

20 And so we're now in the public comment period,  
21 which is the 60-day period; and it will end on June 26th,  
22 2007. And it's important to note that this hearing being  
23 held tonight is not required by CEQA, by law. It's held by  
24 the City in order to receive comments on the analysis. Just  
25 another opportunity for the public and agencies to provide

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1 input. And I think Brendan went over where we'll go once  
2 the comment period is closed. We'll respond to comments  
3 prepared in incorporation with the City, and then we will  
4 review the final with the Parks and Playground Commission,  
5 and ultimately it will go to council for consideration.

6 MR. VIEG: Thank you, Petra.

7 Again, I mentioned earlier about the limited scope  
8 of tonight's meeting. And it's not intended to stymie your  
9 opinions or your thoughts about the merits of the project.  
10 My point is, there will be opportunities for that.

11 Tonight's scope is limited. But as this moves forward  
12 through the Parks Commission and the council, then that's  
13 the opportunity for you to express, I like or dislike  
14 certain components of the plan. And, in fact, there's  
15 nothing to stop individuals from doing that today.

16 There is a draft plan out there that's out and  
17 available. And maybe as an effort to facilitate tonight's  
18 comments -- there's not a very large crowd. In the past,  
19 gotten people up two at a time. So when someone finally  
20 sits down, someone stands up. There's no need to create a  
21 big line; but just so that we can move it along and perhaps  
22 finish early, if that's what happens.

23 And so with that, again, if anybody -- the way  
24 we've got it set up, there's a podium here. Please feel  
25 free to come up and provide your comments. I'm going to

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1 ask -- I don't know if I've been speaking slow enough.

2 But for the stenographer, slow down so she can  
3 capture it accurately. And state your name, provide your  
4 comments. And then if you would, there's a sheet next to  
5 the stenographer. If you could write your name so she has  
6 the proper spelling.

7 With that, I'll just open it up for anybody that  
8 wants to provide comments.

9 PETRA UNGER: Can I say one more thing real quick?  
10 Any of the comments submitted either here and recorded  
11 through the court reporter, or letters, e-mail, et cetera,  
12 they will be in the final EIR. So you will be able to see  
13 your very letter in there and so will everybody else. And  
14 then, there will be a response to particular comments made  
15 in those letters.

16 FRANCIS FARLEY: My name is Francis Farley. I  
17 have some questions, but I also brought a statement along to  
18 read; and I'm not sure that it follows what you've charged  
19 us with. Stop me if --

20 700 feet of the old wagon road will be destroyed,  
21 buried under a parking lot, to accommodate the Bidwell Park  
22 Master Management Plan. Left improperly mitigated, this  
23 substantial adverse change will seriously impair the  
24 historical significance of the entire resource and cause a  
25 loss of eligibility for entry in the California register of

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1 historic resources. This is a clear violation of CEQA  
2 regulations 15064.5.

3 So far so good.

4 MR. VIEG: Yes.

5 FRANCIS FARLEY: The roadway has already suffered  
6 considerable damage to its integrity from the time the first  
7 Frisbee was tossed years ago, through all the changes added  
8 since then. The potential initial impacts and the  
9 subsequent additional impacts were never analyzed,  
10 addressed, or mitigated. A cultural resources assessment  
11 was never authorized, and it should have been.

12 I don't think the road is totally lost. I was up  
13 there a week ago after a thunderstorm -- actually, more like  
14 two weeks. It was during the week, and no activity, no  
15 people, no cars. The sense of history I sensed up there was  
16 profound. That part of the road was exactly like it was  
17 before the first Frisbee was thrown. Very likely, it was  
18 probably like it was when the last wagon passed on that road  
19 a hundred years ago.

20 we have should have a cultural resources  
21 assessment at once before any further damage is done. It's  
22 possible to consult and recommend the golf activity be  
23 removed from the area if CEQA regulations are followed.  
24 It's time to restore the area to its former natural state  
25 and historical significance.

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(Cont.)

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1 I just have some questions.

2 Was the golf course design company told the  
3 location of the old wagon roads?

4 MR. VIEG: There was acknowledgment and --

5 FRANCIS FARLEY: You actually identified the road  
6 to them? You located it for them?

7 MR. VIEG: They knew where it was.

8 FRANCIS FARLEY: They knew exactly? Did they come  
9 out with you to see it? Did you send them a map?

10 MR. VIEG: They had been to the site, and I  
11 believe also a map provided.

12 FRANCIS FARLEY: Yeah; but you're not sure?

13 MR. VIEG: Yes, there was.

14 FRANCIS FARLEY: Do you have the correspondence  
15 that went on between you and the design company? I mean,  
16 you were asking them to do certain things up there. Do you  
17 have copies of that?

18 MR. VIEG: I'm a little unclear --

19 FRANCIS FARLEY: I mean, what did you ask them to  
20 do?

21 MR. VIEG: The charge was to put together a  
22 trailhead plan and a golf central at that location that  
23 could meet three different objectives -- or maybe it was  
24 two: A larger parking lot that would accommodate a large  
25 golf course. And then there was one that was smaller and

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1 they had the -- they visited the site and were aware of the  
2 constraints. And there were some issues as related to  
3 ingress and egress. And so those were all factored in.

4 FRANCIS FARLEY: I see. Excuse me.

5 why did -- if they knew where the roadway was  
6 located, why did they design these improvements or  
7 extensions that would destroy 700 feet of the roadway?

