

PROPOSED MITIGATED NEGATIVE DECLARATION

BRAD B. FREEMAN BIKE TRAIL REALIGNMENT PROJECT

LEAD AGENCY

California Department of Water Resources
Oroville Field Division
460 Glen Drive
Oroville, CA 95966

Availability of Document: The draft Initial Study (IS) for this proposed Mitigated Negative Declaration (MND) is available for review at:

1. Department of Water Resources, Oroville Field Division, 460 Glen Drive, Oroville, CA 95966
2. Butte County Clerk/Recorders Office, 25 County Drive, Oroville, CA 95965
3. Department of Water Resources website at:
<http://www.water.ca.gov/recreation/locations/oroville/environmental.cfm>

Questions and/or comments regarding the proposed MND and the draft IS should be submitted no later than 3:30 p.m. on August 05, 2009, to:

California Department of Water Resources
Attn: Gail Kuenster
460 Glen Drive
Oroville, CA 95966
Fax (530) 534-2394
kuenster@water.ca.gov

Project Description: The California Department of Water Resources (DWR) is proposing to realign and improve a section of the existing Brad B. Freeman Bike Trail along the east (left) bank of the Thermalito Diversion Pool and the Feather River downstream of the Thermalito Diversion Dam. The proposed project is linear and would involve the relocation of approximately 1,150 linear feet (0.217 mile) of bicycle trail out of the Union Pacific Railroad (UPRR) right-of-way. Approximately 3,309 linear feet (0.627 mile) of existing trail would also be improved. In addition to the proposed realignment of the trail, the following improvements are proposed:

1. Clear and grub a 5-foot swath along 3,309 linear feet of the trail.
2. Construct three rock berms in the Thermalito Diversion Pool to allow trail users safe passage over sections of water that fall within the proposed realignment. The berms would have a top width of 8 feet and 2:1 side slopes. Berms would be constructed using 1,332 tons of rock, 6,162 square feet of geotextile fabric, and 175 tons of gravel.

3. 42-inch-diameter culverts would be installed to allow water to pass through the rock berms.
4. Covered fencing would be installed at the railroad bridge undercrossing. The covered section of the trail would include a 25-foot section on each side of the railroad bridge and a 20-foot section under the bridge. Both 25-foot sections upstream and downstream of the bridge would include a metal decking attached to the top of the fence.
5. 232 feet of barbed wire fencing would be installed along the UPRR property line to keep trail users from trespassing onto UPRR property.
6. New signage would be installed along the trail.

Findings: The draft IS has been prepared to determine if the proposed project could have a significant effect on the environment. Based on the IS, it has been determined that the proposed project would not have any significant effects on the environment after implementation of mitigation measures. The mitigation measures identified in the draft IS and a mitigation monitoring and reporting plan (MMRP) will be adopted to ensure compliance with the required mitigation measures. This conclusion is supported by the following findings:

1. The proposed project would have no effects related to Agricultural Resources, Mineral Resources, Population and Housing, Public Services, and Recreation.
2. The proposed project would have a less-than-significant impact on Aesthetics and Utilities.
3. The proposed project would have potentially significant impacts related to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, and Transportation/Traffic.

The following mitigation measures would be implemented to avoid or minimize environmental impacts. Implementation of these mitigation measures would reduce the environmental impacts of the proposed project to a less-than-significant level.

AIR QUALITY

Mitigation Measure #1–Fugitive Dust

Dust shall be controlled during project construction activities. Dust controls shall include, but not be limited to the following elements, as appropriate:

- a. During clearing, grading, earth-moving, excavation, and other construction activities, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
- c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

- d. Onsite construction vehicles shall be limited to a speed of 15 mph on unpaved roads.
- e. Haul vehicles transporting soil into or out of the project area shall be covered.
- f. Any roads and streets that are used for construction access or adjacent to the project area shall be cleaned at least once per day if dirt or mud from the project area has been tracked onto these roadways.
- g. Construction workers shall park in only in designated parking area(s).
- h. A publicly visible sign with the telephone number and person to contact regarding dust complaints shall be posted at the project area. The contact person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall be visible to ensure compliance with BCAQMD Rule 200 & 205 (*Nuisance and Fugitive Dust Emissions*).

Mitigation Measure #2–Construction Equipment Exhaust

- a. All construction equipment shall be maintained in proper tune according to manufacturer’s specifications.
- b. To the extent practicable, the use of diesel construction equipment meeting the CARB’s 1996 or newer certification standard for off-road heavy-duty diesel engines shall be maximized.
- c. Unnecessary vehicle idling shall be restricted to 5 minutes or less.
- d. Maximize use of gasoline-powered equipment in lieu of diesel-powered equipment where feasible.
- e. Visible emissions from stationary diesel-powered equipment shall not exceed 40 percent opacity for more than three minutes in any one-hour.

BIOLOGICAL RESOURCES

Mitigation Measure #3–Waters of the United States

- a. Project authorization under a Nationwide Permit 14 (Linear Transportation Projects), or other permit authorization if appropriate, shall be obtained from the USACE prior to the discharge of any dredged or fill material into waters of the United States. All terms and conditions of the USACE authorizations shall be implemented.
- b. State Water Quality Certification shall be obtained from the Central Valley RWQCB prior to the discharge of any dredged or fill material into waters of the United States and/or waters of the State. All terms and conditions of the Water Quality Certification shall be implemented.
- c. Notification of Streambed Alteration shall be submitted to the CDFG and, if required, a Streambed Alteration Agreement shall be obtained prior to any modification of drainage channels. All terms and conditions of the Streambed Alteration Agreement (if required) shall be implemented.
- d. All rock placed within waters of the United States shall be mechanically washed to obtain a cleanliness value (cv) of no less than 85 percent when tested in accordance with the California Department of Transportation (Caltrans) California Test 227—Method of Test For Evaluating Cleanliness of Coarse Aggregate.
- e. The contractor shall prepare a Water Quality Control Plan which incorporates a Storm Water Pollution Prevention Plan (SWPPP) to contain construction activity pollutants such as

wastes, erosion, and sediments. The SWPPP will include provisions for water quality protection and for implementing Best Management Practices (BMPs) chosen to mitigate for construction activity pollutants.

- f. The boundaries of designated staging areas shall be designated by flagging and/or staking, or other similar method showing exact location of designated staging areas that may be occupied by the contractor. Designated staging areas shall be located such that they do not drain directly into waters of the United States. Temporary spoil sites shall be protected from the potential for erosion using measures such as compaction, mulching, covering, or containment.
- g. Fuel, oil and other petroleum products shall be stored only at the designated staging areas. The use of hazardous materials shall be avoided or minimized where possible. Material containment containers shall be clearly labeled with identity, handling and safety instructions, and emergency contact. Any soils contaminated by spills or cleaning wastes shall be contained and shall be removed to an approved disposal site.
- h. The contractor shall maintain construction equipment to minimize petroleum drippings. Stationary power equipment such as engines, pumps, generators, welders, and air compressors located within or adjacent to waters of the United States shall be positioned over drip pans.
- i. Fuel transfer vehicles shall have absorbent pads, pillows, socks, booms or other spill containment materials placed under the fueling operation (between the fuel truck and the equipment being serviced). A trained service attendant shall monitor the filling of equipment and shall stop fuel flow immediately if a spill occurs. Fuel transfer shall not resume until the problem is resolved as approved.

CULTURAL RESOURCES

Mitigation Measure #4—Comply with State Laws Relating to Archaeological Resources and Native American Remains

- a. Prior to any grading activities, the project applicant shall include a note on all construction plans advising contractors and construction personnel involved in any form of ground disturbance of the possibility of encountering subsurface cultural resources or bones. If such resources are encountered or suspected, work shall be halted immediately and the construction contractor shall contact DWR. A professional archaeologist shall be consulted to assess any discoveries and develop appropriate management recommendations for archaeological resource treatment. Management recommendations shall be implemented prior to reinitiation of activities in the immediate vicinity of the discovery.
- b. If human remains are discovered during construction activities, all activities in the vicinity of the find shall be suspended and the appropriate Butte County Coroner shall be notified. If the coroner determines that the remains may be those of a Native American, the Coroner shall contact the Native American Heritage Commission (NAHC). Treatment of the remains shall be conducted in accordance with the direction of the County Coroner or the NAHC, as appropriate.

GEOLOGY AND SOILS

Implement Mitigation Measure #3–Waters of the United States

HAZARDS AND HAZARDOUS MATERIALS

Implement Mitigation Measure #3–Waters of the United States

Mitigation Measure #5–Fire Hazard

- a. Prior to initiation of construction activities, the contractor shall submit a Fire Prevention and Control Plan to DWR for approval. The Fire Prevention and Control Plan shall include the procedures to be followed, current emergency telephone numbers, and an area map.

HYDROLOGY AND WATER QUALITY

Implement Mitigation Measure #3–Waters of the United States

NOISE

Mitigation Measure #6–Construction Noise

- a. Construction activities (including equipment warm-up) shall be limited to 7:00 a.m. to 7:00 p.m. (Monday through Saturday) and 9:00 a.m. to 6:00 p.m. (Sunday).
- b. Where possible, noise-generating activities shall be combined to occur in the same time period. The total noise level produced shall not be significantly greater than the level produced if the operations were performed separately.
- c. To the extent practicable, the contractor shall use newer construction equipment or retrofit older equipment to make the associated noise as unobtrusive as possible (i.e., installing mufflers).

TRANSPORTATION/TRAFFIC

Mitigation Measure #7–Construction-Related Traffic

- a. The construction contractor shall prepare and implement a traffic control plan to address traffic on the work site and haul traffic to and from the work site. The plan shall be approved by DWR prior to initiation of construction activities.
- b. Construction vehicles shall follow established truck routes to the greatest extent practicable.
- c. Construction traffic shall be restricted to existing roads and flagged right of way or temporary construction easement. Construction vehicles shall observe a 25 mph speed limit on project roads.
- d. Construction parking shall be restricted to the designated staging areas.

Determination: In accordance with Section 21082.1 of CEQA, DWR has independently reviewed and analyzed the draft IS and proposed MND for the proposed project. The draft IS and proposed MND reflect the independent judgment of DWR. DWR has determined that adoption of a MND is appropriate and that the preparation of an Environmental Impact Report will not be required. DWR will adopt an MMRP to ensure compliance with the required mitigation measures for the proposed project.

Pete Scheele
Chief, Oroville Field Division
Department of Water Resources

Date

Brad B. Freeman Bike Trail Realignment

Initial Study and Proposed Mitigated Negative Declaration



July 2009

Lead Agency:
Department of Water Resources
Oroville Field Division
460 Glen Drive
Oroville, California 95966

Prepared by:
North State Resources, Inc.
500 Orient Street, Suite 150
Chico, California 95928
(530) 345-4552

NSR #14201



Brad B. Freeman Bike Trail Realignment

Initial Study and Proposed Mitigated Negative Declaration

July 2009

Lead Agency:
Department of Water Resources
Oroville Field Division
460 Glen Drive
Oroville, California 95966

Prepared by:
North State Resources, Inc.
500 Orient Street, Suite 150
Chico, California 95928
(530) 345-4552

NSR #14201

PROJECT INFORMATION

Project Title: Brad B. Freeman Bike Trail Realignment

Lead Agency Name and Address: Department of Water Resources
Oroville Field Division
460 Glen Drive
Oroville, CA 95966

Contact Person and Phone Number: Ms. Gail Kuenster
Staff Environmental Scientist
460 Glen Drive
Oroville, California 95966
(530) 534-2401
kuenster@water.ca.gov

Project Location: Left (east) side of the Thermalito Diversion Pool/Feather River, from approximately 850 feet south of the Thermalito Diversion Dam to approximately 175 feet north of the Union Pacific Railroad (UPRR) bridge crossing over the Thermalito Diversion Pool, Butte County, California.
APN #'s 033-010-038, 033-010-039, 033-101-040, and 033-101-041

General Plan Designation: Public

Zoning: P-Q (Public, Quasi Public)

Description of Project:

The State of California, Department of Water Resources (DWR) is proposing to realign and improve a section of the existing Brad B. Freeman Bike Trail along the east (left) bank of the Thermalito Diversion Pool and the Feather River downstream of the Thermalito Diversion Dam (proposed project). The proposed project is linear and would involve the relocation of approximately 1,150 linear feet (0.217 mile) of bicycle trail out of the UPRR right-of-way (ROW). Approximately 3,309 linear feet (0.627 mile) of existing trail would also be improved.

