

This Draft Environmental Impact Report (Draft EIR or DEIR) was prepared in accordance with and in fulfillment of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. As described in the CEQA Guidelines Section 15121(a), an environmental impact report (EIR) is a public informational document that assesses the potentially significant environmental impacts of a project. CEQA requires that an EIR be prepared by the agency with primary responsibility over the approval of a project (the lead agency). The City of Chico (City) is the lead agency for the proposed City of Chico General Plan Update. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible and have the obligation to balance economic, environmental, and social factors.

1.1 PURPOSE OF THE EIR

CEQA requires the preparation of an EIR prior to approving any project which may have a significant effect on the environment. With respect to the proposed City of Chico General Plan Update, the City has determined that the proposed General Plan Update is a project under CEQA.

The City of Chico has determined that preparation of an EIR is the appropriate CEQA-required documentation due to the potential for significant environmental impacts that could result from implementation of the proposed City of Chico General Plan Update. This Draft EIR evaluates the existing environmental resources in the vicinity of the city and its Planning Area, analyzes potential impacts on those resources due to the proposed General Plan Update, and if necessary, identifies mitigation measures that could avoid or reduce the magnitude of those impacts. This EIR provides a programmatic review of the environmental effects of new development, infill, and/or redevelopment of the city based on land use designations proposed by the General Plan Update. This EIR will be used to evaluate the direct and indirect environmental effects of subsequent development under the General Plan (i.e., residential development, rezones, commercial structures, park sites, recreation facility development, and infrastructure improvements).

This Draft EIR has been prepared to provide the public and responsible and trustee agencies with information about the probable effects of adoption and implementation of the comprehensive update for the City of Chico General Plan. This Draft EIR identifies policies and actions in the proposed General Plan Update that mitigate these effects, as well as any necessary additional mitigation measures to minimize significant impacts to the environment. This EIR also evaluates reasonable alternatives to the proposed General Plan Update.

1.2 KNOWN TRUSTEE AND RESPONSIBLE AGENCIES

For the purpose of CEQA, the term "trustee agency" means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Specifically, the following trustee agencies may have an interest in the proposed City of Chico General Plan Update and its implementation:

- California Department of Fish and Game
- California Department of Parks and Recreation
- California State Lands Commission
- California Department of Conservation
- California Department of Forestry and Fire Protection (CAL FIRE)

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In CEQA, the term “responsible agency” includes all public agencies other than the lead agency that may have discretionary actions associated with the implementation of the proposed City of Chico General Plan Update or an aspect of subsequent implementation of the General Plan. Since potential future implementation decisions may occur many years from now, they cannot be known with certainty. However, it is anticipated that the following agencies may have a role in implementing the City of Chico General Plan Update and have been identified as potential responsible agencies:

- Butte County Air Quality Management District (BCAQMD)
- Butte County – Drainage Facilities
- Butte Local Agency Formation Commission (Butte LAFCo)
- Butte County Airport Land Use Commission (ALUC)
- Butte County Association of Governments (BCAG)
- California Department of Fish and Game (CDFG)
- California Environmental Protection Agency – Solid Waste, Hazardous Materials
- California Department of Housing and Community Development (HCD)
- California Department of Transportation (Caltrans)
- California Department of Water Resources (DWR)
- California Public Utilities Commission (PUC)
- Central Valley Regional Water Quality Control Board (RWQCB)
- Chico Unified School District
- Federal Emergency Management Agency (FEMA)
- State Flood Control Agency
- State Water Resources Control Board (SWRCB)
- U.S. Army Corps of Engineers (USACE)
- U.S. Environmental Protection Agency (USEPA)
- U.S. Fish and Wildlife Service (USFWS)
- National Marine Fisheries Service (NMFS)

1.3 TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR serves as a "Program EIR." Program EIRs are defined by the CEQA Guidelines (Section 15168) as:

[A] series of actions that may be characterized as one large project and may be related either:

- 1) Geographically;*
- 2) As logical parts in the chain of contemplated actions;*
- 3) In connection with the 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 may be mitigated in similar ways.*

The program-level analysis considers the broad environmental effects of the overall proposed General Plan Update. This EIR will be used to evaluate subsequent projects (public and private) under the proposed City of Chico General Plan Update consistent with CEQA and the CEQA Guidelines. When individual projects or activities under the General Plan are proposed, the City would be required to examine the projects or activities to determine whether their effects were adequately analyzed in this EIR as provided under CEQA Guidelines Sections 15168 and 15183.

1.4 INTENDED USE OF THE EIR

This Draft EIR is intended to evaluate the environmental impacts of adoption and implementation of the proposed General Plan Update. The EIR will serve as a source of information in the review of subsequent planning and development proposals, including subsequent environmental review of specific plans, for infrastructure provision and individual development proposals, and for public facilities to serve new development. The EIR will be utilized for the review and preparation of revisions to the City's Municipal Code and Capital Improvement Program.