8 MR. VIEG: I believe there was some site  
9 constraints. But if you have a comment specific to that,  
10 please submit it tonight or in writing and we can put  
11 together a response for you.

12 FRANCIS FARLEY: Okay.

13 Has there been a cultural resources assessment  
14 done on the historical features on that road?

15 MR. VIEG: At that location?

16 FRANCIS FARLEY: Where the golf course is located.  
17 Has there been an EIR?

18 MR. VIEG: I'm not sure if we're speaking the same  
19 language, what a cultural --

20 FRANCIS FARLEY: I'm interested in knowing if  
21 people were aware of the historic resources up there; that  
22 if there was an activity that was due to go into this area  
23 and what effect would that development, would that project  
24 have. what impact would it have on the cultural resources?  
25 would it cause the resource to lose integrity, to lose

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(Cont.)

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1 historic significance?

2 MR. VIEG: The answer is yes, and that analysis is  
3 in the EIR.

4 FRANCIS FARLEY: So there is an EIR. And who did  
5 the EIR? Who did the analysis?

6 MR. VIEG: The consultant was EDAW. And the  
7 individual cultural resource specialist, Richard Dice.

8 FRANCIS FARLEY: Dike?

9 MR. VIEG: Dice.

10 FRANCIS FARLEY: Is he listed as one of the  
11 consultants in the EIR?

12 MR. VIEG: He's one of the report preparers that  
13 worked for EDAW.

14 FRANCIS FARLEY: What are his qualifications?  
15 He's an archeologist?

16 MR. VIEG: Correct.

17 FRANCIS FARLEY: Yes. Okay. He came up with the  
18 mitigation measure.

19 There's 700 feet that will be turned into parking  
20 lot. Bulldozers will have to get up there and level the  
21 land and fill in the roadway, that kind of a shallow ditch  
22 that the old historic road is, and then pave it. So it's  
23 all going to be a fairly level --

24 Now, there's a -- there's a mitigation measure is  
25 offered along with that. Who did that mitigation?

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1 MR. VIEG: The entire cultural analysis and  
2 mitigation offered were developed by the consultant.

3 FRANCIS FARLEY: I'm not sure that the consultant,  
4 whoever it was, understood what he needed to do under CEQA  
5 regulations when he -- when he addresses an impact. And if  
6 he determines that the impact is going to take away some  
7 historical significance of the resource, he has to -- he has  
8 to mitigate that. He has to reduce the impact to a less  
9 than significant impact, correct? That's according to CEQA  
10 regulations.

11 MR. VIEG: Right. I guess -- we may disagree on  
12 how that can get achieved. So if you have a question about  
13 whether he appropriately provided mitigation to reduce that  
14 impact, that would be an excellent comment to provide -- I'm  
15 not going to respond to the merits of analysis. If have you  
16 a comment, that is --

17 FRANCIS FARLEY: I think mitigation --  
18 mitigations, I'll remind you, is a sign. It's signage. So  
19 they're going to destroy the road, pavement, put cargo on it  
20 later, running in and out. And then in order to reduce that  
21 to a less than significant impact, they're going to put up a  
22 sign; and the sign will say, "Here lies buried 700 feet of  
23 roadway." That's an entirely improper mitigation. So --  
24 but that's something I can submit.

25 MR. VIEG: That would be an excellent comment.

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1 FRANCIS FARLEY: Okay. Will there be -- will  
2 there been an assessment before the design project is  
3 implemented? I think I read that in the EIR, that as each  
4 project comes up, there will be.

5 MR. VIEG: Further refined environmental review,  
6 that would constitute potentially additional cultural,  
7 biological.

8 FRANCIS FARLEY: Meaning another cultural resource  
9 assessment?

10 MR. VIEG: In the case of this location, I'm not  
11 certain it would be required, because there was a fairly  
12 strong sense of the cultural resources at that location. So  
13 they might be able to tier off of the existing information  
14 that was available. So I'm not sure at this point if I  
15 completely answered your question; but overall, the Bidwell  
16 park Master Management Plan has goals and policies that  
17 requires that subsequent review be done, for instance, for  
18 an additional trail and things along those lines.

19 FRANCIS FARLEY: My concerns are that -- actually,  
20 there was no -- there was no EIR done on this area. If  
21 there had been -- if there had been, the impacts that  
22 occurred up there would have been addressed. They'd have  
23 looked at the -- the T's or whatever that would be placed in  
24 the roadway itself. Or more importantly, the activity that  
25 would be going on in the immediate surroundings of the

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1 resource.

2 CEQA regulations find that the setting is just as  
3 important as the resource. Just as important. And if you  
4 destroy the setting, you also destroy the resource. And  
5 that assessment was never done. As I say, if it had been,  
6 they'd have addressed the activities that were going on in  
7 the area, in the setting. And those activities would have  
8 had to be reduced to less than significant impacts. And  
9 they simply were not.

10 So what I would like to know or like to have done  
11 is, when you do have this final EIR, this final assessment,  
12 before the project is implemented, is not only to look at  
13 the impact of the -- I'm sorry -- the impact of the parking  
14 lot and the activities around it, but also the activities  
15 that have been going on since the beginning, since that  
16 first Frisbee was tossed. Look at both of those and that  
17 would satisfy me.

