



**CITY OF CORNING  
PLANNING COMMISSION AGENDA**

**TUESDAY, AUGUST 17, 2010  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

- A. **CALL TO ORDER:** 6:30 p.m.
- B. **ROLL CALL:**
- |                |   |
|----------------|---|
| Commissioners: | <b>Robertson<br/>Reilly<br/>Hatley<br/>Barron</b> |
| Chairman:      | <b>Lopez</b>                                      |
- C. **MINUTES:**
1. **Waive the Reading and Approve the Minutes of the July 20, 2010 Planning Commission Meeting with any necessary corrections.**
- D. **BUSINESS FROM THE FLOOR:** If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Commission will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Commission from taking formal action on the issue, however, unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.
- E. **PUBLIC HEARINGS AND MEETINGS:** Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. **ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**
2. **General Plan Amendment 2010-1A, Rezone 2010-1, Corning Community Park Land Acquisition and Development.** Accept public comment and make a recommendation to the City Council on the Mitigated Negative Declaration filed for the development of a Community Park on APN's 71-250-35, 61, 34 & 04.
- F. **REGULAR AGENDA:** All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, and explain the reason you are asking for the order of the Agenda to be changed.
- G. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**
- H. **ADJOURNMENT:**

**POSTED: THURSDAY, AUGUST 12, 2010**

**The City of Corning is an Equal Opportunity Employer**



**CITY OF CORNING  
PLANNING COMMISSION MINUTES**

**TUESDAY, JULY 20, 2010  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

**A. CALL TO ORDER: 6:30 p.m.**

**B. ROLL CALL:**

**Commissioners: Robertson  
Reilly  
Hatley  
Barron  
Chairman: Lopez**

All Commissioners were present.

**C. MINUTES:**

**1. Waive the Reading and Approve the Minutes of the June 15, 2010 Planning Commission Meeting with any necessary corrections.**

Commissioner Reilly moved to approved the Minutes of the June 15, 2010 Planning Commission Meeting as written and Commissioner Barron seconded the motion. **Ayes: Robertson, Reilly, Hatley, Barron and Lopez. Opposed: None. Absent/Abstain: None. Motion approved by a 5-0 vote.**

**D. BUSINESS FROM THE FLOOR: None**

**E. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

By consensus of the Commission, the order of the public hearings will be changed with Item 3 discussed first, followed by Item 2 and then 4.

**3. Revised Use Permit 2008-254, Karen Thompson; revise Use Permit No. 254 to allow the establishment of two businesses in an existing building, formerly used and know as the Glass Blowers building. One of the businesses would be a massage center in a professional Day Spa setting, the other business would be a fast food, deli, beer and wine serving and take-out food service.**

Chairman Lopez introduced this item by title stating the location. Planning Director John Stoufer stated that relatives of the original owners are the applicants and have been working with Staff to clean up the exterior of the building and interior remodeling of the building. The Use Permit will not automatically give them the right to sell alcohol; they must apply for a license from the Alcohol Beverage Control Board (ABC). Prior to ABC issuing the license, they will contact the City for a Council determination if a license should be issued at this location. Chairman Lopez then opened the public hearing.

Chairman Lopez expressed concerns with issuing the Permit at this time for these particular uses, and if an alternative use were proposed for this site, the applicants would have to re-apply to amend the Use Permit once again. Applicant Karen Thompson spoke and stated that she has been contacted by several different potential businesses and that the Day Spa/Deli Fast Food Service uses seemed to be the most interested business at this time. She feels that securing the Use Permit at this time will make it easier for them to negotiate a lease with these businesses.

With no further comment, Chairman Lopez closed the Public Hearing. **After a brief discussion by the Commission, Commissioner Reilly moved to adopt the 6 Subfindings and Findings**

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as presented in the Staff Report for the Amendment to Use Permit 2008-254. Commissioner Hatley seconded the motion. **Ayes: Robertson, Reilly, Hatley, Barron and Lopez. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

Commissioner Reilly moved to approve an amendment to Use Permit 2008-254 subject to the 6 Conditions as recommended by Staff. Commissioner Robertson seconded the motion. **Ayes: Robertson, Reilly, Hatley, Barron and Lopez. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

2. **Variance 2010-1, Patterson Electric, Inc.; consider a variance to the normal City standard of 10' - 0" minimum side yard setback, for a commercial zoned parcel that abuts an R District, to a minimum 1' - 0" side yard setback, and a rear yard setback of 5' 0" from the normal setback of 12' where accessible from the existing alley located along the south (rear) property line.**

Commissioner Reilly stated that his home is within the 500 feet of this site therefore he would have to abstain from voting on this item. He also informed the Commission and members of the audience that his sister worked at Busy Bee Daycare (the next item for discussion) therefore he would be abstaining from voting that item also in order to avoid a conflict of interest. He then left the room.

Chairman Lopez introduced this item by title stating the location of the site. Planning Director John Stoufer stated the proposed building meets 20-foot code for loading from the alley, and moving the building opens up four parcels for commercial use. He stated that it was unfortunate that previous zoning left two residential lots adjacent to the surrounding commercial uses. Chairman Lopez acknowledge that Mr. Patterson was present and then opened the public hearing.

Commissioner Robertson asked about future housing; Mr. Stoufer responded stating that this is something to be considered. It was stated that the building would be required to meet commercial building fire codes.

Neighbor Suzanne Euring stated concerns related to noise levels, light problems, safety, rain water drainage, and parking problems. Mr. Stoufer stated that fencing could be installed to eliminate some of these issues and assured Ms. Euring that drainage would be addressed. He explained that there are always issues when Commercial Zoning adjoins Residential Zoning. Mr. Patterson responded to some of these questions.

Mr. Stoufer stated that the plans show gutters and he suggests that they be seamless gutters. He also stated that the original building is on the property line, if approved, the Patterson building would be one foot off the property line and stated that Mr. Patterson could easily remedy drain problems.

With no further comments Chairman Lopez closed the public hearing. Commissioner Robertson moved to adopt the four Subfindings and Findings as presented in the Staff Report and approve Variance No. 2010-1 reducing the sideyard setbacks from 10 feet to 1 foot and the rear yard setback from 12 feet to 5 foot for the proposed 50' x 34; buiding constructed for Patterson Electric, Inc. at 1311 Yolo Street. Commissioner Hatley seconded the motion. **Ayes: Robertson, Hatley, Barron and Lopez. Opposed: None. Absent: None. Abstain: Reilly. Motion was approved by a 4-0 vote with Reilly abstaining.**

4. **Amend Use Permit 2009-256, Busy Bee Daycare (Continued Public Hearing); relocate the existing Preschool/Daycare Center from its existing location into a new 4,500 sq. ft. building on an adjacent parcel northeast of the current location.**

Chairman Lopez introduced this item by title and stated the site location. Planning Director John Stoufer presented the Site Plan and stated his concerns for the driveway.

Chairman Lopez noted that Commissioner Reilly was abstaining from voting on this item due to a possible conflict of interest and is out of the room. He also acknowledged that property owner John Eller and applicant DeAnn Knowles, owner of Busy Bee Daycare were present to answer any questions. He then opened the public hearing.

Mr. Stoufer recommended removing Condition 9; the requirement stating that prior to the issuance of a Certificate of Occupancy Reciprocal Access Easements must be recorded with the property owners to the north and south. After a brief discussion, Commissioner Hatley moved to close the public hearing and Commissioner Robertson seconded the motion. **Ayes: Robertson, Hatley, Barron and Lopez. Opposed: None. Absent: None. Abstain: Reilly. Motion was approved by a 4-0 vote with Reilly abstaining.**

Commissioner Robertson moved to adopt the 4 Subfindings and Findings as presented in the Staff Report for the Amendment to Use Permit 2009-256. Commissioner Hatley seconded the motion. **Ayes: Robertson, Hatley, Barron and Lopez. Opposed: None. Absent: None. Abstain: Reilly. Motion was approved by a 4-0 vote with Reilly abstaining.**

Commissioner Robertson then moved to approve an Amendment to Use Permit 2009-256 subject to the following Conditions of Approval 1-8 with the removal of Condition No. 9; Reciprocal Access Easement, as recommended by Staff. Commissioner Barron seconded the motion. **Ayes: Robertson, Hatley, Barron and Lopez. Opposed: None. Absent: None. Abstain: Reilly. Motion was approved by a 4-0 vote with Reilly abstaining.**

**Upon completion of the vote on item 4, Commissioner Reilly entered the Council Chambers and rejoined the meeting.**

F. **REGULAR AGENDA:** All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, and explain the reason you are asking for the order of the Agenda to be changed.

5. **Lot Line Adjustment 2010-1, John and Nanette Eller; adjust a common property line between a 1.89 acre parcel and a 0.38 acre parcel that currently fronts on East Street to a 1.89 acre parcel and a 0.38 acre parcel that would have frontage along Peach Street.**

Chairman Lopez introduced this item by title stating the site location. After a brief discussion Commissioner Robertson moved to adopt the 4 Subfindings and Findings as presented in the Staff Report, approve Lot Line Adjustment 2010-1 as provided for in the City of Corning Subdivision Code and the State Subdivision Act, and direct City Staff to record the Map and Descriptions with the Tehama County Clerk's Office. Commissioner Hatley seconded the motion. **Ayes: Robertson, Reilly, Hatley, Barron and Lopez. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

6. **Fencing Approval, Michael Ray; Consider approving a fence type for a Welding Shop at 1158 Marin Street pursuant to Section 17.26.020 (3) of the Corning Municipal Code.**

Chairman Lopez introduced this item by title stating the site location noting that Mr. Ray was present to address any questions. John Stoufer stated that welding shop is allowed at this location, however it must be indoors or behind a 6' high wall or site proof fence. Chairman Lopez recommended fencing be either wood vinyl or anything else other than the previously proposed ribbed metal fence. He stated that he prefers chain link fencing with privacy slats.

Commissioner Barron disagreed and stated that he wants it to be neighbor friendly. Commissioner Reilly and Planning Director John Stoufer suggested waiting a month to allow Mr. Ray to obtain fencing costs and explore other options.

Mr. Ray discussed the various fencing options and agreed to install chainlink fencing instead of the high ribbed metal sided previously proposed.

After further discussion, Commissioner Reilly moved to accept chain link fencing with either privacy netting or privacy slats rather than the high ribbed metal-sided fencing previously proposed. Commissioner Robertson seconded the motion. **Ayes: Robertson, Reilly, Hatley, Barron and Lopez. Opposed: None. Absent/Abstain: None. Motion was approved by a 5-0 vote.**

G. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR:** None.

H. **ADJOURNMENT:** 7:38 p.m.

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Lisa M. Linnet, City Clerk

**ITEM NO: E-2  
GENERAL PLAN AMENDMENT 2010-1A,  
REZONE 2010-1, CORNING COMMUNITY  
PARK LAND ACQUISITION AND  
DEVELOPMENT.**

AUGUST 17, 2010

TO: PLANNING COMMISSION OF THE CITY OF CORNING  
FROM: JOHN STOUFER, PLANNING DIRECTOR

**PROJECT DESCRIPTION & LOCATION:**

The proposed project is the land acquisition, general plan amendment and rezone of four parcels. The parcels are proposed to be developed as a community park with potential recreational features such as a skateboard park, soccer fields, playgrounds, picnic areas, restrooms, walking trails and open space. The park development project will be developed if the City of Corning is awarded grant funds from the Statewide Park Development and Community Revitalization Program of 2008. A complete application for grant funds has been submitted and the State has indicated that the grants will be awarded in September 2010. The four parcels are located along the south and north sides of Jewett Creek near the Fig Lane/Toomes Ave., and Fig Lane/Houghton Ave. intersections in Section 22, T. 24 N., R. 3 W., MDM. APN'S 71-250-35, 61, 34, & 04

**DISCUSSION:**

Pursuant to the application guide for the Statewide Park Development and Community Revitalization Program of 2008 compliance with the California Environmental Quality Act (CEQA) must be completed and a Notice of Determination submitted with the application or if CEQA compliance is not complete at the time the application is submitted an initial study with a timeline showing estimated dates when each step of the CEQA compliance process will be completed. The guide also indicates that CEQA compliance must be completed within one year from the date of the grant award announcement.

The grant application was due on March 1, 2010, due to the necessity to complete a spring survey of the sites for sensitive plants CEQA compliance could not be completed prior to the submittal of the application. An initial study and a timeline for CEQA compliance was submitted with the application. The spring survey for sensitive plants has been completed and the results included in the Mitigated Negative Declaration filed with the Tehama County Clerk and Recorder on July 1, 2010.

A Mitigated Negative Declaration (MND) means a statement describing the reasons that the proposed project will not have a significant effect on the environment. Attached for your review is a copy of the MND and Initial Study that analyzed and mitigated potential environmental impacts associated with the development of the Corning Community Park.

The MND was sent to the Governor's Office of Planning and Research State Clearinghouse and Planning Unit who distributes it to selected agencies for review. As stated in the attached letter received August 10, 2010 from the Clearinghouse, the 30 day review period closed on August 4, 2010, and no state agencies submitted comments by that date.

Staff also sent notification of an intent to adopt the MND to surrounding property owners and local and state agencies. The only comments received were from the California Regional Water Quality Control Board notifying the City that they will be a responsible agency for the project and the possible permits that may have to be obtained should the project be developed. These permits were anticipated and funds to prepare and obtain them were included in the cost estimates within the grant application.

**Staff recommends the following Factual Subfindings & Legal Findings for consideration by the Commission, pursuant to the California Environmental Quality Act (CEQA).**

**Factual Subfinding #1**

An Initial Study analyzing the environmental impacts associated with the development of the Corning Community Park Project, including General Plan Amendment 2010-1 and Rezone 2010-1, has been prepared, a Mitigated Negative Declaration filed and circulated through the Governor's Office of Planning and Research State Clearinghouse and Planning Unit.

**Legal Finding #1**

The Initial Study and Mitigated Negative Declaration prepared for the development of the Corning Community Park has been circulated for review in compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

**Factual Finding #2**

The Initial Study prepared for the development of the Corning Community Park identified and mitigated the impacts associated with the project so that there are no Potentially Significant Impacts.

**Legal Finding #2**

For General Plan Amendment 2010-1, Rezone 2010 -1 and the development of the Corning Community Park the City of Corning Planning Commission is acting as an advisory body to the Corning City Council and has reviewed the Initial Study and Mitigated Negative Declaration filed on these projects. The Planning Commission finds that the Initial Study analyzed the environmental impacts associated with the project and that identified impacts have been mitigated to a Less than Significant Level.

**Factual Subfinding #3**

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an Environmental Impact Report (EIR) or a Mitigated Negative Declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

**Legal Finding #3**

The Mitigated Negative Declaration and Initial Study, filed and circulated through the CEQA process for the development of the Corning Community Park, includes a Mitigation Monitoring Program that will ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions in compliance with California Public Resources Code Section 21081.6

**ACTION**

**1. MAKE A MOTION TO RECOMMEND THAT THE CORNING CITY COUNCIL ADOPT THE 3 FACTUAL SUBFINDINGS AND LEGAL FINDINGS AS PRESENTED IN THE STAFF REPORT AND ADOPT THE MITIGATED NEGATIVE DECLARATION FILED ON GENERAL PLAN AMENDMENT 2010-1 AND REZONE 2010-1 FOR THE DEVELOPMENT OF THE CORNING COMMUNITY PARK.**

**(PLEASE NOTE : PRIOR TO MAKING A RECOMMENDATION TO THE CITY COUNCIL THE COMMISSION HAS THE ABILITY TO MODIFY OR REMOVE ANY OF THE RECOMMENDED FACTUAL SUBFINDINGS AND LEGAL FINDINGS IF DEEMED APPROPRIATE BY A MAJORITY OF THE COMMISSIONERS)**

**OR**

**2. MAKE A MOTION TO HAVE STAFF MAKE REVISIONS TO THE MITIGATED NEGATIVE DECLARATION AND RECIRCULATE IT FOR REVIEW THROUGH THE CEQA PROCESS.**

**ATTACHMENTS**

EXHIBIT "A"	LETTER FROM STATE CLEARINGHOUSE
EXHIBIT "B"	LETTER FROM REGIONAL WATER QUALITY CONTROL BOARD



Arnold Schwarzenegger  
Governor August 5, 2010

*Exhibit "A"*  
STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Cathleen Cox  
Acting Director

**RECEIVED**

AUG 16 2010

CITY OF CORNING

John Stoufer  
City of Corning  
794 Third Street  
Corning, CA 96021

Subject: General Plan Amendment 2010-1A, Rezone 2010-1, Corning Community Park Land Acquisition & Development  
SCH#: 2010012045

Dear John Stoufer:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on August 4, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

  
Scott Morgan  
Director, State Clearinghouse

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2010012045  
**Project Title** General Plan Amendment 2010-1A, Rezone 2010-1, Corning Community Park Land Acquisition &  
**Lead Agency** Development  
Corning, City of

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**Type** MND Mitigated Negative Declaration  
**Description** NOTE: Review per Lead

The proposed project is the land acquisition; general plan amendment and rezone of 3 parcels for potential park development if the City of Corning is awarded grant funds from the Statewide Park Development and Community Revitalization Program of 2008.

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**Lead Agency Contact**

**Name** John Stoufer  
**Agency** City of Corning  
**Phone** (530) 824-7036  
**email**  
**Address** 794 Third Street  
**City** Corning  
**State** CA **Zip** 96021  
**Fax**

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**Project Location**

**County** Tehama  
**City** Corning  
**Region**  
**Lat / Long**  
**Cross Streets** Fig Lane / Toomes Ace  
**Parcel No.** 75-210-21, 35, 38  
**Township** 24N **Range** 3W **Section** 22 **Base** MDB&M

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**Proximity to:**

**Highways** I-5  
**Airports** Corning Municipal  
**Railways** UPRR  
**Waterways** Jewett Creek  
**Schools** West Street ES  
**Land Use** Vacant-Single Family Residential/ R-1, R-1-A/Residential-Agricultural

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**Project Issues** Geologic/Seismic; Noise; Traffic/Circulation; Wetland/Riparian; Air Quality

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**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Game, Region 1; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; Caltrans, District 2; California Highway Patrol; Regional Water Quality Control Bd., Region 5 (Redding); Native American Heritage Commission; State Lands Commission

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**Date Received** 07/02/2010 **Start of Review** 07/02/2010 **End of Review** 08/04/2010

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# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



Linda S. Adams  
Secretary for  
Environmental  
Protection

415 Knollcrest Drive, Suite 100, Redding, California 96002  
(530) 224-4845 • Fax (530) 224-4857  
<http://www.waterboards.ca.gov/centralvalley>

Arnold  
Schwarzenegger  
Governor

*Exhibit "B"*

9 July 2010

**RECEIVED**

JUL 12 2010

CITY OF CORNING

Mr. John Stoufer  
City of Corning  
794 Third Street  
Corning, CA 96021

## COMMENTS ON THE NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR PROPOSED CORNING COMMUNITY PARK LAND ACQUISITION & DEVELOPMENT, GENERAL PLAN AMENDMENT #2010-1A, AND REZONE #2010-1, CORNING, TEHAMA COUNTY

The Central Valley Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 2 July 2010, our office received a Notice of Intent to Adopt A Mitigated Negative Declaration, Environmental Initial Study, and Request for Comments Letter from your office regarding the proposed development referenced above.

The proposed project is the land acquisition, general plan amendment, and rezone of four (4) parcels. The parcels are proposed to be developed as a community park with potential recreational features such as a skateboard park, soccer fields, playgrounds, picnic areas, restrooms, walking trails, and open space. The park development project will only be developed if the City of Corning is awarded grant funds from the Statewide Park Development and Community Revitalization Program of 2008. The four parcels are located along the south and north sides of Jewett Creek near the Fig Lane/Toomes Avenue, and Fig Lane/Houghton Avenue intersections in Section 22, Township 24 North, Range 3 West, APN 071-250-35; -61; -34; & -04, Tehama County.

The following comments are provided to help outline the potential permitting which may be required by the Regional Water Board, policy issues concerning the project, and suggestions for mitigation measures. Our present comments focus primarily on discharges regulated under our CWA §401 and storm water programs.

Water Board entitlements include:

- Fill or dredged material discharges
  - Storm water and other wastewater discharges
- Clean Water Act (CWA) §401 water quality certification for federal waters; or Waste Discharge Requirements for non-federal waters
- CWA §402 NPDES permit; Storm Water Discharges Associated with Construction Activity

The following summarizes project permits that may be required by our agency depending upon potential impacts to water quality:

Isolated wetlands not covered by the Federal Clean Water Act

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

As a protective measure for any stream habitat on-site, as well as any wetland, riparian areas and species of special concern, the final map should include an adequate buffer for those areas.

Water Quality Certification (401 Certification)

Certifications are issued for activities resulting in dredge or fill within waters of the United States. All projects must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the state. Impacts to these waters should be avoided, minimized, and/or mitigated. Impacts to Water of the United States requires an Army Corps of Engineers (Corps) Clean Water Act (CWA) Section 404 Permit and a CWA Section 401 Water Quality Certification from the Central Valley Water Board. The Section 404 and 401 permits are required for activities involving a discharge (such as fill or dredged material) to Waters of the United States. "Waters" include wetlands, riparian zones, streambeds, rivers, lakes, and oceans. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. If required, the Section 404 Permit and Section 401 Certification must be obtained prior to site disturbance.

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

For projects disturbing 1 acre or more of land the property owner is required to obtain coverage under the CGP by submitting Permit Registration Documents electronically prior to construction. The Paradise Irrigation District Corporation Yard must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. Long-term post-construction Best Management Practices (BMPs) that protect water quality and control runoff ideally to the pre-development levels should be incorporated into the project. Detailed information on the CGP can be found on the State Water Board website: [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/gen\\_const.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml)

If you have any questions or comments regarding this matter please contact me at (530) 224-4784 or by email at [szaitz@waterboards.ca.gov](mailto:szaitz@waterboards.ca.gov).



Scott A. Zaitz, R.E.H.S.  
Environmental Scientist  
Storm Water & Water Quality Certification Unit

cc: Mr. Matt Kelley, U.S. Army Corp of Engineers, Redding  
Ms. Donna Cobb, Department of Fish and Game, Region 1, Redding

# CITY OF CORNING

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## CORNING COMMUNITY PARK LAND ACQUISITION & DEVELOPMENT, GENERAL PLAN AMENDMENT #2010-1A, & REZONE #2010-1

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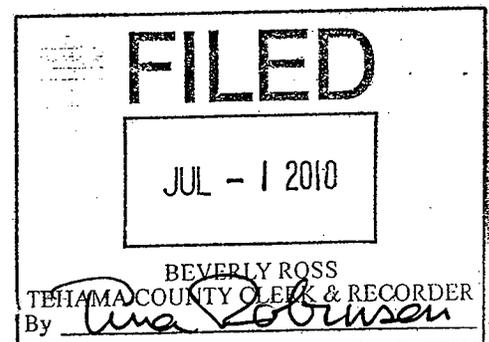
### INITIAL STUDY & MITIGATED NEGATIVE DECLARATION

Prepared  
For

City of Corning  
Mr. John Stoufer, Planning Director  
794 Third Street  
Corning, CA 96021  
(530) 824-7036  
E-Mail - [jstoufer@corning.org](mailto:jstoufer@corning.org)

Prepared  
By  
Diaz Associates  
4277 Pasatiempo Court  
Redding, CA 96002  
(530)-224-0811  
(530)-224-0832 Fax  
E-Mail - [ediaz@diazplanning.com](mailto:ediaz@diazplanning.com)

July 1, 2010





# City of Corning

794 Third St. Corning, CA 96021 (530) 824-7020 Fax (530) 824-2489

**CITY OF CORNING PLANNING DEPARTMENT  
794 THIRD STREET  
CORNING, CALIFORNIA 96021**

**MITIGATED NEGATIVE DECLARATION  
FOR THE GENERAL PLAN AMENDMENT 2010-1A, REZONE 2010-1,  
CORNING COMMUNITY PARK LAND ACQUISITION AND DEVELOPMENT**

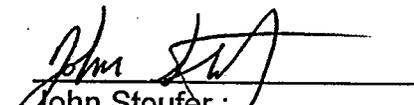
**PROJECT TITLE: General Plan Amendment 2010-1A, Rezone 2010-1, Corning  
Community Park Land Acquisition and Development.**

**DESCRIPTION OF PROJECT:** The proposed project is the land acquisition, general plan amendment and rezone of four parcels. The parcels are proposed to be developed as a community park with potential recreational features such as a skateboard park, soccer fields, playgrounds, picnic areas, restrooms, walking trails and open space. The park development project will only be developed if the City of Corning is awarded grant funds from the Statewide Park Development and Community Revitalization Program of 2008. The four parcels are located along the south and north sides of Jewett Creek near the Fig Lane/Toomes Ave., and Fig Lane/Houghton Ave. intersections in Section 22, T. 24 N., R. 3 W., MDM. APN'S 71-250-35, 61, 34, & 04

The City of Corning Planning Department has evaluated potential environmental impacts and prepared an Initial Study, using the Initial Study Environmental Checklist Form distributed by the California Office of Planning and Research, and found that with the implementation of mitigation measures identified in the initial study, the above described project will have no significant adverse effect on the environment.

Attached is a copy of the Initial Study with identified mitigations, and a Mitigation Monitoring Program. Copies of this Mitigated Negative Declaration and Initial Study are available upon request from the Tehama County Clerk & Recorder's Office and the City of Corning Planning Department.

Those wishing to comment regarding this Mitigated Negative Declaration must do so on or before **August 4, 2010** . Comments received after this date will not be valid.

  
John Stoufer:  
Planning Director

DATE: 7-1-10

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## BACKGROUND

1. **PROJECT TITLE:** Corning Community Park Land Acquisition & Development, General Plan Amendment #2010-1A & Rezone #2010-1
2. **LEAD AGENCY, PROJECT PROPONENT AND CONTACT PERSON:** City of Corning (City). 794 Third Street, Corning CA 960213. Mr. John Stoufer, Planning Director (530)824-7036, Fax (530) 275-3043, E-Mail – jstoufer@corning.org
3. **APPLICANT/PROJECT PROPONENT:** City of Corning
4. **PROJECT LOCATION:** The City of Corning, California is a rural agricultural community of 7,396 people situated 25 miles northwest of Chico and 17 miles south of Red Bluff in south central Tehama County (**Figure 1**). The physical layout of the City was established in 1878, when the town named Scatterville, later Riceville, was built. In 1882, the town of Corning was established and merged with Riceville. Since that time, the City and adjacent agricultural areas have seen a slow to moderate increase in population growth. In the past, the population has been distributed as a small nucleus in the incorporated urbanized areas, surrounded by a larger non-urbanized halo in the unincorporated areas.

The proposed Community Park Project encompasses 18.42 acres comprised of all, or portions of four parcels. The Project requires the acquisition of 16.82 acres contiguous to 3.85 acres currently owned by the City or which 1.60 acres will be incorporated into the proposed Park. Transitioning from west to east then south: APN# 071-250-35-1 (Parcel 1) is 7.15 acres in size; APN# 071-250-61-1 (Parcel 2) is a 0.31 acre drainage easement parcel that will be deeded to the City; APN# 071-250-34 (Parcel 3) is a 3.85 acre parcel owned by the City of which 1.60 acres will be utilized for the Park; and, APN# 071-250-04-1 (Parcel 4) encompasses 10.00 acres. The parcels are located in Section 22, T. 24 N., R. 3 W., Mount Diablo Base and Meridian, of the USGS 7.5' Corning, California Topographic Quadrangle (**Figures 2 and 3**).

Primary access to the parcels from the west from Interstate 5 (I-5) is via the Solano Avenue/I-5 interchange and to a lesser degree from the South Avenue/I-5 interchange. Access to Parcel 1 from the I-5/Solano Avenue interchange is to proceed east, approximately 150 feet past the ramps, then south along State Route 99W (SR 99W) to Fig Lane, a distance of approximately 2,600 feet (0.49 miles), then west along Fig Lane, a distance of approximately 1,700 feet (0.32 miles). Alternatively, one can proceed east, a distance of approximately 1,600 feet (0.30 miles) from the interchange along Solano Avenue, then proceed south to Fig Lane, a distance of approximately 2,600 feet (0.49 miles). Parcel 1 is located immediately east of Toomes Avenue and north of Fig Lane which forms the southern boundary. Fig Lane dead ends at Jewett Creek since there is no creek crossing. (**Figure 3**)

Access to Parcels 2, 3, and 4 from the I-5/Solano Avenue interchange is via east along Solano a distance of approximately 2,800 feet (0.53 miles), then south along Houghton Avenue, a distance of approximately 2,600 feet (0.49 miles), to the eastern entrance to the Park. Similar to Parcel 1, Fig Lane dead ends at Jewett Creek since there is no creek crossing. The City's Circulation Element calls for the eventual linkage of Fig Lane to provide an east-west Collector Street between SR 99W and South Marguerite Avenue. The proposed Project does not provide for the linkage due to funding constraints. However, a pedestrian bridge is proposed south of Fig Lane to provide pedestrian and bicycle linkage between the western and western Park areas.

To access the general location of Parcel 1 from the South Avenue and the SR 99W intersection, proceed north, approximately 5,200 feet to Fig Lane and then east to the Parcel. To access

Parcels 2, 3, and 4 one would proceed east along South Avenue from the I-5/South Avenue interchange a distance of approximately 3,100 feet (0.58 miles), then north to the eastern entrance of the Park located at Parcel 4, a distance of approximately one mile.

5. **GENERAL PLAN DESIGNATION AND ZONING:** The *Land Use Element* of the *City of Corning General Plan* sets forth the policies for guiding local development. These policies, together with existing zoning, establish the amount and distribution of permitted land uses within each zone, and sets forth development standards with which the permitted land uses must comply.

General Plan – The objective of the Land Use Element is to promote the best use of land through protection of desirable existing uses, orderly development, and consideration of the City’s future needs. The land use classifications for the various parcels are as follows:

Parcels 1, 2, and 3 are classified as *Residential (R)* allowing residential development of up to 14 dwelling units per acre. Parcel 4 is classified as *Agriculture* described as land “devoted to grazing and orchards. The use of these lands include orchards whether used or in disrepair, land used for grazing, and large tracts of land with only one or two residential units (Rural Residential).”

Zoning – Residential development is permitted in accordance with the Zoning Ordinance. Zoning designations for the parcels are as follows:

Parcels 1, 2, and 3 are zoned *R1, Single-Family (R-1)* which allows residential development on a minimum of 6,000 square feet for interior lots and 7,000 square feet for corner lots. Parcel 1 is zoned *R1-A, Residential-Single Family (R-1) Agricultural Combining District (A)*. The designation allows residential development on a minimum of 6,000 square feet for interior lots and 7,000 square feet for corner lots. Other permitted uses include accessory buildings and uses, and home occupations; crop and tree farming, the sale of agricultural products produced on site; animal husbandry and livestock farming provided that not more than one horse, one mule, one cow, one steer, or five sheep shall kept for each half acre of land, publicly owned parks and playgrounds; and public schools and buildings when placed in conformance with the General Plan.

6. **ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:**

Project site elevations trend in a westerly to south easterly direction with an approximate 275 mean sea level (MSL) to 270 MSL from Parcel 1 to Parcel 4. The bank of the elevation along Jewett Creek is at an elevation of approximately 278 MSL to 275 MSL.

The northern portion of Parcel 1 is bisected by Jewett Creek, whose area of influence is approximately 0.84 acres, running in a north to south easterly trending direction thereby creating a remnant triangular piece of property of approximately 0.88 acres in size. The eastern boundary of the triangle abuts a residential subdivision and the balance of the parcel, approximately 5.43 acres, south of Jewett Creek abuts an existing orchard along the eastern boundary (**Figure 3**). Jewett Creek flows in a southeastern direction and is tributary to the Sacramento River, which is approximately three and one-half miles east of the City.