In addition to the proposed realignment of the trail, the following improvements are proposed:

1. Clear and grub a 5-foot swath along 3,309 linear feet of the trail.
2. Construct three rock berms in the Thermalito Diversion Pool to allow trail users safe passage over sections of water that fall within the proposed realignment. The berms would have a top width of 8 feet and 2:1 side slopes. Berms would be constructed using 1,332 tons of rock, 6,162 square feet of geotextile fabric, and 175 tons of gravel surfacing.
3. 42-inch-diameter culverts would be installed to allow water to pass through the rock berms.

4. Covered fencing would be installed at the railroad bridge undercrossing. The covered section of the trail would include a 25-foot section on each side of the railroad bridge and a 20-foot section under the bridge. Both 25-foot sections upstream and downstream of the bridge would include a metal decking attached to the top of the fence.
5. 232 feet of barbed wire fencing would be installed along the UPRR property line to keep trail users from trespassing onto UPRR property.
6. New signage would be installed along the trail.

Surrounding Land Uses and Setting: Public/Quasi-Public. The proposed project area is located on land owned by the State of California and is associated with the DWR Thermalito Diversion Pool and Thermalito Diversion Dam in the Lake Oroville State Recreation Area.

Other Public Agencies Whose Approval May Be Required (e.g., permits, financing approval, or participation agreement):

1. California Department of Fish & Game (CDFG) (Region 2)
2. California Regional Water Quality Control Board (RWQCB) (Central Valley Region)
3. U.S. Army Corps of Engineers (USACE) (Sacramento District)

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Section 1 Introduction

1.1 Introduction and Regulatory Guidance

This document is an Initial Study (IS) that summarizes the environmental studies prepared for the proposed Brad B. Freeman Bike Trail Realignment Project (proposed project) and provides justification for a Mitigated Negative Declaration (MND) for the project. This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines. The purpose of this document is to evaluate the potential environmental impacts of the proposed project. Mitigation measures have been proposed to avoid or minimize any significant impacts that were identified.

1.2 Lead Agency

The Lead Agency is the public agency with primary responsibility for implementing a proposed project. Accordingly, the California Department of Water Resources (DWR) is the CEQA Lead Agency.

1.3 Supporting Environmental Studies

Environmental studies conducted for this project include: 1) waters of the United States delineation report; 2) biological resources reports; and 3) archaeological survey report. These environmental reports are available for review at:

Department of Water Resources
Oroville Field Division
460 Glen Drive
Oroville, CA 95966

1.4 Document Organization

This Initial Study is composed of the following chapters:

1. **Chapter 1.0—Introduction:** describes the purpose and content of this document.
2. **Chapter 2.0—Project Description:** provides a comprehensive description of the proposed project, tentative schedule, and required permit approvals.
3. **Chapter 3.0—Environmental Impacts and Mitigation Measures:** describes the environmental impacts of the proposed project using the CEQA Environmental Checklist. Where appropriate, mitigation measures are provided to reduce potentially significant impacts to a less-than-significant level.

4. **Chapter 4.0—Determination:** provides the environmental determination for the proposed project and a summary of the mitigation commitments.
5. **Chapter 5.0—Report Preparation and References:** identifies the individuals responsible for the preparation of this document and provides a list of references used to prepare this document.

Section 2 Project Description

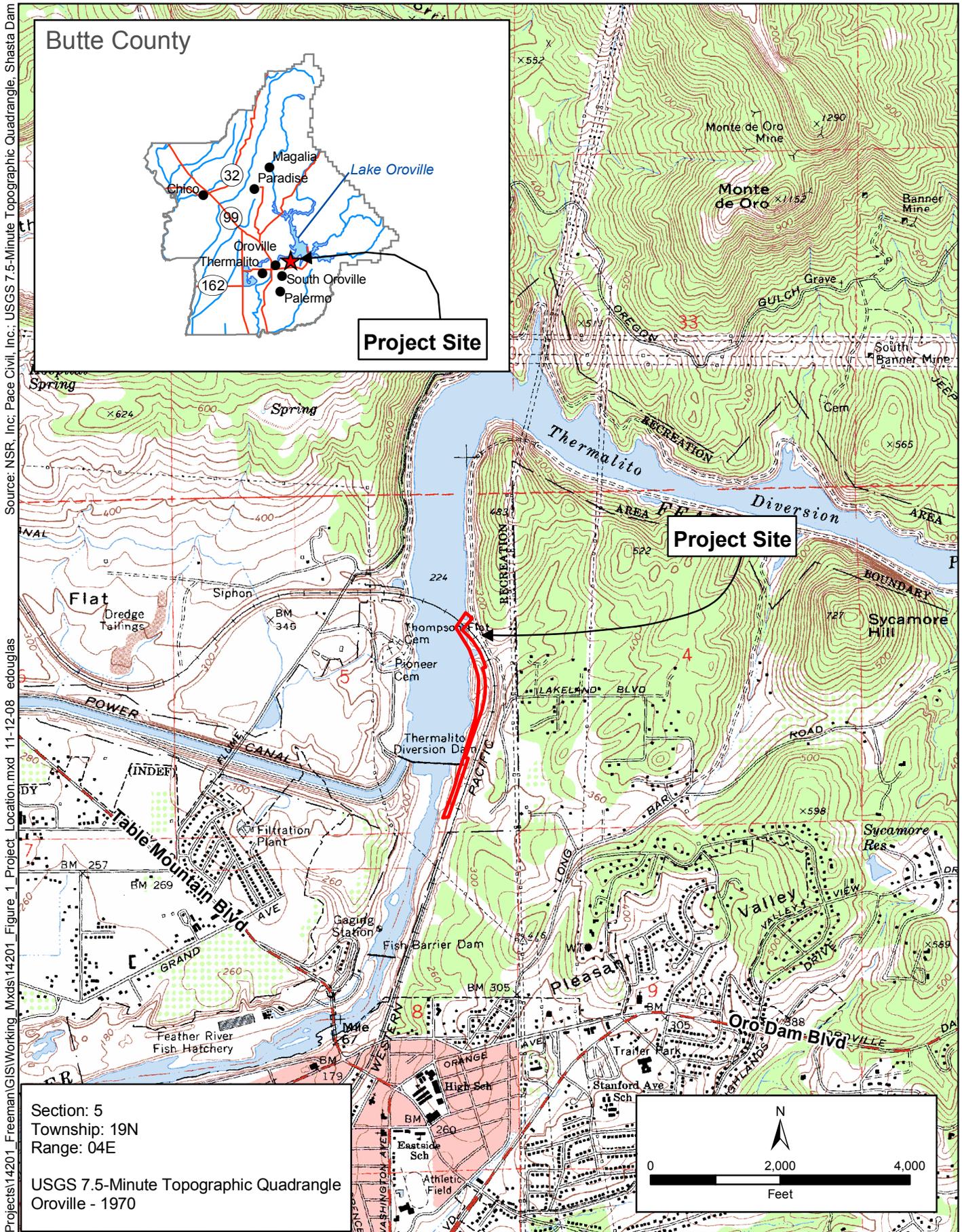
2.1 Location

The Brad B. Freeman Bike Trail Realignment Project area is located on the left (east) side of the Thermalito Diversion Pool/Feather River, from approximately 850 feet south of the Thermalito Diversion Dam to approximately 175 feet north of the UPRR bridge crossing over the Thermalito Diversion Pool. This location corresponds to a portion of Section 5, Township 19N, Range 4E of the *Oroville, California* U.S. Geological Survey (USGS) 7.5 minute topographic quadrangle (Figure 1). The approximately 6.38 acre project area includes four parcels: Assessor Parcel Numbers (APN) 033-010-038, 033-010-039, 033-101-040, and 033-101-041. An aerial photograph of the project area, illustrating the existing and proposed trail alignment, is shown in Figure 2.

2.2 Existing Facility Conditions

The proposed project involves a portion of the existing 41-mile Brad B. Freeman Trail, a part of the Oroville State Recreation System public recreation trail used by mountain bikers, equestrians, and hikers. The trail follows the shoreline portions of the Thermalito Forebay, Thermalito Afterbay, and the Thermalito Diversion Pool, and crosses the Oroville Wildlife Area, as well as the crest of the Oroville Dam. Topography within the project area is relatively steep from west to east. The trail however, which runs north to south, has a much more gradual slope, following the contours of the hillside. The southern half of the project area is higher in elevation and is primarily characterized as an upland ridgeline with an uneven rocky terrain. The northern half of the project area tends to be somewhat lower in elevation, with some incursions into open water and the shoreline. Both the existing and proposed trail alignments parallel the existing UPRR tracks. Elevations range from approximately 210 feet to 280 feet above mean sea level.

The purpose of the proposed project is to realign a portion of the Brad B. Freeman Bike Trail in the vicinity of the Thermalito Diversion Pool and the Thermalito Diversion Dam to its crossing of the UPRR tracks. This project involves trail relocation to pass under the UPRR railroad bridge at the east end of the proposed alignment. Currently, trail users must pass over the tracks near the northern end of the project area in order to proceed along the trail; an action that poses a significant safety hazard to both recreationists and trains traveling through the area. As it now exists, the section of the trail proposed for realignment not only poses a serious hazard to trail users, but is also a liability issue for the UPRR. In order to keep the trail intact, UPRR has requested that DWR relocate the trail so that it does not cross directly over the railroad tracks or encroach on the UPRR ROW.