18 One last thing. What will you direct -- is it  
19 your department that will direct the consultant -- will you  
20 give him -- will you give him a list of things to do to look  
21 at for that final EIR?

22 MR. VIEG: We will be looking at the comments we  
23 receive in providing response.

24 FRANCIS FARLEY: But when he does the EIR, what  
25 will you -- why will he do another EIR? I mean, what is he

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(Cont.)

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1 doing? Has he been told to look for certain things?

2 Patrick, do you understand what I'm getting at?

3 PATRICK MURPHY: Well --

4 FRANCIS FARLEY: When you have a project, you give  
5 the consultant a list of things to do. What's it called?

6 MR. VIEG: Scope.

7 FRANCIS FARLEY: The scope.

8 MR. VIEG: His charge was to look at the impacts  
9 associated with implementation of the Bidwell Park Master  
10 Management Plan, in the case here of putting a parking lot  
11 and a structure at this location. And his analysis is what  
12 you find in the draft EIR. If you find it inadequate, I  
13 would again hope your comments are captured on it and we  
14 also receive them in writing. Since you seem to have a lot  
15 of additional comments, it's probably best captured in a  
16 written comment.

17 FRANCIS FARLEY: Yeah. Yeah. It's that whole  
18 business of the EIR that you say was accomplished. And I  
19 don't see any evidence of it at all. I mean -- okay.

20 Let me just go over some -- and address these last  
21 things.

22 what will your consultant do leveling and paving,  
23 and anticipated impacts? And anticipated impacts as far as  
24 leveling is concerned would be the vehicles coming in.

25 Those are two separate impacts, the impact of the parking

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1 lot and then the additional impact of cars coming in. That  
2 all has an effect on the historical significance of the rest  
3 of the wagon road that's up there. These things all impair  
4 historical significance. So there will be vehicles entering  
5 and parking, parking and exiting.

6 Then there's the golfing activity, direct and  
7 indirect activities there. People moving, Frisbees flying.  
8 People moving. There are anticipated impacts, direct and  
9 indirect.

10 Are there other impacts? Will there be toilets up  
11 there for the people.

12 MR. VIEG: I think part --

13 FRANCIS FARLEY: Will there be a restroom?

14 MR. VIEG: Correct.

15 FRANCIS FARLEY: So that will be addressed? The  
16 impact of these structures, that will be addressed in the  
17 cultural resources assessment?

18 MR. VIEG: I'm suggesting to you that it has been  
19 done. If you're suggesting it has not, you need to provide  
20 your comment.

21 FRANCIS FARLEY: I'd love to come by and have you  
22 point out to me -- I'd love to see the consultant's final --

23 MR. VIEG: Scope.

24 FRANCIS FARLEY: -- his final document. There  
25 must be one.

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1           PATRICK MURPHY: What I hear, and what we can do,  
2 we understand your comments about the potential impacts to  
3 the wagon wheel -- to the wagon road, to the setting itself.  
4 What we'll do is go back and reevaluate with our consultant  
5 about what's the protocol they followed. If we feel that  
6 something you said we didn't adequately either explain or  
7 address, we will further clarify that for you so you can see  
8 the rationale, what they looked at, considered about impacts  
9 of the setting, etcetera. So that will all be set forth in  
10 the final EIR and response.

11           FRANCIS FARLEY: I see. So that will be addressed  
12 in that?

13           PATRICK MURPHY: What I would do, as Brendan  
14 mentioned, is get us -- we would recommend you get us  
15 something in writing, setting forth what you think that they  
16 did or didn't look at, and then we will respond to that in  
17 the final and --

18           FRANCIS FARLEY: Okay.

19           PATRICK: -- and you'll have a chance to respond.

20           FRANCIS FARLEY: Okay. I suppose they'll  
21 eventually be looking for a snack bar to be put in. And  
22 will there been viewing stands? And how about a clubhouse;  
23 will that be -- will they ask for a clubhouse eventually?

24           MR. VIEG: There's no plans for any of those  
25 things.

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1 FRANCIS FARLEY: Not yet. But you know, once the  
2 cattle cut is moved in the tent, there's no stopping it.

3 Okay. Thank you.

4 MR. VIEG: Please sign the sheet.

5 JOSEPHINE GUARDINO: Josephine Guardino,  
6 G-U-A-R-D-I-N-O.

7 In the Master Management Plan, in terms of  
8 historical content, I thought that section lacked a lot of  
9 significant information having to do with the purpose and  
10 the intent of why the park was given. There's no actual --  
11 in the historical content portion of it, there's no record  
12 of the deed or any associated editorials at the time that  
13 really emphasize that Annie Bidwell had given the park to  
14 preserve the natural beauty.

15 Also under that section, one of the historical  
16 contents, for example, the Humboldt Road, I thought more had  
17 been done to actually identify how much of the Humboldt Road  
18 was actually in Bidwell Park, and what kind of condition it  
19 was in. And I thought there should have been mentioned of  
20 the designated California historical landmarks at Hooker  
21 oak, is designated as historical landmark. And I know Chico  
22 -- Rancho Chico Arroyo is designated as a historical  
23 landmark, and I don't know how that applies to Bidwell Park.  
24 And also, the experimental forestry station is a designated  
25 landmark.