Parcels 2, 3 and 4 are located on the west side of Houghton Avenue. Jewett Creek forms the southwestern boundary of Parcel 2, the western boundary of Parcel 3 and the western and southern boundary of Parcel 4. Parcel 2 is triangular shaped and was dedicated as a drainage easement by the developers of the adjacent residential development project Tract Map 03-1007. Jewett Creek encompasses the majority of the parcel.

Other than Jewett Creek, no wetlands were observed within the proposed Park parcels. Jewett Creek exhibits bed and bank characteristics and is subject to the jurisdiction of the U.S. Army Corps of Engineers. The ordinary high water mark of the stream averages 30 to 50 feet in width within Parcels 1, 2 and 3 and up to 75 feet in width in Parcel 4. Jewett Creek is an incised channel, and appears to have been realigned in the past, primarily within Parcels 1 and 2. Very little woody vegetation is present along the low-flow channel. Valley oaks and grey pines are common near the top of the stream banks, along with volunteer walnuts, almonds, and olives. Other species present in the riparian corridor include willows, giant reed, Himalayan blackberry, pipevine, and man-root.

Review of CNDDDB records showed that no special-status plant species have been previously reported on any of the Park parcels. Four special-status plant species are known to occur in the site vicinity: Ahart's paronychia, dwarf downingia, Red Bluff dwarf rush, and Stony Creek spurge. Red Bluff dwarf rush and dwarf downingia occur in vernal pools and swales; no suitable habitat for these species occurs on the subject site. Ahart's paronychia generally occurs on stony clay soils near vernal pools; no suitable habitat for this species occurs on the site. Stony Creek spurge is generally found on sandy or stony ground at elevations of less than 2,000 feet in Tehama and Glenn counties; no suitable habitat for this species occurs on the site.

Review of CNDDDB records showed that four special-status wildlife species are known to occur within the five-mile search radius: burrowing owl, Swainson's hawk, vernal pool fairy shrimp, and western spadefoot. Six additional special-status fish species not reported in the CNDDDB, but known to occur in the vicinity include winter-run Chinook salmon (a federal and state Endangered species), Central Valley spring-run Chinook salmon (a federal and state Threatened species), Central Valley fall-run Chinook salmon (a federal and state Species of Concern), Central Valley late fall-run Chinook salmon (a federal and state Species of Concern), Central Valley steelhead (a federal Threatened species), and green sturgeon (a federal Threatened species). Based on observed habitat characteristics, northwestern pond turtle (a State Species of Concern) and valley elderberry longhorn beetle (a federal Threatened species) could also potentially occur on the site.

Five elderberry clusters were observed on Parcel 1. Three elderberry clusters with stems greater than one inch in diameter were observed on Parcel 4. Two of the clusters occur along the banks of Jewett Creek, while the third is located in grassland habitat in the south-central portion of the parcel. These plants could potentially support the federally listed valley elderberry longhorn beetle, which is a wood-borer that exclusively inhabits elderberries (**Figure 3**). The Park design provides for complete avoidance of the elderberry plants.

The burrowing owl has a low potential to occur on the site. The owls typically nest in abandoned ground squirrel burrows, but occasionally nest in other holes (e.g., culverts, niches in rock outcrops). The site appears to have low ground squirrel activity due to its past disturbance and the presence of compacted soils. Although no nests were observed, Swainson's hawk could potentially nest on the subject site.

According to the U.S. Department of Agriculture, Natural Resources Conservation Service, soils on the site are mapped as Arbuckle gravelly loam, 0 to 3 percent slopes; Maywood fine sandy loam, 0 to 3 percent slopes; Hillgate silt loam, 0 to 3 percent slopes; Tehama gravelly loam, 0 to 3 percent slopes; and Riverwash.

Nearly all of the parcels appears to have been disturbed in the past, presumably for agricultural, residential, and flood control purposes. Habitat associations currently on the Project site include annual grassland, regenerating valley oak woodland, orchard, and a relatively narrow riparian

corridor. The annual grassland community is best developed in the southern halves of Parcels 1 and 2. Common plant species in the annual grassland habitat include various grasses, yellow star-thistle, filarees, shepherd's purse, miner's lettuce, and jointed charlock. Annual grasslands have a low to moderate value for wildlife. Valley oaks are sparsely scattered throughout the grassland.

The regenerating valley oak woodland habitat is best developed in the northeastern portion of Parcel 1, which supports a dense stand of young valley oaks up to about eight inches in diameter. Young valley oaks are also common in the central portion of this parcel.

The project consists of three city parcels and a parcel which is a drainage easement. These lands were historically used for orchards. Parcel 1 presently contains the remains of four structures: a pump house, a garage/shed, the burned remains of a residence, and a small concrete structure of undetermined function exist in the center of the parcel. In addition, a brick lined pit and concrete slab are situated adjacent to the concrete structure. In the past, the parcel contained both an orchard and residence. A number of olive and orange trees remain on the lot, although most of the orchards have been removed.

Parcels 2 and 3 contain no structures and Parcel 4 has two small remnant orchard areas. The majority of Parcel 4 has been cleared and leveled. A residence with four structures; a small concrete garden shed, a garage/shed, a carport, and a house occupy the northeast corner of the parcel. Portions of the house, garden shed, and garage/shed on Parcel 4 appear to date to the 1920s and will require further evaluation to determine their historical significance. However, based on the observed alterations that have been made to these structures, they likely will not meet the definition of "Historical Resource" as defined by CEQA. There are no prehistoric or historic resources located on any of the parcels (**Figure 4**).

Immediately to the north of Parcel 1 is vacant, but highly disturbed, parcel of approximately 4.96 acres (APN# 071-212-20-1) and to the east is the aforementioned developed 22 single-family residential subdivision. Parcel 2 abuts the southwestern portion of the subdivision and Parcel 3 abuts the southern boundary. These lands are classified as *Residential* and Zoned *R-1*. To the south of Parcel 1 is an existing orchard on 7.73 acres (APN# 071-250-14-1). To the southwest of Parcel 1 is the approved 44 lot Fig Lane Subdivision on approximately 11.69 acres. Further to the west of this subdivision is an apartment complex on 3.03 acres. Directly across Toomes Avenue from the southern portion of Parcel 1 is an existing mini-storage facility on 2.64 acres.

As previously noted, Parcel 2 of the Park is an approximate 1.60 portion of APN# 071-250-34-1 currently owned by the City. The remaining portion of the parcel, which will not be included in the Park, is also classified as *Residential* and Zoned *R-1*. To the west of Parcel 4 is the aforementioned 7.73 acre parcel located south of Parcel 1. To the east of Parcel 4 are single family homes along Fig Lane. South of these parcels is an approximate 4.46 acre of highly disturbed vacant land (APN# 071-280-25-1). As previously described, Jewett Creek provides a buffer between Parcel 4 and APN# 071-300-30-1 which is a 10 acre parcel to the south that is used as an orchard and is under County jurisdiction. However, a small triangular piece of Parcel 4, approximately 0.88 acres, is identified in the Conceptual Site Plan to be used as a biological habitat enhancement area which abuts the northwestern boundary of the 10 acre parcel.

## 7. PROJECT PURPOSE, NEED, AND DESCRIPTION:

The proposed Project entails land acquisition, general plan amendment, and rezone of four parcels and their development as a Community Park. If the City is successful in securing park grant funds, construction is scheduled to begin in the spring of 2011.

On November 7, 2006, Californian voters passed Proposition 84 which is the \$5.4 billion “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006” as detailed in the Public Resources Code §§75001 through 75090. The Bond Act also included a Sustainable Communities and Climate Change Reduction chapter which provided funding for a \$368 million grant for the Statewide Park Development and Community Revitalization Program of 2008 also known as the Statewide Park Program (Public Resources Code Division 43, Chapter 9, §75065 (b) (1-5)).<sup>1</sup>

This new competitive grant program was created by Assembly Bill 31 (De Leon) Chapter 623, Statutes of 2008. There will be two rounds awarding \$368,000,000 to critically underserved communities throughout California. As of July 1, 2009, the 2009/10 Budget Act appropriated \$184,000,000 for the first competitive round.<sup>2</sup>

Per the *Application Guide*, “parks are unique places where children can play, people can exercise, families can bond, seniors can socialize, youth can be mentored, cultures can share and celebrate their differences, and everyone can connect with nature. For these reasons, vibrant parks funded by the program will be a cost-effective means of creating humane, livable communities.”

The program will award grants on a competitive basis for the creation of new parks and new recreation opportunities in proximity to the most critically underserved communities across California. The creation of new parks in neighborhoods will be given priority. The minimum grant request is \$100,000 and the maximum request is \$5,000,000 with no matching funding requirements. March 1, 2010 is the applications deadline for the \$184,000,000 first competitive funding round.

Eligible projects include land acquisition and development. Acquisition without a development component is ineligible. Acquisition must be combined with development so the project will result in a new recreation opportunity. For acquisition and development combination projects, the entire acquired property need not be developed. Only a phase that creates a fully-useable recreational opportunity must be completed and open to the public before the end of the grant performance period. These projects may include but are not limited to the examples in **Table 1**:

<b>TABLE 1</b>	
<b>ELIGIBLE PROJECT COMPONENTS</b>	
<b>Recreation Feature</b>	<b>Major Support Amenity</b>
<ul style="list-style-type: none"> <li>• Acquisition to create a new park</li> <li>• Athletic fields and courts</li> <li>• Community centers</li> <li>• Community gardens</li> <li>• Gymnasiums</li> <li>• Non-motorized neighborhood and regional recreational trails</li> <li>• Open space and natural areas</li> <li>• Performing arts venues</li> <li>• Picnic areas</li> <li>• Play grounds and tot lots</li> <li>• Skate parks</li> <li>• Swimming pools and aquatic features</li> </ul>	<ul style="list-style-type: none"> <li>• Restroom buildings and parking lots</li> <li>• Additions that enhance the use and appearance of the park including landscaping and public art.</li> </ul>

<sup>1</sup> State of California Department of Parks and Recreation Office of Grants and Local Services. April 1, 2009. *Application Guide for the Statewide Park Development and Community Revitalization Program of 2008*

<sup>2</sup> State of California Legislative Analyst’s Office. March 6, 2007. *Proposition 84 bond Implementation – Water, Parks and Wildlife Policy/Budget Issues*

The projects are to benefit the health of families, youth, senior citizens, and other population groups by meeting their recreational, cultural, social, educational, and environmental needs. The proposed Community Park will meet the aforementioned needs.

The Community Park Conceptual Site Plan (**Figure 5**) locates active recreation areas, such as two soccer fields with associated parking on Parcel 4 where the fields will have minimal impact on surrounding lands uses. As previously identified, there are four residences each located on parcels to the east, south, west and north. The balance of Parcel 4 will be used for a playground and picnic areas with restrooms and a snack bar facility. Located on the west side of Parcel 4 is an approximate 0.75 acre area designated for biological habitat enhancement use.

Sited on Parcel 1 is a skateboard park located immediately north of Fig Lane in close proximity to Toomes Avenue directly across from a mini-storage facility. The skateboard is sited to minimize direct impacts on the two residences north of the mini-storage facility. Other uses identified for Parcel 1 include picnic areas, a hard court for basketball, play ground, and a performing arts amphitheater. A parking lot will be sited between the amphitheater and the skateboard park and hard ball court. Restroom facilities conveniently located to service the proposed uses. Similar to Parcel 4 is a biological habitat enhancement area located on the 0.88 acre triangular piece of property on the northeast side of Jewett Creek. Discussions are currently being held between City Staff and Corning Union High School District personnel to evaluate the utilization of the Jewett Creek corridor and the two triangular areas in Parcels 1 and 4 for biological habitat enhancement educational and potential restoration purposes.<sup>3</sup>

City Staff bases much of the Conceptual Park Site Plan on a series of six meetings held with residents in the area of the proposed Community Park. On file with the City Planning Department is a meeting summary that provides the meeting venues, address, time, day of week, and date. A description identifies the methods used to invite residents to the meetings (mailings, newspaper, door-to-door flyer distribution, etc.), number of resident participants, and the identification of the participants (seniors, children, parents, etc.). In addition, coordination with the recreation special interest groups such as the Corning Skatepark Committee, Corning Union High School CSF volunteers, soccer coaches, etc. has been ongoing throughout the process. The following summarizes the various elements of the proposed Community Park.

The proposed Community Park will create new area recreational features and opportunities for youth of all ages, families, and senior residents with the following key components (**Figure 5**):

- Lighted skateboard and bicycle park (20,000 square feet).
- Two lighted soccer fields, one for teens and adults and the other for youth. The soccer fields will be depressed to function as detention and filtration basins.
- Snack bar and equipment storage, immediately adjacent to the soccer fields and one of the playgrounds.
- Community plaza/amphitheater, grassy area, covered gazebo, picnic tables and BBQ area. The amphitheater area will be depressed to function as a detention and filtration basin.
- Picnic areas throughout the Park with BBQ facilities.
- Decomposed granite and natural surface walking trails along both sides of Jewett Creek within natural open space areas with access to the Creek.
- Walking/jogging trails throughout the Park.
- Basketball/hard court.

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<sup>3</sup> December 12, 2009 initial meeting and ongoing discussions with John Stoufer, Planning Director and Kimberly Beck, Recreation Supervisor.

- Playground areas with a variety of installed playground equipment for two to five-year old and five to 12-year old age groups.
- Natural open space areas either within lawn or in a natural state.
- Two restrooms with one located on the west side of the Creek and the other on the east side of the Creek.
- Two parking lots with accompanying entrance roads. The one on the west side of the Park is approximately 24,000 square feet, whereas the other, on the east side is approximately 36,000 square feet.

Associated infrastructure for the Community Park includes, but is not limited to; solar energy systems for lighting, where feasible; parking areas providing emergency vehicle maneuverability; curb, gutter and sidewalks, as appropriate; water tolerant landscaping to the degree feasible; efficient and low flow irrigation system; sewer and water service to the restrooms and snack bar facility; use of low flow plumbing fixtures; electrical service, as necessary, for the various facilities; and the installation of appropriate lighting fixtures to reduce glare and light impacting adjacent land uses. Recreation facilities and major support amenities will be ADA compliant.

The City proposes using a combination of techniques and programs to offset maintenance costs, including the use of sustainable design. The City of Corning Department of Public Works will be responsible for the maintenance of the Park. The Public Works Department utilizes and participates with the Tehama County's Summer Employment Program through the Job Training Center. The City also partners with the Centennial School in Corning thereby providing employment training opportunities and income. City staff will be augmented by partnering with the community for volunteer days, student clean up days, summer youth employment programs and the use of community service volunteers and local inmate labor, when appropriate. It is anticipated that the City will enter into a cooperative agreement with a local service club(s) to operate the snack bar as a fund raiser for the club(s) and as a means of reducing on-going City maintenance costs of the Park. The Regional Opportunity Program (ROP) at Corning High School has a Natural Resource Class interested in coordinating with the City on various facets of the Park including the biological habitat enhancement areas and associated Park open space areas. The Corning Skate Park Association is a volunteer organization committed to partnering with the City to establish and maintain the skateboard park.

In order to proceed with the eventual development of the Park, a general plan amendment is proposed to reclassify all four parcels to the *Park* land use classification and to rezone all the parcels to the *Public and Quasi-Public* zoning designation.

**8. OTHER AGENCIES WHOSE APPROVAL IS OR MAY BE REQUIRED** (e.g. Permits, financing approval or participation agreement.)

- City of Corning Planning Commission Recommendation
- City of Corning City Council
- State of California Department of Fish and Game
- State of California Department of Parks and Recreation Office of Grants and Local Services
- California Department of Public Health, Division of Drinking Water and Environmental Management
- State of California Regional Water Quality Control Board
- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- U.S. National Marine Fisheries

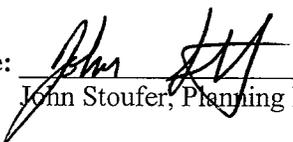
## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

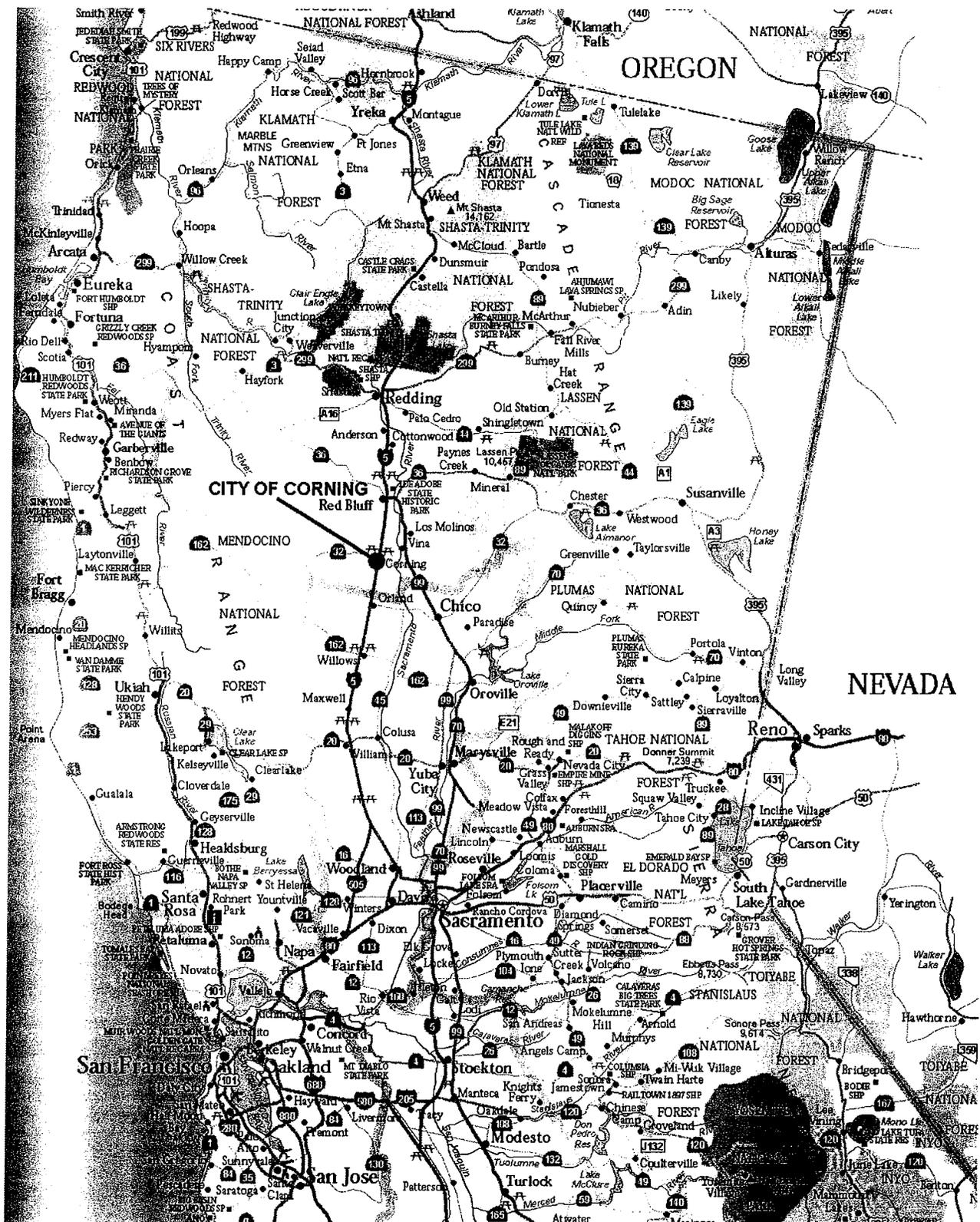
The environmental factors identified below could be potentially affected by the Project; however, mitigations in the Initial Study and also provided in **Attachment 1** have been incorporated into the Project so that there are no *Potentially Significant Impacts* as indicated by the ensuing Initial Study checklist.

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Noise
- Transportation/Traffic

## ENVIRONMENTAL DETERMINATION

On the basis of this Initial Study, I find that the proposed Project will not have a significant effect on the environment; therefore, a **MITIGATED NEGATIVE DECLARATION** will be prepared.

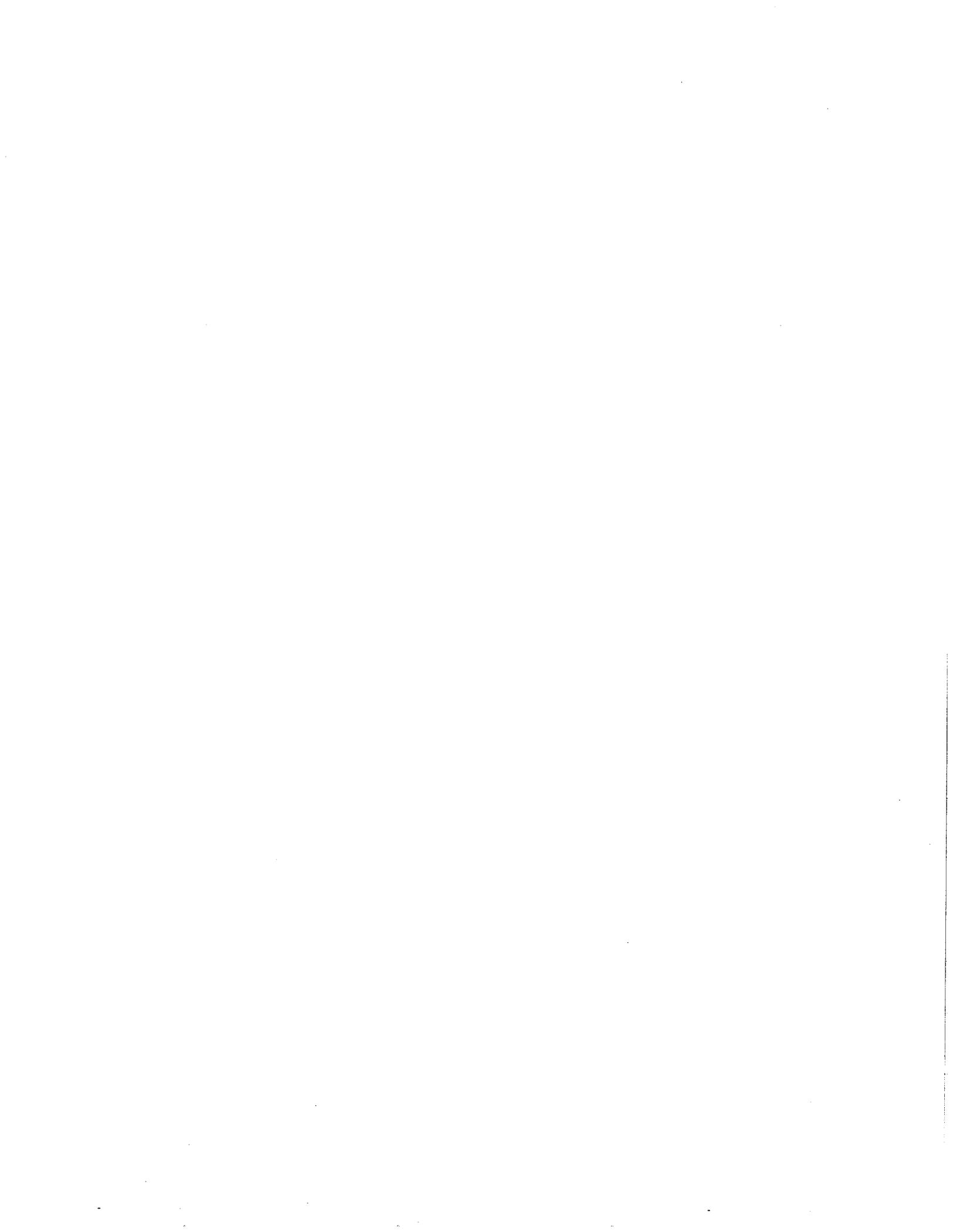
Signature:  \_\_\_\_\_ Date: 7/1/2010  
John Stoufer, Planning Director July 1, 2010

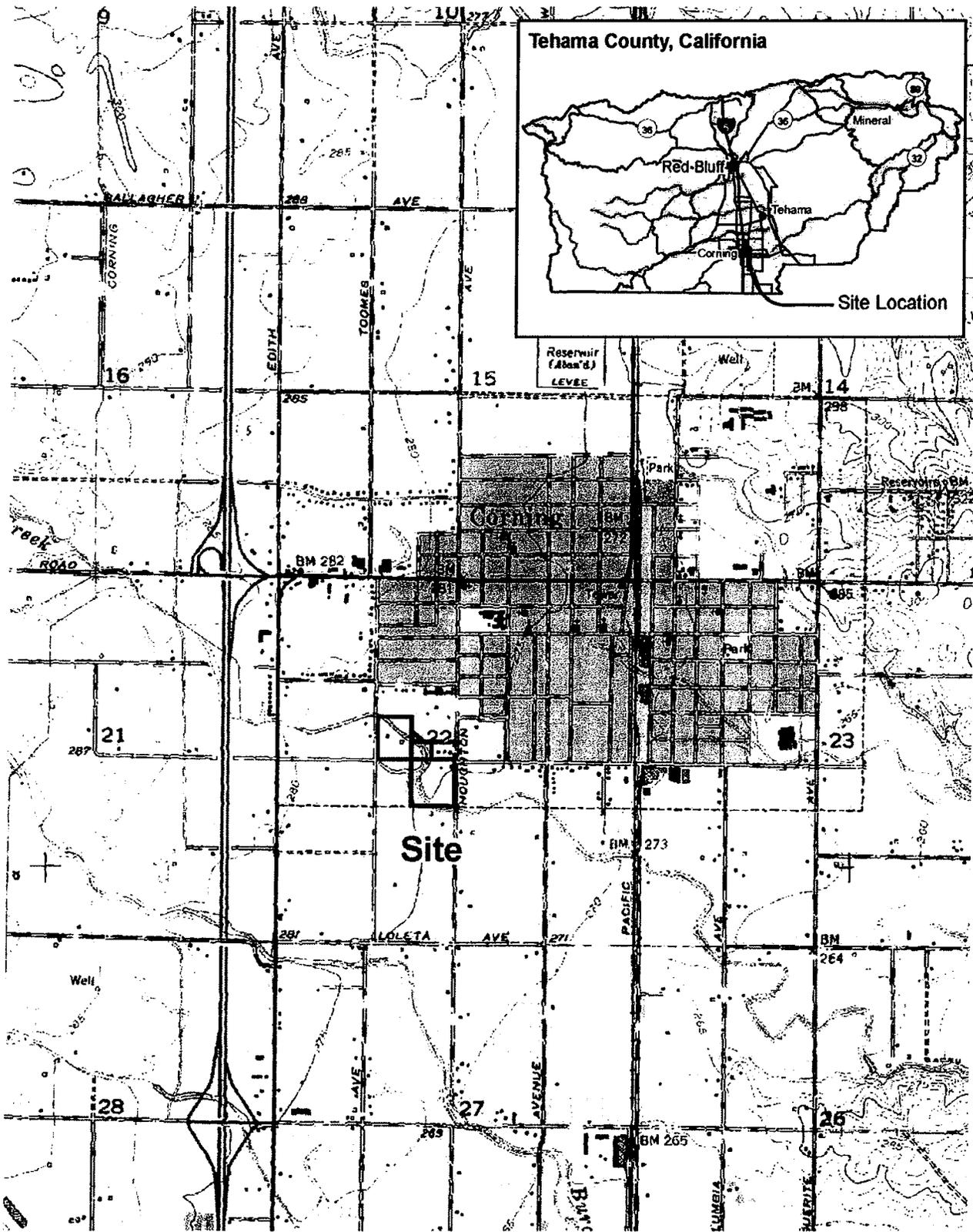


Base Map By Eureka Cartography for the California Division of Tourism



FIGURE 1 – LOCATION MAP





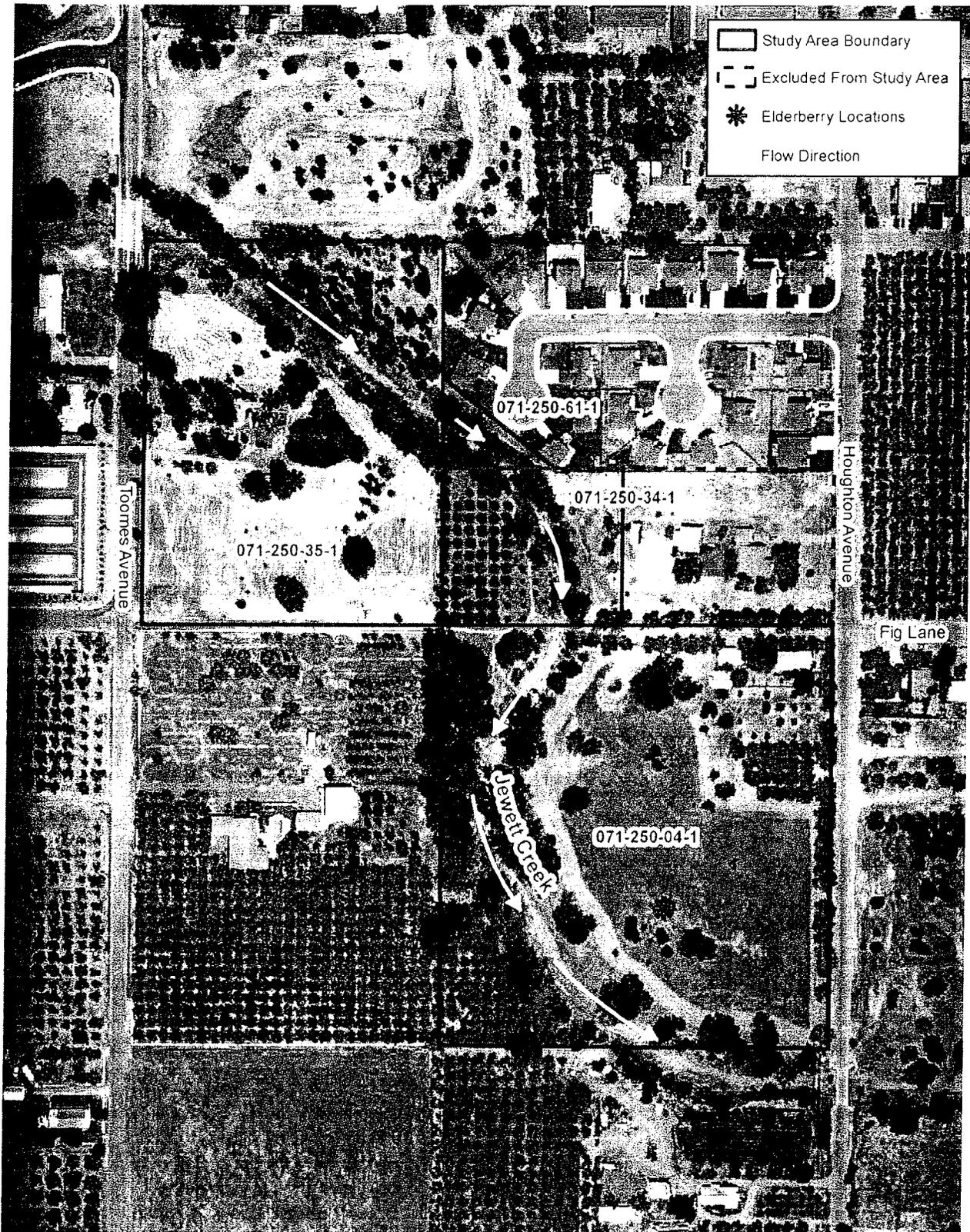
Base Map By ENPLAN

Feature and boundary locations depicted are approximate only.