Source: NSR, Inc.; Pace Civil, Inc.; USGS 7.5-Minute Topographic Quadrangle, Shasta Dam

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Figure 1
Project Location and Vicinity

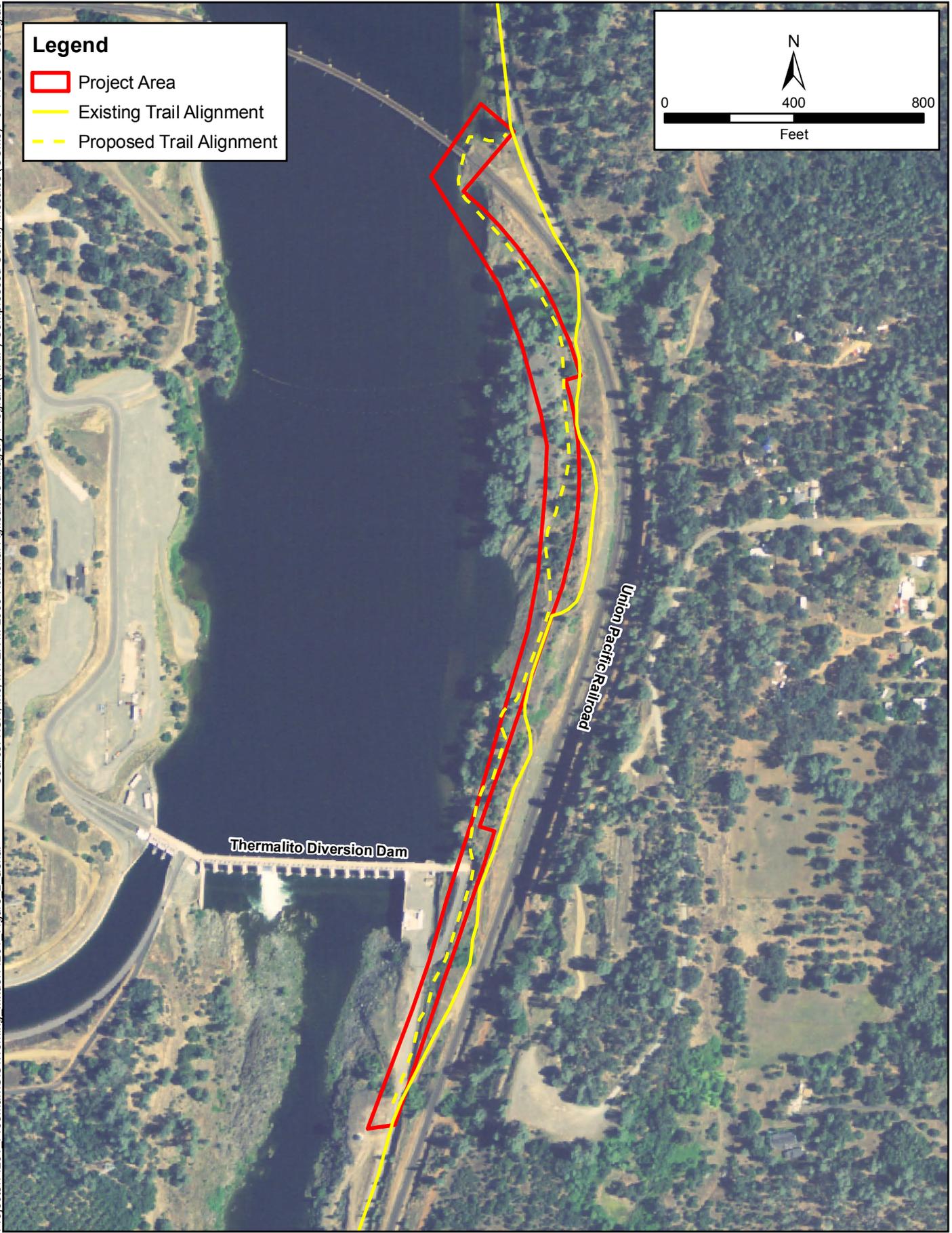


Figure 2
Aerial Photograph of Project Area

2.3 Proposed Project

The proposed project consists of relocating approximately 1,150 linear feet of bike trail and improving a total of 3,309 linear feet of existing trail. There is adequate space along the DWR ROW to relocate the trail, with the exception of three locations. At these locations, the bank of the Thermalito Diversion Pool borders the UPRR ROW. Realignment of the bike trail at these locations requires constructing crossings over the Thermalito Diversion Pool (Figure 3). Plan and profile drawings of the proposed project are provided in Appendix A.

The new bike trail alignment would be five feet wide and would follow an existing fiber optics cable line that was constructed in the 1990s; installation of the line has left a narrow path of cleared vegetation that is used as a foot trail through the area. The northern portion of the trail, which currently crosses the railroad tracks, would be re-routed to pass beneath the existing railroad bridge abutment, where it turns westward to span the Thermalito Diversion Pool. Berms would be constructed in the Thermalito Diversion Pool, under the UPRR bridge to allow the passage of trail users to and from the eastern portions of the trail.

In addition to the proposed realignment of the trail, the following improvements are proposed:

1. Clear and grub a 5-foot swath along 3,309 linear feet of the trail.
2. Construct three rock berms in the Thermalito Diversion Pool to allow trail users safe passage over sections of water that fall within the proposed realignment. The berms would have a top width of 8 feet and 2:1 side slopes. Berms would be constructed using 1,332 tons of rock, 6,162 square feet of geotextile fabric, and 175 tons of gravel surfacing.
3. 42-inch-diameter culverts would be installed to allow water to pass through the rock berms.
4. Covered fencing would be installed at the railroad bridge undercrossing. The covered section of the trail would include a 25-foot section on each side of the railroad bridge and a 20-foot section under the bridge. Both 25-foot sections upstream and downstream of the bridge would include a metal decking attached to the top of the fence..
5. 232-feet of barbed wire fencing would be installed along the UPRR property line to keep trail users from trespassing onto UPRR property.
6. New signage would be installed along the trail.

A floating barge would be used to construct the rock berms. The barge would access the Thermalito Diversion Pool from an existing boat ramp near the north end of the Thermalito Diversion Dam. Rock for the berms would be stockpiled near the boat ramp and loaded onto the barge with a loader and barge-mounted crane outfitted with a clamshell bucket. Rock would be transported across the Thermalito Diversion Pool and placed in the water using the crane. Pipe culverts would be placed near the bottom of the pool and covered with rock. Once the rock has been placed, the geotextile fabric and gravel surfacing would be installed on top of the berms. Some excavation of the side bank would be required where the berms abut the bank of the Thermalito Diversion Pool. Upon

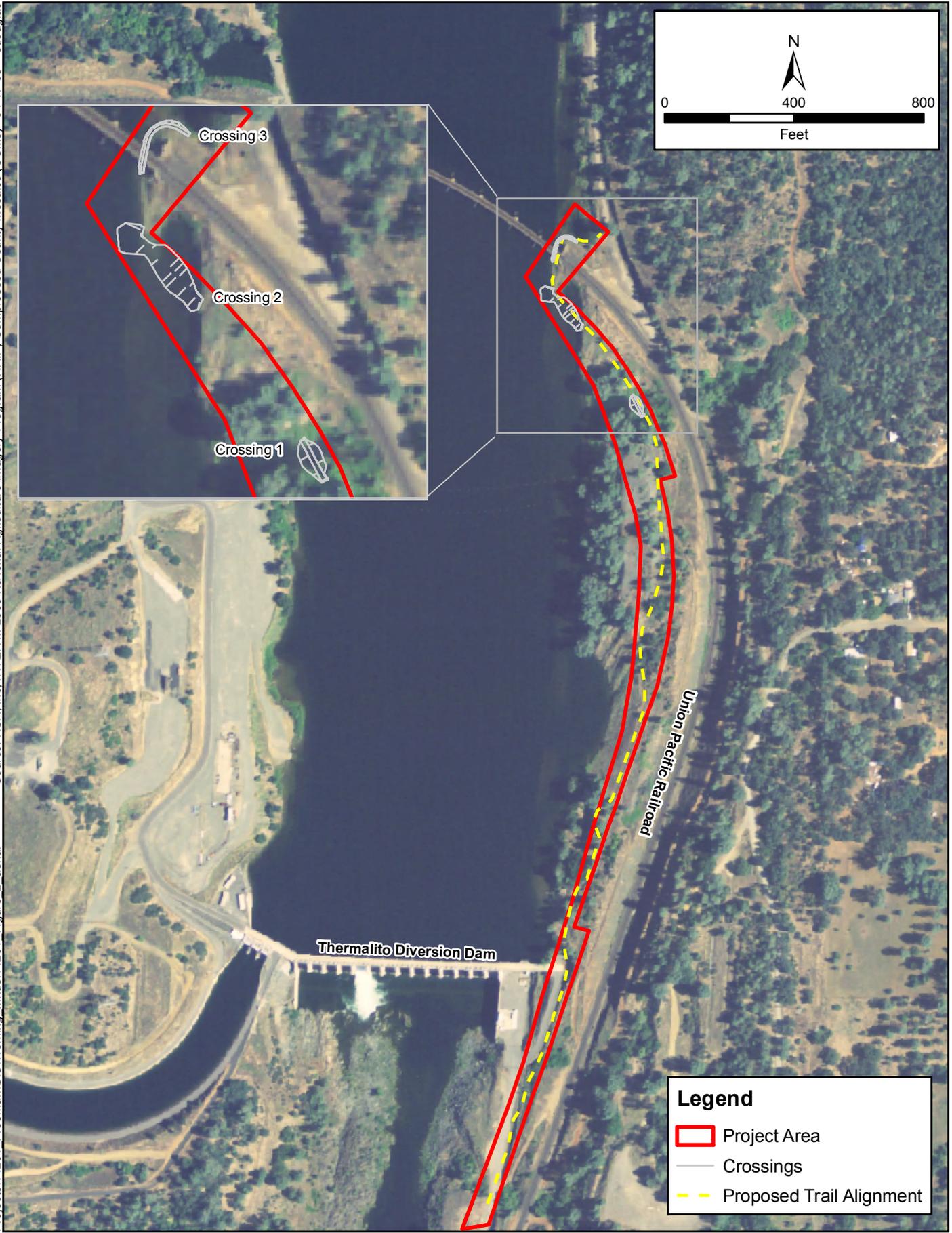


Figure 3
Crossings of Thermalito Diversion Pool

completion of the trail realignment, barbed wire and covered fencing would be installed along the UPRR ROW and against the UPRR bridge undercrossing.

2.4 Equipment

Project construction would require the use of various construction equipment such as front end loaders, graders, dump trucks, backhoes, a crane, a barge, pick-up trucks, and paving equipment. Construction would not require any blasting or pile driving.

2.5 Construction Criteria and Methods

Construction of the proposed project would follow the criteria and methods outlined in the following paragraphs.

Contractor Staging Areas/Construction Access Routes

The contractor(s) would stage in the existing parking area at the Thermalito Diversion Dam, immediately south and in close proximity to the proposed project alignment, and would utilize existing roads and an existing boat launch to access construction sites.

Air Pollution and Dust Control

Air pollution control would conform to all applicable air pollution control rules, regulations, ordinances, and statutes. Dust would be controlled during construction activities and subsequent operation of the project. The dust controls may include, but not be limited to the following elements, as appropriate:

1. Pursuant to *California Vehicle Code* (Section 23114), all trucks hauling soil and other loose material to and from the construction site would be covered or would maintain at least two feet of freeboard (i.e., minimum vertical distance between top of load and the trailer).
2. When excavation and other soil-disturbing activities are completed in an area, revegetation would be initiated within 30 days. If an area is closed to operations during the dry season, revegetation efforts may be postponed until the first rain to ensure revegetation success.
3. Equipment and manual watering would be conducted for all stockpiles, dirt/ gravel roads, and exposed or disturbed soil surfaces, as necessary, to reduce airborne dust.
4. DWR or the contractor would designate a person to monitor dust control and to order increased watering as necessary to prevent transport of dust offsite. This person would also respond to any citizen complaints.

Fill Import and Export

Onsite soils and clean rock and riprap from offsite sources would be used as fill in accordance with activities authorized under the USACE's NWP 14. No fill would be exported from the site.