1.5 ORGANIZATION AND SCOPE

Sections 15122 through 15132 of the CEQA Guidelines identify content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in this Draft EIR were established through review of environmental documentation developed for the project, environmental documentation for nearby projects, and public agency responses to the Notice of Preparation (NOP). This Draft EIR is organized in the following sections:

SECTION 1.0 – INTRODUCTION

This section provides an overview that describes the intended use of the EIR, as well as the review and certification process.

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SECTION 2.0 – EXECUTIVE SUMMARY

This section provides a project narrative and identifies environmental impacts and mitigation measures through a summary matrix consistent with CEQA Guidelines Section 15123.

SECTION 3.0 – PROJECT DESCRIPTION

This section provides a detailed description of the proposed project and project objectives, along with background information and physical characteristics consistent with CEQA Guidelines Section 15124.

SECTION 4.0 – ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

This section contains technical analyses relative to each environmental topic. Included in this section is a comprehensive analysis related to impacts and mitigations that correspond to project implementation. Each subsection contains a description of the existing setting of the project area. The environmental topics are summarized as follows:

- Land Use
- Agricultural Resources
- Population, Housing, and Employment
- Human Health/Risk of Upset
- Transportation and Circulation
- Air Quality
- Noise
- Geology and Soils
- Hydrology and Water Quality
- Biological Resources
- Cultural and Paleontological Resources
- Public Services and Utilities
- Visual Resources
- Energy and Climate Change

SECTION 5.0 – CUMULATIVE IMPACTS

This section discusses the cumulative impacts associated with the proposed project that, when combined with past, present, and reasonably anticipated future events, may have a cumulative impact.

SECTION 6.0 – PROJECT ALTERNATIVES

This section discusses alternatives to the proposed project, including the CEQA mandatory "No Project" alternative, that are intended to avoid or reduce significant environmental impacts of the proposed General Plan Update.

SECTION 7.0 – LONG-TERM IMPLICATIONS

This section contains discussions of significant irreversible environmental changes which would be involved in the proposed action should it be implemented, as well as unavoidable significant environmental effects, including those that can be mitigated but not reduced to a level of insignificance.

SECTION 8.0 – REPORT PREPARERS

This section lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

VOLUME II – TECHNICAL APPENDICES

This volume includes all notices and other procedural documents pertinent to the EIR, as well as all technical material prepared to support the analysis.

1.6 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

NOTICE OF PREPARATION

In accordance with Section 15082 of the CEQA Guidelines, the City prepared a Notice of Preparation (NOP) of an EIR for the project on December 10, 2008. The City was identified as the lead agency for the proposed project. The notice was circulated to the public, local, state, and federal agencies and other interested parties to solicit comments on the proposed project. Two scoping meetings were held on January 13, 2009, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in **Appendix A**.

DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. Upon completion of the Draft EIR, the City will file the Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161).

PUBLIC NOTICE/PUBLIC REVIEW

Concurrent with the Notice of Completion (NOC), the City will provide public notice of the availability of the Draft EIR for public review and invite comment from the general public,

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agencies, organizations, and other interested parties. The public review and comment period is sixty (60) days. Public comment on the Draft EIR will be accepted both in written form and orally at public hearings. Notice of the time and location of the hearing will be published prior to the hearing. All comments or questions regarding the Draft EIR should be addressed to:

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

RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR (FEIR) will be prepared. The FEIR will respond to written comments received during the public review period and to oral comments made at any public hearing.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City will review and consider the FEIR. If the City finds that the FEIR is "adequate and complete," the City may certify the FEIR. Upon review and consideration of the FEIR, the City may act upon the proposed General Plan Update. A decision to approve the project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091 and, if applicable, Section 15093. The City would also adopt a Mitigation Monitoring and Reporting Program, as described below, for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. Mitigations identified in the Mitigation Monitoring and Reporting Program will be incorporated into the General Plan policy document prior to adoption to ensure that they are carried out during project implementation.

MITIGATION MONITORING

CEQA requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures which have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. (California Public Resources Code Section 21081.6(a)) The specific "reporting or monitoring" program required by CEQA is not required to be included in the EIR; however, it will be presented to the City Council for adoption and incorporation into the General Plan.

1.7 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City received several comment letters on the Notice of Preparation for the City of Chico General Plan Update DEIR. A copy of each letter is provided in **Appendix A** of this DEIR. The City received letters from the following federal, state, and local agencies and other interested parties.