FIGURE 2 – USGS MAP



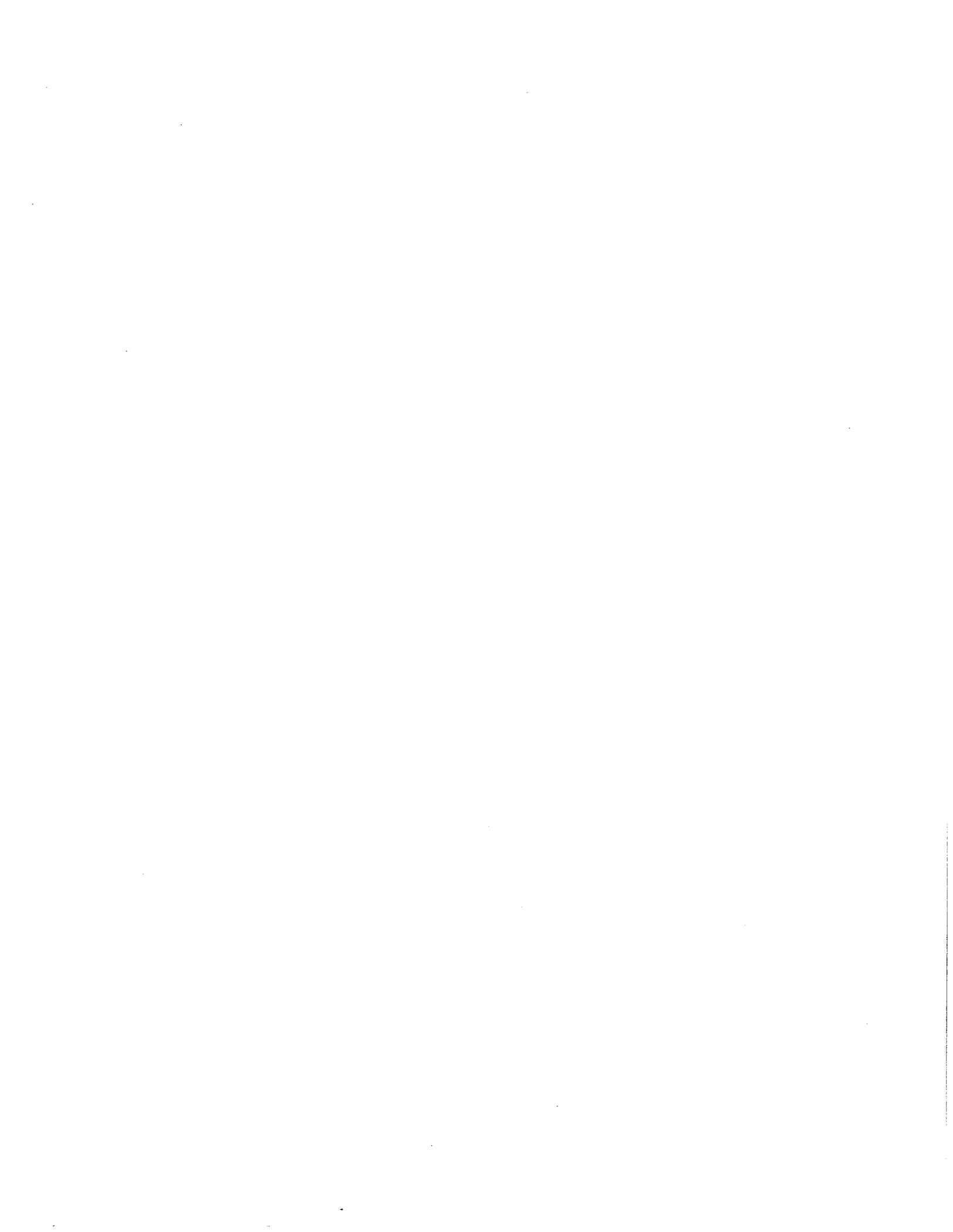


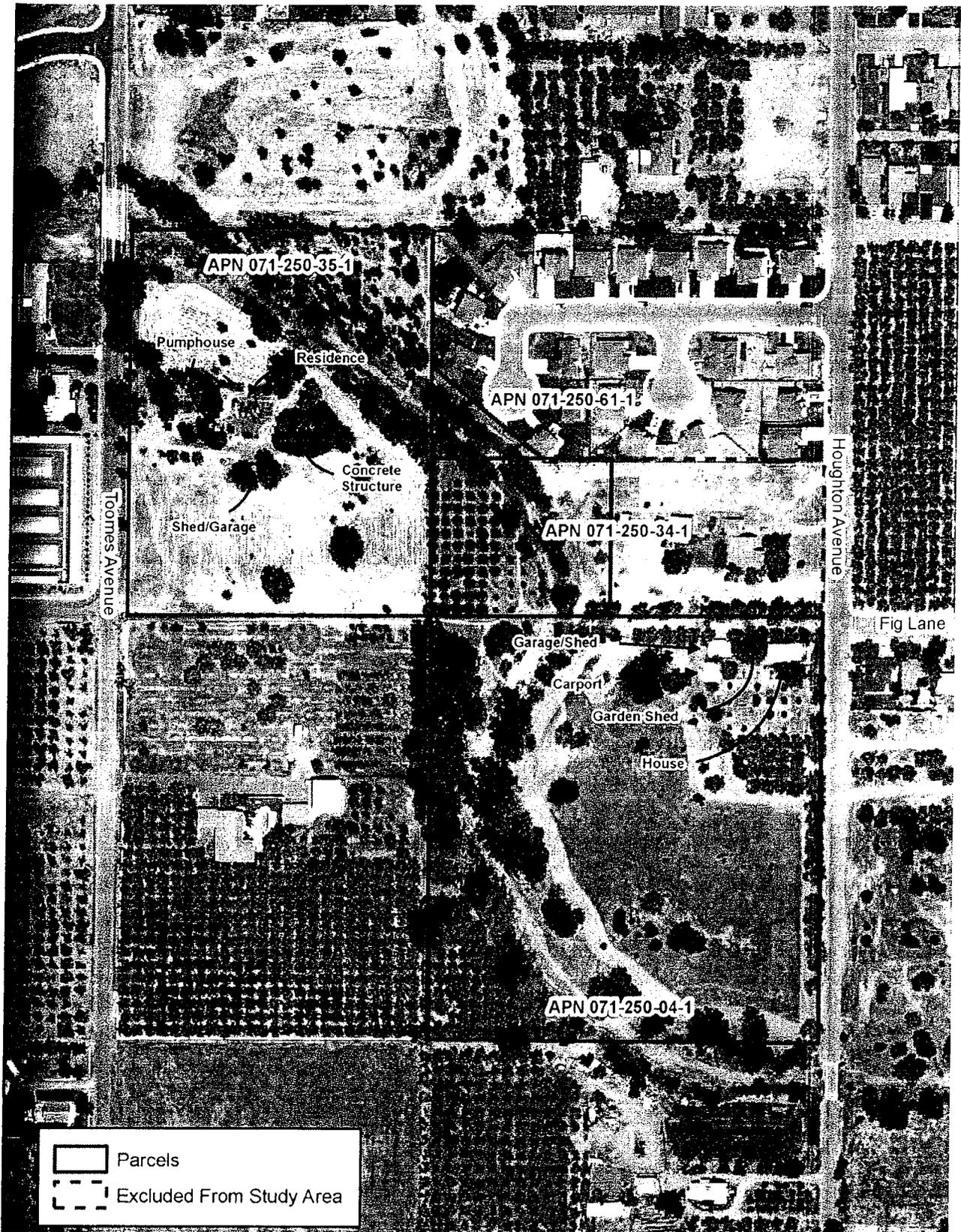
Base Map By ENPLAN

Feature and boundary locations depicted are approximate only.



**FIGURE 3 – ASSESSORS PARCEL NUMBERS & POTENTIAL BIOLOGICAL & WATERS CONSTRAINTS MAP**



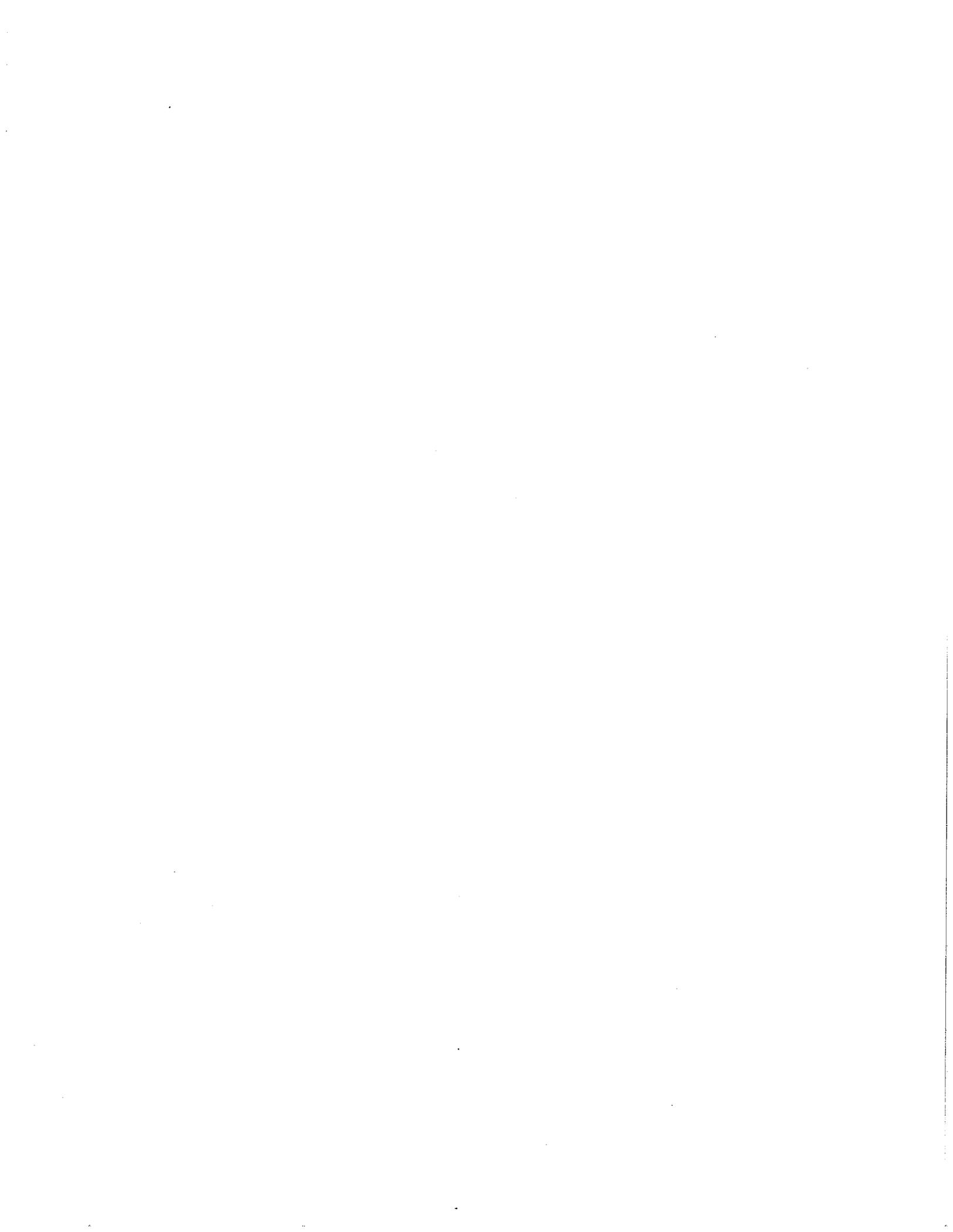


Base Map By ENPLAN

Feature and boundary locations depicted are approximate only.

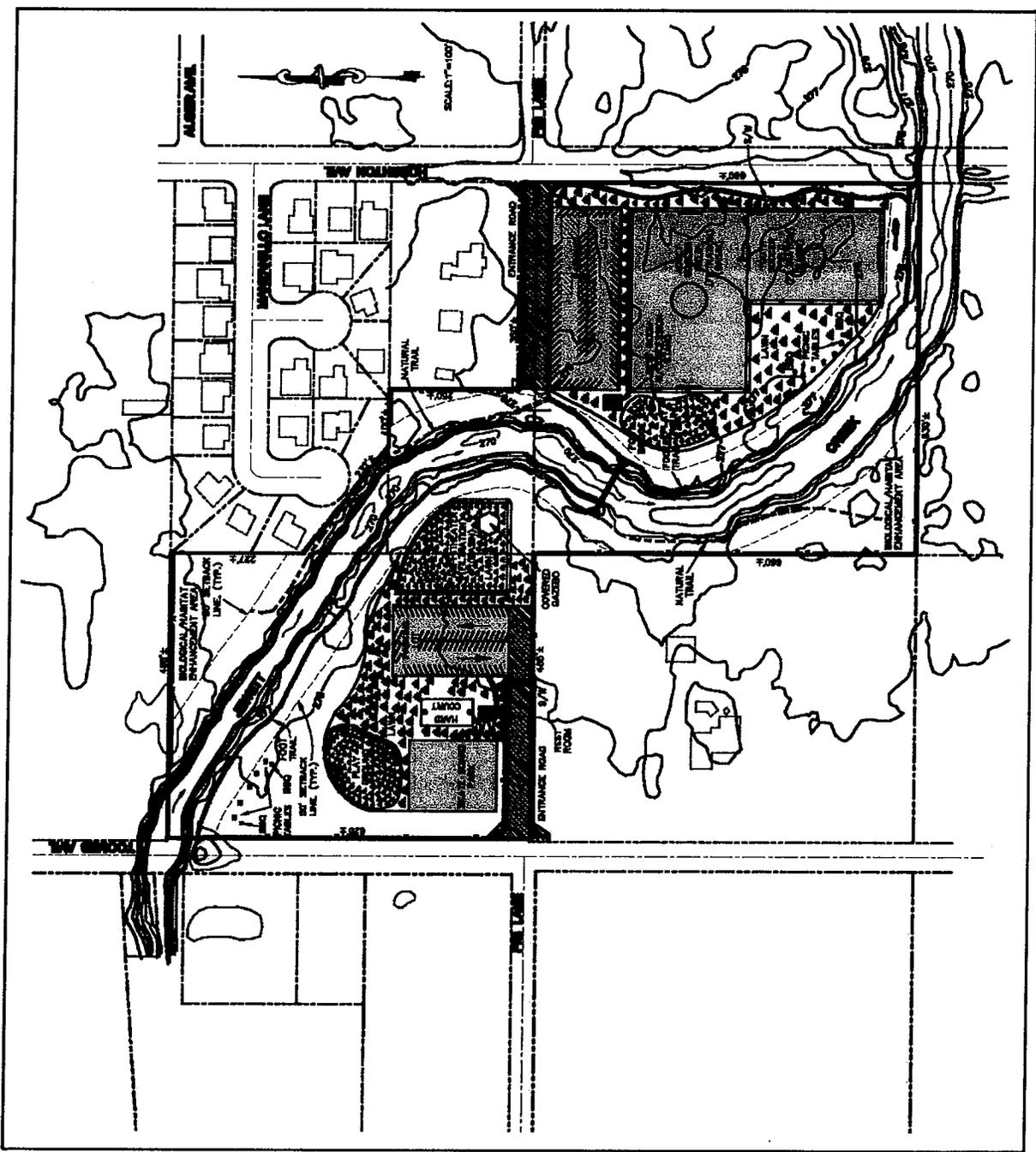


FIGURE 4 – EXISTING MAN-MADE FEATURES MAP





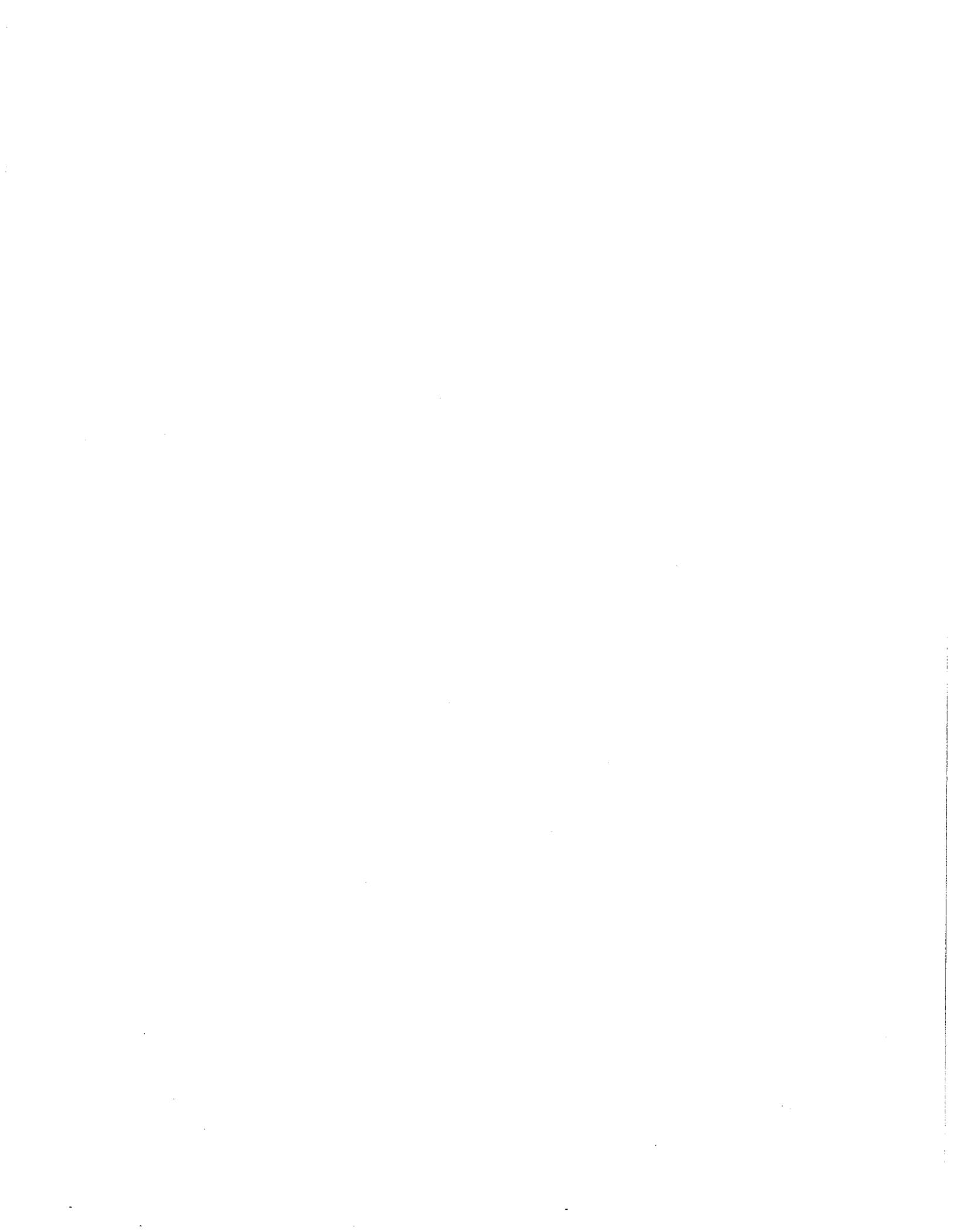
- LEGEND**
- PROJECT BOUNDARY LINE
  - PROPERTY LINES
  - CENTERLINE
  - ONE FOOT CONTOUR LINES
  - FIVE FOOT CONTOUR LINES
  - PROPOSED FENCES
  - EXISTING BUILDINGS
  - EXISTING BUILDINGS TO BE REMOVED
  - FOOT TRAIL
  - NATURAL TRAIL
  - CONCRETE SIDEWALK
  - SEWALK



Conceptual Site Plan Prepared By Ed Anderson, Civil Engineer.



FIGURE 5 – COMMUNITY PARK CONCEPTUAL SITE PLAN

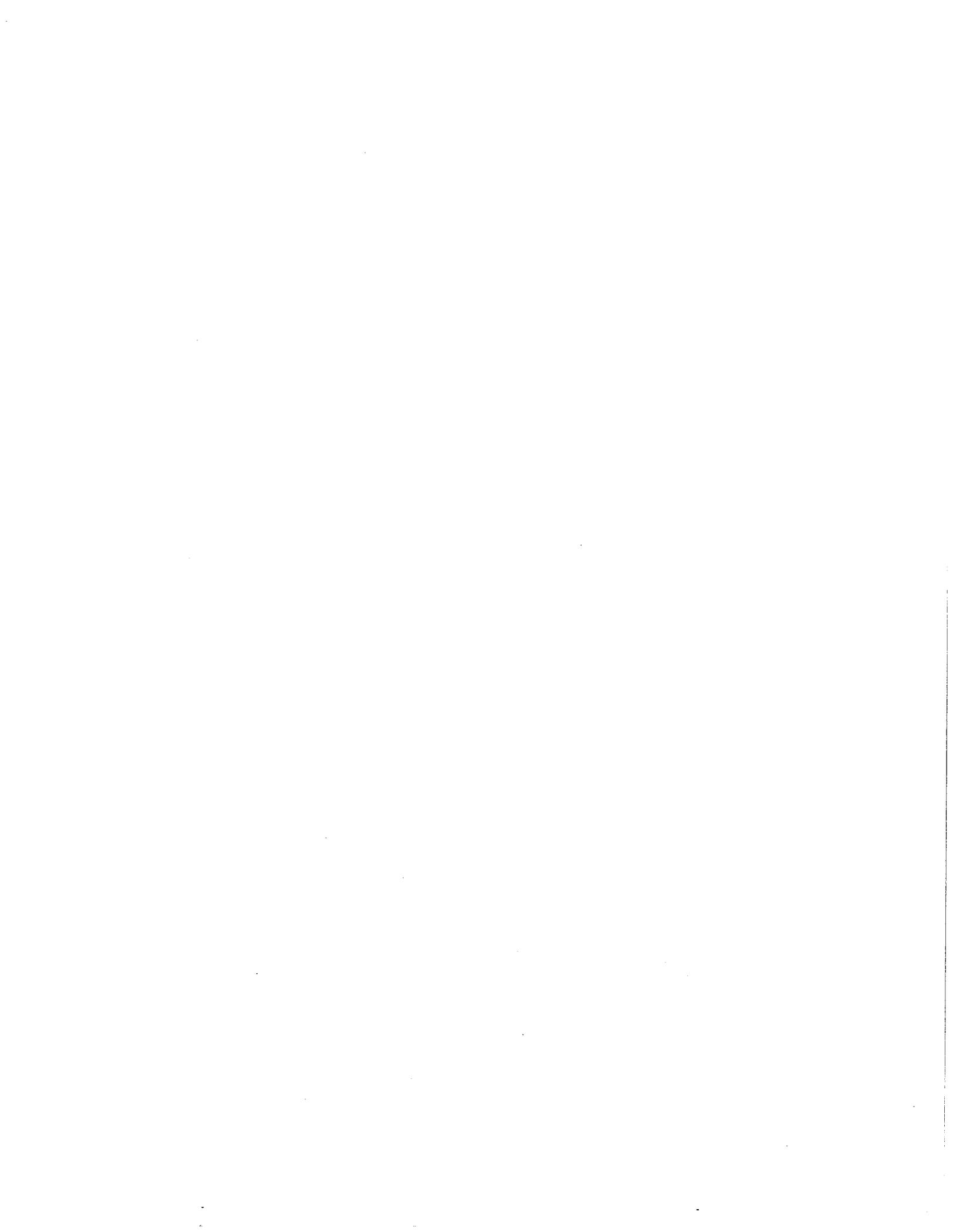


## EVALUATION OF ENVIRONMENTAL IMPACTS

This section discusses potential environmental impacts associated with approval of the proposed Project.

The following guidance, adapted from *Appendix G* of the State *CEQA Guidelines*, was followed to answer the checklist questions:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.



7. **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance

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

**Existing Environmental Setting:** The issue of aesthetics can be extremely subjective, however, there are accepted standards that the majority of the public can agree on, particularly when related to building construction. Standards address view obstructions, needless removal of trees, “scarring” from grading, landscaping, sign clutter and street lighting. Another important criterion for visual impacts is visual consistency. Project design should be consistent with natural surroundings and adjacent land uses. For example, a residential development might contrast visually with an industrial facility. Such incompatibilities can be partially mitigated through such measures as fences, and landscaping, to soften the harshness of the contrasts.

The site consists of four parcels that were historically used for orchards. Parcel 1 contains the remains of four structures; a pump house, a garage/shed, the burned remains of a residence, and a small concrete structure of undetermined function exist in the center of the parcel. A brick lined pit and concrete slab are situated adjacent to the concrete structure. In the past, the parcel contained both an orchard and residence. A number of olive and orange trees remain on the lot, although most of the orchards have been removed. Parcels 2 and 3 contain no structures. Parcel 4 has two small remnant orchard areas. The majority of the parcel has been cleared and leveled. A residence with four structures; a small concrete garden shed, a garage/shed, a carport, and a house occupy the northeast corner of the parcel of which portions appear to date to the 1920s. Jewett Creek flows in a southerly to southeasterly direction through the four parcels, entering the study area at its northwestern corner and exiting at the southeastern corner (**Figure 4**).

As previously noted, nearly all of the Project area appears to have been disturbed in the past, presumably for agricultural, residential, and flood control purposes. Habitat associations currently on the project site include annual grassland, regenerating valley oak woodland, orchard, and a relatively narrow riparian corridor. The annual grassland community is best developed in the southern halves of Parcels 1 and 2. Common plant species in the annual grassland habitat include various grasses, yellow star-thistle, filarees, shepherd’s purse, miner’s lettuce, and jointed charlock. Annual grasslands have a low to moderate value for wildlife. Valley oaks are sparsely scattered throughout the grassland.

The regenerating valley oak woodland habitat is best developed in the northeastern portion of Parcel 1, which supports a dense stand of young valley oaks up to about eight inches in diameter. Young valley oaks are also common in the central portion of this parcel. Valley oak woodland habitat has a high value for wildlife, which makes this area within Parcel 1 the most aesthetically pleasing of all four parcels.

Creeks are normally aesthetically attractive, however, Jewett Creek is an incised channel, and appears to have been realigned in the past. Very little woody vegetation is present along the low-flow channel.

Valley oaks and grey pines are common near the top of the stream banks of the downstream third of the channel within Parcel 3, along with volunteer walnuts, almonds and olives. Other species present in the riparian corridor include willows, giant reed, Himalayan blackberry, pipevine, and man-root.

**Discussion of Checklist Answers:**

- a. *Have a substantial adverse effect on a scenic vista?*
- b. *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway.*

Due to the location and the degraded nature of the various parcels, there are no scenic vistas or resources, particularly within a state scenic highway, that would be impacted by the proposed Project. There is *no impact*.

- c. *Substantially degrade the existing visual character or quality of the site and its surroundings.*

Future development of the parcels as a park will be required to be consistent with general plan policies and comply with applicable City development standards and guidelines. In addition, compliance with any requirements mandated during the future environmental review of the various Park components will ensure that significant impacts to the existing visual character or quality of the site and its surroundings do not occur. Particular attention to the preservation of existing valley oaks through their incorporation into the design of the Park should be a priority, to the maximum degree feasible. Furthermore, there exists an opportunity to restore some of the degraded conditions along Jewett Creek which should be evaluated and implemented where possible. Adherence to such requirements will reduce potential aesthetic impacts associated with this issue to a *less than significant* level.

- d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

The *City of Corning General Plan* does not contain any standards for evaluating light and glare impacts. Impacts of light and glare are therefore determined to be potentially significant if the following criteria are met:

- The light and/or glare are continuous, rather than temporary in nature (example: a continuous stream of cars or regular pattern of lighting vs. occasional passing headlights).
- The level of light and/or glare is noticeably higher than the surrounding ambient level of light.
- The light and/or glare have the potential to shine directly into the interior and/or outdoor activity areas of existing or future residences.
- The size of the affected parcels (larger parcels offer greater siting flexibility).

The future Park will include installation and operation of outdoor lighting for, at minimum, the ball fields and skateboard park and security lighting throughout parking areas, and on the restroom exteriors. Park lighting has the potential to create light pollution in the vicinity of the Park parcels, albeit minimally due to the limited amount of residential development immediately adjacent to the parcels. In particular, Parcel 4 which is proposed for soccer fields is located in an area with only four residences, each located to the north, east, south, and west of the parcel. The location of the parking lots on Parcels 1 and 4 will also limit light and glare impacts on adjacent residences due to their distances. Limited light and glare from the skateboard park could impact

the two existing residences to the north and across Toomes Avenue. Overall, there will be an increase in the amount of light and glare from Park, street, and vehicular lighting, albeit limited. All nighttime events will end by 10:00 PM thereby minimizing light and glare from Park events.

Design of the future Park should prepare a lighting plan specifying the number, type, height, and location of proposed exterior lighting fixtures. The lighting plan shall comply with the latest California Energy Commission's Building Energy Standards. The plan should contain a table that provides data indicating that the design as being proposed within the following requirements. Fixtures should be specified with horizontal lamps and flat lenses to avoid visible lamp/ light source. Lighting should include directional fixtures to avoid glare and low overall lighting levels. The lighting plan is designed to reduce light pollution to off-site land uses. Light pollution is a potential impact from the operation of any light source at night. Proper light shields, lighting design, and landscaping are commonly used to reduce light pollution generated from lighting by blocking the conveyance of light upwards. The result is that the lights are not visible from above, and do not add ambient light to the nighttime sky. All fixtures will be "Dark Sky" compliant.

To minimize potential light and glare impacts, specific future Park design will be subject to environmental review and any impacts due to lighting and glare would be mitigated at that time. Therefore, impacts as a result in increased light and glare are considered *less than significant*.

**Conclusion:** Community Park development impacts will be *less than significant* provided that final Park design incorporates specific features to eliminate, avoid, and/or to reduce potential aesthetic and visual resource impacts.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURAL AND FOREST RESOURCES</b> <i>Would the project:</i>				
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?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

**Existing Environmental Setting:** The *City of Corning General Plan Land Use Element* (May 1994) indicates that over 500 acres within the City are devoted to agricultural uses. These areas are located along the edges of the developed areas of the City, namely portions of the SR 99W corridor, Toomes Avenue, Corona Avenue, and areas along Blackburn Avenue. Much of the area surrounding the City is also devoted to agriculture.

The *Farmland Mapping and Monitoring Program* is a farmland classification system for *Important Farmland* that is administered by the California Department of Conservation. The system classifies agricultural land according to its soil quality and irrigation status. The best quality agricultural land is *Prime Farmland* which is land that has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed according to current farming methods. The land must have been used for production of irrigated crops at least sometime during the two crop cycles prior to the mapping date.

Review of the *Farmland Mapping* identifies those lands east and north of Jewett Creek on Parcel 4 as being *Farmland of Local Importance*. These are “lands which are not included in *Prime, Statewide, or Unique* and are cropped continuously or on a cyclic basis (irrigation is not a factor). In addition, all lands include in the “L” category which have soil-mapped units listed for *Prime* or *Statewide* and which are not irrigated. The majority of Parcel 1 and all of Parcels 2 and 3 are identified as being *Other Land* which is “land not included in any other mapping category. Common examples include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Vacant and non-agricultural land surrounded on all sites by urban development and greater than 40 acres is mapped as *Other Land.*” *Urban and Built-Up Land*, which is a self explanatory classification, is located in the northern portion of Parcel 1.

#### **Discussion of Checklist Answers:**

- 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.*
- b. *Conflict with existing zoning for agricultural use, or a Williamson Act contract.*

None of the parcels are under Williamson Act contract. Whereas, some of the parcels contain areas, albeit small and thereby not agriculturally viable, that are identified as *Farmland of Local Importance*, they are not identified as *Prime Farmland, Unique Farmland, or Farmland of Statewide Importance*. Existing zoning identifies the future use of the parcels for urban development. The proposed Park usage will not introduce an incompatible land use since the site does not directly abut active agricultural operations. Buffers such as Jewett Creek and roadways serve to minimize conflicts. Therefore, there will not be any conflicts with existing or adjacent agricultural operations resulting in *no impact*.

