

CITY OF REDDING

777 CYPRESS AVENUE, REDDING, CA 96001

P.O. Box 496071, REDDING, CA 96049-6071

MITIGATED NEGATIVE DECLARATION

Use Permit Application UP-2016-00392 Henderson – Parkview Open Space Restoration Trail & Kayak Access Project

SUBJECT

Use Permit Application UP-2016-00392, Henderson – Parkview Open Space Restoration Trail & Kayak Access, by City of Redding. Propose environmental restoration and improve the site with trails and public access to an existing kayak launch on 40 acres of resource lands located on both sides of the Sacramento River, just south of the Cypress Bridge. The project site is zoned “OS” Open Space District and “GO” General Office District with a General Plan designation of “Greenway” and “Open Space.”

PROJECT DESCRIPTION

The City of Redding’s Community Service Department is requesting approval to allow environmental restoration and public-access improvements. The restoration component consists of removal of approximately 20 acres of invasive plant species, the planting of 4 acres of California native plants, including a one-acre pollinator garden at the Parkview Open Space, and planting of shaded aquatic along the edge of the river, where feasible. The public-access improvement component consists of a driveway access from Henderson Road, construction of 12 trailhead parking spaces and 17 kayak access parking spaces, 13 of which are car and trailer spaces, a vehicle drop-off zone near a calm water lagoon natural access to the river, 1,109 feet of 7-foot-wide trail, utilizing an existing historic riverside road, and 600 feet of 5-foot-wide trail connecting the kayak access area to the Cypress Bridge. The use permit is to allow the public-access improvements to encroach into the regulatory 100-year floodplain of the Sacramento River.

ENVIRONMENTAL SETTING

The site is bounded by Cypress Avenue to the north, the Cobblestone shopping center to the west, riparian woodland and open space to the south, and the Sacramento River to the east. The project site is located on the east bank of the Sacramento River just south of the Cypress Avenue Bridge. The Federal Emergency Management Agency 100-year floodplain of the Sacramento River inundates approximately 7.53 acres of the site. The Henderson Open Space area is considered by the City to be a natural park area. The Henderson Open Space and Parkview Open Space (located directly across the river on the west bank) total approximately 40 acres of resource lands owned by the City just south of the Cypress Avenue Bridge. These lands include a total of 1 mile of river frontage and riparian dominated vegetation communities that include mature stands of Fremont cottonwood, valley oak, and willows. Historical land uses of the Henderson Open Space area and vicinity include use by Native Americans, ranching, and a bridge crossing location in the 1800s. Other historic land uses include a diversion of river flow into a horizontal paddlewheel facility in the early 1900s; a forest products, cement plant, and gravel operation in the 1940s through the 1960s; and a gravel operation used in the construction of Interstate 5 during the 1960s and 1970s. The remnants of some of these land uses are visible today.

Its proximity within the floodplain of the Sacramento River and gentle topography make it suitable for recreational river access. This area is used by fisherman, kayakers, and others to access the river, while other recreationalists use the primitive trails that meander through the site for activities such

as wildlife viewing. The area is largely unimproved, but does contain old road cuts, primitive trails, arbitrary parking areas, and river access.

FINDINGS AND DETERMINATION

The City of Redding conducted an Initial Study (attached), which determined that the proposed project could have significant environmental effects. Subsequent revisions in the project proposal create the specific mitigation measures identified below. The project, as revised and as agreed to by the applicant, avoids or mitigates the potentially significant environmental effects identified, and the preparation of an environmental impact report will not be required. There is no substantial evidence, in light of the whole record before the City, that the project as revised may have a significant effect on the environment. If there are substantial changes that alter the character or impacts of the proposed project, another environmental impact determination will be necessary.

The project includes measures to mitigate potentially significant impacts of biological resources impacts.