- Butte County Public Health
- Butte Local Agency Formation Commission
- California Department of Transportation (Caltrans), District 3

- Chico Chamber of Commerce
- Governor's Office of Emergency Services
- Land Image
- Public Utilities Commission
- Native American Heritage Commission
- Resident Jon Luvaas
- Residents Peggy Mead, Tom Dauterman, and Bill Webb
- Union Pacific

The following summarizes issues raised in the comment letters as well as the author of the letter.

DOUG FOGEL, BUTTE COUNTY PUBLIC HEALTH

- Guiding Principle #2 of the General Plan should be revised to include "actively promote improvements in the public health."

STEPHEN LUCAS, BUTTE LOCAL AGENCY FORMATION COMMISSION

- Butte Local Agency Formation Commission would be a responsible agency for any environmental review regarding a General Plan Update proposal to change a local governmental organization, extensions of services, and/or changes to adopted sphere of influence.
- In reviewing changes to the sphere of influence, Butte LAFCo weighs four determinations which include present and planned land uses, existing and needed facilities, capacity and adequacy of facilities, and the existence of any social or economic communities.
- Discuss how the Planning Area is proposed to receive public services.
- Discuss the ability of existing agencies to provide services.
- Provide a description of existing infrastructure in terms of capability, availability, and capacity.
- Discuss and analyze the effects of jurisdictional changes, sphere of influence-related changes, and municipal service review changes.
- Consider and evaluate any City Sphere of Influence changes through the environmental review process before making a formal request to Butte Local Agency Formation Commission.

SUKHVINDER TAKHAR, CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), DISTRICT 3

- Address impacts to the State Highway System resulting from the General Plan with the use of a traffic impact study.

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- Address fair share costs toward funding improvements.
- Suggests update to the current nexus study and fee program with the General Plan Update.
- Notes the goal of 6-lane segments of State Route 99 as well as an alternate alignment for State Route 32.
- Recommends the development of a series of Corridor System Management Plans for portion of State Route 99.
- An encroachment permit is required for all work proposed within the state right-of-way.

JOLENE FRANCIS, CHICO CHAMBER OF COMMERCE

- Review the General Plan Land Use Map before completion of the scope of the Draft EIR to ensure the availability of lands designated meets the needs of commercial and industrial employers.

ANDREW RUSH, GOVERNOR'S OFFICE OF EMERGENCY SERVICES

- Address the requirements in state planning law and determine if there are hazard issues within the community.
- Recommend mitigation measures in the Draft EIR to compensate for any state planning law requirements that have not been met, if any, within the General Plan.

GREG MELTON, LAND IMAGE

- Consider the issues of future development along the "North West Esplanade route."
- Consider provided alternatives to the proposed General Plan land use designations for "North West Esplanade" properties.

DANIEL KEVIN, PUBLIC UTILITIES COMMISSION

- Consider potential project-related rail safety impacts and mitigation measures to reduce adverse impacts to rail safety within the Planning Area.
- Restrict housing from areas adjacent to existing rail yards.
- Restrict housing from areas adjacent to at-grade highway rail crossings or areas within the footprint of land needed for future grade-separation structures.

KATY SANCHEZ, NATIVE AMERICAN HERITAGE COMMISSION

- Contact the appropriate Information Center in order to determine if the Planning Area has previously been surveyed for cultural resources, whether cultural resources have already been found in or within the vicinity of the Planning Area, the probability that cultural resources are located in the Planning Area, and whether any future surveys are necessary regarding cultural resources.

- Future surveys should contain site forms, site significance, and mitigation measures to be submitted to the City Planning Division.
- All information regarding site locations, Native American human remains, and associated funeral objects should not be made available to the public.
- Include mitigation regarding accidentally discovered archeological resources, Native American remains, and the disposition of recovered artifacts. In areas of identified archaeological sensitivity, a certified archeologist and a culturally affiliated Native American should monitor all ground-disturbing activities.

JON LUVAAS, RESIDENT

- Address the fiscal and public service impacts of increased population and acreage of development.
- Address the General Plan's contribution to carbon emissions and the ability to meet the requirements of Assembly Bill 32 and Executive Order S-3-05.

PEGGY MEAD, TOM DAUTERMAN, AND BILL WEBB, RESIDENTS

- The Land Use Plan [now the Land Use Diagram] should be reconsidered before the scope of the Draft EIR is completed.
- The General Plan should accommodate more single-family dwellings with large lots.

PATRICK R. MCGILL, UNION PACIFIC

- Incorporate the findings of a traffic study that addresses at-grade road crossings of the railroad line in the Planning Area.
- Incorporate the findings of a traffic study that addresses the possible need for closures of at-grade intersections.
- Address the General Plan's effect on aesthetic problems created by increases in vandalism due to development near the railroad right-of-way.
- Analyze odor and noise impacts from increased train and vehicle activity in the areas near the railroad right-of-way.