Water Pollution Prevention

Water pollution control measures would be implemented during and after construction of the proposed project. Some of these key water pollution control measures relevant to the proposed project include the following:

1. All rock placed within waters of the United States shall be mechanically washed to obtain a cleanliness value (cv) of no less than 85 percent when tested in accordance with the California Department of Transportation (Caltrans) California Test 227—Method of Test For Evaluating Cleanliness of Coarse Aggregate.
2. The contractor shall prepare a Water Quality Control Plan which incorporates a Storm Water Pollution Prevention Plan (SWPPP) to contain construction activity pollutants such as wastes, erosion, and sediments. The SWPPP will include provisions for water quality protection and for implementing Best Management Practices (BMPs) chosen to mitigate for construction activity pollutants.
3. The boundaries of designated staging areas will be designated by flagging and/or staking or other similar method showing exact location of designated staging areas that may be occupied by the contractor. Designated staging areas shall be located such that they do not drain directly into waters of the United States. Temporary spoil sites shall be protected from the potential for erosion using measures such as compaction, mulching, covering, or containment.
4. Fuel, oil and other petroleum products shall be stored only at the designated staging areas. The use of hazardous materials shall be avoided or minimized where possible. Material containment containers shall be clearly labeled with its identity, handling and safety instructions, and emergency contact. Any soils contaminated by spills or cleaning wastes shall be contained and shall be removed to an approved disposal site.
5. The contractor shall maintain construction equipment to minimize petroleum drippings. Stationary power equipment such as engines, pumps, generators, welders, and air compressors located within or adjacent to waters of the United States shall be positioned over drip pans.
6. Fuel transfer vehicles shall have absorbent pads, pillows, socks, booms or other spill containment materials placed under the fueling operation (between the fuel truck and the equipment being serviced). A trained service attendant shall monitor the filling of equipment and shall stop fuel flow immediately if a spill occurs. Fuel transfer shall not resume until the problem is resolved as approved.

2.6 Tentative Schedule

The proposed project is anticipated to begin construction in 2009 or 2010, with project completion anticipated by 2010 or 2011.

Section 3 Environmental Setting, Impacts, and Mitigation Measures

This chapter provides an evaluation of the potential environmental impacts of the proposed project, as well as the CEQA Mandatory Findings of Significance. A discussion of cumulative impacts is included at the end of this chapter.

The following 16 environmental issue areas are addressed in this chapter:

- | | |
|------------------------------------|-----------------------------------|
| 1) Aesthetics | 9) Land Use and Planning |
| 2) Agricultural Resources | 10) Mineral Resources |
| 3) Air Quality | 11) Noise |
| 4) Biological Resources | 12) Population and Housing |
| 5) Cultural Resources | 13) Public Services |
| 6) Geology and Soils | 14) Recreation |
| 7) Hazards and Hazardous Materials | 15) Transportation/Traffic |
| 8) Hydrology and Water Quality | 16) Utilities and Service Systems |

Each of these issue areas was fully evaluated and one of the following four determinations was made:

1. **No Impact:** No impact to the environment would occur as a result of implementing the proposed project.
2. **Less-than-Significant Impact:** Implementation of the proposed project would not result in a substantial and adverse change to the environment and no mitigation is required.
3. **Potentially Significant Impact:** Implementation of the proposed project could result in an impact that has a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (CEQA Guidelines Section 15382).
4. **Potentially Significant Unless Mitigation Incorporated:** A “potentially significant impact,” as described above, that can be reduced to a less-than-significant level with the incorporation of project-specific mitigation measures.

3.1 Environmental Setting

Regional Setting

The proposed project is located at the edge of the Sacramento Valley on the western slope of the Sierra Nevada foothills in southern Butte County. The foothills are composed of rolling to steep hills, low ridges, and narrow valleys. Vegetation communities vary from grasslands to oaks at the lower elevations, to dense stands of shrubs and hardwoods intermixed with conifers at higher elevations. The climate is characterized by hot, dry summers and cool, wet winters.

Local Setting

The stretch of bike trail that would be affected by the proposed project extends along the east (left) bank of the Thermalito Diversion Pool and the Feather River downstream of the Thermalito Diversion Dam, approximately 0.8 mile north of the city of Oroville. The project area is zoned Public/Quasi-Public (P-Q). DWR manages the area outside the UPRR ROW. The 41 mile Brad B. Freeman Bike Trail is part of the Lake Oroville State Recreation System public recreation trail and is used by mountain bikers, equestrians, and hikers. The existing trail parallels the UPRR tracks crossing over the tracks at the northern extent of the project area.

The dominant land use in the project area is public open space (recreation), with the adjacent diversion pool being used for both recreational use and hydroelectric power generation. The UPRR, which parallels the bike trail throughout much of the project alignment, is a part of the north/south interstate railroad transportation corridor that runs throughout the state. Agricultural residential zoning is located to the east and across the diversion pool to the west, outside of the boundaries of the state recreation area land. Much of the project area is rocky and is characterized by open grassland habitat with occasional gray pine and chaparral shrubs. A cove at the northern end of the project area supports riparian vegetation.

Climate

Climatic conditions in the Oroville area are characterized by a Mediterranean climate with cool, wet winters and hot, dry summers. Precipitation averages 28 inches annually, most of which occurs as rain between October and March (Western Regional Climate Center 2007). Air temperatures range between an average January high of 55° F and an average high of 96° F during July (Western Regional Climate Center 2007). Daily high temperatures commonly exceed 100° F during the summer. The year-round average high is approximately 75° F (Western Regional Climate Center 2007). The soil temperature regime is thermic, and the growing season occurs between January 29 and December 19 (Western Regional Climate Center 2007).

Topography and Hydrological Setting

The topography within the proposed project area generally consists of a steep bank and terrace adjacent to the Thermalito Diversion Pool. Elevations range from 210 to 280 feet above mean sea level, with the terrain generally sloping west towards the diversion pool. The northern half of the project area is higher in elevation and is primarily characterized by an upland ridgeline and an uneven, rocky terrain, while the southern half is lower in elevation and is less rocky and steep.

The Thermalito Diversion Pool, the Thermalito Diversion Dam, and the Feather River downstream of the diversion dam are the dominant hydrologic features in and immediately adjacent to the project area. Water impounded by the Thermalito Diversion Dam is released into the Feather River or diverted to the Thermalito Diversion Dam Power Plant and the Thermalito Pumping–Generating Plant to be used for power generation. Stormwater runoff from the hillside adjacent to the proposed project area is primarily conveyed via sheet flow to the Thermalito Diversion Pool, although a small perennial drainage near the northern end of the trail alignment also conveys runoff into the diversion pool.

Vegetation Communities/Wildlife Habitats

Four general habitat types were identified in the project area: annual grassland, lacustrine (open water), valley foothill riparian, and barren. Habitats were characterized based on descriptions provided in *A Guide to Wildlife Habitats of California* (Mayer and Laudenslayer Jr. 1988). Detailed descriptions for each habitat are provided below.

Annual Grassland

Annual grassland habitat is the predominant habitat type within the upland areas of the project area. The habitat is characterized by a dominance of non-native annual grasses and forbs. Common grass species include Italian rye (*Lolium perenne* ssp. *multiflorum*), soft brome (*Bromus hordeaceus*), rigput brome (*Bromus diandrus*), wild oat (*Avena fatua*), and medusahead (*Taeniatherum caput-medusae*). Common forbs include yellow star-thistle (*Centaurea solstitialis*), western vervain (*Verbena lasiostachys*), broomsedge (*Andropogon virginicus*), bull thistle (*Cirsium vulgare*), hairy vetch (*Vicia villosa*), and field hedge-parsley (*Torilis arvensis*).

Annual grasslands are productive wildlife habitat. Grassland bird species, such as the mourning dove (*Zenaida macroura*), savannah sparrow (*Passerculus sandwichensis*), and white-crowned sparrow (*Zonotrichia leucophrys*) as well as rodents, including the California ground squirrel (*Spermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*), and deer mouse (*Peromyscus maniculatus*), forage on the seed crop this community provides. These species, in turn, attract predators such as the gopher snake (*Pituophis catenifer*), American kestrel (*Falco sparverius*), red-tailed hawk (*Buteo jamaicensis*), northern harrier (*Circus cyaneus*), and coyote (*Canis latrans*). Other common grassland species include the western meadowlark (*Sturnella neglecta*), and black-tailed hare (*Lepus californicus*). Reptile species expected to occur here include the western fence lizard (*Sceloporus occidentalis*), western skink (*Eumeces skiltonianus*), western rattlesnake (*Crotalus viridis*), and yellow-bellied racer (*Coluber constrictor*).

Lacustrine

The lacustrine habitat type includes lakes, reservoirs, and ponds greater than five acres in size that contain standing water (Mayer and Laudenslayer Jr. 1988). The Thermalito Diversion Pool is classified as lacustrine habitat. The lacustrine habitat type is subdivided into three zones: the limnetic zone (deep open water), littoral zone (shallow-water areas where light penetrates to the bottom), and shore (water border with less than 2 percent vegetative cover). All three zones are present within the project area, specifically at its northern end.

Lacustrine habitats provided food, water, cover, and areas for reproduction for many species of wildlife and fish. The bald eagle (*Haliaeetus leucocephalus*) and osprey (*Pandion haliaetus*) feed on fish such as rainbow trout (*Oncorhynchus mykiss*). Waterfowl rest on open water and forage in the littoral zone and near shore habitats. Pacific chorus frogs (*Pseudacris regilla*) may breed and spend the first stages of their life cycle in lacustrine habitats of the project area.

Valley Foothill Riparian

Valley foothill riparian habitat is not well-developed along the steep banks due to the high energy scour and poor, well-drained soils. Limited riparian habitat (10-20 feet wide) is present within the

cove near the northern end of the project area. The riparian habitat is characterized by scattered native trees, blackberry shrubs, and grapevines rooted in crevices and between boulders and cobbles. Dominant shrubs and vines include Himalayan blackberry (*Rubus discolor*), and California wild grape (*Vitis californica*).

Riparian communities are among the most important habitats for wildlife because of their high floristic and structural diversity, high biomass (and therefore high food abundance), and high water availability. This habitat provides breeding, foraging, and roosting habitat for a diverse array of animals.

Barren

Barren habitat areas are defined as areas with less than two percent herbaceous cover and less than 10 percent tree cover. Barren areas within the project area are located mainly on the steep shorelines above the Feather River, and also include unvegetated gravel bars, reservoir drawdown zones, and rock outcrops.

This habitat provides few resources to wildlife species. Although some species associated with adjacent habitats likely forage on the bare soil on the site to some extent, use of this habitat by wildlife is expected to be limited.

3.2 Environmental Impacts and Mitigation Measures

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
I. AESTHETICS				
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- (a,c) ***Less-than-Significant Impact.*** The proposed project involves the realignment and enhancement of an existing recreation trail. Although some vegetation would be removed and fencing would be installed along parts of the trail, the effect on aesthetics in the project area would be less than significant given the level of existing disturbance (e.g., the railroad bed and the existing trail alignment). All proposed actions would be within the existing trail corridor and would have a less-than-significant effect on the scenic vista associated with the Thermalito Diversion Pool and its infrastructure. No mitigation is required
- (b) ***No Impact.*** The proposed project is not located within a state scenic highway corridor. No mitigation is required.
- (d) ***No Impact.*** Implementation of the project would not create any additional potential sources of light or glare beyond that which already exists. No mitigation is required.

Mitigation Measures

None required.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a-c) *No Impact.* There are no farmlands located within the project area or the Lake Oroville State Recreation Area. Therefore, the project would have no effect on farmland. No mitigation is required.

Mitigation Measures

None required.

Potentially Significant Impact
 Potentially Significant Unless Mitigation Incorporated
 Less than Significant Impact
 No Impact

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | | |
|----|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Violate any air quality standard or contribute to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) | Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) | Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- (a) **No Impact.** The project would not conflict with any applicable air quality plan. No mitigation is required.
- (b,c) **Potentially Significant Unless Mitigation is Incorporated.** The project site is located within the Northern Sacramento Valley Air Basin (NSVAB). Although the amount of air pollutant emissions generated within the NSVAB is small compared to the more densely populated areas to the south, the northern Sacramento Valley tends to accumulate pollutants transported by winds moving up the valley from the broader Sacramento and San Francisco Bay metropolitan regions. The Butte County Air Quality Management District (BCAQMD) has primary responsibility for attainment and maintenance of air quality standards in the vicinity of the project area. Butte County is in a “non-attainment” status for ozone (state 1-hour and federal 8-hour) and state air quality standards for particulate matter (PM₁₀ and PM_{2.5}) (Butte County Air Quality Management District 2009; California Air Resources Board 2009a; U.S. Environmental Protection Agency 2009).

