



# MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM CITY OF CHICO PUBLIC WORKS - ENGINEERING

Based upon the analysis and findings contained within the attached Initial Study, a Mitigated Negative Declaration is hereby proposed and adopted by the City of Chico Public Works - Engineering Department for the following project:

**PROJECT NAME:** Esplanade Corridor Safety and Accessibility Improvement Project (Capital Project #50355, ATPCML-5037(037))

**APPLICANT(S) NAME:** City of Chico Public Works – Engineering Department (Brendan Ottoboni, Director of Public Works – Engineering Department)

**PROJECT LOCATION:** The proposed project is located along an approximate 1.25-mile segment of the Esplanade within the City of Chico between Memorial Way and East 11th Avenue, along Oleander Avenue between Memorial Way and East 10th Avenue, along East 10th Avenue between Esplanade and Oleander Avenue, and along Memorial Way between Esplanade and approximately 0.06 miles (335 feet) east of the Memorial Way and Oleander Avenue intersection. The project is in the “Chico, CA” USGS Quadrangle, Sections 22 and 27, of Township 22 North, Range 1 East.

**PROJECT DESCRIPTION:** The City of Chico proposes to create a separated and paved Class I multi-use bicycle/pedestrian path along the Esplanade, connecting downtown; California State University, Chico; Chico Junior and Senior High Schools; a regional hospital; and neighborhoods adjacent to the existing Airport Class I multi-use path at 11th Avenue. The parallel street to the east of the Esplanade, Oleander Avenue, would also receive signage, sidewalk, signal, and stop control improvements between 10th Avenue and Memorial Way. A roundabout would be installed at the intersection of Oleander Avenue and Memorial Way adjacent to Chico Junior High School. Two traffic signals are proposed to be installed at the intersections of Oleander Avenue/1st Avenue and West Sacramento Avenue/Esplanade.

Existing traffic signals would be outfitted with pedestrian signal crossing equipment (now absent), updated detection equipment, an associated traffic signal timing plan to accommodate the added pedestrian phases, and pedestrian refuge islands where applicable. Appropriate ADA ramps and sidewalks would be added. The proposed non-motorized “complete streets” improvements along the Esplanade corridor and on Oleander Avenue are listed in more detail below.

## Pedestrian Improvements

- Install new pedestrian countdown crossing signal heads and pedestrian push button activation at all existing traffic signals on the Esplanade with sufficient crossing timing that meets Federal guidelines.
- Add vehicle detection as necessary replacing timed signalization with an on-demand detection system.
- Provide adequate pedestrian crossing refuge islands at unsignalized intersections on the Esplanade.
- Consistently mark pedestrian crosswalks at all crossing locations.
- Prepare enhanced signal timing plan to respond to vehicles, bikes and pedestrian needs.

- Maintain signal progression on the Esplanade during off-peak hours

#### ADA Improvements

- Improve connection to the 11th Avenue Airport Class I multi-use path with adequate walkway and ramps, on the southwest, southeast and northeast corner of the intersection.
- Install ADA accessible curb ramps at all crosswalk locations.
- Install missing sidewalks at identified gap closure locations (see project footprint map)

#### Bicycle Facility Improvements

- Install paved Class I multi-use bicycle/pedestrian path on old rail right-of-way (east side) with appropriate safety crossing measures.
- Discourage wrong-way riders on the west side frontage road by adding a shared space pavement design to slow vehicle and bicycle traffic through conflict zones.
- Add marked bicycle route on Oleander Avenue which favors minimal stopping except at 1st Avenue and 5th Avenue.
- Install traffic signals at West Sacramento Avenue/Esplanade and Oleander Avenue/1st Avenue with bike crossing emphasis.

#### Junior High School Area Improvements

- Change intersection design at Memorial Way/Oleander Avenue (near Chico Junior High School) to a single-lane roundabout.

#### General Vehicle Guidance Improvements

- Provide clear and consistent pavement markings at frontage road intersection areas.
- Create the shared space area at crossings of the east-west streets and frontage roads.
- Install traffic signal indications guiding cross traffic to stop “outside” of the frontage road where appropriate.