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1 Under the impacts for the Humboldt Road at the  
2 Disc Golf trailhead site, you declared that the paving over  
3 the Humboldt Road was not a significant impact. And the  
4 argument that you use, is that because there's already  
5 existing access road that was made next to the Humboldt  
6 Road, that the site's already disturbed, and therefore  
7 impacting the actual Humboldt Road is not significant.

8 I had a hard time following that logic. If you  
9 guys could clarify that a little more. Also, I didn't think  
10 you addressed the impact, the portion of road that wasn't  
11 actually going to be paved over, but that was going to be  
12 included in the fairways. If you look at the maps of the  
13 course, several fairways cross the road. There currently  
14 are impacts to the road, people trampling. And so didn't  
15 think that one -- I think, impact to the road's significant.  
16 And I think you should reconsider that designation.

17 Two, I think you should address the direct,  
18 indirect, and cumulative impact of the remaining 1200 or  
19 1400 feet of the golf -- of the road that's up at the golf  
20 course. I think you should look at other alternatives that  
21 would avoid impacting the road altogether.

22 And another thing that you didn't mention for the  
23 impact is that you said there was no aesthetic impact. And  
24 I think that by paving over the road and diminishing the  
25 natural quality of it, by trampling it, is an aesthetic

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1 impact to me, like that. I would like that to be  
2 considered.

3 JAMES MELLEM: My name is James M-E-L-L-E-M. I'll  
4 be extremely brief. I just wanted to clarify one last  
5 sentence that you had on the notice given. "For each  
6 significant or potentially significant impact, the draft EIR  
7 contains mitigation measures that would reduce these impacts  
8 to less than significant."

9 Am I to interpret this, if the EIR is followed  
10 through as proposed, with the mitigation measures, that it  
11 will be -- basically, the impact will not be existent; i.e.,  
12 the environment will be in the same state it was as before?

13 MR. VIEG: I don't think -- the conclusion is not  
14 no impact, just to a less-than-significant level --

15 JAMES MELLEM: Okay.

16 MR. VIEG: -- based on the thresholds, it's  
17 determined that with the mitigation, they would be reduced  
18 to a level that is considered less than significant.

19 JAMES MELLEM: And that includes the full, I  
20 guess, plan A of the Disc Golf trailhead, everything of that  
21 nature?

22 MR. VIEG: Correct.

23 JAMES MELLEM: Okay. Less than significant.

24 Thank you. Appreciate it.

25 MR. VIEG: Other commenters?

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1 JOHN HUGHES: John Hughes, H-U-G-H-E-S.

2 Just, actually, I only have two real quick  
3 questions. I'm a little unclear about the piece of property  
4 in which the current disc golf course is on as to the  
5 ownership of it prior to becoming the City of Chico. One  
6 of the earlier commenters had stated we should consider what  
7 Annie Bidwell's intentions were when she deeded the  
8 property. It was my understanding the property was part of  
9 the BLM.

10 MR. VIEG: It was part of an acquisition,  
11 40 acres, previously part of the Bureau Land Management.

12 JOHN HUGHES: Did Annie Bidwell deed that to  
13 Chico?

14 MR. VIEG: No.

15 JOHN HUGHES: Let me see if I had any others.

16 How important is it to the plan that the current  
17 dirt road, the wagon road, be actually improved and paved  
18 over?

19 MR. VIEG: I don't know if the -- the plans that  
20 were derived for that location were for that location to  
21 become a trailhead as well as disc golf central. So it's  
22 not a single purpose.

23 JOHN HUGHES: Multi --

24 MR. VIEG: Multi-purpose. And there were some  
25 site constraints in how the -- how you get off 32. what's

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1 already been somewhat impacted by use there? Having the  
2 trailhead there at a close location to the highway, not  
3 moving further out into some other areas with sensitive  
4 resources. Again, have to go back into the -- take a full  
5 look into the reasoning behind the exact location. But all  
6 those factors were considered.

7 JOHN HUGHES: All right. And if for some reason  
8 the site is not used for the disc golf, has there been any  
9 consideration as to what it would be used for?

10 MR. VIEG: The plan still considers, I think, even  
11 under -- one of the alternatives looked at in the EIR is a  
12 restoration option where the disc golf would be discontinued  
13 and there would be restoration activities. The site would  
14 be still used as a trailhead.

15 JOHN HUGHES: Okay. And one last question and  
16 then I'll leave. And is there any idea how long disc golf  
17 has been played at that site?

18 MR. VIEG: I've read lots of numbers or dates  
19 bandied about. 1989, I heard recently.

20 JOHN HUGHES: 1989.

21 MR. VIEG: But, again, the level of intensity is  
22 also issue, of course, you know, as to when there was -- a  
23 couple people out there, and then higher levels of use in  
24 the more recent past.

25 JOHN HUGHES: Then that would bring up another

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1 little question, I guess. Has anybody taken into  
2 consideration the level of use as to when the college is in  
3 versus when the college isn't in?

4 MR. VIEG: I'm not sure that's been factored into  
5 the environment analysis.

6 JOHN HUGHES: I'll just, then, state one  
7 observation. I was there yesterday. And I play disc golf.  
8 And I was playing all winter except, of course, when it was  
9 wet. And there's been a significant, in my observation,  
10 decrease in traffic flow. There was hardly anybody there at  
11 all yesterday. It was glorious. That's something else that  
12 should be considered, especially when people have concerns  
13 about use.