Prior to approval of the project, the lead agency may conclude, at a public hearing, that certain mitigation measures identified in the Mitigated Negative Declaration are infeasible or undesirable. In accordance with CEQA, Section 15074.1, the lead agency may delete those mitigation measures and substitute other measures which it determines are equivalent or more effective. The lead agency would adopt written findings that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it, in itself, would not cause any potentially significant effect on the environment.

1. **Based on the whole record (including the Initial Study and any supporting documentation) and the mitigation measures incorporated into the project, the City of Redding has determined that there is no substantial evidence that the project will have a significant effect on the environment.**
2. **The Mitigated Negative Declaration, with its supporting documentation, reflects the independent judgment and analysis of the lead agency, which is the City of Redding.**

DOCUMENTATION

The attached Initial Study documents the reasons to support the above determination.

MITIGATION MEASURES

Biological Resources

Mitigation Measure 1 – Riparian Habitat

- a. The width of the construction disturbance with riparian habitat shall be minimized through careful pre-construction planning.
- b. Exclusionary fencing shall be installed along the boundaries of all riparian areas to be avoided to ensure impacts on riparian vegetation outside of the construction area are minimized. All construction-related pedestrian and vehicle/equipment travel shall be prohibited from these fenced off areas. The exclusionary fencing shall be inspected and maintained on a regular basis throughout project construction and removed upon project completion.
- c. Riparian habitat areas temporarily disturbed shall be replanted with native riparian species known to occur in the project area and general vicinity.
- d. Areas planted with native riparian species shall be maintained and monitored to ensure the plantings are surviving and healthy.

Mitigation Measure 2 – *Non-Native and Invasive Plant Species*

- a. All equipment used for off-road construction activities will be weed-free prior to entering the project area.
- b. If project implementation calls for mulches or fill, they will be weed free.
- c. Any seed mixes or other vegetative material used for re-vegetation of disturbed sites will consist of locally adapted native plant materials to the extent practicable.
- d. Non-native and invasive species removed during project construction will be properly removed and disposed of to prevent the spread of non-native and invasive species in the project area and vicinity.

Mitigation Measure 3 – *Waters of the United States*

- a. If any stockpiled materials are to remain on site through the wet season, they should be covered and/or protected (e.g., silt fence, straw wattles) to prevent erosion.

Mitigation Measure 4 – *Critical Fish Habitat*

- a. The project shall at all times provide adequate erosion and sediment control devices to prevent potential degradation of water quality.
- b. The contractor shall prevent the discharge of sediment, and/or muddy, turbid, or silt laden waters, resulting from project activities, into the river. Where necessary, sediment barriers (e.g., filter fabric fencing, fiber mats, straw or wattles/rolls) capable of preventing sedimentation/turbidity shall be installed and maintained.
- c. Minimization of the width of the construction disturbance zone within the riparian habitat through careful pre-construction planning.
- d. Erecting construction fencing along the outer edges of the construction zone where needed to prevent accidental entry into riparian habitat.
- e. Mature cottonwoods, alders, and valley oaks located near construction areas shall be flagged and avoided during construction. No native vegetation shall be completely removed: only those branches in the lower 10 feet of any woody plant may be trimmed to accommodate vehicular access. Understory vegetation may be trimmed only as needed.
- f. In the event that a mature woody riparian plant contributing to shaded riverine aquatic (SRA) habitat is disturbed during project construction, it shall be replaced. The amount of habitat created/restored shall be at least three times greater than the amount lost due to project implementation (3:1 ratio, new plantings per woody riparian plant destroyed). These replanting ratios will help ensure successful establishment of at least one vigorous plant for each established plant removed to accommodate the project.
- g. Stockpiling equipment and materials outside of riparian habitat.
- h. Impacts on herbaceous cover will be offset by reseeded and/or mulching any un-vegetated and impacted areas with a suitable seed mixture post construction.
- i. Lighting along trails and parking spaces will be directed towards the ground and away from the Sacramento River.