- c. *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?*
- d. *Result in the loss of forest land or conversion of forest land to non-forest use?*

There is no forest land located within the area proposed for the Park, nor within the City. There is *no impact*.

- e. *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

The proposed Project does not involve changes in the existing environment which could result in the conversion of *Farmland* or forest land to non-agricultural or non-forest uses. There is *no impact*.

**Conclusion:** There are *no impacts* on agricultural lands, timber lands and/or operations resulting from implementation of the land acquisition and entitlement components or the proposed Project and resultant Community Park.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY.</b> <i>Would the project:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute to an existing or projected air quality violation?		X		
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)?		X		
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X

**Existing Environmental Setting:** The Project area is located in the Northern Sacramento Valley Air Basin (*NSVAB*) which is one of the air “sub-basins” within the Sacramento Valley Air Basin. The other sub-basin is the Greater Sacramento Air region. The *NSVAB* encompasses Shasta, Tehama, Glenn, Butte, Colusa, Sutter, and Yuba counties. The basin’s principal geographic features include a large valley bounded on the north and west by the Coastal Mountain Range and on the east by the southern portion of the Cascade Mountain Range and the northern portion of the Sierra Nevada. The basin is about 200 miles long in a north-south direction, and has a maximum width of about 150 miles, although the valley floor averages only about 50 miles in width. The mountain ranges reach heights in excess of 6,000 feet with peaks rising much higher. The general elevation of the Project site is about 275 feet above mean sea level.

The area climate is characterized by hot, dry summers and cool, wet winters. During the summer months from mid-April to mid-October, significant precipitation is unlikely and temperatures range from daily maximums exceeding 100° Fahrenheit (°F) to evening lows in high 50s and low 60s. During the winter, highs are typically in the 60s with lows in the 30s. Wind direction is primarily along the valley due to the channeling effect of the mountains to either side of the valley. During the summer months, surface air movement is from the south, particularly during the afternoon hours. During the winter months, wind direction is more variable.

The quantity of air pollutant emissions generated within the *NSVAB* is small compared to the more densely populated areas such as the Sacramento and the San Francisco Bay areas. Nevertheless, the following characteristics of the *NSVAB* make it susceptible for the build-up of air pollution.

- Pollution generated in the broader Sacramento area and San Francisco Bay area can be transported northward into the *NSVAB*.
- The mountain ranges to the west, north, and east of the *NSVAB* act as horizontal barriers which restrict the flow of pollution out of the basin.
- The valley portion of the *NSVAB* (those areas below 1,000 feet elevation) is often subjected to temperature inversions that typically occur during cool, calm nights that restrict vertical mixing and dilution of pollutants.
- The typical clear skies and warm temperatures in the summer months promote the formation of the photochemical pollutant ozone.

The federal and state governments have enacted laws mandating the identification of areas not meeting the ambient air quality standards and development of regional air quality plans to eventually attain the standards. National ambient air quality standards are determined by the US EPA. The standards include both primary and secondary ambient air quality standards. Primary standards are established with a safety margin. Secondary standards are more stringent than primary standards and are intended to protect public health and welfare. States have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards.

Federal and State air quality standards have been established for six ambient air pollutants, commonly referred to as “criteria” air pollutants standards based on a comprehensive review of their health effects. The criteria air pollutants for which federal and state ambient standards have been established include ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen monoxide (NO), sulfur dioxide (SO<sub>2</sub>), suspended particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>) and lead (Pb). In this analysis, O<sub>3</sub> is evaluated by assessing emissions of O<sub>3</sub> precursors: reactive organic gases (ROG) and Nitrogen Oxides (NO<sub>x</sub>).

Both the U. S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants which represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. **Table AQ-1** identifies the major criteria pollutants, characteristics, health effects and typical sources. The federal and California state ambient air quality standards are summarized in **Table AQ-2**, which also identifies Toxic Air Contaminant (TAC) standards.

The federal and state ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). The following provides a description of the various Criteria Pollutants identified in **Table AQ-1**.

Ozone: Ozone (O<sub>3</sub>) is a photochemical oxidant and the major component of smog. While O<sub>3</sub> in the upper atmosphere is beneficial to life by shielding the earth from harmful ultraviolet radiation from the sun, high concentrations of O<sub>3</sub> at ground level are a major health and environmental concern. O<sub>3</sub> is not emitted directly into the air but is formed through complex chemical reactions between precursor emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) in the presence of sunlight. These reactions are stimulated by sunlight and temperature so that peak O<sub>3</sub> levels occur typically during the warmer times of the year. Both VOCs and NO<sub>x</sub> are

emitted by transportation and industrial sources. VOCs are emitted from sources as diverse as automobiles, chemical manufacturing, dry cleaners, paint shops and other sources using solvents.

The reactivity of O<sub>3</sub> causes health problems because it damages lung tissue, reduces lung function and sensitizes the lungs to other irritants. Scientific evidence indicates that ambient levels of O<sub>3</sub> not only affect people with impaired respiratory systems, such as asthmatics, but healthy adults and children as well. Exposure to O<sub>3</sub> for several hours at relatively low concentrations has been found to significantly reduce lung function and induce respiratory inflammation in normal, healthy people during exercise. This decrease in lung function generally is accompanied by symptoms including chest pain, coughing, sneezing and pulmonary congestion.

Major ozone precursors include mobile sources such as cars, light-duty, and heavy duty trucks, and stationary emission sources such as industrial facilities, home furnaces, wood burning appliances, and waste disposal and treatment facilities.

TABLE AQ-1 US EPA Criteria Pollutants			
Pollutant	Characteristics	Health Effects	Major Sources
Ozone	A highly reactive photochemical pollutant created by the action of sunshine on ozone precursors (primarily reactive hydrocarbons and oxides of nitrogen). Often called photochemical smog.	Eye irritation  Respiratory function impairment	Combustion sources such as factories and automobiles, and evaporation of solvents and fuels.
Carbon Monoxide	An odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels.	Impairment of oxygen transport in the bloodstream  Aggravation of cardiovascular disease  Fatigue, headache, confusion, dizziness  Can be fatal in the case of very high concentrations	Automobile exhaust, combustion of fuels, combustion of wood in woodstoves and fireplaces.
Nitrogen Dioxide	Reddish-brown gas that discolors the air, formed during combustion.	Increased risk of acute and chronic respiratory disease	Automobile and diesel truck exhaust, industrial processes, and fossil-fueled power plants.
Sulfur Dioxide	A colorless gas with a pungent, irritating odor.	Aggravation of chronic obstruction lung disease	Automobile and diesel truck exhaust, industrial processes, and fossil-fueled power plants.
Suspended Particulate Matter (PM <sub>10</sub> )	Solid and liquid particles of dust, soot, aerosols, and other matter that are small enough to remain suspended in the air for a long period of time.	Aggravation of chronic disease and heart/lung disease symptoms	Combustion, automobiles, field burning, factories, and unpaved roads. Also a result of photochemical processes.
Lead	A metal that occurs both naturally in the environment and in manufactured products.	Organ damage  Reproductive Disorders  Osteoporosis  Brain and nerve impairment Heart and blood disease/impairment	Sources include industrial sources and crustal weathering of soils followed by fugitive dust emissions

Source: California Air Resources Board; US Environmental Protection Agency

**TABLE AQ-2  
Federal and State Air Quality Standards**

Pollutant	Average Time	California Standards <sup>a</sup> Concentration <sup>c</sup>	Federal Standards <sup>b</sup> Primary <sup>c,d</sup>
Ozone (O <sub>3</sub> )	1 hour	0.09 ppm (180 µg/m <sup>3</sup> )	—
	8 hours	0.07 ppm (137 mg/m <sup>3</sup> )	0.075 ppm (157 µg/m <sup>3</sup> )
Particulate Matter (PM <sub>10</sub> )	24 hours	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>
	Annual arithmetic mean	20 µg/m <sup>3</sup>	50 µg/m <sup>3</sup>
Fine Particulate Matter (PM <sub>2.5</sub> )	24 hours	—	20 µg/m <sup>3</sup>
	Annual arithmetic mean	12 µg/m <sup>3</sup>	15 µg/m <sup>3</sup>
Carbon Monoxide (CO)	8 hours	9.0 ppm (10 µg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )
	1 hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )
Nitrogen Dioxide (NO <sub>2</sub> )	Annual arithmetic mean	—	0.053 ppm (100 µg/m <sup>3</sup> )
	1 hour	0.18 ppm	—
Sulfur Dioxide (SO <sub>2</sub> )	Annual arithmetic mean	—	0.030 ppm (80 µg/m <sup>3</sup> )
	24 hours	0.04 ppm (105 µg/m <sup>3</sup> )	0.14 ppm (365 µg/m <sup>3</sup> )
	1 hour	0.25 ppm (655 µg/m <sup>3</sup> )	—
Lead (Pb) <sup>e</sup>	30-day average	1.5 µg/m <sup>3</sup>	—
	Calendar quarter	—	1.5 µg/m <sup>3</sup>
Visibility Reducing Particles	8 hours	†	—
Sulfates	24 hours	25 µg/m <sup>3</sup>	—
Hydrogen Sulfide	1 hour	0.03 ppm (42 µg/m <sup>3</sup> )	—
Vinyl Chloride <sup>e</sup>	24 hours	0.01 ppm (26 µg/m <sup>3</sup> )	—

Notes: ppm = Parts Per Million; µg/m<sup>3</sup> = micrograms per cubic meter; mg/m<sup>3</sup> = milligrams per cubic meter

<sup>a</sup> California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter – PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

<sup>b</sup> National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest either hour concentration or a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration of 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98% of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact US EPA for further clarification and current federal policies.

<sup>c</sup> Concentrations expressed first in units in which it was promulgated. Equivalent units given in parentheses are based on a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

<sup>d</sup> National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

<sup>e</sup> The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

<sup>f</sup> Extinction coefficient of 0.23 per kilometer — visibility of ten miles or more due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.

Source: California Air Resources Board, Ambient Air Quality Standards April 1, 2008.

**Carbon Monoxide:** Carbon Monoxide (CO) is a colorless, odorless and poisonous gas produced by incomplete burning of carbon in fuels. When CO enters the bloodstream, it reduces the delivery of oxygen to the body's organs and tissues. Health threats are most serious for those who suffer from cardiovascular disease, particularly those with angina or peripheral vascular disease. Exposure to elevated CO levels can cause impairment of visual perception, manual dexterity, learning ability and performance of complex tasks. The primary source of carbon monoxide is automobile use.

**Nitrogen Dioxide:** Nitrogen Dioxide (NO<sub>2</sub>) is a brownish, highly reactive gas that is present in all urban atmospheres. NO<sub>2</sub> can irritate the lungs, cause bronchitis and pneumonia, and lower resistance to respiratory infections. Nitrogen oxides are an important precursor both to ozone (O<sub>3</sub>) and acid rain, and may affect both terrestrial and aquatic ecosystems.

The major mechanism for the formation of NO<sub>2</sub> in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO). NO<sub>2</sub> plays a major role, together with VOCs, in the atmospheric

reactions that produce O<sub>3</sub>. NO<sub>2</sub> forms when fuel is burned at high temperatures. The two major emission sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

Particulate Matter: Suspended particulate matter (PM) is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size and chemical composition, and can be made up of many different materials such as metals, soot, soil, and dust. "Inhalable" PM consists of particles less than 10 microns in diameter, and is defined as "suspended particulate matter" or PM<sub>10</sub>. Fine particles are less than 2.5 microns in diameter (PM<sub>2.5</sub>). PM<sub>2.5</sub>, by definition, is included in PM<sub>10</sub>. The State of California regularly reviews scientific literature regarding the health effects and exposure to PM and other pollutants. On May 3, 2002, the California Air Resources Board (CARB) staff recommended lowering the level of the annual standard for PM<sub>10</sub> and establishing a new annual standard for PM<sub>2.5</sub> (particulate matter 2.5 micrometers in diameter and smaller).

Particulate Matter includes dust, dirt, soot, smoke and liquid droplets that are light enough to be suspended in the air for a prolonged period of time and are directly emitted into the air by sources such as factories, power plants, cars, construction activity, fires and natural windblown dust. Particles formed in the atmosphere by condensation or the transformation of emitted gases such as SO<sub>2</sub> and VOCs are also considered particulate matter.

Based on studies of human populations exposed to high concentrations of particles (sometimes in the presence of SO<sub>2</sub>) and laboratory studies of animals and humans, there are major effects of concern for human health. These include effects on breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular disease, alterations in the body's defense systems against foreign materials, damage to lung tissue, carcinogenesis and premature death. The major subgroups of the population that appear to be most sensitive to the effects of particulate matter include individuals with chronic obstructive pulmonary or cardiovascular disease or influenza, asthmatics, the elderly and children.

#### **Discussion of Checklist Answers:**

- a. *Conflict with or obstruct implementation of the applicable air quality plan.*
- b. *Violate any air quality standard or contribute to an existing or projected air quality violation.*
- 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).*

Under the federal Clean Air Act, Tehama County is currently considered in attainment or unclassified for all national ambient air quality standards, except for ozone. Previous to 2008, Tehama County was considered in attainment for ozone, however, in March 2008 the EPA revised the attainment standard for ozone to 75 parts per billion (ppb) from 84 ppb.<sup>4</sup> The County is a nonattainment area for the more stringent state ambient air quality standards for ozone and PM<sub>10</sub>. The air districts of the *NVSB* have jointly prepared and adopted a uniform air quality attainment plan addressing ozone and PM<sub>10</sub> (NSVAB, 2007).

Tehama County currently exceeds the State's ambient standards for ozone (smog) and particulates (fine, airborne particles). Consequently, these pollutants are the focus of local air quality policy, especially when related to land use and transportation planning. Even with

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<sup>4</sup> Alan Abbs, Air Pollution Control Officer, TCAPCD, April 11, 2008 correspondence

application of measures to reduce emissions for individual projects, cumulative impacts are unavoidable when ozone and/or particulate emissions are involved. For example, the primary source of emissions contributing to ozone is from vehicles. Any project that generates vehicle trips has the potential of contributing incrementally to the problem.

The Tehama County Air Pollution Control District (TCAPCD) utilizes strategies identified in their December 2009 *Planning & Permitting Air Quality Handbook Guidelines for Assessing Air Quality Impacts (TCAPCD Guidelines)* to reduce emissions associated with new and modified indirect sources of pollution in an effort to accurately determine and mitigate project-related impacts to the extent feasible. Emission reduction goals of 20 to 25 percent are established depending on the projected level of unmitigated emissions for a project. Mitigation thresholds are established for the important regional/local pollutants, including: Reactive Organic Gases (ROG) and Oxides of Nitrogen (NO<sub>x</sub>), which are ozone precursors, and Inhalable Particulate Matter 10 Micron (PM<sub>10</sub>). The mitigation thresholds for these pollutants are tiered at two levels:

<b>Level "A"</b>	<b>Level "B"</b>
25 pounds per day of NO <sub>x</sub>	137 pounds per day of NO <sub>x</sub>
25 pounds per day of ROG	137 pounds per day of ROG
80 pounds per day of PM <sub>10</sub>	137 pounds per day of PM <sub>10</sub>

If a project has unmitigated emissions less than the Level "A" threshold, then it is viewed as a minor project (from an air quality perspective) and only application of Standard Mitigation Measures (SMM) is required to try to achieve at least a 20 percent reduction in emissions, or the best reduction feasible otherwise. Land uses that generate unmitigated emissions above Level "A" require application of appropriate Best Available Mitigation Measures (BAMM) in addition to the SMM in order to achieve a net emission reduction of 20 percent or more. If after applying SMM and BAMM a use still exceeds the Level "B" threshold, then a minimum of 25 percent of the unmitigated emissions exceeding 137 pounds per day must be offset by reducing emissions from existing sources of pollution; otherwise, an Environmental Impact Report is required.

The *TCAPCD Guidelines* provide estimated ranges of efficiencies for mitigation measures. Assuming an average efficiency for each measure, the mitigation measures advanced (*AQ-1* and *AQ-2*) can be expected to reduce ROG, NO<sub>x</sub>, and PM<sub>10</sub> emissions by about 30% for construction, area source, and operation (vehicle) emissions.

Under TCAPCD policy, the Project, in of itself does not have the potential to impact air quality since the long-term use is a park and not a residential, commercial or industrial land use. However, the eventual Park could have the potential to impact air quality primarily in two ways: (1) the Park would generate vehicle trip emissions and area source emissions (with NO<sub>x</sub>, ROG, and PM<sub>10</sub>) that contribute cumulatively to local and regional air quality conditions; and (2) fugitive dust (particulate/PM<sub>10</sub>) emissions will be produced during construction activities.

In order to calculate the emissions for the key pollutants previously discussed, the current *URBEMIS2007* for Windows air quality computer model (*Version 9.2.4*) was used as prescribed by the TCAPCD. Air quality modeling was undertaken for Park construction to occur in 2011. Approximately 11.00 acres of the total 18.42 Park acres will be disturbed with some form of improvement, even if it is just the planting of lawn. Approximately 7.5 acres of land will not be subject to significant disturbance. These are lands located within the influence of Jewett Creek and the two biological habitat enhancement areas located within Parcels 1 and 4.

The modeling results identified in **Table AQ-3** indicate that cumulative area source and operational vehicle emissions from the Park could generate emissions of key pollutants that are

well below Level "A" thresholds, and well below Level "B" thresholds. Potential cumulative impacts will be *less than significant*.

TABLE AQ-3			
Park Area Source and Operational (Vehicle) Emissions			
Emission	Emissions (lbs/day) <sup>1</sup>		
	ROG	NOx	PM <sub>10</sub>
Area Source	0.12	0.02	0.01
Operational (Vehicles)	0.34	0.24	0.23
<b>Total</b>	<b>0.46</b>	<b>0.26</b>	<b>0.24</b>
Level "A" Thresholds	25	25	80
Level "B" Thresholds	137	137	137
Level "A" Exceedance	N/A	N/A	N/A

<sup>1</sup>Summer emissions were utilized since they are higher than winter emissions.

Construction emission modeling undertaken for Park construction was based on a construction period to begin in May 2011 and end in August 2011, a period of four months. Construction to be undertaken during this time period includes mass grading, fine grading, trenching, parking lot and adjacent street pavement tie-in, and restroom construction. It does not include landscaping installation since the work is not be heavy equipment intensive and would be undertaken in the fall and early winter. It should also be noted that the development of the Park on all four parcels during one time period may be highly unlikely due to funding availability and its distribution. However, to determine a worst-case scenario, construction of all four parcels during one construction period was used for construction emission modeling. **Table AQ-4** identifies the results of the modeling.

TABLE AQ-4			
Park Construction Emissions			
Emission	Emissions (lbs/day) <sup>1</sup>		
	ROG	NOx	PM <sub>10</sub>
Construction Equipment	4.90	40.06	2.0
PM <sub>10</sub> Dust			55.01
<b>Total</b>	<b>4.90</b>	<b>40.06</b>	<b>57.01</b>
Level "A" Thresholds	25	25	80
Level "B" Thresholds	137	137	137
Level "A" Exceedance	N/A	15.06	N/A
Level "B" Exceedance	N/A	N/A	N/A

<sup>1</sup>Summer emissions were utilized since construction would occur during that period.

The modeling results identified in **Table AQ-4** indicate that cumulative emissions from the construction of the Park could generate NOx emissions that are above Level "A" thresholds, but below Level "B" thresholds. Through the application of SMMS and BAMMS and the high likelihood that the Park will not be constructed on all four parcels during one time period, NOx emissions could be reduced. Potential regional impacts will be cumulatively *less than significant*. Therefore, **Mitigation Measure AQ-1** is advanced for consideration.

#### **Mitigation Measure AQ-1**

*Subject to a final determination by the TCAPCD, all construction contracts shall include construction dust mitigation measures that contain the following minimum criteria and related to the use of diesel equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction. Examples of measures that shall be used to reduce construction*

*dust and fugitive dust pursuant to TCACD Rule 4:24 for "Large Operations," include, but not limited to:*

- *Alternatives to open burning of vegetative material shall be used. Cleared vegetation shall be treated by legal means other than open burning, such as chipping or mulching for conversion to biomass fuel.*
- *Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of Park construction.*
- *All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day.*
- *All construction areas (including unpaved driveways and roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions.*
- *All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads.*
- *All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour.*
- *All inactive portions of the site disturbed by construction activities shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established.*
- *The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive Park construction areas.*
- *All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114.*
- *All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance.*
- *During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the Park construction area from the adjacent paved road(s).*
- *Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of Park construction activities.*
- *Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the Park construction areas.*
- *Wheel washers shall be installed where Project vehicles and/or equipment access paved streets from unpaved roads.*
- *Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter.*

- *Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained.*
- *Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes.*
- *Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.*
- *Equipment used in grinding wood waste will require either state registration through the Portable Equipment Registration Program, or a stationary source permit and authority to construct through the TCAPCD.*
- *Equipment used in the process of making asphalt such as sand and gravel screens or asphalt batch plants will require either state registration through the Portable Equipment Registration Program, or a stationary source permit and authority to construct through the TCAPCD.*

**d.** *Expose sensitive receptors to substantial pollutant concentrations.*

The CARB published an air quality/land use handbook (CARB, 2005). The handbook, which is advisory and not regulatory, was developed in response to recent studies that have demonstrated a link between exposure to poor air quality and respiratory illnesses, both cancer and non-cancer related. The CARB handbook recommends that planning agencies strongly consider proximity to these sources when finding new locations for “sensitive” land uses. In its interpretation of the CARB handbook, the City of Corning considers sensitive land uses to include medical facilities, daycare centers, schools and playground areas for public assembly, convalescent facilities, and nursing homes, but not including residences (“sensitive receptors”). Air pollution sources of concern include freeways, rail yards, ports, refineries, distribution centers, chrome plating facilities, dry cleaners and large gasoline service stations. Key applicable recommendations in the handbook include taking steps to avoid siting new, sensitive receptors:

- Within 500-feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day;
- Within 300-feet of any dry cleaning operation (for operations with two or more machines, provide 50-feet)

There are no sensitive receptors within close proximity of the Park that would be impacted. However, the Park is identified as a sensitive receptor but it is located further than 500-feet from I-5. The CARB’s 500-foot setback recommendation for sensitive receptors near freeways is based on studies largely conducted at major freeways in Southern California. The primary source of health risk is from diesel particulate, and the recommended setback reflects a “typical” urban freeway carrying 10,000 to 20,000 trucks per day. Truck counts for I-5 abutting the City between Finnell Avenue and Liberal Avenue range from 6,080 daily trucks at Finnell Avenue to 6,626 daily trucks at Liberal Avenue. (CALTRANS, 2007). Therefore, there are *no impacts* on sensitive receptors from substantial pollutant generators or concentrations.

**e.** *Create objectionable odors affecting a substantial number of people.*

Due to the nature of the proposed Project, odors are not an issue and there are *no impacts*. Furthermore, the proposed Park parcels are not located in the vicinity of any existing land uses that generate objectionable odors.

**Conclusion:** Due to the nature of the proposed Project which is a Community Park and mitigation measures proposed, exposure to pollutant concentrations will be *less than significant*.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES</b> <i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status 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?		X		
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?		X		
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?		X		
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?		X		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

**Existing Environmental Setting:** ENPLAN, an environmental firm conducted biological and wetland site evaluations and screening in January and February 2010. Because special-status plant species could potentially occur within the Project area, which could not have been identified at the time of the original evaluations in January and February, a supplemental botanical survey was undertaken during the appropriate flowering period. On file at the City Planning Department is the February 4, 2010 *Biological and Wetland Screening for the Corning Community Park Land Acquisition & Development, General Plan Amendment #2010-1A, and Rezone #2010-1* and the May 31, 2010 *Supplemental Botanical Survey for the Corning Community Park Site*. This Initial Study Checklist discussion is derived from the reports.

Records reviewed consisted of California Natural Diversity Data Base (CNDDDB, December 2009 data) records, soils records maintained by the U.S. Department of Agriculture's Natural Resources Conservation Service, and National Wetlands Inventory (NWI) maps (U.S. Fish and Wildlife Service, no date). The CNDDDB records search covered a 5-mile radius around the project site (consisting of portions

of the Corning, Vina, Henleyville, Kirkwood, Black Butte Dam, and Foster Island quadrangles). Soil records maintained by the Natural Resources Conservation Service were reviewed to determine the soil types and their potential to support wetlands. The NWI map for the Corning area was reviewed to determine if wetlands features have been previously mapped on the site or surrounding vicinity.

Initial field reconnaissance was conducted on January 13 and February 2, 2010. Most of the special-status species potentially occurring in the area would not have been evident at the time the fieldwork was conducted. The potential presence of species not readily identifiable during the field studies was determined based on observed habitat characteristics. A subsequent botanical survey was conducted on April 8, May 1, and May 30, 2010. These survey dates were selected to ensure that the four special-status species most likely to occur in the Project vicinity would be identifiable. None of the four special-status plant species previously recorded from within a 10-mile radius of the Project site or any other special-status plant species were observed during the subsequent surveys.

According to the U.S. Department of Agriculture, Natural Resources Conservation Service, soils on the site are mapped as Arbuckle gravelly loam, 0 to 3 percent slopes; Maywood fine sandy loam, 0 to 3 percent slopes; Hillgate silt loam, 0 to 3 percent slopes; Tehama gravelly loam, 0 to 3 percent slopes; and Riverwash. Riverwash is rated as a hydric soil (i.e., may support wetlands), the Hillgate and Maywood units are rated as partially hydric (i.e., contains at least one soil component that may support wetlands), and the Arbuckle and Tehama units are considered not to be hydric soils.

Habitat associations currently on the project site include annual grassland, regenerating valley oak woodland, orchard, and a relatively narrow riparian corridor. The annual grassland community is best developed in the southern halves of Parcels 1 and 2. Common plant species in the annual grassland habitat include various grasses, yellow star-thistle, filarees, shepherd's purse, miner's lettuce, and jointed charlock. Annual grasslands have a low to moderate value for wildlife. Valley oaks are sparsely scattered throughout the grassland.

The regenerating valley oak woodland habitat is best developed in the northeastern portion of Parcel 1, which supports a dense stand of young valley oaks up to about eight inches in diameter. Young valley oaks are also common in the central portion of this parcel. Valley oak woodland habitat has a high value for wildlife.

Jewett Creek is an incised channel, and appears to have been realigned in the past, primarily within Parcels 1 and 2. Very little woody vegetation is present along the low-flow channel. Valley oaks and grey pines are common near the top of the stream banks of the downstream channel within Parcel 3, along with volunteer walnuts, almonds and olives. Other species present in the riparian corridor include willows, giant reed, Himalayan blackberry, pipevine, and man-root. Even in its degraded condition, Jewett Creek and its riparian corridor provide valuable habitat for fish and wildlife species (**Figure 3**).

#### Wetlands and Other Waters of the United States

The online National Wetlands Inventory map shows Jewett Creek crossing the Project area, but does not assign it a wetland code. No wetlands are mapped on or adjacent to the study area. According to AccuWeather.com, the area received 1.12 inches of rain on the day prior to the January 2, 2010 field inspection and 0.38 inches of rain on February 3, 2010. Because of this precipitation, any seasonal wetlands would have had at least some ponded water at the time of the inspection.

Jewett Creek is an intermittent stream that exhibits bed and bank characteristics and is subject to the jurisdiction of the U.S. Army Corps of Engineers. The ordinary high water mark of the stream averages 30 to 50 feet in width within Parcels 1, 2 and 3 and up to 75 feet in width within Parcel 4.

### Special-Status Plant Species

Review of CNDDDB records showed that no special-status plant species have been previously reported on any of the Park parcels. Four special-status plant species are known to occur in the Park vicinity: Ahart's paronychia, dwarf downingia, Red Bluff dwarf rush, and Stony Creek spurge. Red Bluff dwarf rush and dwarf downingia occur in vernal pools and swales; there is no suitable habitat for these species on the site. Ahart's paronychia generally occurs on stony clay soils near vernal pools; there is no suitable habitat on the site. Stony Creek spurge is generally found on sandy or stony ground at elevations of less than 2,000 feet in Tehama and Glenn counties; there is no suitable habitat for this species on the site. As previously noted, none of the four special-status plant species previously recorded from within a 10-mile radius of the Project site or any other special-status plant species were observed during the surveys. No additional botanical field survey work is warranted.

### Special-Status Wildlife Species

Review of CNDDDB records showed that four special-status wildlife species are known to occur within the five-mile search radius: burrowing owl, Swainson's hawk, vernal pool fairy shrimp, and western spadefoot. Six additional special-status fish species not reported in the CNDDDB, but known to occur in the vicinity include winter-run Chinook salmon (a federal and state Endangered species), Central Valley spring-run Chinook salmon (a federal and state Threatened species), Central Valley fall-run Chinook salmon (a federal and state Species of Concern), Central Valley late fall-run Chinook salmon (a federal and state Species of Concern), Central Valley steelhead (a federal Threatened species), and green sturgeon (a federal Threatened species). Based on observed habitat characteristics, northwestern pond turtle (a State Species of Concern) and valley elderberry longhorn beetle (a federal Threatened species) could also potentially occur on the site.

### **Discussion of Checklist Answers:**

- a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status 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?*
- 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?*
- 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?*

In accordance with its 1994 riparian habitat guidelines, DFG generally requests development setbacks along streams to protect aquatic and riparian values. Jewett Creek appears to be a secondary tributary to the Sacramento River; the recommended set-back for streams of this size would be 50 feet from the top of bank, or 25 feet from the riparian dripline, whichever is greater. DFG recommends the following restrictions within the buffer zone:

- No building, billboard, sign, fence or any other structure of any kind shall be erected unless such structure replaces a required pre-existing structure of similar size, bulk and height.

- There shall be no excavation, dredging or removal of loam, gravel, soil, rock, sand or other material nor any building of roads nor other change in the general topography of the land, excepting the maintenance of existing foot trails or roads.
- There shall be no depositing of soil, trash, ashes, garbage, waste or any other material.
- There shall be no removal, destruction or cutting of trees, shrubs or other vegetation except as may be necessary for (1) a minimum fire break required by law, (2) the maintenance of existing foot trails or roads, (3) the prevention or treatment of disease or (4) other good husbandry practices approved by CDFG.
- There shall be no activities, actions or uses detrimental to water conservation, erosion control, soil conservation or fish and wildlife habitat preservation.

Utilization of the DFG guidelines will reduce potential impacts on riparian habitat to a *less than significant* level.

#### Special-Status Plant Species

*Stony Creek spurge*: Stony Creek spurge is generally found on sandy or stony ground at elevations of less than 2,000 feet in Tehama and Glenn counties. The species can be present on disturbed sites. Stony Creek spurge or any of the other special-status plant species were observed during the various surveys and no further additional botanical field survey work is necessary.

#### Special-Status Wildlife Species

*Burrowing Owl*: The burrowing owl has a low potential to occur on the site. The owls typically nest in abandoned ground squirrel burrows, but occasionally nest in other holes (e.g., culverts, niches in rock outcrops). The site appears to have low ground squirrel activity due to past disturbance and the presence of compacted soils. Although no nests were observed, Swainson's hawk could potentially nest on the site. The hawks usually nest in solitary trees or tree clumps surrounded by grasslands or agricultural fields capable of supporting a sizeable rodent population.

*Vernal pool tadpole shrimp and western spadefoot*: Vernal pool tadpole shrimp generally occur in vernal pools or similar seasonal wetlands. The western spadefoot is primarily a terrestrial species, but vernal pools or similar seasonal wetlands that do not contain bullfrogs, fish, or crayfish are necessary for breeding. No vernal pools are present on the site; therefore, neither vernal pool fairy shrimp nor breeding western spadefoots would be present.