14 One other comment.

15 MR. VIEG: And that was one that maybe -- I'm not  
16 sure -- that's the first comment you've given that speaks to  
17 the adequacy of the EIR. I'm not sure where you're going  
18 with it. I suggest if have you a point --

19 JOHN HUGHES: Okay.

20 MR. VIEG: -- as it relates to that, you would  
21 provide it in a written form.

22 JOHN HUGHES: I will. Yeah. I'll provide it by  
23 June the 6th, I believe.

24 MR. VIEG: Most of the comments you've given are Q  
25 and A.

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1 JOHN HUGHES: well, yeah. I needed clarification.

2 MR. VIEG: We're trying.

3 JOHN HUGHES: Thank you very much.

4 MR. VIEG: Are there other commenter this evening  
5 on the EIR?

6 No questioners?

7 LON GLAZNER: My name is Lon Glazner. I'll talk  
8 very slowly.

9 My concern is over the disc golf restoration  
10 alternative and the fact that it doesn't address additional  
11 ongoing recreational activities at the site. It clearly has  
12 had impact on harmful areas, compaction of top soil and --  
13 which occur in close proximity to sensitive plant species.  
14 By failing to delineate between impacts for mountain biking,  
15 hiking, and disc golf at the existing Highway 32 trailhead,  
16 and since neither disc golf nor bike trails have been  
17 approved by the city of Chico through its Master Management  
18 Plan for this area of the park, it would seem to be  
19 discriminatory against a specific recreational activity and  
20 park use to apply restoration only to the Disc Golf portion  
21 of the park project.

22 Since the city did not inventory impacts by  
23 recreation type, it would be seem that restoration at the  
24 disc golf site would also require restoration and possibly a  
25 cessation of use of that site for mountain biking. which

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1 should then require a restoration alternative to be  
2 evaluated within the context of the trails project plan.  
3 You cannot make the assumption that one activity that  
4 occurred prior to the implementation of the Master Plan, for  
5 the BLM property, warrants a restoration alternative while  
6 the second activity does not.

7 The restoration alternative, which does not meet  
8 the project requirements of the EIR, should either be  
9 removed from the disc golf trailhead plan or a similar  
10 alternative should be added to the trails plan.

11 And just for clarification, can you describe for  
12 us the project description for the disc golf trailhead?

13 MR. VIEG: The project description is Appendix --  
14 in essence, Appendix, what? H. It's in the figures.

15 LON GLAZNER: There's reference in a number of the  
16 alternative analysis regarding the project description or  
17 project purpose. And it leads me to believe that the  
18 purpose of the project is to provide disc golf at that  
19 location with minimal impact to sensitive species of the  
20 plants and the animals and other assets. Is that true?

21 MR. VIEG: (Indicating.)

22 LON GLAZNER: Thank you.

23 MR. VIEG: Other commenters on the adequacy of the  
24 environmental impact report?

25 TRAVIS COPPER: Travis Copper.

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1           My apologies. I didn't have time to get caught up  
2 to speed, you know, between work and everything. But I know  
3 this is supposed to be a comment session not a question  
4 session.

5           Has the EIR considered disc golf as a cultural  
6 resource itself? No? It sounds funny because the EIR is  
7 for -- here's the impact: If we have the disc golf course  
8 -- but obviously, if we remove the disc golf course, that's  
9 obviously a cultural resource.

10           MR. VIEG: I would -- you know -- a lot of focus  
11 is on environmental impact reports. It does have a very  
12 single-focused role. And it's only supposed to --

13           TRAVIS COPPER: I understand.

14           MR. VIEG: It's one of the tools in the tool kit  
15 for decision-makers as making decisions. I don't know if it  
16 would meet the threshold of what constitutes a cultural  
17 resource, but it certainly has a lot of value and merit to  
18 members of the community. So I think that might fall more  
19 into the policy decision that the council ultimately will be  
20 making.

21           But if it's a comment you feel worth pursuing  
22 about, it's -- again, it's cultural -- again, cultural might  
23 have a different definition for CEQA purposes than it does  
24 for you, as far as a social.

25           PETRA UNGER: "Cultural" typically refers to an  
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1 age span that has been wronged. what you're looking for  
2 would be addressed as the recreational section.

3 TRAVIS COPPER: It's a resource. I don't know  
4 which category it's called.

5 PETRA: The closest one to address that would be  
6 recreation section.

7 TRAVIS COPPER: A recreational resource.

8 So my point, then, with what you're saying, the  
9 way I need to make my point is that removal of the disc golf  
10 course should be considered in the recreation resource --  
11 I'm sorry; the what?

12 MR. VIEG: The recreational resources section.

13 TRAVIS COPPER: Okay.

14 PETRA UNGER: well, removal of the disc golf --

15 TRAVIS COPPER: The EIR isn't for removal of the  
16 disc golf course?

17 PETRA: The restoration section of restoration  
18 alternatives. So you would have to look in the alternatives  
19 analysis.

20 TRAVIS COPPER: Right.

21 PETRA UNGER: And the statement if that  
22 alternative would have the same impact on the recreation as  
23 the proposed project.

24 TRAVIS COPPER: Right. Okay.

25 MR. VIEG: other additional comments on the

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1 adequacy of the EIR tonight?