#### 11th Avenue Connection Improvements

- Enhance connections between the 11th Avenue and the Airport Class I multi-use path.

#### Other Amenities

- Install pedestrian-scale lighting in the form of full cutoff, energy-efficient LED fixtures restricted to illuminate pathways in order to minimize light “spill over” to adjacent properties.
- Install replacement landscaping within the project footprint.

#### Typical Signalized Intersection

- Provide a Class I multi-use path in the eastern median.
- Provide textured “mixing zone” at the intersection of southbound frontage and east-west cross streets.
- Eliminate northbound right-turn pocket, where applicable.
- Provide pedestrian refuge islands on medians.
- Update signal timing with adequate crossing time in the east-west directions.
- Refresh striping and add crosswalks, where applicable.

#### Typical Unsignalized Intersection

- Provide a Class I multi-use path in the eastern median.
- Provide textured “mixing zone” at the intersection of southbound frontage and east-west cross streets.
- Provide pedestrian refuge islands on medians.
- Refresh striping and add crosswalks, where applicable.

#### ROW Acquisition and Temporary Construction Easements

To construct the roundabout at the intersection of Memorial Way and Oleander Avenue, both temporary (1,200 square feet) and permanent (1,400 square feet) acquisition is needed from undeveloped land on a parcel containing several Butte County department offices (APN 003-180-022). Temporary and permanent acquisitions would be from a small portion of undeveloped land at the northwest corner of the intersection, away from structures, trees, and other parcel features.

#### Construction and Schedule

The project would be constructed in one phase. It is currently anticipated that the proposed improvements would be constructed over an approximate 9-month period starting in early Spring of 2022.

Typical construction equipment would include pneumatic jack hammers, excavators, grading equipment, paving equipment, concrete equipment, striping equipment, generators, or other similar devices. The maximum grading and excavation depth needed for most of the project is approximately 3 inches. However, for the roundabout excavation depths of 3 to 4 feet may be necessary. All construction noise would be temporary and subject to the noise limits in the Chico Municipal Code, Chapter 9.38 Noise Ordinance, which regulates noise generation within the City of Chico. Construction activity noise is typically restricted to the hours of 7:00 a.m. to 9:00 p.m. on weekdays (10:00 a.m. to 6:00 p.m. on weekends and holidays), unless otherwise approved by the City Engineer. No night or weekend work is anticipated for the proposed project.

#### Traffic Management

A traffic management plan would be developed and implemented during construction in accordance with Caltrans’ 2018 Standard Specifications and in compliance with the California Manual on Uniform Traffic Control Devices, Part 6, "Temporary Traffic Control." The Esplanade and Oleander Avenue would remain open during construction; however, the project would temporarily impact traffic patterns with on-site traffic controls (e.g., flagging, pilot car) and episodic, temporary single-lane traffic closures. The proposed project would not permanently close roadways or block access to private or commercial properties.

**FINDING:** The City of Chico, as the Lead Agency, has reviewed the proposed project and on the basis of the whole record before the agency, has determined that there is no substantial evidence that the project, with implementation of the following mitigation measures, will have a significant effect on the environment. This Mitigated Negative Declaration reflects the Lead Agency’s independent judgment and analysis. An Environmental Impact Report is not required pursuant to the California Environmental Quality Act (CEQA).

**BIOLOGICAL RESOURCES MITIGATION MEASURES:**

- D.1. (Biological Resources – Migratory and Non-Migratory Birds): In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code (e.g., 3503, 3503.4, 3504, 3505, et seq.), When feasible, project-related construction activities, including tree and vegetation removal, will be initiated or occur during the non-nesting season (August 16 through January 31).

If project-related construction activities, including tree and vegetation removal, must occur during the avian nesting season (February 1 through August 15), a preconstruction survey for nesting birds shall be conducted by a qualified biologist not more than 7 days prior to the start of noise-generating activities, ground-disturbing construction, or vegetation trimming or removal activities. The survey shall cover the area within the project area and 250 feet outside of the project boundary where accessible. To the maximum extent practicable, a minimum buffer zone from occupied nests shall be determined by the qualified biologist and maintained during physical ground-disturbing activities. Once nesting has ceased, the buffer may be removed.