*Anadromous fish*: None of the fish species previously noted are reported in the CNDDDB as occurring on the site; however, all are known to use the Sacramento River, which is approximately 10 miles downstream of the site. The Sacramento River is designated as critical habitat for the steelhead, winter-run Chinook salmon, spring-run Chinook salmon, and green sturgeon. Studies by Maslin et al. show that the fall-run and spring-run occasionally use Jewett Creek at least as far as 2.6 miles above its confluence with the Sacramento River. Maslin reports the following:

“Jewett Creek was sampled for the first time this year [1998]. It is a small stream with a strong tendency to go dry in the lower, somewhat degraded portion. While juvenile chinook were present and appeared to emigrate successfully this year, that is probably not typical. From reports of local residents, it seems likely that in most years any juvenile chinook entering Jewett would be trapped and lost. Probably few enter such a small creek.”

Based on the Maslin report, it is possible that Jewett Creek in the vicinity of the Project site could potentially be used as salmonid rearing habitat, at least during wet years. On the Project site, Jewett Creek is unlikely to support spawning fish but may provide rearing habitat. Small fish were observed in ponded areas near SR 99W. Although work on the project site is not expected to directly affect special-status fish species, indirect impacts could occur if storm water run-off from the site enters Jewett Creek and degrades spawning or rearing habitat downstream. However, with implementation of Best Management Practices for erosion control and spill prevention, no adverse effects to special-status fish species are expected.

*Northwestern pond turtle:* Northwestern pond turtles could occur in the deepest pools of Jewett Creek. If present, the turtles could be adversely affected by work occurring within the creek. If work is proposed in Jewett Creek, an aquatic survey should be conducted one to two days in advance of the activity and any pond turtles that may be present should be moved upstream or downstream to a safe location.

*Valley elderberry longhorn beetle:* Five elderberry clusters were observed on Parcel 1. Three elderberry clusters with stems greater than one inch in diameter were observed on Parcel 4. Two of the clusters occur along the banks of Jewett Creek, while the third is located in grassland habitat in the south-central portion of Parcel 4. These plants could potentially support the federally listed valley elderberry longhorn beetle, which is a wood-borer that exclusively inhabits elderberries. The beetle larvae spend one to two or more years in the elderberry stems, emerging only to mate, lay eggs and die. As such, there may be no outward indication of their presence until the mature beetles emerge. The U.S. Fish and Wildlife Service generally considers all elderberries with stems greater than one inch in diameter at ground level as potentially containing the listed beetle (**Figure 3**).

Avoidance of the three elderberries having stems with basal diameters greater or equal to one inch is recommended. The U.S. Fish and Wildlife Service considers a 100-foot setback from elderberries as full avoidance. If work must occur within 100 feet of the plants, there would be some potential for “take” of the listed beetle (which would be a violation of the federal Endangered Species Act). However, if there is no federal involvement in the project, the City could work as close to the elderberries as it may choose, but the potential for “take” would increase accordingly. If avoidance is not possible, then additional fieldwork and consultation with the U.S. Fish and Wildlife Service would be necessary. Due to complexities within the federal Endangered Species Act (ESA), if avoidance of elderberries is not feasible, it may be advisable to propose some fill of jurisdictional waters on the site, so that the Corps of Engineers is the lead federal agency and handles the ESA consultation with the Service (if the Corps is not involved, the ESA consultation process may take on the order of five years or more to complete). Mitigation would be required for the loss of elderberries, with the extent of mitigation being dependent on the number of elderberries removed, the size of the stems, and the presence/absence of exit holes.

Proposed Park development is located within areas that are either significantly disturbed and/or surrounded by existing development. Surveys have determined that the potential impact on special status species is *less than significant*.

If avoidance of impacts on Jewett Creek wetlands is not feasible, Army Corps, Regional Water Quality Control Board, and/or Department of Fish and Game permits are required. The latter two agencies may require permits even if work is confined to the Creek banks.

The following Mitigation Measures will address potential wetlands, and special-status plant and wildlife species. These measures will reduce potential impacts to *below a level of significance*.

### ***Mitigation Measure B-1***

- *A 50-foot set back from the top of bank or 25- feet from the riparian dripline of Jewett Creek or from the top of bank is recommended to provide protection of Jewett Creek and its riparian corridor. If construction of storm drainage outlets or other work must occur within the Creek corridor, a botanical survey should be conducted in the spring to determine if the activity would affect any special status plants. If plants are present and would be affected, specific mitigation should be determined in consultation with DFG. Mitigation would likely consist of modifying the project to avoid special status plant populations or removing and relocating the near surface soils following seed set.*
- *Furthermore, if installation of storm drain outlets or other work is required in the stream zone, earth-moving construction activities in or adjacent to the creek should be restricted to periods when the creek is dry, Best Management Practices should be implemented for erosion control, and storm water runoff should be pre-treated prior to release into Jewett Creek.*
- *Although in-water future project work is not proposed, indirect effects to special-status fish species such as the Chinook salmon and Central Valley steelhead in the Sacramento River during construction, could result if storm water runoff from project sites enters Jewett Creek and degrades spawning or rearing habitat downstream. However, by restricting earth-moving construction activities in or adjacent to Jewett Creek to dry periods, Best Management Practices implemented for erosion control, and pre-treatment of storm water runoff prior to its release, will result in no adverse effects to special-status fish species.*
- *Additional measures to protect species associated with the Jewett Creek corridor may be required by the Corps, DFG, and/or Regional Water Quality Control Board if the corridor is directly impacted by project activities. If a Corps permit is required, the Corps may require endangered species consultation with the National Marine Fisheries Service. The Corps would incorporate the conservation measures recommended by NMFS into its permit.*

### ***Mitigation Measure B-2***

*To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.," including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:*

- *Prior to any discharge of dredged or fill material into "waters of the U.S.," including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.*
- *Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of Jewett Creek, notification of streambed alteration shall be submitted*

to the DFG; and, if required, a streambed alteration agreement shall be obtained.

- Construction activities that will impact “waters of the U.S.” shall be conducted during the dry season to minimize erosion.
- Appropriate sediment control measures to protect avoided “waters of the U.S.” shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).
- All pedestrian and vehicular entry into “waters of the U.S.,” including wetlands, to be avoided shall be prohibited during construction.
- Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).
- Loss of “other waters” shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process.
- Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, DFG) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.

### **Mitigation Measure B-3**

*If avoidance of elderberries having stems with basal diameters equal to or greater than one inch is not possible and elderberries must be transplanted, then some or all of the following steps need to be undertaken:*

- Prepare a wetland delineation report meeting Army Corps standards.
- Conduct a valley elderberry longhorn beetle exit-hole survey and document the number of stems with basal diameters  $\geq 1$ ”.
- Prepare a Biological Assessment addressing all federally listed species potentially occurring in the area (with an emphasis on the valley elderberry longhorn beetle, salmonids, and green sturgeon).
- Prepare a valley elderberry longhorn beetle mitigation plan incorporating the following:
  - Measures to protect avoided elderberries during and after construction.
  - Transplanting measures, including how, when, and to where the elderberries will be transplanted.

- *The number of new elderberry seedlings/cuttings to be established (Service guidelines establish the number of new stems to be planted based on the number and size of stems to be transplanted as well as the habitat type and presence/absence of exit holes). We estimate that at least 50 to 100 new stems would need to be planted.*
- *The number of associated woody native plants to be established in conjunction with the new elderberry plants. We estimate that at least 50 associated natives would need to be planted.*
- *Designation of a conservation area protecting a minimum of 1,800 square feet of land for every five elderberry seedlings/cuttings and up to five associated natives. (If 50 elderberries and 50 associated natives must be planted, the conservation area would be a minimum of 18,000 square feet).*
- *A post-construction monitoring plan establishing planting success criteria and addressing monitoring, reporting, and remediation measures to be taken in the 10 to 15 years following transplantation.*
- *A conservation easement and/or deed restrictions to protect the conservation area in perpetuity.*
- *Management measures to ensure protection of the conservation area in perpetuity, including fencing, signage, litter control, weed control, and annual inspections.*
- *A dollar amount to be provided as an endowment to fund ongoing maintenance and reporting activities.*
- *Prepare a cultural resources report meeting federal Section 106 standards, which are somewhat more stringent than CEQA standards.*
- *Prepare applications for a Army Corps permit, Water Quality Certification, and a Streambed Alteration Agreement, including a mitigation plan to offset any permanent loss of waters.*
- *Implement any other mitigation measures specified by the Army Corps, Regional Water Quality Control Board, U.S. Fish and Wildlife Service, or National Marine Fisheries Service.*

*Extension of water and sewer may require boring under Jewett Creek. In addition a pedestrian bridge is proposed across Jewett Creek linking the eastern and western portions of the Community Park. The California Department of Fish and Game will require, prior to boring under the Creek, or making any pedestrian bridge improvements that may impact the Creek, that the City enter into a 1602 Streambed Alteration Agreement with the Department of Fish & Game. As previously discussed Jewett Creek does contain wetland habitat which could be impacted by boring under and placing water and sewer lines under the streambed and construction of the bridge.*

#### ***Mitigation Measure B-4***

*The following mitigation measures will be implemented, as applicable; to assure that improvements will not have a significant impact on Jewett Creek.*

- ***UTILITY CASING:*** *Water and sewer lines that are placed beneath the streambed of Jewett Creek must be encased in steel pipe in a size to be determined by the City Engineer.*
- ***DRY SEASON BORING:*** *Work, including all activity associated with boring, in the stream channel, defined as the 100-year flood plain, shall be limited to the*

period July 1 to October 15, of any year. If water is present during this period no construction activity may commence until the streambed is dry.

- EQUIPMENT STORAGE & MAINTENANCE: Staging, storage, and re-fueling areas for machinery, equipment and materials shall be located outside the stream channel. Any equipment or vehicles driven and/or operated within or adjacent to the stream channel shall be checked daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life, wildlife, or riparian habitat.
- SPILL CLEANUP: The clean-up of all petroleum and/or chemical spills shall begin immediately. The Responsible Party shall notify the Tehama County Department of Environmental Health and comply with all applicable regulations associated with spill cleanup.
- SITE CLEANUP: No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, asphalt, paint or other coating material, oil or petroleum products or other organic or earthen material from any construction activity of whatever nature shall be allowed to enter into, or placed where it may be washed by rainfall or runoff into Jewett Creek. When operations are completed, any excess materials or debris must be removed from the site.
- EROSION CONTROL: Soils exposed by construction shall be mulched to prevent sediment runoff and transport. Mulches shall be applied so that not less than 90% of the disturbed areas are covered. All mulches (except hydro-mulches) shall be applied in a layer not less than two inches deep. All mulches shall be kneaded or tracked-in with track marks parallel to the contour, and tackified as necessary to prevent excessive movement. All exposed soils shall be reseeded, by November 1 of each year, with a mix of grasses free from seeds of obnoxious or invasive weed species, and applied at a rate which will ensure establishment.
- SOIL STABILIZATION: Soils adjacent to the stream channel that are exposed by construction activities shall be adequately stabilized when rainfall is reasonably expected and immediately upon completion of construction, to prevent the mobilization of sediment into Jewett Creek.
- REMOVAL OF RIPARIAN VEGETATION: The disturbance or removal of riparian vegetation will not exceed the minimum necessary to complete the installation of the extended water and sewer lines.
- STREAMBED DISTURBANCE: If any portions of the stream channel are disturbed during or after the placement of the water and sewer lines under Jewett Creek the disturbed portions of the stream channel within the high water mark of the stream shall be restored as near to the original natural condition as possible.

- 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?*

One small bird nest of stick construction was observed in the northeastern portion of Parcel 1. Although Burrowing owls, Swainson's hawks and /or nesting migratory birds may nest on or otherwise utilize the site, impacts can be minimized by removing potential nesting sites at an appropriate time of year, or conducting nesting surveys in advance of work initiation. If vegetation removal and/or initial grading is undertaken within the nesting period which is typically March 1 to July 31, then a nesting survey should be conducted within two weeks prior to initiation of work. If nests are observed, no work should occur within 500 feet of the nest until the young have fledged, unless a smaller buffer is approved by DFG.

Adherence to when and what construction should occur during the nesting period will reduce potential impacts on migratory birds to a *less than significant* level. *Mitigation Measures B-1* and *B-4* will reduce potential impacts on native resident or migratory fish species to a *less than significant* level.

- f. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- g. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The proposed Project will not conflict with any policies to protect and conserve biological resources and habitats due to the essentially developed nature of the City and area proposed for annexation and rezoning. Furthermore, the *California Oak Woodlands Conservation Act* does not apply to the City.

The City does not currently have a tree preservation policy or specific ordinances protecting biological resources, although the *General Plan Conservation Element* does contain a goal to “[p]rotect remaining wildlife populations and native vegetation associations, particularly endangered species, within the planning area.” In addition, the *Conservation Element* calls for the maintenance and protection of the remaining riparian habitat areas in the City. Implementation measures found in the *Conservation Element of the General Plan* call for the preparation, adoption, and implementation of a maintenance and enhancement plan for Jewett Creek. Adherence to these goals, and other State and federal regulations would reduce potential impacts to a *less than significant* level.

**Conclusion:** If any work is proposed in Jewett Creek, permits from the Corps of Engineers, Regional Water Quality Control Board, and Department of Fish and Game will be required. The Corps of Engineers review process will involve consultation with the National Marine Fisheries Service regarding anadromous fish, and with the U.S. Fish and Wildlife Service regarding the valley elderberry longhorn beetle. As for all projects resulting in disturbance of more than one acre, a Notice of Intent/General Construction Activity Storm Water Permit (and Storm Water Pollution Prevention Plan) will be required. The permitting requirements and the implementation of the mitigation measures advanced will reduce potential biological impacts associated with the construction of the Park to a *less than significant level*.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES</b> <i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d. Disturb any human remains, including those interred outside of formal cemeteries?		X		

**Existing Environmental Setting:** ENPLAN, conducted cultural resources site evaluation and screening in January and February 2010. On file with the City of Corning Planning Department is the February 4, 2010 *Interim Cultural Resources Inventory Report for the Corning Community Park Land Acquisition & Development, General Plan Amendment #2010-1A, and Rezone #2010-1*. This Initial Study discussion is derived from the report.

Field reconnaissance was conducted on January 12 and February 2, 2010 and the entire limits of all four parcels were intensively surveyed. On all parcels, areas of exposed soil, stream cuts, and animal burrows were checked for artifacts and signs of soil discoloration.

A records search was conducted at the Northeast Information Center of the California Historical Resources Information System (NE/CHRIS) on January 12, 2010. Research included reviewing maps and records for archaeological surveys, sites, and other cultural resources in this portion of Tehama County. The following documents on file at ENPLAN and NE/CHRIS were also reviewed: the *National Register of Historic Places—Listed Properties and Determined Eligible Properties* (1988, Computer Listings 1966 through 7-00 by the National Park Service); the *California Register of Historical Resources* (2008); *California Points of Historical Interest* (1992); *California Historical Landmarks* (1996); and *Handbook of North American Indians, Volume 8* (1978). According to Information Center records, there have been two previous archaeological surveys adjacent to the project parcels. There are no recorded prehistoric or historic sites in or near the project sites.

ENPLAN sent a Request for Sacred Lands Search letter (via fax) to the Native American Heritage Commission (NAHC) on January 11, 2010. The NAHC responded on January 13, stating that the records search failed to indicate the presence of Native American cultural resources in the immediate project area. The NAHC provided a list of Native American contacts to consult for additional information. Request for Comment letters were sent to those sources suggested by the NAHC, and to the Tehama County Genealogical and Historical Society, on January 14, 2010.

The project consists of four parcels one of which, Parcel 2, is a drainage easement. These lands were historically used for orchards. Parcel 1 presently contains the remains of four structures: a pump house, a garage/shed, the burned remains of a residence, and a small concrete structure of undetermined function exist in the center of the parcel. In addition, a brick lined pit and concrete slab are situated adjacent to the concrete structure. In the past, the parcel contained both an orchard and residence. A number of olive and orange trees remain on the lot, although most of the orchards have been removed. The majority of the parcel is situated on the south side of Jewett Creek with a small undeveloped wedge (the northeast corner of the lot) located along the creek's north side (**Figure 4**).

Parcels 2 and 3 contain no structures. Parcel 4 has two small remnant orchard areas. The majority of the parcel has been cleared and leveled. A residence with four structures; a small concrete garden shed, a garage/shed, a carport, and a house occupy the northeast corner of the parcel. Portions of the house, garden shed, and garage/shed on Parcel 4 appear to date to the 1920s and will require further evaluation to determine their historical significance. However, based on the observed alterations that have been made to these structures, they likely will not meet the definition of "Historical Resource" as defined by CEQA. There are no prehistoric or historic resources located on the parcels (**Figure 4**).

#### **Discussion of Checklist Answers:**

- a. *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*
- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

- c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

The area is expected to contain limited numbers of seasonal prehistoric gathering and hunting areas. Historic resources expected in the project vicinity would be the remains of small homesteads associated with the development of the "Maywood Colony." Most of this area historically consisted of small farms used for orchards and grazing. Overall site sensitivity is considered moderate for historic and low for prehistoric resource types.

No prehistoric or historic resources were discovered as a result of the survey. The structural remains on Parcel 1 will require additional research to determine their significance but are also likely not "Historical Resources." Parcel 4 will require further evaluation to determine historical significance of the existing structures. However, based on the observed alterations that have been made to these structures, they likely will not meet the definition of "Historical Resource" as defined by CEQA. The final report finding will likely be the determination of no affect on "Historical Resources" for CEQA.

As a result of the existing significantly graded and disturbed conditions of the parcels and general area, the likelihood of the any potentially significant impacts on prehistoric or cultural resources is highly unlikely. However, a standard mitigation measure that is applied to all construction projects will address potential impacts should any evidence of prehistoric or cultural resources be uncovered during construction.

***Mitigation Measure CR-1***

*Should artifacts or unusual amounts of stone, or shell be uncovered during construction activities, activities shall cease in the area until a qualified archaeologist evaluates the materials. The archaeologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts to those cultural resources that have been encountered (e.g., excavate the significant resource). These additional measures shall be implemented.*

- d. *Disturb any human remains, including those interred outside of formal cemeteries?*

Although it is not anticipated that the proposed Project grading will impact prehistoric or cultural resources, **Mitigation Measure CR-2** is advanced should during construction, resources are uncovered.

***Mitigation Measure CR-2***

*If human bone or bones of unknown origin is found during construction, all work within 50 feet of the find shall stop until a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary. The archaeologist may recommend contacting the County Coroner. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person it believes to be the most likely descendant. The most likely descendant shall work with the City to develop a program for reinternment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.*

**Conclusion:** The Implementation of the mitigation measure identified will result in any potential cultural resource impacts being reduced to a *less than significant level*.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS</b>				
<i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a know 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 know fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii. Strong seismic ground shaking?			X	
iii. Seismic-related ground failure, including liquefaction?			X	
iv. Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?		X		
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

**Existing Environmental Setting:** According to the *City of Corning General Plan*, Corning is located within the Great Valley Geomorphic province, which includes the Great Central Valley of California. Primarily, rocks and deposits in this province are sedimentary. The major rock formations in the area include recent alluvial fan deposits from the Sacramento River, and non-marine sedimentary formations from the Pleistocene and Upper Pliocene. The soil series identified on the four parcels and their erodibility, permeability, and expansivity are listed in **Table GS-1**.

Series	Erodibility	Permeability	Expansivity
Arbuckle	Low	Slow	Moderate
Maywood	Low	Moderate	Moderate
Hillgate	High	Slow	High
Tehama	Low to High	Slow	Moderate

The City of Corning and therefore, the parcels, are not located within an Alquist-Priolo Special Study Zone. The closest surface fault to Corning is the Elder Creek Fault, approximately 11 miles to the west. The Cleveland Hills Fault, most recently active in 1975, lies 51 miles away from the City. The threat of a potentially damaging seismic event in this area is slight.

In terms of seismic shaking, the different geologic materials that underlie the region have different shaking characteristics. The areas which are comprised of alluvium from the Sacramento River have more potential for ground shaking than those comprised of consolidated bedrock. Due to the minimal possibility of a strong intensity earthquake event, and the depth of the groundwater in Corning, it is not likely that liquefaction will occur in the planning area. Landslides are also unlikely as the slope and topography in Corning are gentle, although there is a limited risk of minor earth sloughing along Jewett Creek). These areas also carry a slight risk of erosion hazards.

Tsunami is highly unlikely to occur as the City is not located in any proximity to an ocean. Likewise, the risk of seiche is remote as the nearest water bodies (Black Butte Lake and Lake Shasta) are too far away to affect the site and the City of Corning. Mount Lassen, the nearest center of potential volcanic activity, is located approximately 55 miles northeast of Corning, minimizing the potential for volcanic hazards to impact the City and its residents.

#### Discussion of Checklist Answers:

- a. *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a know 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 know fault? ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides?*
  
- c. *Be located on a geologic unit or soil that is unstable, or that would become unstable as result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Active earthquake faults can be found throughout California; however the Project site and City is located in an area that is considered to be relatively free of seismic hazards in the immediate vicinity. The most significant seismic activity that can be anticipated in the area is ground shaking generated by seismic events on distant faults. The closest of which is the Elder Creek Fault, which lies approximately five miles to the southwest. There is no evidence of a "potentially active fault," located in the area, which could result in significant damage to structures and associated infrastructure.

The City of Corning and in turn, the Project area, is not affected by Alquist-Priolo Earthquake Fault Zones as of May 1, 1999, as determined by the California Geologic Survey. The City and is located in a low severity earthquake area, as designated by the California Geologic Survey and are considered to be at low risk for impacts associated with earthquakes. Consequently, the site is also at low risk for geologic events commonly associated with earthquakes, including liquefaction, subsidence, lurch cracking, and groundshaking. There is a *less than significant impact* with respect to potential seismic related impacts.

Landslides can be triggered by heavy rains or earthquakes, and result in the sometimes rapid movement of soil from areas of higher elevation to those of lower elevation. The potential of rock slide is negligible since slopes are significantly flatter than 40 percent. There are *no impacts* associated with potential landslides.

b. *Result in substantial soil erosion or the loss of topsoil?*

Excessive erosion requires time and expense to make repairs and could cause violations of discharge requirements. Prevention of erosion usually is less costly than repairs. Erosion control methods are those methods that prevent soil from moving. Soil particles are set in motion either by raindrop impact or flowing water. The faster and deeper the water flows, the more erosion will occur. To reduce erosion, soil is compacted to bond soil particles together and/or covered to reduce raindrop impact and slow runoff. Steeper slopes are more susceptible to erosion because the runoff flows faster. Concentrated flow also increases erosion because greater flow can carry greater sediment, especially on steeper slopes. Erosion control practices include straw mulching for temporary (one season) control, and seeding & mulching and hydroseeding for long-term control. For very steep slopes there are more intensive and costly methods including straw mats and adhesive-type hydroseeding. For roads, gravel is commonly used as a method of erosion control. Culvert downdrains and rock-lined channels are used to route concentrated flows down steeper slopes to prevent erosion from concentrated flow.

Construction requires grading and trenching resulting in disruptions, displacement, compaction, and overcovering of soils, which if not addressed, could result in *potential impacts*. Minor wind or water erosion of soils could possibly occur during construction activities. Prior to any site improvement construction, erosion control and grading plans are required to be prepared by qualified experts and submitted to the City Public Works Department, DFG, and RWQCB for review and approval. In addition, to ensure that construction does not result in soil erosion, the following mitigation shall be implemented to reduce potential erosion impacts to a *less than significant* level.

*Mitigation Measure G-1*

*Implementation of Best Management Practices for erosion control of all disturbed areas to prevent eroded soil from entering Jewett Creek shall be implemented. Measures include, but are not limited to the following:*

- *Ground disturbing work for site development shall be limited to the dry season to the greatest feasible extent, and all erodible surfaces shall be protected by paving, mulching or landscaping, as provided in the erosion control plan (required) prior to the advent of the rainy season (September to March). Berms shall be provided around construction sites to contain sediment. If construction operations occur during rainy periods, use of erosion control measures, such as straw-bale dikes, gravel filters, stabilized construction entrances and sediment traps shall be required. No areas shall be left exposed during winter.*
- *Surface soils may be subject to erosion when excavated and exposed to weathering. Erosion and sediment control measures shall be implemented during and after construction to conform to acceptable erosion control and City grading standards. The erosion control plan shall include revegetation of denuded areas.*
- *Drainage facilities shall be lined as necessary to prevent erosion. A detailed geotechnical investigation shall be performed to determine specific site characteristics prior to construction of the roads and other improvements. A civil engineer shall be involved during the construction phase(s) to assure that recommendations are implemented or modified as necessary.*
- *To minimize dust/grading impacts during construction; no grading activity shall be conducted when sustained wind speeds exceed 25 miles per hour.*

Construction activities may occur during sustained wind speeds between 10 and 25 miles per hour provided dust control measures are increased and dust and erosion impacts are controlled to the satisfaction of City inspection staff.

- In areas where construction activities result in soil exposure, prompt replanting with native, compatible, drought-resistant vegetation shall be required.
- Native vegetation shall be left undisturbed where feasible.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Based on the information presented above, and the fact that the only structures to be developed on the future Park site are restroom and play structures, they and the construction of the parking lot(s) will undergo improvement plan and building permit review related to the suitability of soils for building, and the potential for exposure to geologic safety hazards, including soils incapable of supporting development, impacts related to geologic conditions are considered **less than significant**. In addition, all construction in Corning must comply with the Uniform Building Code, on which the City's building codes are based. These codes are meant to ensure the protection of the public's health, safety, and welfare.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The restrooms will connect to the City's sewer system, resulting in **no impact** from septic systems or alternative wastewater disposal systems.

**Conclusion:** Potential erosion related impacts are **less than significant** due to BMPs and specific measures to be incorporated into the Project and the resultant construction of associated infrastructure. Furthermore, regulations and oversight provided by the City and the RWQCB and adherence to the Uniform Building Code requirements will provide additional safeguards with regard to seismic, structural, and soil stability issues. Therefore, **no mitigation measures** are needed.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GREENHOUSE GAS EMISSIONS</b> <i>Would the project:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X

**Existing Environmental Setting:** California is a substantial contributor of global greenhouse gases, emitting over 400 million tons of carbon dioxide (CO<sub>2</sub>) each year. Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Methane is also an important greenhouse gas that potentially contributes to global climate change. Greenhouse gases are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. Because primary greenhouse gases have a long lifetime in the atmosphere, accumulate over time, and are generally well mixed, their impact on the atmosphere is mostly independent of the point of emission.

Assembly Bill 32 (Global Warming Solutions Act) (AB-32) was passed by the California Legislature on August 31, 2006. It requires the State's global warming emissions to be reduced to 1990 levels by 2020. The reduction would be accomplished through an enforceable statewide cap on global warming emissions that would be phased in starting in 2012. On or before June 30, 2007, the California Air Resources Control Board (CARB) is required to publish a list of discrete greenhouse gas emissions that can be reduced. Emission reductions shall include carbon sequestration projects and best management practices that are technologically feasible and cost-effective. However, AB 32 did not provide thresholds or methodologies for analyzing a project's impacts regarding global climate change and primarily provides a timeframe for establishing plans, policies, and studies to address global climate change.

Executive Order S-3-05 also recognized the importance of preparedness in that it directed the Secretary of the California Environmental Protection Agency (Cal EPA) to lead an effort to evaluate the impacts of climate change on California and to examine adaptation measures that would best prepare the state to respond to the adverse consequences of climate change. In response to S-3-05, the Climate Action Team (CAT) was convened, which comprised representatives from Cal EPA, CARB, Integrated Waste Management, California Energy Commission, and several other state departments. The CAT prepared the *Climate Action Team Report to Governor Schwarzenegger and the Legislature* (dated March 2006), which provides an overview of scientific evidence regarding climate change as well as potential effects on California. The report also provides recommendations regarding strategies the state should pursue to reduce climate change emissions.

In light of such legislation such as AB 32 and Executive Order S-3-05, there has been much debate regarding the analysis of global climate change in CEQA documents. On April 13, 2009, the Governor's Office of Planning and Research (OPR), submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for greenhouse gas emissions, as required by Senate Bill 97 (Chapter 185, 2007). These proposed CEQA Guideline amendments will provide guidance to public agencies regarding the analysis and mitigation of the effects of greenhouse gas emissions in draft CEQA documents. The Natural Resources Agency will conduct formal rulemaking in 2009, prior to certifying and adopting the amendments, as required by Senate Bill 97. OPR expects that guidelines will be adopted on or before January 1, 2010 consistent with Public Resources Code section 21083.05 which was added to CEQA by SB 97. Provided in the proposed CEQA Guideline amendments is a checklist for greenhouse gas emissions that is utilized in this Initial Study even though they are not formally adopted.

In addition to the CEQA Guideline amendments, air districts have traditionally provided guidance to local lead agencies on evaluating and addressing air pollution impacts from projects subject to CEQA. Recognizing the need for a common platform of information and tools to support decision makers as they establish policies and programs for greenhouse gasses and CEQA, the California Air Pollution Control Officers Association (CAPCOA) has prepared a white paper reviewing policy choices, analytical tools, and mitigation strategies. This paper is intended to serve as a resource for public agencies as they establish agency procedures for reviewing greenhouse gas emissions from projects under CEQA. In order to provide a threshold for CO<sub>2</sub> and CO<sub>2</sub> equivalents for purposes of CEQA analysis, the TCAPCD has established a threshold of 900 metric tons per year, in accordance with the CAPCOA document.<sup>5</sup> The 900 metric ton screening criteria (CO<sub>2</sub> or CO<sub>2</sub> equivalents generated annually) being used by the TCAPCD is a conservative criterion for determining if a project requires further analysis and mitigation with regard to climate change.

#### **Discussion of Checklist Answers:**

- a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

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<sup>5</sup> Tehama County Air Pollution Control District. December 2009. *Planning & Permitting Air Quality Handbook Guidelines for Assessing Air Quality Impacts*

It should be recognized that due to the worldwide scope of global climate change, it is not anticipated that any project, particularly a park project within a city the size of Corning will have a substantial effect on global climate change. No single development, developments, or a city can be deemed individually responsible for global temperature increases and rising sea levels. Instead, greenhouse gas emissions from the existing and future development within the City will combine with greenhouse gas emissions emitted across California, the United States, and the world to cumulatively contribute to global climate change.

Emitting CO<sub>2</sub> into the atmosphere is not itself an adverse environmental affect. It is the cumulative increased concentration of CO<sub>2</sub> in the atmosphere resulting in global climate change and the associated consequences of climate change that results in adverse environmental affects (e.g., sea level rise, loss of snowpack, severe weather events). Approval of the land acquisition, general plan amendment, and rezone do not directly result in a physical effect from development and energy consumption, and therefore it will not result in an incremental contribution of CO<sub>2</sub> into the atmosphere. However, these actions will result in a physical effect which is the Park. It is a fact that the location of parks and recreational facilities located within walking distance of residences will reduce reliance on automobile trips and in turn a reduction in greenhouse gases.<sup>6</sup>

As part of the air quality modeling undertaken for the approximate 11.00 acre Park construction areas, conservatively projected to occur in 2011, modeling determined that area source and operational (vehicle) carbon dioxide (CO<sub>2</sub>) emissions would be 23.10 metric tons per year. Construction emissions would be 94.39 tons per year. The emissions generated are significantly less, separately or cumulatively, than the 900 metric ton screening criteria for determining if the project requires further analysis and mitigation with regard to Climate Change. Therefore, per TCAPCD guidance further analysis is not necessary and potential impacts are considered *less than significant*. Regardless, implementation of *Mitigation Measures AQ-1* identified in the Air Quality discussion and *Mitigation Measure GGE-1* will contribute to reducing CO<sub>2</sub> emission impacts and in turn, greenhouse gas emissions during construction, area source and operational activity. However, the extent that these measures will reduce greenhouse gas emissions cannot be accurately estimated at this time, thus no reduction in emissions is identified in this evaluation.