2 JOHN COPELAND: This is quite more interesting  
3 than I thought it was going to be. John Copeland.

4 I had a whole bunch of things I was going to say.  
5 I realize they're not pertinent to what you want to hear.

6 MR. VIEG: There will be opportunities for those  
7 comments.

8 JOHN COPELAND: There are two things that I would  
9 mention that I think may be pertinent. And one of them is  
10 the tree consultant, John Litner, describes using six inches  
11 of chips for mulch around the trees to protect the dirt  
12 there and to allow the regrowth of plants. I think the  
13 effect of planting and putting in the mulch or chips around  
14 will probably be helpful for the trees, but might be  
15 devastating for the forest, the little plants that grow  
16 there. And I don't think that was mentioned as a  
17 contraindication to using chips as he describes.

18 The other thing I want to note is that in  
19 option C, that is the preferred option, that the -- it is  
20 indicated that the long course or the expert course will be  
21 modified, according to the directions of Mr. Balchek, who  
22 has described this.

23 And the other part of that is to use Comanche  
24 creek, the property, as a way to -- what is it, the word to  
25 compensate for the loss of the short course? In other

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1 words, that the short course would be mediated by having the  
2 young golfers, new golfers, go to a different place. I  
3 wonder if you have considered it a place where the experts  
4 could go? Have you considered the other property that might  
5 be available that belongs to the City, that could be used to  
6 replace the current plan, option C, for example.

7 Two places that I know of that will not be used  
8 for any recreational value, one of them is the channel along  
9 the Lindo Channel site, both the north and the south site,  
10 that there may be enough property there to be a place to  
11 mediate the loss of the long course.

12 The other one is the upper part of Bidwell Ranch,  
13 which is several hundred acres that belongs to the City.  
14 And the part of which is certainly designated to be used to  
15 take care of the vernal pools.

16 But the upper part of that property might well be  
17 used for disc golf. I'm sure that there's plenty of  
18 property there to put in disc golf. And I think that should  
19 be an alternative that should be mentioned. I don't think  
20 that disc golfers would like to go there. But still, it's a  
21 big enough place and it does belong to the City.

22 MR. VIEG: Thank you. Thank you for keeping them  
23 focused on the scope of the next meeting.

24 Again, comments on the adequacy of the  
25 environmental impact report. I've got my eye on you.

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1 GREG PAYNE: Greg Payne.

2 Just for a little better clarification for a lot  
3 of people that haven't been involved with this whole process  
4 throughout the year, especially concerning locations, it is  
5 true that the mitigations or the plant species on the disc  
6 golf site are -- the mitigation for these are far above and  
7 beyond what would be required by CEQA, and above and beyond  
8 what was required for those same plant species and sensitive  
9 wild flower habitats in any other part of the Upper Park  
10 throughout this planning process. Right? Is that  
11 something --

12 MR. VIEG: I don't know.

13 GREG PAYNE: You're not sure?

14 MR. VIEG: I don't think that's necessarily true.

15 GREG PAYNE: Okay.

16 MR. VIEG: This should be equal review under CEQA  
17 for the impact.

18 GREG PAYNE: That's what I was getting at. Can we  
19 really hold the consistency to the same plant species to the  
20 other sites the same as we would on the disc golf course?

21 MR. VIEG: Yeah. If you don't feel that's the way  
22 it's been handled, by all means --

23 GREG PAYNE: I think that it was as a gesture of  
24 goodwill, mitigated for above and beyond what was required  
25 in other places or even discussed in other places. And I

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1 think that our plans for the alterations on the course  
2 reflected that. And the other thing is that, isn't it also  
3 true that a lot of the other plans for the trails and the  
4 parking lots and other projects have already begun, gravel  
5 on the trails, improved parking, and things like that, They  
6 have already been taking place, that were brought up in the  
7 master management process?

8 MR. VIEG: Those are predominately maintenance.

9 GREG PAYNE: Right. And isn't it also true we  
10 have not been able to do any maintenance at all on the site  
11 of the disc golf course, right?

12 MR. VIEG: Okay.

13 GREG PAYNE: That's it.

14 JOSEPHINE GUARDINO: Josephine Guardino.

15 I just resubmitted a letter that was from Andrew  
16 Colin, who's a soils scientist with the federal government.  
17 And he did a site assessment at the disc golf course and he  
18 noticed that there was also severe erosion of the top soil  
19 also occurring at the site, and not just soil compaction.  
20 And in the EIR it says there is no soil erosion. And so I'd  
21 like to resubmit that letter and have that section  
22 readdressed to address the erosion of the A horizon. I  
23 didn't think the disc golf analysis was addressed in the  
24 arborist's report.

25 One of the main impacts that he mentioned was the  
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1 ongoing foliage removal of the apical meristems actually  
2 getting knocked off the -- by the discs. And this was  
3 constant. And that combined with the soil compaction and  
4 soil damage, along with drought conditions, were a  
5 significant impact on the trees.

6 And I don't think that was addressed in the EIR.  
7 You didn't talk about foliage removal and the impacts of  
8 that, what could be done to minimize those impacts other  
9 than moving the baskets away from the trees.

10 The new design, the arborist said, even though the  
11 disc golf design was moved, of course, to avoid replant  
12 population and wild field, the new design actually impacts  
13 many more trees than the original design. And also, I would  
14 like you to quantify how many trees are being impacted. One  
15 of the proposed mitigations is to plant new trees. And  
16 unfortunately, the city's been having a really tough time  
17 with replanting. It was -- especially Blue Oak trees.