While not contributing significantly to the ozone levels (ground or atmospheric), fugitive dust and equipment exhaust emissions generated during construction of the project would contribute to the region's PM₁₀ and PM_{2.5} levels. In addition, diesel particulate, which would be emitted from heavy equipment, is an identified Toxic Air Contaminant (TAC), and emissions of TACs should be minimized during construction. Implementation of Mitigation Measures #1 and #2 would reduce potential impacts to a less-than-significant level. The short duration of construction activities and intended use of the completed project would not significantly contribute to greenhouse gas emissions. Protocols governing actions contributing to greenhouse gas emissions are currently under development by the state (California Air Resources Board 2009b) and are unlikely to be applicable to the project.

- (d) ***Potentially Significant Unless Mitigation is Incorporated.*** No sensitive receptors such as schools, hospitals, or day care centers are located in the project vicinity. There are homes located within approximately 0.2 mile of the project area, primarily to the southeast, and the Thermalito Diversion Pool and existing bike trail is used for public recreation. Project construction activities could result in the generate of dust and emissions from use of construction equipment. Following project completion, use of the trail for non-motorized recreation would not generate dust or emissions above existing levels. Implementation of Mitigation Measures #1 and #2 would reduce potential impacts from project construction to a less-than-significant level.
- (e) ***No Impact.*** Implementation of the project would not create objectionable odors. No mitigation is required.

Mitigation Measures (Air Quality)

Mitigation Measure #1–Fugitive Dust

Dust shall be controlled during project construction activities. Dust controls shall include, but not be limited to the following elements, as appropriate.

- a. During clearing, grading, earth-moving, excavation, and other construction activities, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
- c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- d. Onsite construction vehicles shall be limited to a speed of 15 mph on unpaved roads.
- e. Haul vehicles transporting soil into or out of the project area shall be covered.

- f. Any roads and streets that are used for construction access or adjacent to the project area shall be cleaned at least once per day if dirt or mud from the project area has been tracked onto these roadways.
- g. Construction workers shall park in only in designated parking area(s).
- h. A publicly visible sign with the telephone number and person to contact regarding dust complaints shall be posted at the project area. The contact person shall respond and take corrective action within 24 hours. The telephone number of the BCAQMD shall be visible to ensure compliance with BCAQMD Rule 200 & 205 (*Nuisance and Fugitive Dust Emissions*).

Mitigation Measure #2–Construction Equipment Exhaust

- a. All construction equipment shall be maintained in proper tune according to manufacturer's specifications.
- b. To the extent practicable, the use of diesel construction equipment meeting the CARB's 1996 or newer certification standard for off-road heavy-duty diesel engines shall be maximized.
- c. Unnecessary vehicle idling shall be restricted to 5 minutes or less.
- d. Maximize use of gasoline-powered equipment in lieu of diesel-powered equipment where feasible.
- e. Visible emissions from stationary diesel-powered equipment shall not exceed 40 percent opacity for more than three minutes in any one-hour.

IV. BIOLOGICAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a-b) *No Impact.* An environmental reconnaissance memorandum prepared for the project determined that its implementation would not affect any state or federally listed or candidate fish or wildlife species (Bogener 2008). Vegetation proposed for removal under the project does not provide suitable habitat for migratory birds or raptors.

A botanical resources evaluation for the project identified three federal and state listed endangered plant species as occurring in the project vicinity (North State Resources Inc. 2008). These species—Butte County meadowfoam (*Limnanthese floccosa* ssp. *californica*), slender Orcutt grass (*Orcuttia tenuis*), and Greene’s tuctoria (*Tuctoria greenei*)—all occur in vernal pool habitats. No vernal pools or appropriate soils and hardpans occur in the project area, nor is there potential for these species to be affected by this project. In addition, the project area does not support any riparian vegetation habitat and would therefore, have no effect on riparian habitat or other sensitive natural community. No mitigation is required.

- (c) ***Potentially Significant Unless Mitigation is Incorporated.*** Project implementation would result in the permanent fill of a total of 0.20 acre of open water (i.e., Thermalito Diversion Pool) to create the three water crossings needed to realign the trail outside of the UPRR ROW. These crossings would be constructed by placement of rock and culverts below the OWHM of the Thermalito Diversion Pool. The impacts to waters of the United States (illustrated in Figure 2) would be considered a significant impact. Implementation of Mitigation Measure #3 would reduce impacts to a less-than-significant level.
- (d) ***Less-than-Significant Impact.*** The project area does not encompass any wildlife nursery sites. However, project activities could result in the temporary disruption of movement for fish and other aquatic species. This temporary disruption would be limited to the instream construction phase of the project. Instream movement corridors following completion of the project would not be significantly different from existing conditions. Impacts are considered to be less than significant. No mitigation is required.
- (e) ***No Impact.*** The project would not conflict with any local biological resource policies or ordinances. No mitigation is required.
- (f) ***No Impact.*** The project would not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. No mitigation is required.

Mitigation Measures (Biological Resources)

Mitigation Measure #3–Waters of the United States

- a. Project authorization under a Nationwide Permit 14 (Linear Transportation Projects), or other permit authorization if appropriate, shall be obtained from the USACE prior to the discharge of any dredged or fill material into waters of the United States. All terms and conditions of the USACE authorizations shall be implemented.
- b. State Water Quality Certification shall be obtained from the Central Valley RWQCB prior to the discharge of any dredged or fill material into waters of the United States and/or waters of the State. All terms and conditions of the Water Quality Certification shall be implemented.
- c. Notification of Streambed Alteration shall be submitted to the CDFG and, if required, a Streambed Alteration Agreement shall be obtained prior to any modification of

drainage channels. All terms and conditions of the Streambed Alteration Agreement (if required) shall be implemented.

- d. All rock placed within waters of the United States shall be mechanically washed to obtain a cleanliness value (cv) of no less than 85 percent when tested in accordance with the California Department of Transportation (Caltrans) California Test 227—Method of Test For Evaluating Cleanliness of Coarse Aggregate.
- e. The contractor shall prepare a Water Quality Control Plan which incorporates a Storm Water Pollution Prevention Plan (SWPPP) to contain construction activity pollutants such as wastes, erosion, and sediments. The SWPPP will include provisions for water quality protection and for implementing Best Management Practices (BMPs) chosen to mitigate for construction activity pollutants.
- f. The boundaries of designated staging areas shall be designated by flagging and/or staking, or other similar method showing exact location of designated staging areas that may be occupied by the contractor. Designated staging areas shall be located such that they do not drain directly into waters of the United States. Temporary spoil sites shall be protected from the potential for erosion using measures such as compaction, mulching, covering, or containment.
- g. Fuel, oil and other petroleum products shall be stored only at the designated staging areas. The use of hazardous materials shall be avoided or minimized where possible. Material containment containers shall be clearly labeled with identity, handling and safety instructions, and emergency contact. Any soils contaminated by spills or cleaning wastes shall be contained and shall be removed to an approved disposal site.
- h. The contractor shall maintain construction equipment to minimize petroleum drippings. Stationary power equipment such as engines, pumps, generators, welders, and air compressors located within or adjacent to waters of the United States shall be positioned over drip pans.
- i. Fuel transfer vehicles shall have absorbent pads, pillows, socks, booms or other spill containment materials placed under the fueling operation (between the fuel truck and the equipment being serviced). A trained service attendant shall monitor the filling of equipment and shall stop fuel flow immediately if a spill occurs. Fuel transfer shall not resume until the problem is resolved as approved.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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V. CULTURAL RESOURCES

Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as identified in Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion of Impacts

(a-b) *Less-than-Significant Impact.* The *Archaeological Survey Report for the Brad B. Freeman Bike Trail Realignment Project* (Offermann 2008) was prepared to satisfy the requirements of Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR 800), as amended; Section 101(b)(4) of NEPA; and the Archaeological Resources Protection Act. This report also is intended to satisfy the requirements of Section 21083.2 of the California Environmental Quality Act (CEQA) and Section 15064.5 of the CEQA Guidelines. The following is a summary of the findings presented in the report.

On July 16, 2008 a letter soliciting concerns and information regarding potential cultural sites or issues associated with the project was mailed to prospective tribal consultation parties and the Native American Heritage Commission. One response was received; the Native American Heritage Commission responded by letter stating that a records search conducted by its agency did not indicate the presence of any Native American cultural resources in the immediate project area (Native American Heritage Commission 2008).

The archaeological report references a records search conducted in 2001 at the Northeast Center of the California Historical Resources Information System (CHRIS), California State University, Chico. The 2001 records search covered the entire Oroville Facilities area of potential effect (APE) established for the Federal Energy Regulatory Commission (FERC) relicensing effort, a larger project that includes the project area. As a result of the record search, two sites were found to have been previously recorded in the vicinity of the trail realignment. These sites consist of a small can scatter and mine tailings, the latter of which could not be relocated during a subsequent survey.

A 2002–2003 FERC survey resulted in the recording of a site (CA-BUT-1443/H) within the vicinity of the trail alignment. On June 14, 2005, a DWR archaeologist walked the project alignment to determine if cultural resources were present and if the proposed realignment would impact any of the features recorded as part of CA-BUT-1443/H. No cultural resources were observed and it was determined that none of the loci recorded as part of CA-BUT-1443/H would be affected by the realignment of the trail. Implementation of the project would have a less-than-significant effect on cultural resources. No mitigation is required.

- (c) **No Impact.** There are no unique paleontological resources that would be impacted by the project. No mitigation is required.
- (d) **Potentially Significant Unless Mitigation is Incorporated.** No human remains are known to be located within the project site or on adjacent lands; therefore, no impacts are expected. Nevertheless, construction activities could result in the discovery of human remains not previously identified. This impact is therefore considered potentially significant. Implementation of Mitigation Measure #4 would reduce potential impacts to a less-than-significant level.

Mitigation Measures (Cultural Resources)

Mitigation Measure #4—Comply with State Laws Relating to Archaeological Resources and Native American Remains

- a. Prior to any grading activities, the project applicant shall include a note on all construction plans advising contractors and construction personnel involved in any form of ground disturbance of the possibility of encountering subsurface cultural resources or bones. If such resources are encountered or suspected, work shall be halted immediately and the construction contractor shall contact DWR. A professional archaeologist shall be consulted to assess any discoveries and develop appropriate management recommendations for archaeological resource treatment. Management recommendations shall be implemented prior to reinitiation of activities in the immediate vicinity of the discovery.
- b. If human remains are discovered during construction activities, all activities in the vicinity of the find shall be suspended and the appropriate Butte County Coroner shall be notified. If the coroner determines that the remains may be those of a Native American, the Coroner shall contact the Native American Heritage Commission (NAHC). Treatment of the remains shall be conducted in accordance with the direction of the County Coroner or the NAHC, as appropriate.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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VI. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?
 - iv) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Discussion of Impacts

- (ai) ***Less-than-Significant Impact.*** The city of Oroville, which is immediately adjacent to the project area, is not included on the list of cities that may be affected by the Alquist–Priolo Earthquake Fault Zone (Department of Conservation 2007a). The nearest mapped Alquist–Priolo fault-rupture hazard zone is the Bangor Fault located approximately 12 miles to the

southeast of the project area (Department of Conservation 2007a). Although seismic activity has been documented at the Oroville Dam—most notably in 1975, a main shock of magnitude 5.7 immediately followed by an aftershock of magnitude 4.6—the magnitude of such events has become increasing smaller and the occurrence less frequent over time, leading some state geologists to conclude that pressure on the 1975 fault rupture zone is being progressively relieved of stress (Toppozada and Morrison, Jr. 1982). Realignment of the existing bike trail would not result in significant impacts. No mitigation is required.