If an active nest is found, then the biologist will map the nest location and establish an appropriate species protection buffer around the active nest(s) as determined by the biologist. Construction and vegetation removal activity shall be prohibited within the buffer until the young have fledged (i.e., fly) or the nest fails. Nests shall be monitored once per week and written findings reported to the City (e-mail OK).

Conduct an additional migratory bird and raptor survey if vegetation removal and/or construction stops for more than 15 days. The survey shall be conducted within seven (7) days prior to the continuation of activities.

- D.2. (Biological Resources – Special Status Bat Species): A qualified biologist will conduct a habitat assessment of the project area to identify potential habitat for bat maternity roosts (e.g., human-made structures, large-diameter trees, snags). Removal of potential roost habitat identified during the assessment will be avoided during the bat maternity season (May through mid-August). If removal of potential roost habitat occurs outside of the maternity season, no further mitigation will be required.

If removal of potential roost habitat must be conducted during the maternity season, preconstruction inspections for bats will be conducted using appropriate methods (e.g., camera inspection, exit survey with night optics, acoustic survey) within 14 days of vegetation removal. If bats are found during inspections, removal of that roost feature will be delayed until the end of the maternity season or until a qualified bat biologist has determined that the young are capable of flight.

- D.3. (Biological Resources – Project Site Management): To avoid attracting predators and nuisance species, the project area will be clear of debris, where possible. All food-related trash items will be enclosed in sealed containers and regularly removed from the project area. Limits of grading and construction activities within the project area will be clearly delineated.

**BIOLOGICAL RESOURCES MITIGATION MONITORING:** Prior to commencement of and during construction activities, the Public Works staff shall ensure that the mitigation measures are implemented through inclusion in construction contracts, project plans and field inspections by the Public Works - Engineering Department. Public Works will arrange for a qualified biologist to conduct a pre-construction nesting bird and will ensure the survey occurs within seven (7) days prior to the start of noise-generating construction activities. Public Works will arrange for a qualified biologist to conduct an assessment of potential habitat for bat maternity roost and to conduct pre-construction roosting bat survey within fourteen (14) days of habitat removal if removal must occur during the bat maternity season (May through mid-August). Implementation of the above measures will avoid or minimize potentially significant impacts to biological resources to a level that is considered **less than significant with mitigation incorporated**.

**CULTURAL RESOURCES MITIGATION MEASURES:**

- E.1. (Tribal Monitor): The City's contractor shall provide for the presence of a Mechoopda Indian Tribal Monitor during all earth moving and ground disturbing activities. The City shall provide the contractor's contact information for the purpose of providing direct information to the Tribal Monitor regarding project scheduling and safety protocol, as well as project scope, location of construction areas, and nature of work to be performed. The determination to be present for any, some, or all construction activities shall be at the discretion of the Tribal Monitor.
- E.2. (Inadvertent Discovery): If during ground disturbing activities, any potentially prehistoric, protohistoric, and/or historic cultural resources are encountered, the supervising contractor shall cease all work within 10 feet of the find (100 feet for human remains) and notify the City. A professional archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and being familiar with the archaeological record of Butte County, shall be retained to evaluate the significance of the find. City staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. If human remains are uncovered, the project team shall notify the Butte County Coroner pursuant to Section 7050.5 of California's Health and Safety Code. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the City, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the City to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.

If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 10 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery.

CULTURAL RESOURCES MITIGATION MONITORING: Prior to commencement of and during construction activities, the Public Works staff shall ensure that the mitigation measures are implemented through inclusion in construction contracts, project plans and field inspections by the Public Works - Engineering Department. Should cultural resources, human remains, or paleontological resources be encountered, the supervising contractor will be responsible for reporting any such findings to the Public Works - Engineering Department.

Implementation of the above measures will minimize potentially significant impacts to previously unknown cultural and paleontological resources that could be unearthed during construction activities and will reduce potential impacts to a level that is considered **less than significant with mitigation incorporated**.

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7/27/2020  
Date

Adopted by: Tracy R. Bettencourt  
Tracy R. Bettencourt — City of Chico  
Regulatory and Grants Manager  
(for Brendan Vieg, Community Development Director)

7/27/20  
Date