#### *Mitigation Measure GGE-1:*

*The following measures will be incorporated into the Park design where practicable. Although no emissions reduction was taken for the purposes of this Initial Study, the emission reduction measures will likely result in decreased greenhouse gas emissions:*

- *All construction equipment shall comply with applicable California Air Resources Board requirements to ensure adequate construction dust and fugitive dust control. With respect to the use of diesel equipment, all construction contracts shall comply with California Air Toxic Control measures related to off-road, on-road, stationary, portable and other applicable category of such equipment.*
- *All applicable construction equipment shall be state registered through Portable Equipment Registration Program or shall apply for a stationary source permit from the TCAPCD.*
- *Pedestrian walkways, bikeways, trails should be provided, to encourage access to the Park site.*

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<sup>6</sup> August 6, 2009. Personal Communication: Russ Wenham Traffic Engineer – OmniMeans LTD. Acceptable walking distance to a park or school is about one-half mile.

- *Bicycle parking facilities shall be provided.*
- *Trees, shrubs, and other community landscaping will be planted. Trees and plants sequester carbon dioxide.*
- *Parking lots should be shaded with native, drought resistant trees to reduce a heat island effect.*
- *Passive solar landscape design elements should be considered. For example, deciduous trees planted on the south aspect will provide shade in the summer and allow for sunlight to shine through the branches in the winter. Evergreen trees on the north and west sides will afford protection from the summer sun.*
- *Where irrigation is necessary, low-volume and directed sprinkler heads and/or drip irrigation should be used to save water and reduce energy demand associated with potable water conveyance.*
- *Tree selection in the landscape areas should consider species that are drought resistant and that have low emissions and high carbon sequestration potential.*
- *Plants with similar water needs should be grouped together, to increase efficiency of irrigation.*
- *Outdoor lighting fixtures should have dimming features to allow for minimum illumination levels needed for safety and security. Motion sensor lighting may be installed to heighten security, while also serving to reduce unnecessary lighting.*
- *Sustainable building materials should be considered as part of the restroom building design and construction.*
- *Colors of the restroom exterior building materials and coatings should consider a balance between reflectivity and light absorption. Lighter colors with higher reflective values reduce energy consumption by absorbing less heat and reducing reliance on air conditioning systems.*
- *Water-saving appliances and water conserving features should be used, including low-flow toilets.*
- *Solid waste containers should provide for plastic and glass recycling.*

The recently adopted *Housing Element Update 2009-2014* advances goals and policies that would contribute to the reduction in greenhouse gas emissions. *Housing Element Goal EC – Promote the Efficient Use of Energy and Contribute to the Improvement of the Air Quality of the Region.* promotes and encourages development design, construction and operation that reduces energy consumption, particularly reduction in the use of fossil fuels and potable water; incorporates alternate and renewable energy sources and recycled water; provides more natural light; reduces storm runoff; uses renewable, local, salvage and nontoxic building materials; reduces use of non-recyclable materials and promotes recycling; and improves indoor air quality.”

*Policy HP-2* calls for the “Support the development of mixed-use projects encompassing residential and commercial development.” The Policy calls for the identifications of “sites that are: a) located with convenient access to schools, parks, shopping facilities, and employment opportunities or along public transportation routes that make such facilities accessible; b) minimally impacted by noise, flooding or other environmental constraints, or c) outside areas of concentrated lower income households. Development of a Community Park in an area where none currently exists will serve to reduce the emission of greenhouse gases.

Due to the nature of the Park Project, the incremental contribution to climate change impacts is ***less than significant*** as the future Park design will incorporate measures to reduce greenhouse gases and by its very nature is a project that assists to reduce greenhouse gases from other

- development is the City, particularly residential development.
- b. *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

The proposed Project does not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing greenhouse gases and therefore, there is *no impact*.

**Conclusion:** Per TCAPCD guidance further analysis is not necessary and potential impacts are considered *less than significant* since Community Park development and operation will not exceed established thresholds. Regardless, Mitigation Measures identified in the Air Quality discussion and in this evaluation will contribute to reducing CO<sub>2</sub> emissions and resultant greenhouse gas emissions. The Project impact to global warming and climate change is considered *less than cumulatively significant*.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS</b> <i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
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?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.				X
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?				X
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?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
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				X

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS</b> <i>Would the project:</i>				
residences are intermixed with wildlands?				

**Existing Environmental Setting:** Portions of the City are located along the I-5 corridor where there is a possibility that vehicles transporting hazardous materials could experience an accident along this major route which is located approximately 2,200 feet (0.42 miles) from the western portion of the Park site.

According to Section 25117 of the *California Health and Safety Code*, a hazardous material is any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health or the environment if released into the workplace or the environment. Hazardous substances can take the form of a solid, dust, liquid, or fume and exhibit any of the criteria set forth in 22 CCR, Chapter 30, Article 11. A list of wastes that are presumed hazardous is presented in Chapter 30, Article 9 of Title 22. Hazardous waste criteria include toxicity, ignitability, reactivity, and corrosivity.

Regarding wildland fire hazards, the site is surrounded by existing and proposed residential development. The Project site has some stands of oak woodlands, albeit minimal. The fuel necessary to feed a large wildland fire is not existent within or adjacent to the Park site. The City has a weed abatement ordinance to reduce the accumulation of weeds and other flammable materials within the City.

**Discussion of Checklist Answers:**

- a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- 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?*

Due to the distance and the permitting, operational, and reporting requirements imposed by the state and federal governments, it is highly unlikely that the release of hazardous materials at a level that would present a hazard to the environment or to human or animal life would occur. There are **no impacts** associated with the proposed Community Park.

- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*
- d. *Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.*

The proposed Project is not located within one-quarter mile of an existing or proposed school or on a hazardous materials site; therefore, there is **no impact**.

- 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?*

- 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?*
- g. *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The proposed Park is not located within two miles of the Corning Municipal Airport or any private airstrip. There is **no impact**.

The City does not currently have an adopted an Emergency Disaster Plan which is currently being prepared by the Corning Fire Department. Regardless, the future Community Park will not impair or interfere with any future emergency response or excavation plans. There is **no impact**.

- 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?*

This threshold is not applicable. There is **no impact**.

**Conclusion:** Adherence to regulatory codes and standards will reduce the potential impacts from hazardous materials and wildland fire hazards to a **less than significant** level and **no mitigation** is required.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge standards?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
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 or siltation on-or off-site?				X
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?				X
e. Create or contribute runoff water which would exceed the capacity of existing or		X		

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>				
f. planned stormwater drainage systems or provide substantial additional sources of polluted runoff? g. Otherwise substantially degrade water quality? Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? 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? j. Inundation by seiche, tsunami, or mudflow?			X	X

**Existing Environmental Setting:** The City owns and operates its water supply and distribution system, which relies solely on groundwater. According to the *2003 Water Quality Consumer Confidence Report* prepared by the City's Public Works Department, ten City wells pump groundwater from the deep-water aquifer located beneath the City. Three of the sites were off-line at the time of the report due to potential chemical contamination. While the contamination remains well below federal and State EPA limits, the City keeps the wells off-line to ensure the quality of the City's water supply.

The City obtains its water from the "Corning Subbasin which comprises the portion of the Sacramento Valley Groundwater Basin bounded on the west by the Coast Ranges, on the north by Thomes Creek, on the east by the Sacramento River, and on the south by Stony Creek. Stony Creek is believed to be a hydrologic boundary throughout the year. The Corning Subbasin is likely contiguous with the Red Bluff Subbasin at depth. Annual precipitation ranges from 19- to 25-inches, increasing to the north.

The storage capacity of the subbasin was estimated based on estimates of specific yield for the Sacramento Valley as developed in DWR (1978). Estimates of specific yield, determined on a regional basis, were used to obtain a weighted specific yield conforming to the subbasin boundary. The estimated specific yield for the subbasin is 6.7 percent. The estimated storage capacity to a depth of 200 feet is approximately 2,752,950 acre-feet.

Estimates of groundwater extraction for the Corning Subbasin are based on surveys conducted during the years of 1993, 1994, and 1997. Surveys included land use and sources of water. Groundwater extraction for agricultural use is estimated to be 152,000 acre-feet. Groundwater extraction for municipal and industrial uses is estimated to be 6,600 acre-feet. Deep percolation of applied water is estimated to be 54,000 acre-feet."

In terms of flood hazards, the City is subject to flooding from three basic sources: natural seasonal flooding, dam inundation, and mud and debris flows. Natural flooding is a result of seasonal storms that create runoff that can cause streams to overflow their natural banks or man-made levees. Dam inundation

could occur from a structural failure of the Shasta Dam, releasing significant floodwaters to the Sacramento River, which is located five miles east of the City. According to the City's General Plan, the California Office of Emergency Services states that the City would not be in an area of dam inundation resulting from the failure of the Shasta Dam.

Natural seasonal flooding of the project parcels is most likely to occur from Jewett Creek. Jewett Creek and Burch Creek comprise the largest drainage system in Corning by removing and transporting surface water runoff from areas northwest of the City to the Sacramento River. Jewett Creek is a perennial stream that originates west of the City and flows through the southern portion of the City. It receives some surface drainage from less intensely developed portions of the City. In the late 1980s, it was planned as a major collector of storm water drainage from the City's southern portions.

#### **Discussion of Checklist Answers:**

**a.** *Violate any water quality standards or waste discharge standards?*

Under section 402 of the Clean Water Act, the Regional Water Quality Control Board (RWQCB) issues National Pollutant Discharge Elimination System (NPDES) permits to regulate waste discharges to Waters of the US. Waters of the US include rivers, lakes, tributary streams, and wetlands. Waste discharges include discharges of stormwater and construction project discharges. A construction project resulting in the disturbance of one or more acres requires a NPDES permit. The City will be required to prepare a Storm Water Pollution Prevention Plan prior to construction of the Park.

Adherence to the requirements of the NPDES permit and the approval of an SWPPP would ensure that any potential impacts associated with this water quality would be reduced to a *less than significant* level.

Due to the permitting, operational, and reporting requirements imposed by the State and County, it is highly unlikely that the eventual Park project will violate water quality standards. Implementation of the proposed Project will, therefore, have a *less than significant* impact.

**b.** *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

"Review of hydrographs for long-term comparison of spring-spring groundwater levels indicates a decline of 5- to 12-feet associated with the 1976-77 and 1987-94 droughts, followed by a recovery to pre-drought conditions of the early 1970's and 1980's. Groundwater level data show seasonal fluctuations of approximately 3- to 15-feet for unconfined wells (5-feet near the Sacramento River), up to 30-feet for semi-confined wells away from the river, 5- to 20-feet for composite wells, and 10- to 30-feet for confined wells. Overall, there does not appear to be any increasing or decreasing trends in the groundwater levels."<sup>7</sup>

The City's wells provide approximately 3.5 million gallons into the system each day which has a maximum pumping capacity of 5.5 million gallons per day, or 19.8 million gallons per year. Based on the availability of groundwater for the Municipal Water System, at the present time there is sufficient capacity to serve a growing population for the next ten years and to provide future Park irrigation requirements, as necessary. There are *no impacts* associated with substantially depleting groundwater supply or interfering with groundwater recharge.

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<sup>7</sup> State of California Department of Water Resources. January 20, 2006. *Groundwater Bulletin 118, Hydrologic Region Sacramento River Sacramento Valley Groundwater Basin*

- 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 or siltation on- or off-site?*
- 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?*
- e. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
- f. *Otherwise substantially degrade water quality?*

Drainage patterns and surface runoff amounts are the result of a number of factors including: slope, soil permeability, vegetation, and surface type. Jewett Creek will not be altered upon implementation of the Project and therefore no direct increase in erosion potential will directly impact the creek. However, eventual Park construction will introduce grading that would alter slopes, soil, or vegetation within the Project site. As part of site improvements, including parking lot(s), skateboard park, and restroom roof drainage, are impervious surfaces that will increase the amount of surface runoff on the Project site. The physical environment will be altered, thereby increasing the potential for on- or off-site erosion which is a *potentially significant impact* requiring mitigation. However, in addition to providing storm water detention, the proposed amphitheater and two soccer fields will also serve as filtration basins. They will be constructed several feet below surrounding surface elevations so as to not only detain groundwater, but to also filter impurities emanating from the parking lots, adjacent roads, and other sediment generators.

Prior to commencing any soil disturbing activities, development projects (since the Park would not remain in its natural state, it will be classified as such) are required to prepare a *Stormwater Pollution Prevention Plan (SWPPP)* in accordance with the *NPDES Construction Activities Stormwater General Permit*. *SWPPPs* are required to list *Best Management Practices (BMPs)* that control erosion and sediment and minimize construction waste and the discharge of pollutants from project sites into local waterways. Additionally, *SWPPPs* are required to contain a description of the potential pollutant sources, a visual monitoring program, and a chemical monitoring program for "non-visible" pollutants (i.e. chemicals that occur on construction sites that are not visually detectable in stormwater discharges) that would be implemented if there were a failure of the *BMPs*.

The future Community Park project will be required to reduce any potential short and long term water quality impacts through measures that call for the prompt revegetation of disturbed areas, and if necessary, the development of temporary silt traps and energy dissipaters, avoidance of grading and construction activities during wet weather, and avoiding the disturbance of adjacent swales. The installation of drainage improvements and vegetation, in addition to the construction of the soccer fields and amphitheater to serve as filtration basins, will reduce long-term impacts on water quality to a *less than significant* level. The measures identified in *IV. Biological Resources* and *VI. Geology and Soils* will be required to reduce any potential short and long term water quality impacts to a *less than significant* level. Proper grading and drainage design by a registered civil engineer will ensure that existing buildings and improvements are not adversely impacted. Potential impacts are *less than significant*.

Due to the permitting, operational, and reporting requirements imposed by the Regional Water Quality Control Board and City, it is highly unlikely that the Park project will result in a

degradation of water quality, therefore, potential impacts are *less than significant* and *no mitigation* is required.

- 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?*
- h. *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*
- 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?*

As previously noted, the parcels are affected by flooding from Jewett Creek. Review of the Flood Insurance Rate Map (FIRM) for the City of Corning, Community Panel Number 060398 0005 C dated September 27, 1991 was reviewed to determine potential flooding impacts. The four parcels are located within *Special Flood Hazard Area Zone A0* inundated by a 100-year flood where flood depths range from one to three feet. Jewett Creek is located within the *Special Flood Hazard Area Zone AE* where base flood elevations have been determined which range from elevation 278 in the northwestern portion of the Creek, to elevation 277 in the area where the extension of Fig Lane across the Creek would occur, and to elevation 276 where Jewett Creek exits the site near the southern boundary of Parcel 4.

The General Plan encourages limiting land uses in these areas and encouraging the preservation of open space or buffering of the floodplain zone in order to decrease flood effects in the City. In addition, Chapter 17.45 in the Zoning Ordinance provides requirements that must be adhered to before development could occur within the 100-year flood plain.<sup>8</sup>

As previously noted, the soccer fields and amphitheater areas will be designed to not only detain and filter existing waters within its boundaries so as to not increase downstream flows, but also to reduce downstream flooding. In addition, the parking lots can be over-designed to capture additional waters. Adherence to all General Plan goals, objectives, and policies and zoning ordinance requirements, in addition to a well designed Park will serve to reduce potential flooding impacts to a *less than significant* level.

- j. *Inundation by seiche, tsunami, or mudflow?*

Tsunamis are defined as sea waves created by undersea fault movement. A seiche is an oscillation of the surface of a lake or landlocked sea. Mudflows typically occur in mountainous or hilly terrain.

The City is in little danger from tsunamis, being some distance from the Pacific Ocean. Shasta Lake and Black Butte Lake are also too far away to impact the City by seiche (*City of Corning General Plan*). The lack of steep slopes in the City makes the possibility of mudflow unlikely. Impacts due to these hazardous conditions are *less than significant*.

**Conclusion:** There could be *potential impacts* associated with water quality. However, adherence to permitting, operational, monitoring and reporting standards and regulations imposed by the California Department of Public Health, Division of Drinking Water and Environmental Management and their oversight provides additional safeguards. Furthermore, through proper Park design, additional detention could serve to reduce downstream flooding impacts. Implementation of the proposed Project will, therefore, have a *less than significant* impact and *no mitigation* is required.

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<sup>8</sup> Chapter 17.45 – FP Floodplain Combining District, specifically Sections 17.45.030 through 17.45.180 provide guidance.



a Community Park is compatible with surrounding residential land use designations and is considered by many residences as an amenity. There is **no impact**.

c. *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

Currently, there are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or State habitation conservation plans that apply to the City, resulting in **no impact** as a result of the proposed Project.

**Conclusion:** The proposed Project will not cause any potentially significant impacts on land use and planning. There is **no impact**.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES.</b> <i>Would the project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
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?				X

According to the *City of Corning General Plan*, mineral extraction and construction accounted for four percent of the employment in Tehama County in 1983. Fourteen mineral resources have been identified in the County, including aragonite, borax, chalcopryrite, chromite, copper, cristobalite, galena, garnet, opal, pectolite, penninite, sassolite, and Wallsonite. The most plausible mineral for future development is chromite, used for steel production. In Tehama County, most of the chromite deposits are found in the western section of the County, and would therefore have little or no effect on the City.

**Discussion of Checklist Answers:**

- a. *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *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?*

Currently, there are no extraction activities taking place within the Project parcels or within the City. There is a slight potential for extraction of sand and gravel along Jewett Creek. However, the amount of material that could be extracted would not warrant the expense of establishing an extraction operation. Furthermore, such an action would be restricted due to riparian, flooding and slope issues.

Review of California Geological Survey Surface Mining and Reclamation Act of 1975 (SMARA) mineral classification maps does not identify mineral resource deposits that could be impacted. There are **no impacts** to mineral resources.

**Conclusion:** The proposed Project will result in **no impacts** on mineral resources.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. NOISE</b> <i>Would the project result in:</i>				
a. Exposure of people 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?			X	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
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 expose people residing or working in the project area to excessive noise levels?				X
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?				X

**Existing Environmental Setting:** The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable, and can be approximated by weighing the frequency response of a sound level meter by means of the standardized A-weighting network. There is a strong correlation between A-weighted sound levels (expressed as dBA) and community response to noise. For this reason, the A-weighted sound level has become the standard tool of environmental noise assessment. All noise levels reported in this section are in terms of A-weighted levels.

Community noise is commonly described in terms of ambient noise levels, which is the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level ( $L_{eq}$ ). The  $L_{eq}$  is the foundation of the day/night average noise descriptor,  $L_{dn}$ , and shows very good correlation with community response to noise.

The Day-night Average Level ( $L_{dn}$ ) is based upon the average noise level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 p.m. to 7:00 a.m.) hours. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because  $L_{dn}$  represents a 24-hour average, it tends to disguise short-term variations in the noise environment.<sup>9</sup>

Noise is often described as unwanted sound. Sound is defined as any pressure variation in air that the human ear can detect. If the pressure variations occur frequently enough (at least 20 times per second)

<sup>9</sup>  $L_{dn}$  is the measurement of noise level based on the decibel measurement that considers the additional sensitivity of communities to noise generated during the evening and nighttime relative to the daytime.

they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, called Hertz (Hz).

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel scale was devised. The decibel scale uses the hearing threshold (20 micropascals of pressure), as a point of reference, defined as 0 dBA. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dBA. Another useful aspect of the decibel scale is that changes in decibel levels correspond closely to human perception of relative loudness. **Table N-1** illustrates common noise levels associated with various sources.

In 1987, the California Department of Health Services published guidelines for the noise element of local general plans. These guidelines include a noise level/land use compatibility chart that categorizes various outdoor  $L_{dn}$  ranges into four compatibility categories (normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable), an acceptable range for playgrounds and neighborhood parks is 55-70 dB. For acceptable noise levels are up to 70 dB.

The California Department of Housing and Community Development adopted noise insulation performance standards which require that "interior CNEL with windows closed, attributable to exterior sources, shall not exceed an annual CNEL of 45 dB in any habitable room" depending on land use.

The major source of noise impacts on the surrounding area will result from short-term construction. There are various residences located within a reasonable proximity of the Park. **Table N-2** identifies noise levels associated with construction equipment.

The *City of Corning General Plan Noise Element* identifies that the normally acceptable range for single family residential uses as less than 60 dB, while the conditionally acceptable range is 55 to 70 dB. The normal acceptable range for playgrounds and neighborhood parks is 50 to 70 dB.

TABLE N-1 Sound Pressure Levels of Common Sounds and Noises		
Sound Quality	Decibels	Sound Source
<b>Threshold of Feelings</b>		
Pain	120	Rocket engine, Ram Jet Turbojet: 7,000 pounds thrust
Deafening	110	Propeller aircraft, Boiler factory, Nearby riveter, Drop Hammer, Thunder
	100	Subway
Very Loud	90	Loud Street Noises, drill
Loud	80	Police Whistle, Portable sander
Noisy	70	Normal Radio, Noisy Office, Average Traffic
	60	Noisy home
Moderate	50	Average office, Ordinary Conversation, Quiet radio
Quiet	40	Quiet home, private office
Faint	30	Average auditorium
	20	Quiet conversation
Very Faint	10	Rustle of leaves, Whisper
<b>Threshold of Audibility</b>	0	Soundproof room

TABLE N-2 Preliminary List of Construction Equipment	
Type of Equipment	Maximum Level, dB at 50 feet
Bulldozers	87
Heavy Trucks	88
Backhoe	85
Pneumatic Tools	85

Source: *Environmental Noise Pollution*, Patrick R. Cunniff, 1977.

## Discussion of Checklist Answers:

- a. *Exposure of people 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?*

A Conceptual Site Plan has been prepared for the proposed Community Park which locates major noise generating facilities such as the soccer fields, skateboard park, and amphitheater at distances no closer than approximately 120 feet from one existing residence. The balance of residences are approximately 150 feet and greater in distance. Within a distance of 500 feet from the skateboard park and soccer fields there are approximately 34 single family residences.

One residence to the northwest across Toomes Avenue is approximately 200 feet from the skateboard park while the next residence is approximately 300 feet away. To the south of the skateboard park is one residence at a distance of approximately 350 feet.

One residence is located approximately 120 feet to the northeast of the amphitheater across Jewett Creek, which provides a vegetative and visual buffer, while another is located approximately 160 feet to the northeast adjacent to the first residence. To the south, the residence that is 350 feet from the skateboard park will be approximately 400 feet from the amphitheater.

The closest residence to the adult soccer field is approximately 150 feet to the northeast at the intersection of Fig Lane and Houghton Avenue. Next door to this residence is another at a distance of approximately 200 feet from the adult soccer field. The next closest residence is located on the parcel the City owns, approximately 300 feet to the north. There is also a residence approximately 300 feet to the south of the youth soccer field.

Whereas, there is sufficient distance and/or buffering between the proposed active Park uses and existing residences, the following overview is provided for guidance and utilization in finalizing the design and construction of the Park.

Any noise problem may be considered as being composed of three basic elements: the noise source, a transmission path, and a receiver. The appropriate acoustical treatment for a given project should consider the nature of the noise source and the sensitivity of the receiver. As previously noted, the problem should be defined in terms of appropriate criteria ( $L_{dn}$ ,  $L_{eq}$ , or  $L_{max}$ ), the location of the sensitive receiver (inside or outside), and when the problem occurs (daytime or nighttime). Noise control techniques should then be selected to provide an acceptable noise environment for the receiving property while remaining consistent with local aesthetic standards and practical structural and economic limits. Fundamental noise control options include the following:

Use of Setbacks: Noise exposure may be reduced by increasing the distance between the noise sources and receiving use. Setback areas can take the form of open space, frontage roads, recreational areas, storage yards, etc. The available noise attenuation from this technique is limited by the characteristics of the noise source, but is generally about 4 to 6 dB per doubling of distance from the source.

Use of Barriers: Shielding by barriers can be obtained by placing walls, berms or other structures, such as buildings, between the noise source and the receiver. The effectiveness of a barrier depends upon blocking line-of-sight between the source and receiver, and is improved with increasing the distance the sound must travel to pass over the barrier as compared to a straight line from source to receiver. The difference between

the distance over a barrier and a straight line between source and receiver is called the “path length difference,” and is the basis for calculating barrier noise reduction.

Barrier effectiveness depends upon the relative heights of the source, barrier and receiver. In general, barriers are most effective when placed close to either the receiver or the source. An intermediate barrier location yields a smaller path-length-difference for a given increase in barrier height than does a location closer to either source or receiver.

For maximum effectiveness, barriers must be continuous and relatively airtight along their length and height. To ensure that sound transmission through the barrier is insignificant, barrier mass should be about 4 pounds per square foot, although a lesser mass may be acceptable if the barrier material provides sufficient transmission loss. Satisfaction of the above criteria requires substantial and well-fitted barrier materials, placed to intercept line of sight to all significant noise sources. Earth, in the form of berms or the face of a depressed area, is also an effective barrier material.

There are practical limits to the noise reduction provided by barriers. For vehicle traffic or railroad noise, a 5 to 10 dB noise reduction may often be reasonably attained. A 15 dB noise reduction is sometimes possible, but a 20 dB noise reduction is extremely difficult to achieve. Barriers usually are provided in the form of walls, berms, or berm/wall combinations. The use of an earth berm in lieu of a solid wall may provide up to 3 dB additional attenuation over that attained by a solid wall alone, due to the absorption provided by the earth. Berm/wall combinations offer slightly better acoustical performance than solid walls, and are often preferred for aesthetic reasons.

Site Design: Activities such as the skateboard park should be located as far as possible away from existing residences. The restroom buildings could be placed on the site to shield existing residences from louder noise generating activities, and to prevent an increase in noise level caused by reflections. The use of one building to shield another can significantly reduce overall project noise control costs, particularly if the shielding structure is insensitive to noise.

Site design should guard against the creation of reflecting surfaces which may increase onsite noise levels. Landscaping walls or noise barriers may inadvertently reflect noise back to a noise-sensitive area unless carefully located. Avoidance of these problems while attaining an aesthetic site design requires close coordination between the City, the Park landscape architect, civil engineer, and noise consultant.

Use of Vegetation: Trees and other vegetation are often thought to provide significant noise attenuation. However, approximately 100-feet of dense foliage (i.e., a mass of vegetation such that no visual path extends through the foliage) is required to achieve a 5 dB attenuation of traffic noise. Thus the use of vegetation as a noise barrier should not be considered a practical method of noise control unless large tracts of dense foliage are part of the existing landscape.

Vegetation can be used to acoustically “soften” intervening ground between a noise source and receiver, increasing ground absorption of sound and thus increasing the attenuation of sound with distance. Planting of trees and shrubs is also of aesthetic and psychological value, and may reduce adverse public reaction to a noise source by removing the source from view, even though noise levels will be largely unaffected. It should be noted, however, that trees planted on the top of a noise control berm can actually slightly degrade the acoustical performance of the barrier. This effect can occur

when high frequency sounds are diffracted (bent) by foliage and directed downward over a barrier.

In summary, the effects of vegetation upon noise transmission are minor, and are primarily limited to increased absorption of high frequency sounds and to reducing adverse public reaction to the noise by providing aesthetic benefits.

Incorporation of the above noise control measures as options will serve to further reduce potential noise related impacts to *less than significant levels* even though the location of the proposed noise generating uses identified in the Conceptual Plan for the Community Park minimizes potential noise impacts.

- b. *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

The only source of groundborne vibration is from I-5 and the CNFR Railroad; however, the future Park will not be impacted by these existing sources due to its location in relationship to these sources and the nature of the Park. The proposed Project will not create vibration or groundborne noise level since it is a park. There is *no impact*.

- c. *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

The major source of noise in the vicinity of the Project area is associated with vehicular traffic along I-5, SR 99W and to a lesser degree, Toomes Avenue. I-5 traffic could be considered the major contributor to ambient noise levels. SR 99W and I-5 are the major source of truck traffic whose noise levels are about 15 dB higher than the average car, however, given the distance to the Community Park parcels, I-5 and SR 99W noise impacts are less than significant. Ambient noise levels associated with traffic are normally higher during the day, particularly with respect to vehicular traffic in the area. Due to the proximity to SR 99W and I-5, ambient noise levels are not significantly less during night-time hours than during the day at least for Parcel 1. Ambient noise levels would be less for Parcels 3 and 4.

Noise levels associated with the Community Park will be similar during the day to acceptable levels associated with playgrounds and athletic fields which is 50 to 70 dB. However, the skateboard park, soccer activities, and evening events at the amphitheater may increase existing ambient levels above current levels. The following measures will be incorporated into the Park design which should reduce the ambient noise levels to *below a level of significance*.

#### *Mitigation Measure N-1*

*The following measures, except for the location and operating hours of the skateboard park, can be modified prior to construction of the Park.*

- *Use of the skateboard park will cease by 10:00 PM. The facility should be gated and locked to prohibit its use.*
- *The skateboard park shall be located as identified in the Conceptual Site Plan. If the skateboard park is moved further north across from the existing residences, to the west, then a noise study shall be undertaken to provide necessary mitigations, in particular the construction of noise attenuation walls. The use of loudspeakers, if at all, shall be limited to use during daylight events.*

- d. *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

The construction of the Community Park will require the use of earthmoving vehicles and construction equipment. The operation of this equipment will temporarily increase the potential for groundborne vibration and/or noise. Potential groundborne noise/vibration impacts would be short-term and construction activities would be required to comply with applicable City standards. Adherence to these measures would reduce impacts associated with construction related noise and vibration to *less than significant* levels.

For comparative purposes, **Table N-1** is provided to illustrate relative loudness compared to common noise levels. Short-term impacts due to construction will occur with noise levels (at a distance of 50 feet from the noise source) ranging from 68 dBA for backhoes to 95 dBA for an excavator. The types of operational equipment used for this Project will typically generate noise levels of 70 to 90 dBA at a distance of 50 feet. The potential exists for construction-related noise impacts on existing and future adjacent residences in the area of the Park. Activities associated with construction will result in elevated noise levels, with maximum noise levels ranging from 85-88 dB at 100-feet. Construction activities would be temporary in nature and would likely occur during normal daytime working hours. Nonetheless, because construction activities would result in periods of elevated noise levels, this impact would be considered *potentially significant*. Implementation of *Mitigation Measure N-2* will reduce this impact to a level of *less than significant*.

*Mitigation Measure N-2*

*Construction activities shall be limited to the hours of 7 a.m. to 8 p.m. on the weekdays and from 9 a.m. to 5 p.m. on weekends and holidays unless an exemption is received from the City to cover special circumstances. In addition, all equipment shall be fitted with factory equipped mufflers, and in good working order.*

- 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 expose people residing or working in the project area to excessive noise levels?*
- 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?*

This threshold is not applicable. There is *no impact*.

**Conclusion:** The future Park project will result in short-term construction noise impacting adjacent residences and could be *potentially significant* but mitigation is provided to reduce this impact to a *less than significant* level. With regard to the long-term Community Park activities, mitigation measures are advanced so that potential impacts are reduced to a *less than significant* level.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING</b> <i>Would the project:</i>				
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?)				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**Existing Environmental Setting:** The State of California Department of Finance identifies the population of the City of Corning as of January 1, 2009 to be 7,396. The average overall growth rate is approximately 1.08 percent per year. The State Department of Finance has estimated the total number of housing units, as of January 1, 2009, to be 2,922, an increase of 308, or an 11.6 percent increase in housing units over the past 9 years. The housing increase has kept pace with the approximate 9.2 percent increase in population during the period of time.

The City is a land use authority and has the primary responsibility for implementing growth strategies. The City plans future facilities, such as parks and recreation facilities by undertaking long range facilities planning and accompanying financing justification studies. Essentially the City serves to meet the demands of existing development and accommodate future growth. The State of California Community Fact Finder Report finds that for a total population of 925 there are zero park acres per 1000 population within the one-half mile proximity of the proposed Park.