- (aii,aiii) *Less-than-Significant Impact.*** Butte County is not generally subject to strong seismic ground shaking (Department of Conservation 2007b). This suggests that the ground shaking hazard potential in the project area is low. The dominant soil type in the project area (*Pits, 0 to 200 percent slope*) (U.S. Department of Agriculture 2006) is not conducive to liquefaction or seismic-related ground failure. Realignment of the existing bike trail would not result in significant impacts. No mitigation is required.
- (aiv) *Less-than-Significant Impact.*** Steep slopes, particularly those greater than 15 percent, situated between the trail alignment and the reservoir, have the greatest potential for landslide of any landforms in the project area (Butte County 1977). However, bank stabilization measures (i.e., rock berms and riprap) have been incorporated into the project design and would be used on disturbed areas and constructed berms. Potential impacts are considered to be less than significant. No mitigation is required.
- (b) *Potentially Significant Unless Mitigation is Incorporated.*** Ground-disturbing activities could expose soils and make them susceptible to erosion. Soil erosion would be considered a significant impact. Implementation of Mitigation Measure #3 would reduce potential impacts to a less-than-significant level.
- (c,d) *Less-than-Significant Impact.*** Soils in the project area are the result of past excavations. Because the soil and much of the underlying material have been previously removed, primarily leaving exposed rock, there is little potential for expansive soils to occur. While the steep slopes created by past excavation present some risk of landslide, bank stabilization measures incorporated into the project design (as described in response *aiv*, above) would minimize the potential for project-related on- or offsite bank failures. The primary soil type within the project area is not conducive to liquefaction or distortion. Potential impacts are considered to be less than significant. No mitigation is required.
- (e) *No Impact.*** The project does not involve the installation of a septic tank or alternative wastewater disposal system. No mitigation is required.

Mitigation Measures (Geology and Soils)

Implement Mitigation Measure #3 (see *Biological Resources* section).

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- (a,b) ***Potentially Significant Unless Mitigation is Incorporated.*** Project construction would require the transport and use of potentially hazardous materials (e.g., fuels, oils, lubricants). Accidental spill of these materials could pose a hazard to people or the environment. Release of hazardous materials is considered a significant impact. Implementation of Mitigation Measure #3 would reduce potential impacts to a less-than-significant level.
- (c) ***No Impact.*** The project is not located within one-quarter mile of an existing or known proposed school. Recreational use of the trail would not be a source of hazardous materials. No mitigation is required.
- (d) ***No Impact.*** The project area is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control 2007). No mitigation is required.
- (e,f) ***No Impact.*** The project area is not located in the vicinity of any public or private airstrip. No mitigation is required.
- (g) ***No Impact.*** The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No mitigation is required.
- (h) ***Potentially Significant Unless Mitigation is Incorporated.*** Implementation of the project would not interfere with any emergency plans; however, the project is within a moderate to high fire hazard potential area (California Department of Forestry and Fire Protection 2007). The use of construction equipment in and around vegetated areas increases the potential for wildfire ignition. Residential housing is intermixed with wildlands beginning approximately 500 feet southeast of the project area, and the city of Oroville is located less than one mile from the project area. Implementation of Mitigation Measure #5 would reduce potential impacts to a less-than-significant level.

Mitigation Measures (Hazards and Hazardous Materials)

Implement Mitigation Measure #3 (see *Biological Resources* section).

Mitigation Measure #5–Fire Hazard

- a. Prior to initiation of construction activities, the contractor shall submit a Fire Prevention and Control Plan to DWR for approval. The Fire Prevention and Control Plan shall include the procedures to be followed, current emergency telephone numbers, and an area map.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there should be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion of siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation of seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- (a,f) ***Potentially Significant Unless Mitigation is Incorporated.*** The project has been designed to minimize impacts to water quality the extent practicable. However, a total of 0.20 acre of open water (i.e., Thermalito Diversion Pool) would be permanently filled in order to realign the trail outside of the UPRR ROW. These crossings would be constructed by placement of rock and culverts below the OWHM of the Thermalito Diversion Pool. Implementation of Mitigation Measure #3 would reduce potential impacts to water quality to a less-than-significant level.
- (b) ***No Impact.*** Implementation of the project would have no effect on local groundwater supplies. No mitigation is required.
- (c-e) ***Potentially Significant Unless Mitigation is Incorporated.*** Project construction involves partial realignment and improvement of an existing trail. Existing drainage patterns of stormwater runoff in the project area would be altered by the addition of rock berms, riprap, and by soil-disturbing activities such as vegetation removal and grading. Although three crossings of the Thermalito Diversion Pool would be necessary for the trail realignment, culverts used to construct these crossings would be of sufficient diameter (42 inches) to convey runoff from most storm events from adjacent uplands into the diversion pool. The project would not contribute to potential flooding either on-or offsite. Implementation of Mitigation Measure #3 would reduce potential impacts from resulting from erosion and polluted runoff to a less-than-significant level.
- (g) ***No Impact.*** The project does not involve construction of new housing within a flood hazard area. No mitigation is required.
- (h,i) ***No Impact.*** Terrestrial portions of the project area are not located within a designated 100-year floodplain (Federal Emergency Management Agency 1998). Realignment of the existing bike trail would not involve the construction of any structures that would impede or redirect flood flows, or increase the exposure of people to hazards associated with dam failure. No mitigation is required.
- (j) ***No Impact.*** Realignment of the existing trail would not result in a risk of seiche, tsunami, or mudflow. No mitigation is required.

Mitigation Measures (Hydrology and Water Quality)

Implement Mitigation Measure #3 (see *Biological Resources* section).

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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IX. LAND USE AND PLANNING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural communities' conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a-c) *No Impact.* The proposed project consists of realignment of a portion of an existing bike trails and would not divide an established community or conflict with existing land use plans, policies, and regulations. The project would not conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. No mitigation is required.

Mitigation Measures

None required.

X. MINERAL RESOURCES

Would the project:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a-b) *No Impact.* The project area is located entirely within an existing trail alignment. Realignment of the existing trail would not result in the loss of availability of mineral resources. No mitigation is required.

Mitigation Measures

None required.

XI. NOISE

Would the project result in:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a,d) *Potentially Significant Unless Mitigation is Incorporated.* Existing sources of noise within the project area include freight traffic on the UPRR tracks, vehicles traveling nearby roadways, the Thermalito Diversion Dam, and noise associated with recreational activities in the project area. During project construction, heavy equipment, rock dumping, and haul truck traffic would result in a temporary increase in noise levels within the project area.

Homes are located within approximately 0.2 mile of the project area, primarily to the southeast. Although Butte County does not have a noise ordinance, noise-related impacts are considered potentially significant if project construction activities subject residences to noise levels exceeding 60 decibels (dB).

Heavy construction equipment (e.g., crane, dump truck) is anticipated to generate peak noise levels of approximately 82 dB at a distance of 50 feet (Federal Transit Administration 1995) and rock dumping could result in short duration noise events possibly reaching 100 dB at 50 feet (Geier & Geier Consulting 1997). In general, noise travels uniformly outward from the point source and attenuates at a rate of about 6 dB per doubling of distance; a decrease of 10 dB in noise levels is perceived by the human ear as a halving of the noise. As noise emanates from the source to the receptor, the actual attenuation depends on such factors as surface characteristics, atmospheric conditions, and the presence of physical barriers. A decrease of 10 dB in noise levels is perceived by the human ear as a halving of the noise.

Given the existing noise levels (e.g., UPRR tracks), distance of sensitive sound receptors (e.g., homes) from the project area, and the adjacent topography (e.g., steep upslopes adjacent to the trail alignment), the proposed project is not anticipated to subject sensitive noise receptors to prolonged noise exposure above 60 dB. Implementation of of Mitigation Measure #6 would reduce potential noise impacts to a less-than-significant level.

- (b) **No Impact.** Implementation of the proposed project would not result in the generation of excessive groundborne vibration or groundborne noise. No mitigation is required.
- (c) **No Impact.** Noise generated in excess of existing levels would be limited to the construction phase of the proposed project. The proposed project would not result in a permanent increase in ambient noise levels in the project vicinity. No mitigation is required.
- (e,f) **No Impact.** The project is not located in the vicinity of an airport or landing strip. No mitigation is required.

Mitigation Measures (Noise)

Mitigation Measure #6–Construction Noise

- a. Construction activities (including equipment warm-up) shall be limited to 7:00 a.m. to 7:00 p.m. (Monday through Saturday) and 9:00 a.m. to 6:00 p.m. (Sunday).
- b. Where possible, noise-generating activities shall be combined to occur in the same time period. The total noise level produced shall not be significantly greater than the level produced if the operations were performed separately.
- c. To the extent practicable, the contractor shall use newer construction equipment or retrofit older equipment to make the associated noise as unobtrusive as possible (i.e., installing mufflers).

Potentially Significant Impact
 Potentially Significant Unless Mitigation Incorporated
 Less than Significant Impact
 No Impact

XII. POPULATION AND HOUSING

Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Displace substantial numbers of people necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

(a-c) **No Impact.** The proposed project would not affect population growth or housing. No mitigation is required.

Mitigation Measures

None required.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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XIII. PUBLIC SERVICES

Would the project:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impact

- (a) **No Impact.** The project would not affect schools and parks. It would have a less-than-significant effect on operations at the Lake Oroville State Recreation Area. Changes made to the existing trail would improve the functionality and safety of the trail by removing a railroad track crossing. No significant adverse effect on service ratios, response times, or service objectives for any of the public services is anticipated. The project would not create additional need for utilities. No mitigation is required.

Mitigation Measures

None required.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
XIV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a-b) *No Impact.* The project consists of improving and realigning a portion of the existing Brad B. Freeman Bike Trail. Implementation of the project would not result in an increase in the use of existing parks or other recreational facilities to the extent that substantial physical deterioration of the facility would occur or be accelerated. No mitigation is required.

Mitigation Measures

None required.

XV. TRANSPORTATION / TRAFFIC

Would the project:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- (a,b) ***Potentially Significant Unless Mitigation is Incorporated.*** Transportation of materials, equipment, and personnel to the project site would result in a temporary increase of traffic levels on the surrounding roadways during project construction. Implementation of Mitigation Measure #7 would reduce potential impacts to traffic to a less-than-significant level.
- (c) ***No Impact.*** Implementation of the proposed project would not affect air traffic patterns. No mitigation is required.
- (d) ***No Impact.*** The proposed project would not result in the creation of sharp curves, dangerous intersections, or incompatible uses. The proposed project would improve trail safety by

realigning the existing trail to pass under the UPRR railroad tracks; currently, trail users must pass over the tracks in order to proceed along the trail. No mitigation is required.

- (e) ***Less-than-Significant Impact.*** The project would not require any changes to roads outside of the project area and therefore, would have no effect on the movement of emergency vehicles on roads adjacent to the project area. Construction activities along the trail could temporarily impede emergency vehicle/personnel access in the immediate vicinity of the project area; however, such an occurrence would be temporary and less than significant.
- (f) ***No Impact.*** The project consists of improving and realigning portions of an existing trail and is not anticipated to generate the need for additional parking for users of the trail. No mitigation is required.
- (g) ***No Impact.*** The proposed project would not conflict with any adopted plans, policies, or programs that support alternative transportation. No mitigation is required.