18 And I would like you to refer to other restoration  
19 sites done in Bidwell Park, and their success or failure to  
20 indicate what one of the problems with that.

21 I also have some concerns about the mulch and  
22 potential impacts from that, primarily, if there's any fire  
23 risk. Or if there could be -- if it could affect the local  
24 environment by changing the nutrients. I'm wondering kind  
25 of -- how the mulch will be maintained, too, and distributed

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1 on the property, if it's going to be carried out with  
2 mechanical vehicles.

3 And I have that same question, too, about how the  
4 course will be built and, you know, if there's going to be  
5 any roads or any heavy equipment actually going into the  
6 site.

7 One of the things that you said, that the disc  
8 golf course wasn't going to have an aesthetic effect because  
9 you're using existing conditions and disturbed conditions.  
10 And you're saying by mitigating that, that would actually be  
11 a benefit to the environment. And some of the mitigation  
12 you talk about is barriers around the trunks of the trees to  
13 prevent them from being damaged; putting in concrete pads  
14 and baskets out; putting the mulch out; and also putting  
15 large boulders to delineate where the trails would be, to  
16 keep disc golfers on that. And I know that's kind of  
17 subjective. But to me, even a natural environment, even in  
18 a disturbed phase, is more aesthetically pleasing to me than  
19 going into a natural environment and seeing those man-made  
20 structures and concrete.

21 And so that's my personal opinion. And I know  
22 that's subjective, but I think that's a real significant  
23 aesthetic impact. When I go to Bidwell, I go to enjoy the  
24 nature and birds and not to see concrete and asphalt. If I  
25 go to the park and see those things, that's a significant

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1 effect for me. I think that there could be other  
2 alternatives to consider, even in Bidwell Park.

3 I know that Hooker Oak has recently agreed to  
4 consider putting a short course there, and I would like to  
5 possibly have the EIR consider looking at that alternative,  
6 because I think it would have less impacts on the  
7 environment. I think it would be more appropriate to have a  
8 disc golf closer to town so it really is available for kids  
9 and people who are low income and they don't have vehicles  
10 and they want to get out and recreate in the park.

11 And I think that's it for right now.

12 MR. VIEG: There might not be a chance to come  
13 back around to round 3. Come on, you guys. Stand up.

14 LON GLAZNER: I'm ready to come back up. Lon  
15 Glazner.

16 And I just want to make a clarification with  
17 regards to the CARD proposed course. And this doesn't have  
18 anything to do with what you guys are looking for. But  
19 since Josephine brought it up, I think it's important for  
20 the public to understand what is being talked about there.

21 It is a 12-hole course with distances of about a  
22 hundred feet and is designed for kids. CARD was very  
23 specific, in that they do not have a piece of property  
24 currently for adult disc golf, either like at the beginner  
25 course or advanced course. So I don't think people should

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1 be looking at that and seeing it as an alternative site.

2 Thank you.

3 MR. VIEG: Anybody else care to provide comments  
4 tonight on the adequacy of the EIR?

5 Josephine?

6 JOSEPHINE GUARDINO: I'll submit the rest in  
7 writing.

8 MR. VIEG: With that, let me just stress that I  
9 strongly suggest there's been some excellent comments  
10 tonight, and things we need to consider. Please submit  
11 comments in writing. We have captured them tonight.

12 Ease of cross-referencing this transcript with  
13 your written comments would ensure they are, first,  
14 characterized the way you want them to be characterized, and  
15 also, then able to provide the best possible response.

16 If you are just an interested party and don't  
17 necessarily have comments, take the notice at the back of  
18 the room or my card, if there are any more left, and feel  
19 free to contact me by e-mail and request to be on the  
20 interested party's list and we'll keep you abreast as this  
21 project moves forward of the availability of final EIR going  
22 to the Park Commission and council.

23 Most people read the local newspapers. You'll  
24 hear about it. But this is one more way we can get in touch  
25 with you if you're an interested party.

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1           If there are no additional comments, we're going  
2 to close the meeting tonight. Thank you everybody for  
3 coming out and keeping your comments on point. I really  
4 appreciate it.

5           (7:03 p.m., hearing ended.)

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6/13/2007

1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER

2

3 I, KIMBERLY E. DURSO, a Certified Shorthand  
4 Reporter, licensed by the State of California, being  
5 empowered to administer oaths and affirmations pursuant to  
6 Section 2093(b) of the Code of Civil Procedure, do hereby  
7 certify:

8 That the said proceeding did occur at the time and  
9 place specified; that the said proceeding was taken before  
10 me, in shorthand writing, and was thereafter transcribed,  
11 under my direction, by computer-assisted transcription;  
12 That the foregoing transcript constitutes a full, true and  
13 correct report of the proceedings which then and there took  
14 place; that I am a disinterested person to the said action.  
15 IN WITNESS WHEREOF, I have hereunto subscribed my signature  
16 on this 25th day of June, 2007.

17

18 Kimberly E. Durso

19 KIMBERLY E. DURSO, CSR

20 Certified Shorthand Reporter

21 California License # 11372

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The commenter asked questions about the nature of the analysis of cultural resource impacts and provided written feedback on potential impacts to the Humboldt Road.

***Response:***

Please refer to Master Response 3–Cultural Resources for responses to Mr. Farley’s concerns.

The commenter made suggestions for inclusion of additional information on cultural resources.