**Discussion of Checklist Answers:**

- 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?)*

The proposed Community Park will not induce population growth in the area. The Park will serve existing and future residents since the Land Use Element of the General Plan identifies residential development in the area by providing recreational opportunities that are currently lacking. There is **no impact** associated with growth inducement.

- b. *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

- c. *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Neither the proposed Project nor the future Park project will displace housing or people. There is **no impact**.

**Conclusion:** There are **no impacts** due to the Project associated with population and housing issues.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. PUBLIC SERVICES</b>				
a. Would the project 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?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

**Existing Environmental Setting:**

Fire Protection – The City of Corning Fire Department provides fire protection services and emergency medical services within a five-square mile area of the City, including the business district, two shopping centers, and several large truck stops. The Department is centrally headquartered in the City at 814 Fifth Street, resulting in an average response time of three to five minutes.

Police Protection – The Corning Police Department (CPD) provides continuous law enforcement and emergency assistance services to areas located within the City limits. The CPD focuses their efforts on several specific local problems, including narcotics and gang activity.

Schools – The Corning Union Elementary School District and the Corning Union High School District provide educational services to City residents. The following schools exist in the City:

- Olive View Elementary           K-5
- Woodson Elementary            K-5
- Rancho Tehama Elementary    K-4
- West Street Elementary        K-2
- Maywood Middle School        6-8
- Corning High School            9-12

Corning High School receives students from the surrounding areas including the City, Richfield, Kirkwood, Paskenta, Flournoy, and Capay.

Parks – The City currently owns and maintains six parks and a small plaza totaling approximately 18 acres: Estil C. Clark Park, Woodson Park, Yost Park, Flournoy Memorial Park, Children’s Memorial Park, North Side Park, and Martini Plaza. Additional discussion is provided in *XV. Recreation*.

**Discussion of Checklist Answers:**

- a. *Would the project 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 protections, police protection, schools, parks, other public facilities?*

Fire Protection: Due to nature of the proposed Project which is a park, minimal, if any fire protection services will be required, except for possible emergency aid due to accidents. The potential impact on fire protection services is *less than significant* impact.

Police Protection: Due to nature of the proposed Project no out of the ordinary police protection services will be required. However, development of the Park will, by its very nature, require police vigilance. The Chief of Police is supportive of the Community Park concept. He does not foresee any significant problems due to the accessibility of the parcels, the general open nature of the parcels, and the proposed locations of the skateboard park and soccer fields which are easily viewed from the various street abutting the parcels.<sup>10</sup>

Furthermore, studies clearly identify that the provision of recreational opportunities to young children and teens serves to deter crime. An article from a study prepared for the Recreation Roundtable titled *Outdoor Recreation in American 2003: Recreation's Benefits to Society Challenged by Trends* states:

“Previous surveys demonstrate widespread public recognition of the positive contributions to quality of life resulting from participation in outdoor recreation. The public links recreation to overall happiness, family unity, health, improved educational opportunities and deterrence of crime and substance abuse. Declines in participation in so many recreational activities and the overall frequency of participation clearly put the benefits arising from recreation participation at risk.”<sup>11</sup>

The potential impact on the provision of police services is considered *less than significant*.

Schools: Due to the nature of the proposed Project there are *no impacts* on existing schools and facilities. However, the development of the Park will provide school aged children with additional recreational opportunities in particular a skateboard park. Therefore, impacts to schools as a result of the project are considered *less than significant*.

Parks: The issue of parks is discussed in *XV. Recreation*.

**Conclusion:** There are *no impacts* on public services due to the proposed Project and potentially *less than significant impacts* resulting from implementation of the proposed Project which is the development of a Community Park.

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<sup>10</sup> December 10, 2009 and February 2, 2010 personal communication with Police Chief Tony Cardenas at City Hall.

<sup>11</sup> Roper ASW. January 2004. *Outdoor Recreation in American 2003: Recreation's Benefits to Society Challenged by Trends*

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. RECREATION</b>				
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?				X
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?			X	

**Existing Environmental Setting:** Existing City parks offer many recreational opportunities to residents of and visitors to the City, described above. Community involvement, business donations, and agency cooperation have all been key elements in park improvements and maintenance. Community groups involved in recent improvements include the Volunteer Park Improvement Committee, the Rotary Club, the Exchange Club, the Lions Club, the Volunteer Fire Department, Corning Little League, and the Veterans of Foreign Wars. Businesses have donated materials for park improvements, and the California Division of Forestry inmates from Salt Creek Camp have provided labor for several improvements.

Currently, parks are distributed across the City in a Northwest to Southeast trending band. Park facilities are noticeably absent in several areas within the existing City limits. The southwestern portion of the City lacks park facilities which are the area to be served by the proposed Community Park. The west-central and south-central areas of the City are also without nearby parks.

The City currently owns and maintains six parks and a small plaza totaling approximately 18 acres: Estil C. Clark Park, Woodson Park, Yost Park, Flounoy Memorial Park, Children's Memorial Park, North Side Park, and Martini Plaza.

- Estil C. Clark Park is the largest city park and is located on Fig Lane, approximately one mile east of the Project parcels. However, access is not direct since Fig Lane does not cross Jewett Creek. Facilities include a little league field, a tee ball field, concession building and announcer's booth, and bleachers.
- Woodson Park contains a playground with equipment and picnic areas set within shady olive trees. Yost Park includes a playground and a softball field with a concession room, announcer's booth, and roof canopy for the bleachers. The park is located at the corner of Walnut and Peach Streets, approximately 1.25 miles to the northeast of the Project site.
- Yost Park is located approximately 1.8 miles northeast of the Project site at the corner of Tehama and First Streets and has a softball field and small playground.
- Flounoy Memorial Park is a small neighborhood park located just south of the senior center which is located at the southeast intersection of 4th Street and South Avenue. The park has picnic areas with tables and grills, a sprinkler system, and a playground area with wooden equipment. Children's Memorial Park contains a grassy area and playground. The metal playground equipment includes a swing set, moon climber, and a slide.

- North Side Park located approximately 1.1 miles to the northeast, at 6th and Colusa Streets, features a Junior Olympic size swimming pool with a smaller pool, a two-court lighted tennis court, playground area with equipment, barbeques, a fenced play area including equipment for small children, water fountains, a basketball court, and a sand-filled volleyball court.
- Martini Plaza is the newest addition to the City's parks system. The plaza is located along the south side of Solano Street just west of the 6<sup>th</sup> Street intersection. This small downtown plaza contains restrooms, picnic tables, and a water fountain.

**Discussion of Checklist Answers:**

- 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?*

The Community Park to be developed, contingent on the proposed Project being funded, will provide a much needed recreational facility with athletic fields and a skateboard park in the southwestern portion of the City. Currently the closest park with an athletic field is Estil C. Clark Park, located approximately one mile to the east.

The future Park will serve to assist to provide much needed recreation facilities and reduce, albeit to a minor degree, the use of existing parks. There currently exist approximately 920 persons within a one-half mile radius of the proposed Park.<sup>12</sup> Under the provisions of the State Quimby Act, five acres of developed recreation land is required per every 1,000 residents. Based on this ratio, the usable acreage of the Park, approximately 12.42 acres, will be of sufficient size to accommodate a population of 2,484 persons.

There is *no impact* on existing parks and recreational facilities due to the proposed Project. The Community Park will have a *less than significant impact* on the increase in use of existing parks and will not result in, or accelerate, their deterioration.

- 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?*

The creation of a Community Park with attendant recreational facilities, based on the findings of this Initial Study, will not have an adverse physical effect on the environment, provided that the recommendations and mitigations advanced are incorporated into the design and operation of the Park. Potential impacts are thereby reduced to a *less than significant* level.

**Conclusion:** There are *no impacts* on recreation facilities due to the proposed Project and *less than significant impacts* would result from the construction and operation of the proposed Community Park.

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<sup>12</sup> *California State Parks Community Fact Finder.* This web based tool combines mapping and demographic data to calculate the total population, median household income, number of families below poverty, and ratio of park acres per 1,000 residents within a half-mile radius of any project location throughout California.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC</b> <i>Would the project:</i>				
a. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		X		
b. Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		X		
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?				X
d. Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e. Result in inadequate emergency access?			X	
f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	

**Existing Environmental Setting:** The circulation system consists of a combination of City roadways, connecting County streets, and State and Federal highways. The City has a total of 41.23 miles of maintained roads. Of those, 46 percent have deficient pavement conditions, 23 percent are in poor condition, and the remaining roads are in good condition.

The City is served by five different classifications of roadways. These are freeway, state highway, arterial, collector, and local streets.

- Freeway – A limited access and high speed road serving inter-regional movement with no interference from local street patterns or at-grade crossings. Freeways are divided highways and serve primarily regional and long distance travel.
- State Highway – Limited access and higher speed road for travel between communities. Medium capacity two-lane roadways with one lane in each direction. The passing of slower vehicles requires the use of the opposing lane where traffic gaps allow:
- Arterial – A street carrying the vehicular traffic of intra-community travel as well as access to the rest of the county transportation system. Access to arterials should be by minor arterial, collector and local streets.

- Minor Arterial – These roadways provide for movement of intra-community traffic and less traveled than arterial streets.
- Collector – These roadways serve traffic between major and local roadways and neighborhoods. Collector's are used mainly for traffic movements within residential, commercial, and industrial areas.
- Local Street – Roadways used primarily for direct access to residential, commercial, industrial, or other abutting property with on-street parking. They do not generally include roadways carrying through traffic.

According to the *General Plan Circulation Element*, the City's circulation system affecting the Project site includes I-5 (Freeway), former State Highway 99W (Arterial), and locally important roadways within including Fig Lane (Collector), Solano Street (Arterial), South Avenue (Arterial), and Toomes Avenue (Collector). These identified roadways in the *Circulation Element* provide the majority of access to and from the project site.

SR 99W is used by local and regional traffic. Access to the communities of Richfield and Proberta is via SR 99W to the north of Corning. In addition, SR 99W will allow access to existing County Roads in order to cross the Sacramento River at Tehama and Los Molinos.

Intersections are areas within a circulation system where the flow of traffic is often interrupted. Interruptions can occur from any number of sources (stop signs, traffic lights, bicycle and pedestrian crossings, etc). Vehicle conflicts or accidents are more susceptible at intersections. Important Intersections affecting the Project Site include South Avenue & SR 99W, SR 99W & Solano Street/Edith, and Solano Street & Toomes Avenue.

The General Plan projected that traffic will increase at all intersections and roadways within the City at maximum build-out. The only intersection or roadway that falls below the Level of Service (LOS) C is the South Avenue and SR 99W area. Part of the reason is the high volume of heavy truck traffic and projected future automobile and truck as development increases along the SR 99W corridor. The City has identified improvements intended to accommodate projected traffic volumes and help maintain the City's LOS) policy. In 2009 Phase 1 of the South Avenue improvement project was completed. These improvements included widening of the intersection and reconstruction of the north bound on-and off-ramps. The South Avenue and SR 99W intersection along with the north and south bound ramps were signalized thereby improving the flow of traffic at these locations. Phase 2 of the South Avenue improvement Project will include the construction of a new freeway overpass.

The following describes the various LOS categories.

- Level of Service A – Free flow of individual users that are not interrupted by other users in the traffic pattern. Any intersection delays are less than 5 seconds.
- Level of Service B – Constant flow with a large freedom to maneuver, but with some interference from other users. Intersection delays are between 5 and 15 seconds.
- Level of Service C – Restricted flow which remains constant, but interference from other user is noticeable. Intersection delays range from 15 to 25 seconds.
- Level of Service D – High-density but stable flow. Freedom to maneuver is restricted and intersection delays range from 25 to 40 seconds.
- Level of Service E – Traffic flow is at or near capacity and freedom to maneuver is extremely difficult. Intersection delays of 40 to 60 seconds can be expected.
- Level of Service F – Traffic flow approaches a level that exceeds the amount that can be served. Traffic is stop-and-go and queues form. Delays at intersections are greater than 60 seconds.

According to the *General Plan*, the Planning Commission identified some overall concerns and important issues for future development. Those that are affected or affect the proposed future Park include:

- the need to protect future east-west and north-south right-of-ways for an efficient circulation system;
- the lack of access to land east of CNFR Railroad and west of the airport;
- the high accident rate at Toomes and Solano Street;
- the need for a contiguous bicycle path system.

The City currently has only Class III Bicycle Routes. Class III routes are those that share usage of streets with pedestrians and vehicular traffic. The General Plan identifies that the use of bicycles within the City should be encouraged and expanded. An example to encourage bicycle use is for new developments that require collector or arterial streets should allow for bike route right-of-ways. Likewise, to encourage access to the Park site the City should begin to identify and designate acceptable bike routes.

Pedestrian needs can usually be accommodated by the construction of sidewalk and pathways. In areas with little or no development, adequate shoulders (4 to 6 feet wide) are usually provided for pedestrians. The requirements for sidewalks are addressed in the City's Land Division Standards, Regulations; Requirements, and Map Processing Procedures.

It is desirable to combine pedestrian and bicycle facilities. This is important in planning new development areas. The use of pedestrian and bicycle facilities to link areas of home, work, school, and commercial uses can be used to reduce vehicle traffic and air pollution.

#### **Discussion of Checklist Answers:**

- Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant Components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*
- Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

A traffic analysis of the 43 lot Fig Lane Subdivision prepared by FAO Consulting analyzed existing traffic conditions and the impact of the proposed 11.69 acre subdivision on the City's roadway system. The project is located at the southwest corner of Fig Lane and Toomes Avenue intersection. The subdivision was approved but has not been developed. The traffic study determined that the project would generate 489 daily vehicle trips per day distributed among Fig Lane and Toomes Avenue, and other City streets. The analysis found that existing approved projects and the subdivision trips would not adversely affect any key City street intersections which would continue to operate at LOS "C" or better, consistent with City standards.

The Fig Lane Subdivision, and in turn the Park project, will be required to provide street improvements, typical to new development, including expanded street widths, road improvements, dedication of road rights-of-ways, installation of street lights, and street naming. Fig Lane will eventually be extended to join the separated segments between Toomes and Houghton Avenues. That extension will require construction of a bridge across Jewett Creek.

The bridge and adjoining street segments are included in the City's Master Infrastructure Plan and will be funded through collection of the City's Development Impact Fees.

**Mitigation Measure T-1** identifies the mitigation measures that were recommended for the Fig Lane Subdivision that would be applicable, as amended, to the development of the Park.

#### ***Mitigation Measure T-1***

*The following roadway improvement mitigations will serve to reduce impacts to less than significant levels.*

- *Toomes Avenue Right-of-Way Dedications and Improvements:* *Provide an additional right-of-way dedication to provide a 30-foot half (60-foot full width) for Toomes Avenue along the project site frontages.*

*Improve the frontage sections of Toomes Avenue to provide full street improvements as shown in Drawing S-18 (40-foot 2-lane street), including curb, gutter and sidewalks on the Parcel 1 frontage, and complete an asphaltic concrete overlay over the entire street.*

- *Fig Lane Dedications and Improvements:* *Along Parcel 1, improve the frontage sections of Fig Lane to provide full north half-width improvements as shown on Drawing S-18 (40-foot 2-lane street), including one 12-foot wide travel lane an 8-foot wide parking lane, curb, gutter and sidewalk, and complete an asphaltic concrete overlay for one lane width (12-foot) on the southerly half-width.*

*Along Parcels 3 and 4 dedicate and improve Fig Lane to provide full width improvements as shown on Drawing S-18 (40-foot 2-lane street), including two 12-foot wide travel lane and 8-foot wide parking lanes, curb, gutter and sidewalk, and complete an asphaltic concrete pavement over the entire street to the entrance and/or exit from the parking lot.*

- *Houghton Avenue Improvements:* *Improve the frontage sections of Houghton Avenue to provide full street improvements as shown in Drawing S-18 (40-foot 2-lane street), including curb, gutter and sidewalks on the Parcel 3 frontage, and complete an asphaltic concrete overlay over the entire street.*
- *Street Lighting:* *Provide street lighting that meets City standards.*
- *Make all necessary street intersection and other street improvements as deemed necessary by the Director of Public Works. Currently 4-way stop signs are proposed at the intersections of Fig Lane and Toomes Avenue and Fig Lane and Houghton Avenue.*

**Recommended Improvement Measure T-2** provides bridge improvement recommendations which should be evaluated and implemented when feasible.

#### ***Improvement Measure T-2***

*The following are recommended bridge improvement measure which are not required as mitigations, but certainly would improve circulation to serve the proposed Park.*

- *Fig Lane:* *Evaluate and seek funding to extend Fig Lane across Jewett Creek to join the separated segments between Toomes and Houghton Avenues. Also*

*evaluate and seek funding to improve Fig Lane roadway frontages between Toomes Avenue and SR99W.*

- *Toomes Avenue: Evaluate and seek funding to improve the Toomes Avenue frontage from the bridge to Fig Lane. Also evaluate and seek funding to widen the bridge across Jewett Creek to provide sufficient capacity to accommodate sidewalks and bicycle lanes.*

There are no transportation impacts associated with the proposed Project. Transportation impacts associated with the development of the Park could be *less than significant* provided with proposed mitigation measures are implemented.

- 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?*

The Project is not in close proximity to the Corning Municipal Airport which is strictly regulated through the *Comprehensive Airport Land Use Plan*, resulting in *no impact*.

- d. *Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

There are no existing hazardous design features. Occasionally farm equipment may use Fig Lane and Toomes Avenue south of Fig Lane; however, the use is so infrequent that it does not pose a hazard. There is *no impact*.

- e. *Result in inadequate emergency access?*

Future Park design will incorporate adequate emergency access since consultation with the Fire and Police Departments will occur. The potential impact will be *less than significant*.

- f. *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

The proposed Project and associated Park development will have *no impact* on existing routes of alternative transportation. The *Circulation Element* includes policies that place a high priority on the use of bicycles and calls for the adoption of a bicycle plan to provide a contiguous path system for the City. The *Circulation Element* further states that one way to encourage bicycle use is to require collector or arterial streets allowing for bicycle right-of-ways within new development. Fig Lane, Toomes Avenue and Houghton Avenue are collectors and SR 99W is an arterial and therefore should have bicycle right-of-ways. The proposed Project and associated Community Park development will have a *less than significant impact* on modes of alternative transportation.

**Conclusion:** The proposed Project does not impact the capacity of the existing area road system, thereby resulting in *less than significant impacts* on transportation and circulation.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. UTILITY AND SERVICE SYSTEMS</b> <i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? 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? 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? d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or new or expended entitlements needed?			   X  	   X  
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? f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? g. Comply with federal, state, and local statutes and regulations related to solid waste?			  X  X	  X  

**Existing Environmental Setting:** Water supply and sewage treatment will be provided by the City of Corning. The City has adequate water supplies and wastewater treatment capacity to serve the project. However, development of the Park will require the installation of water, sewer line, and storm drainage improvements. PG&E will provide the necessary electrical power to the site.

**Discussion of Checklist Answers:**

- a. *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*
- 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?*
- 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?*

The proposed Project and eventual Park development will not exceed wastewater treatment requirements, require the construction of new water or wastewater treatment facilities or expansion of existing facilities due to the size and scope of the Park and because there exists sufficient capacity. There is **no impact**.

- 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?*

The Park if properly designed could serve to, not only detain existing waters within its boundaries so as to not increase downstream flows, but also to reduce downstream flooding. The amphitheater area and two soccer fields will be designed and constructed to capture additional waters. Adherence to all General Plan goals, objectives, and policies and zoning ordinance requirements, in addition to a well designed Park, will serve to reduce potential flooding impacts to a **less than significant** level.

- d. *Have sufficient water supplies available to serve the project from existing entitlements and resources, or new or expended entitlements needed?*

The proposed Project has **no impact** on water supply. The development of the Park will require the use of water; however, the City has sufficient water supply to meet the needs of the Park and its users due to the scope and size. Therefore, there is **no impact** on water supply services.

- f. *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

- g. *Comply with federal, state, and local statutes and regulations related to solid waste?*

There is **no impact** associated with solid wastes from the proposed Project. The volume of solid waste anticipated to be generated by the Park development is not expected to adversely impact the Tehama County Landfill. In addition, the Park will comply with applicable elements of the California Solid Waste Reuse and Recycling Access Act of 1991. Therefore, potential impacts are considered to be **less than significant**.

**Conclusion:** The proposed Project has **no impact** on utilities and services and the eventual Park development will result in **less than significant impacts** on utilities and service.

Issues
XVIII. Energy Conservation

According to the CEQA Guidelines Appendix F; "The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (Public Resources Code section 21100(b)(3))."

Whereas, this Initial Study does not call for the preparation of an EIR, but rather a Mitigated Negative Declaration, the City determined that an energy discussion was appropriate. However, the degree and depth of the discussion will not be to the level of one which would be contained in an EIR.

Energy-related costs could directly impact the affordability of providing services to the eventual Park to be developed should the proposed Project be implemented. Title 24 of the California Administrative Code sets forth mandatory energy standards for new development and requires the adoption of an “energy budget.” Subsequently, the Park must meet these standards and the City is responsible for enforcing the energy conservation regulations. Alternatives that are available to meet the energy standards include, but are not limited to:

- Integrate landscape and stormwater filtration.
- Use appropriate plant material that provides for water efficient landscaping thereby minimizing irrigation.
- Conserve water use and evaluate the use of grey water for landscaped areas.
- Preparation of lighting plan that complies with the latest California Energy Commission’s Building Energy Standards.
- Provide, to the maximum degree feasible solar power lighting.
- Provide active solar water heating and low flow plumbing fixtures, waterless urinals, and light sensors in the restrooms.
- Use energy-efficient lighting (includes controls) and process systems such as water heaters.
- Utilize low-NOx hot water heaters.
- Use to the maximum degree feasible sustainable regional materials with recycled content.
- Recycle during construction and ongoing Park usage.
- Provide for pedestrian access between the Park, residences within one-half mile, and TRAX bus service stops.
- Provide bus turnouts, passenger benches, and shelters.
- Contribute to traffic-flow improvements (e.g., right-of-way, capital improvements, etc.).

Pacific Gas and Electric Company (PG&E) provides electricity and natural gas service to the City. PG&E is a privately owned utility whose service area covers most of northern and central California. PG&E provides a variety of energy conservation services, as well as energy assistance programs which the City should evaluate and implement in coordination with PG&E.

Implementation of the policies and efforts identified would assist to reduce energy consumption to a *less than significant level*.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
<p>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?</p> <p>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.)</p> <p>c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?</p>		<p>X</p> <p>X</p> <p>X</p>		

- a. Whereas the proposed Project in of itself has *no impact*, based on policy measures that are an integral part of the *City of Corning General Plan*, the location in City, implementation measures advanced, and mitigation measures proposed, the proposed Park development does not 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 prehistory. Potential impacts are reduced to a *less-than-significant level*.
- b. The proposed Community Park development may have the potential to create cumulative impacts with respect to air quality and greenhouse emissions and ambient noise increases. However, due to the scope and size of the Community Park and mitigation measures advanced, these impacts are reduced to *less than cumulatively considerable levels*.
- c. The proposed Community Park does have the potential to result in minimal adverse effects on humans, directly and indirectly due to air quality, greenhouse gas emissions, and noise impacts. However, these potential adverse effects are not considered substantial or significant due to the nature, size and scope of the Community Park and the advancement of mitigation measures, thereby, reducing potential impacts to a *less-than-significant level*.

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# ATTACHMENT 1

## III. AIR QUALITY

### *Mitigation Measure AQ-1*

*Subject to a final determination by the TCAPCD, all construction contracts shall include construction dust mitigation measures that contain the following minimum criteria and related to the use of diesel equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction. Examples of measures that shall be used to reduce construction dust and fugitive dust pursuant to TCACD Rule 4:24 for "Large Operations," include, but not limited to:*

- Alternatives to open burning of vegetative material shall be used. Cleared vegetation shall be treated by legal means other than open burning, such as chipping or mulching for conversion to biomass fuel.*
- Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of park construction.*
- All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day.*
- All construction areas (including unpaved driveways and roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions.*
- All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads.*
- All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour.*
- All inactive portions of the site disturbed by construction activities shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established.*
- The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive park construction areas.*
- All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114.*
- All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance.*
- During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the park construction area from the adjacent paved road(s).*
- Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of park construction activities.*
- Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the park construction areas.*

- *Wheel washers shall be installed where project vehicles and/or equipment access paved streets from unpaved roads.*
- *Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter.*
- *Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained.*
- *Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes.*
- *Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.*
- *Equipment used in grinding wood waste will require either state registration through the Portable Equipment Registration Program, or a stationary source permit and authority to construct through the TCAPCD.*
- *Equipment used in the process of making asphalt such as sand and gravel screens or asphalt batch plants will require either state registration through the Portable Equipment Registration Program, or a stationary source permit and authority to construct through the TCAPCD.*

#### **IV. BIOLOGICAL RESOURCES**

##### ***Mitigation Measure B-1***

- *A 50-foot set back from the top of bank or 25- feet from the riparian dripline of Jewett Creek or from the top of bank is recommended to provide protection of Jewett Creek and its riparian corridor. If construction of storm drainage outlets or other work must occur within the Creek corridor, a botanical survey should be conducted in the spring to determine if the activity would affect any special status plants. If plants are present and would be affected, specific mitigation should be determined in consultation with DFG. Mitigation would likely consist of modifying the project to avoid special status plant populations or removing and relocating the near surface soils following seed set.*
- *Furthermore, if installation of storm drain outlets or other work is required in the stream zone, earth-moving construction activities in or adjacent to the creek should be restricted to periods when the creek is dry, Best Management Practices should be implemented for erosion control, and storm water runoff should be pre-treated prior to release into Jewett Creek.*
- *Although in-water future project work is not proposed, indirect effects to special-status fish species such as the Chinook salmon and Central Valley steelhead in the Sacramento River during construction, could result if storm water runoff from project sites enters Jewett Creek and degrades spawning or rearing habitat downstream. However, by restricting earth-moving construction activities in or adjacent to Jewett Creek to dry periods, Best Management Practices implemented for erosion control, and pre-treatment of storm water runoff prior to its release, will result in no adverse effects to special-status fish species.*
- *Additional measures to protect species associated with the Jewett Creek corridor may be required by the Corps, DFG, and/or Regional Water Quality Control Board if the*

corridor is directly impacted by project activities. If a Corps permit is required, the Corps may require endangered species consultation with the National Marine Fisheries Service. The Corps would incorporate the conservation measures recommended by NMFS into its permit.

### **Mitigation Measure B-2**

To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.," including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:

- Prior to any discharge of dredged or fill material into "waters of the U.S.," including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.
- Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of Jewett Creek, notification of streambed alteration shall be submitted to the DFG; and, if required, a streambed alteration agreement shall be obtained.
- Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.
- Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).
- All pedestrian and vehicular entry into "waters of the U.S.," including wetlands, to be avoided shall be prohibited during construction.
- Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).
- Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process.
- Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, DFG) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.

### ***Mitigation Measure B-3***

*If avoidance of elderberries having stems with basal diameters equal to or greater than one inch is not possible and elderberries must be transplanted, then some or all of the following steps need to be undertaken:*

- *Prepare a wetland delineation report meeting Army Corps standards.*
- *Conduct a valley elderberry longhorn beetle exit-hole survey and document the number of stems with basal diameters  $\geq 1$ ".*
- *Prepare a Biological Assessment addressing all federally listed species potentially occurring in the area (with an emphasis on the valley elderberry longhorn beetle, salmonids, and green sturgeon).*
- *Prepare a valley elderberry longhorn beetle mitigation plan incorporating the following:*
  - *Measures to protect avoided elderberries during and after construction.*
  - *Transplanting measures, including how, when, and to where the elderberries will be transplanted.*
  - *The number of new elderberry seedlings/cuttings to be established (Service guidelines establish the number of new stems to be planted based on the number and size of stems to be transplanted as well as the habitat type and presence/absence of exit holes). We estimate that at least 50 to 100 new stems would need to be planted.*
  - *The number of associated woody native plants to be established in conjunction with the new elderberry plants. We estimate that at least 50 associated natives would need to be planted.*
  - *Designation of a conservation area protecting a minimum of 1,800 square feet of land for every five elderberry seedlings/cuttings and up to five associated natives. (If 50 elderberries and 50 associated natives must be planted, the conservation area would be a minimum of 18,000 square feet).*
  - *A post-construction monitoring plan establishing planting success criteria and addressing monitoring, reporting, and remediation measures to be taken in the 10 to 15 years following transplantation.*
  - *A conservation easement and/or deed restrictions to protect the conservation area in perpetuity.*
  - *Management measures to ensure protection of the conservation area in perpetuity, including fencing, signage, litter control, weed control, and annual inspections.*
  - *A dollar amount to be provided as an endowment to fund ongoing maintenance and reporting activities.*
- *Prepare a cultural resources report meeting federal Section 106 standards, which are somewhat more stringent than CEQA standards.*
- *Prepare applications for a Army Corps permit, Water Quality Certification, and a Streambed Alteration Agreement, including a mitigation plan to offset any permanent loss of waters.*
- *Implement any other mitigation measures specified by the Army Corps, Regional Water Quality Control Board, U.S. Fish and Wildlife Service, or National Marine Fisheries Service.*

*Extension of water and sewer may require boring under Jewett Creek. In addition a pedestrian bridge is proposed across Jewett Creek linking the eastern and western portions of the Community Park. The California Department of Fish and Game will require, prior to boring*

under the Creek, or making any pedestrian bridge improvements that may impact the Creek, that the City enter into a 1602 Streambed Alteration Agreement with the Department of Fish & Game. As previously discussed Jewett Creek does contain wetland habitat which could be impacted by boring under and placing water and sewer lines under the streambed and construction of the bridge.

#### **Mitigation Measure B-4**

The following mitigation measures will be implemented, as applicable; to assure that improvements will not have a significant impact on Jewett Creek.