Mitigation Measures (Transportation/Traffic)

Mitigation Measure #7–Construction-Related Traffic

- a. The construction contractor shall prepare and implement a traffic control plan to address traffic on the work site and haul traffic to and from the work site. The plan shall be approved by DWR prior to initiation of construction activities.
- b. Construction vehicles shall follow established truck routes to the greatest extent practicable.
- c. Construction traffic shall be restricted to existing roads and flagged right of way or temporary construction easement. Construction vehicles shall observe a 25 mph speed limit on project roads.
- d. Construction parking shall be restricted to the designated staging areas.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a-e) *No Impact.* The proposed project would not require the use or expansion of water or wastewater facilities. No mitigation is required.

(f-g) *No Impact.* Rocks and other inorganic excavated during project construction would be placed in the backfill whenever possible. Debris, rubbish, and other materials not directed to be salvaged would be removed from the work site and disposed of in an approved disposal site. The contractor would be required to obtain any permits required for such disposal.

Mitigation Measures

None required.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less than Significant Impact</i>	<i>No Impact</i>
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- | | | | | | |
|----|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion

(a) ***Potentially Significant Unless Mitigation is Incorporated.*** As discussed in the preceding sections, the proposed project has a potential to result in adverse effects to air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, and transportation and traffic. These potential impacts and the required mitigation measures are discussed in detail in the corresponding sections above. With implementation of the required mitigation measures, potential impacts would be reduced to a less-than-significant level.

(b-c) ***Potentially Significant Unless Mitigation is Incorporated. Less-than-Significant Impact.*** As discussed in the preceding sections, the proposed project has the potential to result in adverse environmental impacts and adverse effects on human beings. With implementation of the required mitigation measures, these impacts would be reduced to a less-than-significant level and would not result in cumulatively considerable impacts or substantial adverse effects on human beings.

Section 4 Determination

On the basis of this initial evaluation:

- I find that the Proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the Proposed Project MAY have a “Potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

Signature

Date

Printed Name

For

Section 5 Report Preparation and References

5.1 Report Preparation

California Department of Water Resources—CEQA Lead Agency

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Biologist

Paul Kirk

Botanist

Edward Douglas

GIS Analyst

5.2 References

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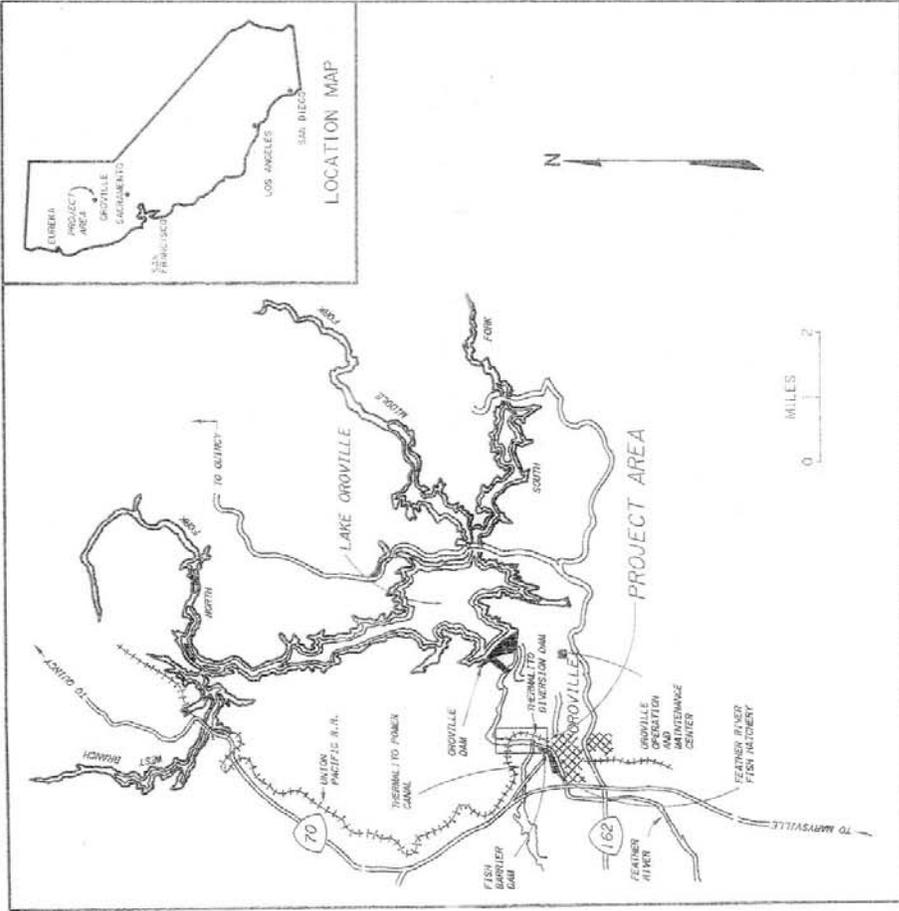
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APPENDIX A

Plan and Profile Drawings

STATE OF CALIFORNIA
 THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
 DIVISION OF ENGINEERING

STATE WATER FACILITIES
 LAKE OROVILLE STATE RECREATION AREA
 OROVILLE FIELD DIVISION
BRAD B. FREEMAN BIKE TRAIL REALIGNMENT
 SPECIFICATION NO. 08-



SHEET NO.	DRAWING NO.	DRAWING TITLE
1	G1-1	COVER SHEET / LIST OF DRAWINGS
2	C1-1	SITE PLAN
3	C1-2	PLAN & PROFILE, STA 0+00 TO 10+00
4	C1-3	PLAN & PROFILE, STA 10+00 TO 20+00
5	C1-4	PLAN & PROFILE, STA 20+00 TO 30+00
6	C1-5	PLAN & PROFILE, STA 30+00 TO 33+09
7	C1-6	TYPICAL SECTIONS
8	C1-7	STANDARD FENCE DETAILS



APPROVED: _____ DATE: _____
 CHIEF DIVISION OF ENGINEERING
 REG. NO. 11118
 SHEET NO. G1-1
 OF 8 SHEETS

DATE	REVISION	BY	APP'D



STATE OF CALIFORNIA THE RESOURCES AGENCY DEPARTMENT OF WATER RESOURCES DIVISION OF ENGINEERING STATE WATER FACILITIES		LAKESIDE STATE RECREATION AREA CHOWLETT FIELD WISDOM BRAD B. FREEMAN BIKE TRAIL BIKE TRAIL SITE PLAN	
PROJECT NUMBER: 6/23/68 DATE: 6/23/68 DRAWN BY: J. L. B. S. CHECKED BY: J. L. B. S. SCALE: AS SHOWN		SHEET NO. C1-1 OF 2	
DESIGNER: JAMES M. LEVITT N.E. 25174 DRAWN: J. L. B. S. N.E. 25174 SCALE: 1" = 100' DATE: 6/23/68		PROJECT NO. 6/23/68 DATE: 6/23/68	



PROJECT NUMBER: 6/23/68
 DATE: 6/23/68
 DRAWN BY: J. L. B. S.
 CHECKED BY: J. L. B. S.
 SCALE: AS SHOWN

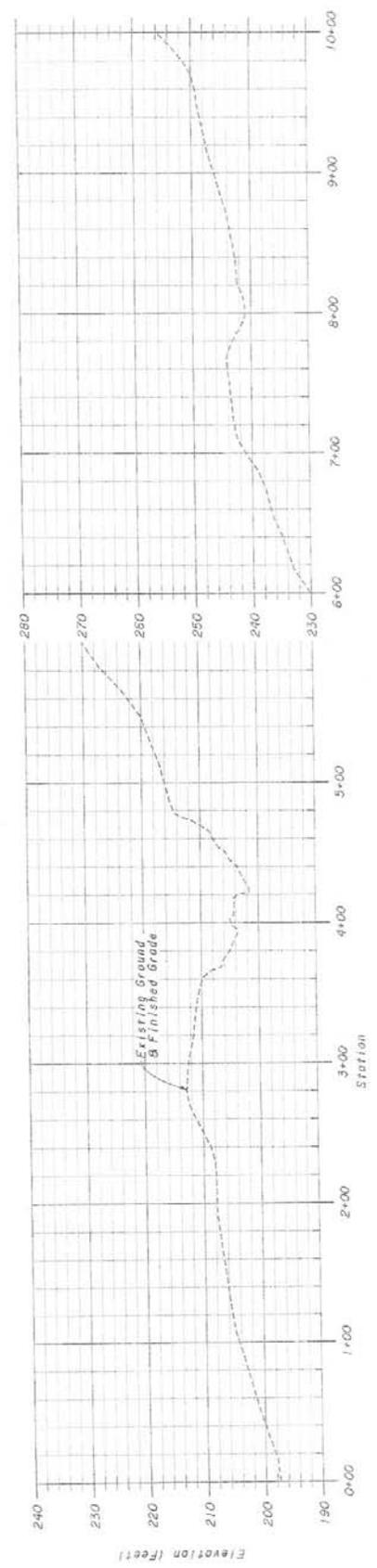
DESIGNER: JAMES M. LEVITT
 N.E. 25174
 DRAWN: J. L. B. S.
 N.E. 25174
 SCALE: 1" = 100'
 DATE: 6/23/68

PROJECT NO. 6/23/68
 DATE: 6/23/68

SHEET NO. C1-1
 OF 2

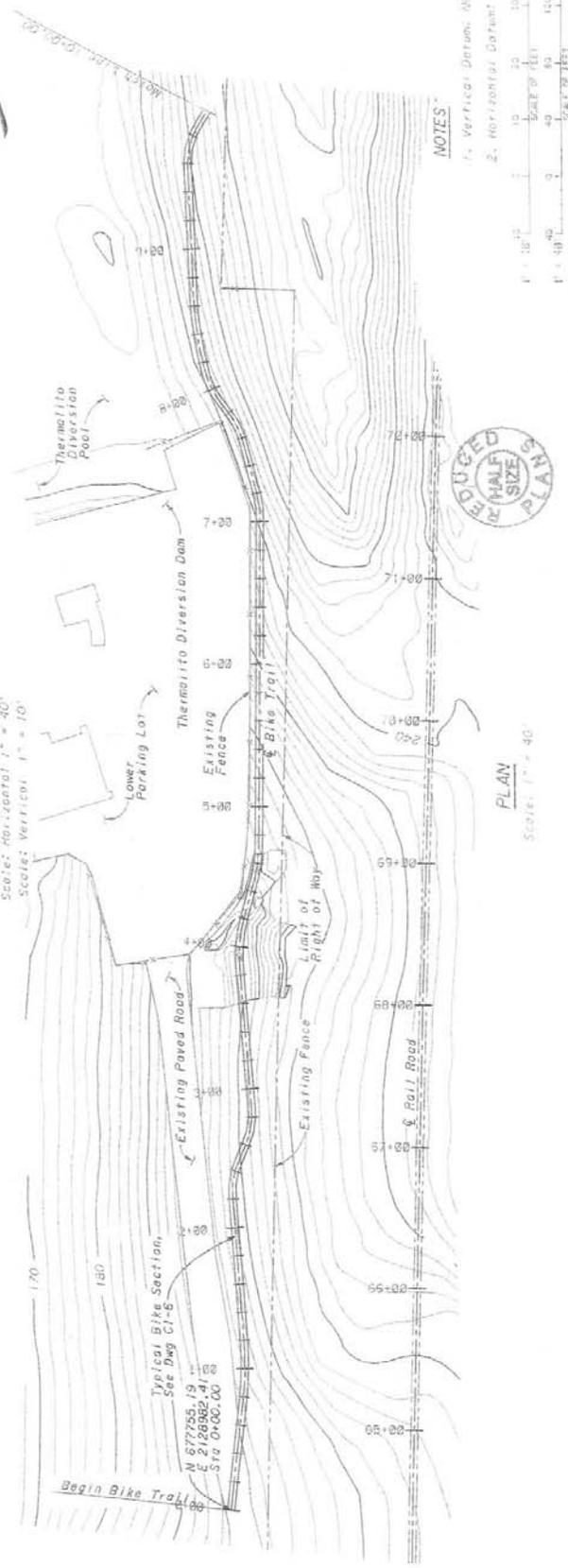
PROJECT NO. 6/23/68
 DATE: 6/23/68

A B C D E F G H



PROFILE

Scale: Horizontal 1" = 40'
Scale: Vertical 1" = 10'