***Response:***

Please refer to response O-1 for edits to the cultural resources section.

The commenter addresses impact to the Humboldt Road resulting from the Disc Golf/Trailhead Area Concept Plan.

***Response:***

Please refer to Master Response 3–Cultural Resources.

Ms. Guardino also submitted a letter from Andrew Conlin. This letter was included in the DEIR as comment A7 above.

The commenter asked for clarification regarding impacts that would be mitigated to less-than-significant level.

***Response:***

No response is necessary, because the request raises no questions regarding the adequacy of the environmental analysis in the DEIR.

The commenter asks several question clarifying historic and existing uses of the disc golf site.

***Response:***

The questions were answered during the hearing. No further response is necessary, because the request raises no questions regarding the adequacy of the environmental analysis in the DEIR.

The commenter requests that additional recreational activities at the Disc Golf/Trailhead Concept Plan site be considered when evaluating impacts. A clarification regarding the project description is also provided.

***Response:***

The DEIR does not specifically distinguish between the type of use and the impacts caused for any of the projects.

No further response is necessary, because the request raises no questions regarding the adequacy of the environmental analysis in the DEIR.



The commenter requests clarification on the nature of disc golf as a resource.

***Response:***

Clarification was provided in the meeting. No further response is necessary, because the request raises no questions regarding the adequacy of the environmental analysis in the DEIR.

The commenter expresses concerns regarding the use of woodchips for mulch at the disc golf site.

***Response:***

Please refer to responses 02-11 and 03-23 above.

The commenter suggests additional sites to consider as off site alternatives for Disc Golf.

***Response:***

Please refer to response 02-17 above for a brief history of alternative sites considered.

The commenter requests clarification on the nature of mitigation measures proposed for the disc golf site and on the relationship between ongoing maintenance and the proposed projects.

***Response:***

Clarification was provided in the meeting. No further response is necessary, because the request raises no questions regarding the adequacy of the environmental analysis in the DEIR.

The commenter submitted a letter from Andrew Conlin with the Natural Resources Conservation Service.

***Response:***

This letter is included and responded to under A7 above.

The commenter raises concerns regarding impacts to oaks and mitigation proposed in the DEIR.

***Response:***

Please refer to response 02-11

The commenter has questions regarding how the course would be built.

***Response:***

Please refer to response 03-27 above.

The commenter raises concerns regarding aesthetic impacts of the disc golf proposal.

Please refer to response 03-17 above.

The commenter would like the EIR to analyze the Hooker Oak disc golf proposal.

***Response:***

This proposal is a CARD project and has undergone a separate environmental review process.

## 4 ERRATA

This chapter contains changes and modifications to the language of the Draft Environmental Impact Report made subsequent to its public release and the public review process. All of these changes are made for clarification purposes and none of them alter the conclusions of the DEIR.

### SECTION E3.2.3 CEDAR GROVE AREA CONCEPT PLAN

The following bullet has been added to the Cedar Grove Area Concept Plan description on Pages E3-10 through E3-15 of the DEIR:

- ▶ Establishment of an entry plaza to the group picnic area, including and information kiosk and benches.

### SECTION E4.3.1 AESTHETICS

The following sentence has been added the Scenic Road/Resources description on Page E4-6 of the DEIR:

The City of Chico's General Plan identifies local scenic roads. Per General Plan Policy CD-G-10 Vallombrosa, Manzanita & Woodland Avenues are designated as local scenic roads. East 8<sup>th</sup> Street is also designated a local scenic road between Bruce Road and SR 32.

### IMPACT AES-4B

The last paragraph on page E4-11 of the DEIR has been revised to clarify the discussion of impacts on aesthetic resources resulting from the Disc Golf/Trailhead Area project as follows:

Environmental criteria that were included in the design process of the proposed Disc Golf/Trailhead Area Concept Plan included areas that were identified for avoidance and protection. These areas, which included occurrences of Butte County checkerbloom, vernal pools, and ephemeral drainages, also constitute ~~visual resources which would be largely avoided under the conceptual project plan.~~ important aesthetic resources. These resources were inventoried and mapped in support of the DEIR analysis and detailed information about their location and extent was provided to the disc golf course/trailhead area design team. As a result, those resources have either been completely avoided in the current proposed design or impacts on these resources have been minimized to the greatest extent possible while still achieving project objectives. This change presents a considerable improvement over the degraded, existing aesthetic conditions, which do not incorporate site specific knowledge of resources or avoidance measures. As a result, the proposed project is expected to improve the aesthetic conditions of the disc golf site. Impacts on sensitive biological resources (which also provide aesthetic value to the site) that could not be avoided in their entirety are addressed in Section E4.3.3, "Biological Resources." This section includes an extensive set of resource-specific mitigation measures aimed at enhancing biological resources at the site, which, in turn, are expected to enhance the aesthetic character of the site. The design criteria also identified resources for impact minimization, including blue oaks and other native oak species, Bidwell's knotweed populations, native wildflower fields, and the old Humboldt wagon road. All of these resources contribute to the attractive visual character of the project site, and under the conceptual plan, impacts on these resources would be minimized to the greatest extent possible as a result of the proposed course design. The design places structures and trails away from sensitive resources and minimizes the site footprint by providing clearly marked trails. It also provides facilities at a centralized location and demarcates parking, seeking to concentrate certain uses near the parking lot area.