- UTILITY CASING: Water and sewer lines that are placed beneath the streambed of Jewett Creek must be encased in steel pipe in a size to be determined by the City Engineer.
- DRY SEASON BORING: Work, including all activity associated with boring, in the stream channel, defined as the 100-year flood plain, shall be limited to the period July 1 to October 15, of any year. If water is present during this period no construction activity may commence until the streambed is dry.
- EQUIPMENT STORAGE & MAINTENANCE: Staging, storage, and re-fueling areas for machinery, equipment and materials shall be located outside the stream channel. Any equipment or vehicles driven and/or operated within or adjacent to the stream channel shall be checked daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life, wildlife, or riparian habitat.
- SPILL CLEANUP: The clean-up of all petroleum and/or chemical spills shall begin immediately. The Responsible Party shall notify the Tehama County Department of Environmental Health and comply with all applicable regulations associated with spill cleanup.
- SITE CLEANUP: No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, asphalt, paint or other coating material, oil or petroleum products or other organic or earthen material from any construction activity of whatever nature shall be allowed to enter into, or placed where it may be washed by rainfall or runoff into Jewett Creek. When operations are completed, any excess materials or debris must be removed from the site.
- EROSION CONTROL: Soils exposed by construction shall be mulched to prevent sediment runoff and transport. Mulches shall be applied so that not less than 90% of the disturbed areas are covered. All mulches (except hydro-mulches) shall be applied in a layer not less than two inches deep. All mulches shall be kneaded or tracked-in with track marks parallel to the contour, and tackified as necessary to prevent excessive movement. All exposed soils shall be reseeded, by November 1 of each year, with a mix of grasses free from seeds of obnoxious or invasive weed species, and applied at a rate which will ensure establishment.
- SOIL STABILIZATION: Soils adjacent to the stream channel that are exposed by construction activities shall be adequately stabilized when rainfall is reasonably expected and immediately upon completion of construction, to prevent the mobilization of sediment into Jewett Creek.
- REMOVAL OF RIPARIAN VEGETATION: The disturbance or removal of riparian vegetation will not exceed the minimum necessary to complete the installation of the extended water and sewer lines.
- STREAMBED DISTURBANCE: If any portions of the stream channel are disturbed during or after the placement of the water and sewer lines under Jewett Creek the

*disturbed portions of the stream channel within the high water mark of the stream shall be restored as near to the original natural condition as possible.*

## **V. CULTURAL RESOURCES**

### ***Mitigation Measure CR-1***

*Should artifacts or unusual amounts of stone, or shell be uncovered during construction activities, activities shall cease in the area until a qualified archaeologist evaluates the materials. The archaeologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts to those cultural resources that have been encountered (e.g., excavate the significant resource). These additional measures shall be implemented.*

### ***Mitigation Measure CR-2***

*If human bone or bones of unknown origin is found during construction, all work within 50 feet of the find shall stop until a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary. The archaeologist may recommend contacting the County Coroner. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person it believes to be the most likely descendant. The most likely descendant shall work with the Agency to develop a program for reinternment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.*

## **VI. GEOLOGY AND SOILS**

### ***Mitigation Measure G-1***

*Implementation of Best Management Practices for erosion control of all disturbed areas to prevent eroded soil from entering Jewett Creek shall be implemented. Measures include, but are not limited to the following:*

- Ground disturbing work for site development shall be limited to the dry season to the greatest feasible extent, and all erodible surfaces shall be protected by paving, mulching or landscaping, as provided in the erosion control plan (required) prior to the advent of the rainy season (September to March). Berms shall be provided around construction sites to contain sediment. If construction operations occur during rainy periods, use of erosion control measures, such as straw-bale dikes, gravel filters, stabilized construction entrances and sediment traps shall be required. No areas shall be left exposed during winter.*
- Surface soils may be subject to erosion when excavated and exposed to weathering. Erosion and sediment control measures shall be implemented during and after construction to conform to acceptable erosion control and City grading standards. The erosion control plan shall include revegetation of denuded areas.*
- Drainage facilities shall be lined as necessary to prevent erosion. A detailed geotechnical investigation shall be performed to determine specific site characteristics prior to construction of the roads and other improvements. A civil engineer shall be involved during the construction phase(s) to assure that recommendations are implemented or modified as necessary.*

- *To minimize dust/grading impacts during construction; no grading activity shall be conducted when sustained wind speeds exceed 25 miles per hour. Construction activities may occur during sustained wind speeds between 10 and 25 miles per hour provided dust control measures are increased and dust and erosion impacts are controlled to the satisfaction of City inspection staff.*
- *In areas where construction activities result in soil exposure, prompt replanting with native, compatible, drought resistant vegetation shall be required.*
- *Native vegetation shall be left undisturbed where feasible.*

## **VII. GREENHOUSE GAS EMISSIONS**

### ***Mitigation Measure GGE-1:***

*The following measures will be incorporated into the park design where practicable. Although no emissions reduction was taken for the purposes of this Initial Study, the emission reduction measures will likely result in decreased greenhouse gas emissions:*

- *All construction equipment shall comply with applicable California Air Resources Board requirements to ensure adequate construction dust and fugitive dust control. With respect to the use of diesel equipment, all construction contracts shall comply with California Air Toxic Control measures related to off-road, on-road, stationary, portable and other applicable category of such equipment.*
- *All applicable construction equipment shall be state registered through Portable Equipment Registration Program or shall apply for a stationary source permit from the TCAPCD.*
- *Pedestrian walkways, bikeways, trails should be provided, to encourage access to the park site.*
- *Trees, shrubs, and other community landscaping will be planted. Trees and plants sequester carbon dioxide.*
- *Bicycle parking facilities shall be provided.*
- *Trees, shrubs, and other community landscaping will be planted. Trees and plants sequester carbon dioxide.*
- *Parking lots should be shaded with native, drought resistant trees to reduce a heat island effect.*
- *Passive solar landscape design elements should be considered. For example, deciduous trees planted on the south aspect will provide shade in the summer and allow for sunlight to shine through the branches in the winter. Evergreen trees on the north and west sides will afford protection from the summer sun.*
- *Where irrigation is necessary, low-volume and directed sprinkler heads and/or drip irrigation should be used to save water and reduce energy demand associated with potable water conveyance.*
- *Tree selection in the landscape areas should consider species that are drought resistant and that have low emissions and high carbon sequestration potential.*
- *Plants with similar water needs should be grouped together, to increase efficiency of irrigation.*
- *Outdoor lighting fixtures should have dimming features to allow for minimum illumination levels needed for safety and security. Motion sensor lighting may be installed to heighten security, while also serving to reduce unnecessary lighting.*

- *Sustainable building materials should be considered as part of the restroom(s) building design and construction.*
- *Colors of the restroom(s) exterior building materials and coatings should consider a balance between reflectivity and light absorption. Lighter colors with higher reflective values reduce energy consumption by absorbing less heat and reducing reliance on air conditioning systems.*
- *Water-saving appliances and water conserving features should be used, including low-flow toilets.*
- *Solid waste containers should provide for plastic and glass recycling.*

## **XII. NOISE**

### ***Mitigation Measure N-1***

*The following measures, except for the location and operating hours of the skateboard park, can be modified prior to construction of the Park.*

- *Use of the skateboard park will cease by 10:00 PM. The facility should be gated and locked to prohibit its use.*
- *The skateboard park shall be located as identified in the Conceptual Site Plan. If the skateboard park is moved further north across from the existing residences, to the west, then a noise study shall be undertaken to provide necessary mitigations, in particular the construction of noise attenuation walls. The use of loudspeakers, if at all, shall be limited to use during daylight events.*

### ***Mitigation Measure N-2***

*Construction activities shall be limited to the hours of 7 a.m. to 8 p.m. on the weekdays and from 9 a.m. to 5 p.m. on weekends and holidays unless an exemption is received from the City to cover special circumstances. In addition, all equipment shall be fitted with factory equipped mufflers, and in good working order.*

## **XVI. TRANSPORTATION/TRAFFIC**

### ***Mitigation Measure T-1***

*The following roadway improvement mitigations will serve to reduce impacts to less than significant levels.*

- *Toomes Avenue Right-of-Way Dedications and Improvements: Provide an additional right-of-way dedication to provide a 30-foot half (60-foot full width) for Toomes Avenue along the project site frontages.*

*Improve the frontage sections of Toomes Avenue to provide full street improvements as shown in Drawing S-18 (40-foot 2-lane street), including curb, gutter and sidewalks on the Parcel 1 frontage, and complete an asphaltic concrete overlay over the entire street.*

- *Fig Lane Dedications and Improvements: Along Parcel 1, improve the frontage sections of Fig Lane to provide full north half-width improvements as shown on Drawing S-18 (40-foot 2-lane street), including one 12-foot wide travel lane and an 8-foot wide parking*

lane, curb, gutter and sidewalk, and complete an asphaltic concrete overlay for one lane width (12-foot) on the southerly half-width.

Along Parcels 3 and 4 dedicate and improve Fig Lane to provide full width improvements as shown on Drawing S-18 (40-foot 2-lane street), including two 12-foot wide travel lane and 8-foot wide parking lanes, curb, gutter and sidewalk, and complete an asphaltic concrete pavement over the entire street to the entrance and/or exit from the parking lot.

- Houghton Avenue Improvements: Improve the frontage sections of Houghton Avenue to provide full street improvements as shown in Drawing S-18 (40-foot 2-lane street), including curb, gutter and sidewalks on the Parcel 3 frontage, and complete an asphaltic concrete overlay over the entire street.
- Street Lighting. Provide street lighting that meets City standards.
- Make all necessary street intersection and other street improvements as deemed necessary by the Director of Public Works. Currently 4-way stop signs are proposed at the intersections of Fig Lane and Toomes Avenue and Fig Lane and Houghton Avenue.

### **Improvement Measure T-2**

The following are recommended bridge improvement measure which are not required as mitigations, but certainly would improve circulation to serve the proposed park.

- Fig Lane: Evaluate and seek funding to extend Fig Lane across Jewett Creek to join the separated segments between Toomes and Houghton Avenues. Also evaluate and seek funding to improve Fig Lane roadway frontages between Toomes Avenue and SR99W.
- Toomes Avenue: Evaluate and seek funding to improve the Toomes Avenue frontage from the bridge to Fig Lane. Also evaluate and seek funding to widen the bridge across Jewett Creek to provide sufficient capacity to accommodate sidewalks and bicycle lanes.

## MITIGATION MONITORING PROGRAM

This section is the Mitigation Monitoring Program (MMP) for the *Corning Community Park Project*. The MMP includes a brief discussion of the legal basis for and the purpose of the program, discussion, and direction regarding complaints about noncompliance, a key to understanding the monitoring table, and the monitoring table itself.

### LEGAL BASIS OF AND PURPOSE FOR THE MITIGATION MONITORING PROGRAM

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or a mitigated negative declaration (MND). This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Final Mitigated Negative Declaration for the *Corning Community Park Project*. It is intended to be used by City, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project.

Mitigation is defined by CEQA Guidelines Section 15370 as a measure that does any of the following:

- Avoids impacts altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to Agency staff.

### MITIGATION MONITORING PROGRAM TABLE

**Mitigation Monitoring Table MMP-1** identifies the mitigation measures proposed for the *Corning Community Park Project*.

The table has the following columns:

- **Mitigation Measure:** Lists the mitigation measure along with its number as identified in the Initial Study/MND for each specific impact.
- **Timing:** Identifies at what point in time, review process, or phase the mitigation measure will be completed.
- **Agency Monitoring/Consultation:** References the City of Corning Management Agency or any other public agency with which coordination is required to satisfy the identified mitigation measure.
- **Verification:** Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

## **NONCOMPLIANCE COMPLAINTS**

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Agency in written form, providing specific information on the asserted violation. The Agency shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Agency shall take appropriate action to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p><b>III. AIR QUALITY</b></p> <p><b>AO-1</b> – Subject to a final determination by the TCAPCD, all construction contracts shall include construction dust mitigation measures that contain the following minimum criteria and related to the use of diesel equipment, all construction contracts will comply with California Air Toxic Control Measures related to off-road, on-road, stationary, portable and other applicable category of such equipment. Such measures shall apply to all phases of construction. Examples of measures that shall be used to reduce construction dust and fugitive dust pursuant to TCAPCD Rule 4.24 for “Large Operations,” include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Alternatives to open burning of vegetative material on the project sites shall be used unless otherwise deemed infeasible by the TCAPCD. Cleared vegetation shall be treated by legal means other than open burning, such as chipping or mulching for conversion to biomass fuel.</li> <li>• Contractors shall be responsible for ensuring that adequate dust control measures as set out in the TCAPCD Fugitive Dust Permit are implemented in a timely and effective manner during all phases of park area development and construction.</li> <li>• All material excavated, stockpiled, or graded shall be watered a minimum of twice per day during dry conditions to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air quality standard. Watering will occur preferably in the mid-morning and after work is completed each day.</li> <li>• All construction areas (including unpaved roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions.</li> <li>• All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads.</li> <li>• All land clearing, grading, earth moving or excavation activities shall be suspended when winds exceed 25 miles per hour.</li> <li>• All inactive portions of the development site shall be seeded and watered (or other equivalent erosion control products installed) until a suitable grass cover is established.</li> <li>• The contractor shall be responsible for applying non-toxic soil stabilizers (according to manufacturer's specifications) to all inactive park construction areas.</li> <li>• All trucks hauling dirt, sand, soil or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the trailer) in accordance with the requirements of CVC Section 23114.</li> <li>• All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance.</li> <li>• During initial grading, earth moving, or site preparation, contractors shall be required to construct a paved (or dust palliative treated) apron, at least 100 feet in length, onto the park construction area from the adjacent paved road(s).</li> </ul>	<p>Before and during construction. During operations.</p>	<p>City, Contractor, and TCAPCD</p>	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<ul style="list-style-type: none"> <li>• Paved streets adjacent to the construction sites shall be swept or washed at the end of each day to remove excessive accumulations of silt and/or mud which may have accumulated as a result of park area construction activities.</li> <li>• Adjacent paved streets shall be swept at the end of each day if substantial volumes of soil materials have been carried onto adjacent public paved roads from the construction areas.</li> <li>• Wheel washers shall be installed where project vehicles and/or equipment access paved streets from unpaved roads.</li> <li>• Contractors shall provide documentation to the TCAPCD demonstrating that the heavy-duty (greater than 50 horsepower) off-road vehicles to be used in the construction of the Project, including owned, leased and subcontractor vehicles, will meet CARB standards for NOx and particulate matter.</li> <li>• Contractors shall be responsible to ensure that all construction equipment is properly tuned and maintained.</li> <li>• Equipment operators shall be instructed to minimize equipment idling time to five (5) minutes.</li> <li>• Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators whenever possible.</li> <li>• Equipment used in grinding wood waste will require either state registration through the Portable Equipment Registration Program, or a stationary source permit and authority to construct through the TCAPCD.</li> <li>• Equipment used in the process of making asphalt such as sand and gravel screens or asphalt batch plants will require either state registration through the Portable Equipment Registration Program, or a stationary source permit and authority to construct through the TCAPCD.</li> </ul>			
<b>IV. BIOLOGICAL RESOURCES</b>			
<p><b>B-1</b></p> <ul style="list-style-type: none"> <li>• A 50-foot set back from the riparian dripline of Jewett Creek or from the top of bank, whichever is greater is recommended to provide protection of Jewett Creek and its riparian corridor. If construction of storm drainage outlets or other work must occur within the Creek corridor, a botanical survey should be conducted in the spring to determine if the activity would affect any special status plants. If plants are present and would be affected, specific mitigation should be determined in consultation with DFG. Mitigation would likely consist of modifying the project to avoid special status plant populations or removing and relocating the near surface soils following seed set.</li> <li>• Furthermore, if installation of storm drain outlets or other work is required in the stream zone, earth-moving construction activities in or adjacent to the creek should be restricted</li> </ul>	Before and during construction.	City, CDFG, Army Corps of Engineers and Contractor	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p>to periods when the creek is dry, Best Management Practices should be implemented for erosion control, and storm water runoff should be pre-treated prior to release into Jewett Creek.</p> <ul style="list-style-type: none"> <li>Although in-water future project work is not proposed, indirect effects to special-status fish species such as the Chinook salmon and Central Valley steelhead in the Sacramento River during construction, could result if storm water runoff from project sites enters Jewett Creek and degrades spawning or rearing habitat downstream. However, by restricting earth-moving construction activities in or adjacent to Jewett Creek to dry periods, Best Management Practices implemented for erosion control, and pre-treatment of storm water runoff prior to its release, will result in no adverse effects to special-status fish species.</li> <li>Additional measures to protect species associated with the Jewett Creek corridor may be required by the Corps, DFG, and/or Regional Water Quality Control Board if the corridor is directly impacted by project activities. If a Corps permit is required, the Corps may require endangered species consultation with the National Marine Fisheries Service. The Corps would incorporate the conservation measures recommended by NMFS into its permit.</li> </ul>			
<p><b>B-2</b> - To the extent practicable, the discharge or dredged or fill material into "waters of the U.S.," including wetlands, shall be avoided (this also includes waters not subject to Corps jurisdiction, but subject to RWQCB jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>Prior to any discharge of dredged or fill material into "waters of the U.S.," including wetlands, authorization under a Nationwide Permit or Individual Permit shall be obtained from the Corps. For any features determined to not be subject to Corps jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a Corps permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.</li> <li>Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of Jewett Creek, notification of streambed alteration shall be submitted to the DFG; and, if required, a streambed alteration agreement shall be obtained.</li> <li>Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.</li> <li>Appropriate sediment control measures to protect avoided "waters of the U.S." shall be</li> </ul>	<p>As part of the park approval process. Before and during construction.</p>	<p>City, Contractor, and Army Corps of Engineers</p>	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p>in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).</p> <ul style="list-style-type: none"> <li>• All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction.</li> <li>• Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a Corps approved mitigation bank, appropriate payment into a Corps approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the Corps or RWQCB).</li> <li>• Loss of "other waters" shall be compensated through purchase of appropriate credits at an Corps approved mitigation bank, appropriate payment into an Corps approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the Corps and the applicant during the permitting process.</li> <li>• Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. Corps, RWQCB, DFG) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.</li> </ul> <p><b>B-3</b> -- If avoidance of elderberries having stems with basal diameters equal to or greater than one inch is not possible and elderberries must be transplanted, then some or all of the following steps need to be undertaken:</p> <ul style="list-style-type: none"> <li>• Prepare a wetland delineation report meeting Army Corps standards.</li> <li>• Conduct a valley elderberry longhorn beetle exit-hole survey and document the number of stems with basal diameters <math>\geq 1</math>".</li> <li>• Prepare a Biological Assessment addressing all federally listed species potentially occurring in the area (with an emphasis on the valley elderberry longhorn beetle, salmonids, and green sturgeon).</li> <li>• Prepare a valley elderberry longhorn beetle mitigation plan incorporating the following: <ul style="list-style-type: none"> <li>o Measures to protect avoided elderberries during and after construction.</li> <li>o Transplanting measures, including how, when, and to where the elderberries will be transplanted.</li> </ul> </li> </ul>	<p>Before and during construction.</p>	<p>City, Contractor, and Army Corps of Engineers</p>	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p>o The number of new elderberry seedlings/cuttings to be established (Service guidelines establish the number of new stems to be planted based on the number and size of stems to be transplanted as well as the habitat type and presence/absence of exit holes). We estimate that at least 50 to 100 new stems would need to be planted.</p> <p>o The number of associated woody native plants to be established in conjunction with the new elderberry plants. We estimate that at least 50 associated natives would need to be planted.</p> <p>o Designation of a conservation area protecting a minimum of 1,800 square feet of land for every five elderberry seedlings/cuttings and up to five associated natives. (If 50 elderberries and 50 associated natives must be planted, the conservation area would be a minimum of 18,000 square feet).</p> <p>o A post-construction monitoring plan establishing planting success criteria and addressing monitoring, reporting, and remediation measures to be taken in the 10 to 15 years following transplantation.</p> <p>o A conservation easement and/or deed restrictions to protect the conservation area in perpetuity.</p> <p>o Management measures to ensure protection of the conservation area in perpetuity, including fencing, signage, litter control, weed control, and annual inspections.</p> <p>o A dollar amount to be provided as an endowment to fund ongoing maintenance and reporting activities.</p> <p>• Prepare a cultural resources report meeting federal Section 106 standards, which are somewhat more stringent than CEQA standards.</p> <p>• Prepare applications for a Army Corps permit, Water Quality Certification, and a Streambed Alteration Agreement, including a mitigation plan to offset any permanent loss of waters.</p> <p>• Implement any other mitigation measures specified by the Army Corps, Regional Water Quality Control Board, U.S. Fish and Wildlife Service, or National Marine Fisheries Service.</p> <p>Extension of water and sewer may require boring under Jewett Creek. In addition a pedestrian bridge is proposed across Jewett Creek linking the eastern and western portions of the Community Park. The California Department of Fish and Game will require, prior to boring under the Creek, or making any pedestrian bridge improvements that may impact the Creek, that the City enter into a 1602 Streambed Alteration Agreement with the Department of Fish &amp; Game. As previously discussed Jewett Creek does contain wetland habitat which could be impacted by boring under and placing water and sewer lines under the streambed and construction of the bridge.</p>			

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p><b>B-4</b> – The following mitigation measures will be implemented, as applicable; to assure that improvements will not have a significant impact on Jewett Creek.</p> <ul style="list-style-type: none"> <li>• <b>UTILITY CASING:</b> Water and sewer lines that are placed beneath the streambed of Jewett Creek must be encased in steel pipe in a size to be determined by the City Engineer.</li> <li>• <b>DRY SEASON BORING:</b> Work, including all activity associated with boring, in the stream channel, defined as the 100-year flood plain, shall be limited to the period July 1 to October 15, of any year. If water is present during this period no construction activity may commence until the streambed is dry.</li> <li>• <b>EQUIPMENT STORAGE &amp; MAINTENANCE:</b> Staging, storage, and re-fueling areas for machinery, equipment and materials shall be located outside the stream channel. Any equipment or vehicles driven and/or operated within or adjacent to the stream channel shall be checked daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic life, wildlife, or riparian habitat.</li> <li>• <b>SPILL CLEANUP:</b> The clean-up of all petroleum and/or chemical spills shall begin immediately. The Responsible Party shall notify the Tehama County Department of Environmental Health and comply with all applicable regulations associated with spill cleanup.</li> <li>• <b>SITE CLEANUP:</b> No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or washings thereof, asphalt, paint or other coating material, oil or petroleum products or other organic or earthen material from any construction activity of whatever nature shall be allowed to enter into, or placed where it may be washed by rainfall or runoff into Jewett Creek. When operations are completed, any excess materials or debris must be removed from the site.</li> <li>• <b>EROSION CONTROL:</b> Soils exposed by construction shall be mulched to prevent sediment runoff and transport. Mulches shall be applied so that not less than 90% of the disturbed areas are covered. All mulches (except hydro-mulches) shall be applied in a layer not less than two inches deep. All mulches shall be kneaded or tracked-in with track marks parallel to the contour, and tackified as necessary to prevent excessive movement. All exposed soils shall be reseeded, by November 1 of each year, with a mix of grasses free from seeds of obnoxious or invasive weed species, and applied at a rate which will ensure establishment.</li> <li>• <b>SOIL STABILIZATION:</b> Soils adjacent to the stream channel that are exposed by construction activities shall be adequately stabilized when rainfall is reasonably expected and immediately upon completion of construction, to prevent the mobilization of sediment into Jewett Creek.</li> </ul>	<p>Before and during construction.</p>	<p>City and Contractor</p>	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p><b>REMOVAL OF RIPARIAN VEGETATION:</b> The disturbance or removal of riparian vegetation will not exceed the minimum necessary to complete the installation of the extended water and sewer lines.</p> <p><b>STREAMBED DISTURBANCE:</b> If any portions of the stream channel are disturbed during or after the placement of the water and sewer lines under Jewett Creek the disturbed portions of the stream channel within the high water mark of the stream shall be restored as near to the original natural condition as possible.</p>			
<p><b>V. CULTURAL RESOURCES</b></p>			
<p><b>CR-1</b> - Should artifacts or unusual amounts of stone, or shell be uncovered during construction activities, activities shall cease in the area until a qualified archaeologist can evaluate the materials. The archaeologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts to those cultural resources that have been encountered (e.g., excavate the significant resource). These additional measures shall be implemented.</p>	<p>During construction.</p>	<p>City and Contractor</p>	
<p><b>CR-2</b> - If human bone or bones of unknown origin is found during construction, all work within 50 feet of the find shall stop until a qualified archaeologist can make an assessment of the discovery and recommend/implement mitigation measures as necessary. The archaeologist may recommend contacting the County Coroner. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person it believes to be the most likely descendant. The most likely descendant shall work with the Agency to develop a program for reinterment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.</p>	<p>During construction.</p>	<p>City and Contractor</p>	
<p><b>VI. GEOLOGY AND SOILS</b></p>			
<p><b>G-1</b> - Implementation of Best Management Practices for erosion control of all disturbed areas to prevent eroded soil from entering Jewett Creek shall be implemented. Measures include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>Ground disturbing work for site development shall be limited to the dry season to the greatest feasible extent, and all erodible surfaces shall be protected by paving, mulching or landscaping, as provided in the erosion control plan (required) prior to the advent of the rainy season (September to March). Berms shall be provided around construction sites to contain sediment. If construction operations occur during rainy periods, use of erosion control measures, such as straw-bale dikes, gravel filters, stabilized construction entrances and sediment traps shall be required. No areas shall be left exposed during winter.</li> <li>Surface soils may be subject to erosion when excavated and exposed to weathering. Erosion and sediment control measures shall be implemented during and after</li> </ul>	<p>As part of the design and park approval process. Before and during construction.</p>	<p>City, RWQCB, and Contractor</p>	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p>construction to conform to acceptable erosion control and City grading standards. The erosion control plan shall include revegetation of denuded areas.</p> <ul style="list-style-type: none"> <li>• Drainage facilities shall be lined as necessary to prevent erosion. A detailed geotechnical investigation shall be performed to determine specific site characteristics prior to construction of the roads and other improvements. A civil engineer shall be involved during the construction phase(s) to assure that recommendations are implemented or modified as necessary.</li> <li>• To minimize dust/grading impacts during construction; no grading activity shall be conducted when sustained wind speeds exceed 25 miles per hour. Construction activities may occur during sustained wind speeds between 10 and 25 miles per hour provided dust control measures are increased and dust and erosion impacts are controlled to the satisfaction of City inspection staff.</li> <li>• In areas where construction activities result in soil exposure, prompt replanting with native, compatible, drought resistant vegetation shall be required.</li> <li>• Native vegetation shall be left undisturbed where feasible.</li> </ul>			
<p><b>VII. GREENHOUSE GAS EMISSIONS</b></p>			
<p><b>GGE-1</b> – The following measures will be implemented where practicable. Although no emissions reduction was taken for the purposes of this Initial Study, the emission reduction measures will likely result in decreased greenhouse gas emissions:</p> <ul style="list-style-type: none"> <li>• All construction equipment shall comply with applicable California Air Resources Board requirements to ensure adequate construction dust and fugitive dust control. With respect to the use of diesel equipment, all construction contracts shall comply with California Air Toxic Control measures related to off-road, on-road, stationary, portable and other applicable category of such equipment.</li> <li>• All applicable construction equipment shall be state registered through Portable Equipment Registration Program or shall apply for a stationary source permit from the TCAPCD.</li> <li>• Pedestrian walkways, bikeways, trails should be provided, to encourage access to the park site.</li> <li>• Trees, shrubs, and other community landscaping will be planted. Trees and plants sequester carbon dioxide.</li> <li>• Bicycle parking facilities shall be provided.</li> <li>• The parking lots shall be shaded with native, drought resistant trees to reduce a heat island effect.</li> <li>• Passive solar landscape design elements should be considered. For example, deciduous trees planted on the south aspect will provide shade in the summer and allow for sunlight to shine through the branches in the winter. Evergreen trees on the north and west sides</li> </ul>	<p>As part of the design and park approval process. Before and during construction.</p>	<p>City, Contractor, and TCAPCD</p>	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p>will afford protection from the summer sun.</p> <ul style="list-style-type: none"> <li>• Where irrigation is necessary, low-volume and directed sprinkler heads and/or drip irrigation should be used to save water and reduce energy demand associated with potable water conveyance.</li> <li>• Tree selection in the landscape areas should consider species that are drought resistant and that have low emissions and high carbon sequestration potential.</li> <li>• Plants with similar water needs should be grouped together, to increase efficiency of irrigation.</li> <li>• Outdoor lighting fixtures should have dimming features to allow for minimum illumination levels needed for safety and security. Motion sensor lighting may be installed to heighten security, while also serving to reduce unnecessary lighting.</li> <li>• Sustainable building materials should be considered as part of restroom building(s) design and construction.</li> <li>• Colors of the restroom(s) building materials and coatings should consider a balance between reflectivity and light absorption. Lighter colors with higher reflective values reduce energy consumption by absorbing less heat and reducing reliance on air conditioning systems.</li> <li>• Where feasible, windows and/or skylights in residences should be positioned in such a manner that the need for artificial light is reduced.</li> <li>• Where feasible, windows in residences should be positioned in such a way that cross-ventilation will occur to reduce reliance on air conditioning systems.</li> <li>• Water-saving appliances and water conserving features should be used, including low-flow toilets.</li> <li>• Solid waste containers should provide for plastic and glass recycling.</li> </ul>			
<p><b>XII. NOISE</b></p> <p><b>N-1</b> – The following measures, except for the location and operating hours of the skateboard park, can be modified prior to construction of the Park.</p> <ul style="list-style-type: none"> <li>• Use of the skateboard park will cease by 10:00 PM. The facility should be gated and locked to prohibit its use.</li> <li>• The skateboard park shall be located as identified in the Conceptual Site Plan. If the skateboard park is moved further north across from the existing residences, to the west, then a noise study shall be undertaken to provide necessary mitigations, in particular the construction of noise attenuation walls. The use of loudspeakers, if at all, shall be limited to use during daylight events.</li> </ul> <p><b>N-2</b> – Construction activities shall be limited to the hours of 7 a.m. to 8 p.m. on the weekdays and from 9 a.m. to 5 p.m. on weekends and holidays unless an exemption is received from the</p>	<p>As part of the design and park approval process. Before and during construction. Affects future residential development.</p>	<p>City and Contractor</p>	
	<p>During construction.</p>	<p>City and Contractor</p>	

TABLE MMP-1

MITIGATION MONITORING TABLE

MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<p>City to cover special circumstances. In addition, all equipment shall be fitted with factory equipped mufflers, and in good working order.</p> <p><b>XVI. TRANSPORTATION/TRAFFIC</b></p> <p><b>T-1</b> – The following roadway improvement mitigations will serve to reduce impacts to less than significant levels.</p> <ul style="list-style-type: none"> <li>• <b>Toomes Avenue Right-of-Way Dedications and Improvements:</b> Provide an additional right-of-way dedication to provide a 30-foot half (60-foot full width) for Toomes Avenue along the project site frontages.</li> <li>• Improve the frontage sections of Toomes Avenue to provide full street improvements as shown in Drawing S-18 (40- foot 2-lane street), including curb, gutter and sidewalks on the Parcel 1 frontage, and complete an asphaltic concrete overlay over the entire street.</li> <li>• <b>Fig Lane Dedications and Improvements:</b> Along Parcel 1, improve the frontage sections of Fig Lane to provide full north half-width improvements as shown on Drawing S-18 (40- foot 2-lane street), including one 12-foot wide travel lane an 8-foot wide parking lane, curb, gutter and sidewalk, and complete an asphaltic concrete overlay for one lane width (12-foot) on the southerly half-width.</li> <li>• Along Parcels 3 and 4 dedicate and improve Fig Lane to provide full width improvements as shown on Drawing S-18 (40- foot 2-lane street), including two 12-foot wide travel lane and 8-foot wide parking lanes, curb, gutter and sidewalk, and complete an asphaltic concrete pavement over the entire street to the entrance and/or exit from the parking lot.</li> <li>• <b>Houghton Avenue Improvements:</b> Improve the frontage sections of Houghton Avenue to provide full street improvements as shown in Drawing S-18 (40- foot 2-lane street), including curb, gutter and sidewalks on the Parcel 3 frontage, and complete an asphaltic concrete overlay over the entire street.</li> <li>• <b>Street Lighting.</b> Provide street lighting that meets City standards.</li> <li>• Make all necessary street intersection and other street improvements as deemed necessary by the Director of Public Works. Currently 4-way stop signs are proposed at the intersections of Fig Lane and Toomes Avenue and Fig Lane and Houghton Avenue.</li> </ul>	<p>As part of the design and park approval process.</p>	<p>City</p>	
<p><b>T-2</b> The following are recommended bridge improvement measures which are not required as mitigations, but certainly would improve circulation to serve the proposed park.</p> <ul style="list-style-type: none"> <li>• <b>Fig Lane:</b> Evaluate and seek funding to extend Fig Lane across Jewett Creek to join the separated segments between Toomes and Houghton Avenues. Also evaluate and seek funding to improve Fig Lane roadway frontages between Toomes Avenue and SR99W.</li> </ul>	<p>As part of the design and park approval process.</p>	<p>City</p>	

TABLE MMP-1			
MITIGATION MONITORING TABLE			
MITIGATION	TIMING/ IMPLEMENTATION	AGENCY MONITORING/ CONSULTATION	VERIFICATION (DATE & INITIALS)
<ul style="list-style-type: none"> <li>Toomes Avenue: Evaluate and seek funding to improve the Toomes Avenue frontage from the bridge to Fig Lane. Also evaluate and seek funding to widen the bridge across Jewett Creek to provide sufficient capacity to accommodate sidewalks and bicycle lanes.</li> </ul>			