NOTES

1. Vertical Datum: NAVD 83
2. Horizontal Datum: NAD 83



PLAN

Scale: 1" = 40'

LAKE OROVILLE STATE RECREATION AREA
OROVILLE FIELD DIVISION
ROAD & FRESHWATER TRAIL

STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
DIVISION OF ENGINEERING
STATE WATER FACILITIES



PROJECT: STATE WATER FACILITIES
SHEET: C1-2
DATE: 01/01/2010
DRAWN BY: J. L. [Name]
CHECKED BY: M. P. [Name]
APPROVED BY: [Name]

DESIGNER: J. L. [Name]
SCALE: AS SHOWN
DATE: 01/01/2010

GROUP: STATE WATER FACILITIES
SHEET: C1-2
DATE: 01/01/2010

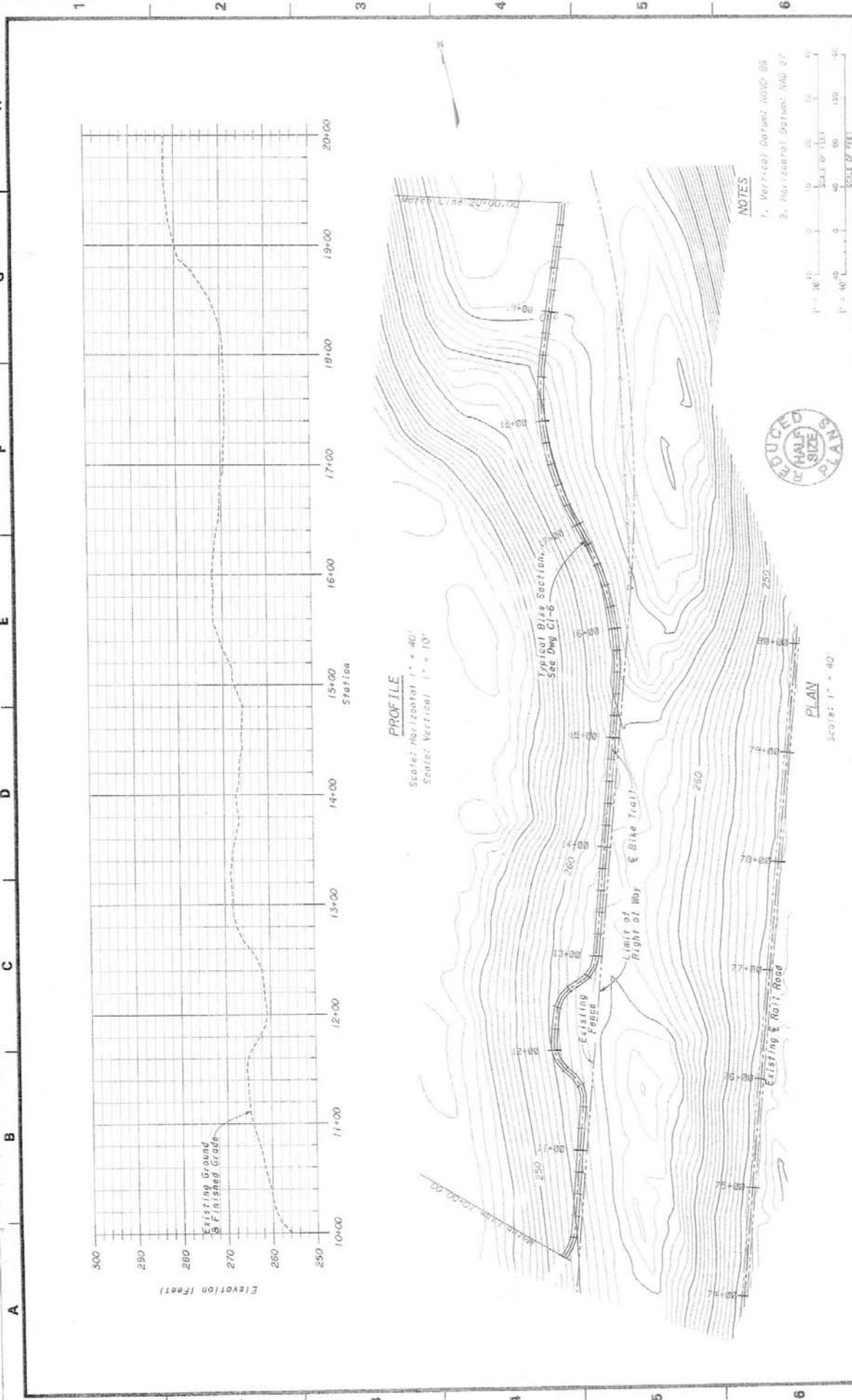
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DATE: 01/01/2010

SCALE: AS SHOWN
DATE: 01/01/2010

SCALE: AS SHOWN
DATE: 01/01/2010

PLAN AND PROFILE
STA. 0+00 TO STA. 10+00

DATE: 01/01/2010
SCALE: AS SHOWN
DATE: 01/01/2010

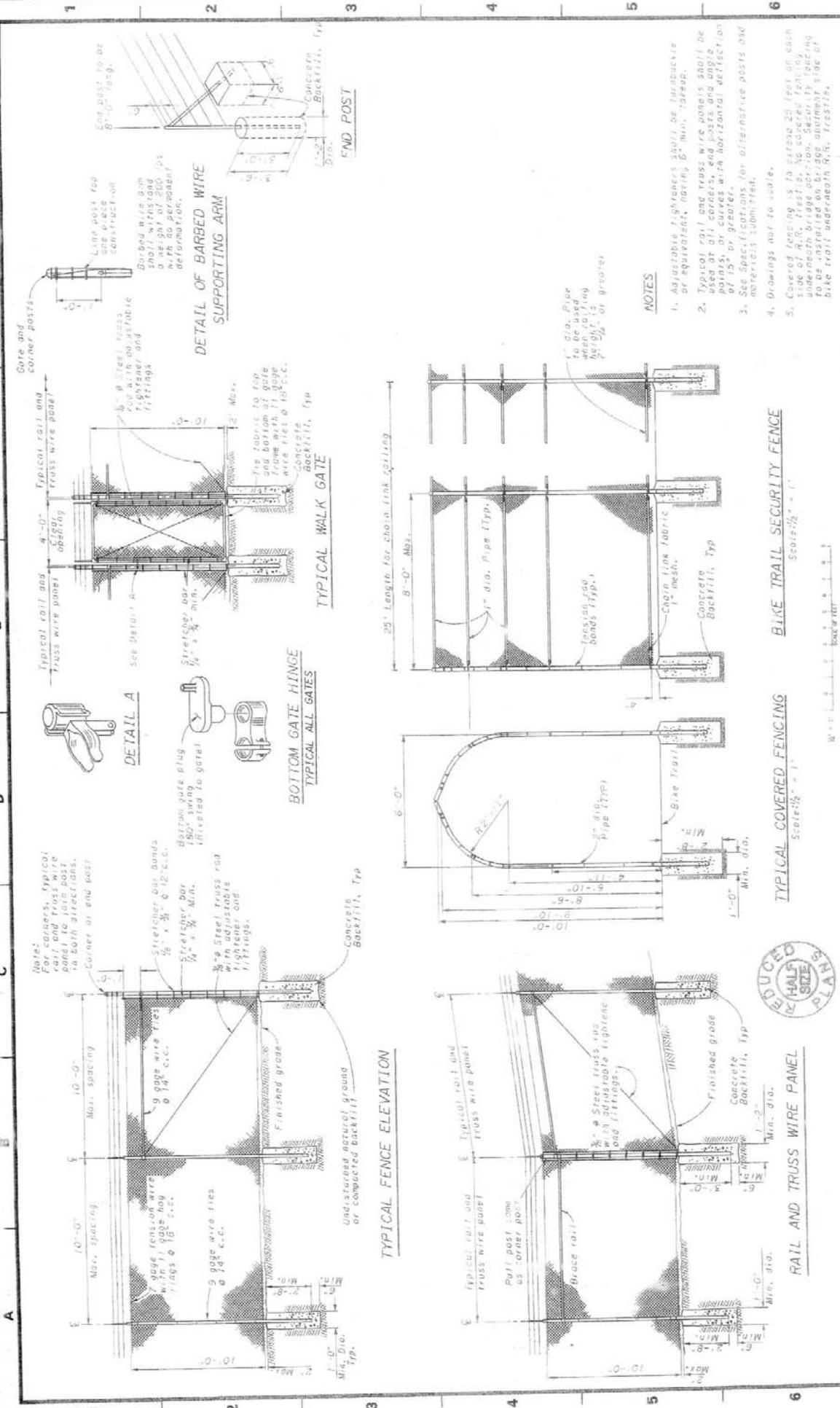


NOTES

1. Vertical Datum: NGVD 88
2. Horizontal Datum: NAD 83



STATE OF CALIFORNIA THE RESOURCES AGENCY DEPARTMENT OF WATER RESOURCES DIVISION OF ENGINEERING STATE WATER FACILITIES		LAKE CROWLEY STATE RECREATOR AREA CROWLEY FIELD DIVISION BIAD & FREEMAN BIKE TRAIL PLAN AND PROFILE STA 10+00 TO STA 20+00	
PROJECT NO. 15202 DATE: 11/20/2011 DRAWN BY: J. S. ... CHECKED BY: J. S. ... REVIEWED BY: J. S. ... APPROVED BY: J. S. ...		SCALE: 1" = 40' DATE: 11/20/2011 DRAWN BY: J. S. ... CHECKED BY: J. S. ... REVIEWED BY: J. S. ... APPROVED BY: J. S. ...	
PROJECT NO. 15202 DATE: 11/20/2011 DRAWN BY: J. S. ... CHECKED BY: J. S. ... REVIEWED BY: J. S. ... APPROVED BY: J. S. ...		PROJECT NO. 15202 DATE: 11/20/2011 DRAWN BY: J. S. ... CHECKED BY: J. S. ... REVIEWED BY: J. S. ... APPROVED BY: J. S. ...	



DATE	NO.	BY	CHECKED	DATE	SCALE	PROJECT	NO.	DATE
PROJECT: LAKE ORVILLE STATE RECREATION AREA CROWLEY FIELD DIVISION ROAD B, FREEMAN BIKE TRAIL			DRAWN: R. B. WYLER CHECKED: J. J. EDDY DATE: 11/15/61			PROJECT NO.: CI-7 SHEET NO.: 8		
STATE OF CALIFORNIA THE RESOURCES AGENCY DEPARTMENT OF WATER RESOURCES DIVISION OF ENGINEERING STATE WATER FACILITIES								