Mitigation Measure 5 – *California Red-legged Frog*

- a. Environmental awareness training for construction personnel will be conducted by a qualified biologist prior to the on-set of work to brief them on how to recognize California Red-legged Frog (CRLF) and other potentially occurring special-status species, and what measures to take if a special-status species is encountered during project activities.
- b. A qualified biologist should conduct pre-construction surveys shall be conducted within two weeks prior to commencement of construction for CRLF for work activities occurring near aquatic habitats and dense riparian vegetation. If CRLF is encountered during surveys, the appropriate agencies (USFWS and CDFW) shall be notified.
- c. Construction activities should occur during the dry season when CRLF are more closely tied to aquatic habitats.
- d. To avoid potential injury or mortality, vegetation clearing will be done manually using hand tools (e.g., chainsaw, loppers, weed trimmer). The cut vegetation will be removed from the work area by hand.

- e. If a CRLF is encountered during project activities the project activities will stop and the appropriate agencies (USFWS and CDFW) shall be notified.
- f. The project shall at all times provide adequate erosion and sediment control devices to prevent potential degradation of water quality.

Mitigation Measure 6 – *Bald Eagle and Special-Status Bird Species*

- a. If construction activities are planned during the nesting season (February 15 through September 30), then pre-construction surveys for nesting raptors including the bald eagles shall be conducted within two weeks prior to commencement of construction by a qualified biologist within the project area and a 250-foot buffer around the project area to ensure that no nests will be disturbed during project implementation. At least one survey should be conducted no more than 14 days prior to the initiation of construction activities. If an active raptor nest is found within 250 feet of the project area, the biologist in consultation with the CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest. A biological monitor will be present during construction activities in the area to ensure that the nesting special-status birds are not disturbed by these activities.
- b. If all necessary approvals have been obtained, potential nesting substrate (e.g., shrubs and trees) that will be removed by the project should be removed before the onset of the nesting season, if practicable. This will help preclude nesting and substantially decrease the likelihood of direct impacts.

Mitigation Measure 7 – *Western Pond Turtle*

- a. Because turtles may move into and out of the project area, a pre-construction survey shall be conducted prior to commencement of construction for the species to confirm its status (presence/absence) on the site. The survey will be conducted by a qualified biologist and shall consist of at least one survey of the project site for western pond turtle and their nests. The survey shall be conducted a maximum of one week prior to construction activities. If a western pond turtle is found, the biologist shall move it to a safe location within similar habitat. If a western pond turtle nest is found, the biologist shall flag the site and determine if project activities can avoid affecting the nest. If the nest cannot be avoided, it will be excavated and re-buried at a suitable location outside of the construction impact zone by a qualified biologist.
- b. If a western pond turtle is encountered during construction activities, the activities in the vicinity shall cease until appropriate corrective measures have been implemented or it has been determined that the turtle will not be harmed. Any turtles encountered during work shall be allowed to move away on their own. Any trapped, injured, or killed turtles shall be reported immediately to CDFW.
- c. Standard Best Management Practices (BMP's) shall be implemented to ensure no potentially hazardous materials reach surface water features. Recommended BMP's include the following:
 - i. If necessary, a site specific spill prevention plan shall be implemented for potentially hazardous materials. The plan shall include the proper handling and storage of all potentially hazardous materials, as well as the proper procedures for cleaning up and reporting any spills. Containment berms shall be constructed to prevent spill materials from reaching surface water features.
 - ii. Equipment and hazardous materials shall be stored at least 50 feet away from surface water features.
 - iii. Vehicles and equipment used during construction shall receive proper and timely maintenance to reduce the potential for mechanical breakdown leading to a spill of materials. Maintenance and fueling shall be conducted in an area at least 50 feet away from water features.

Mitigation Measure 8 – *Ringtail Cat*

- a. If vegetation removal or construction activities occur outside of the breeding season for ringtail cat (February 1 through May 1), no further mitigation is necessary. If the breeding

season cannot be completely avoided, the following measures will be implemented.

- b. If proposed tree and snag removal are to occur in suitable habitat for ringtail cat during the breeding season, a qualified biologist shall conduct a pre-construction survey within two weeks prior to commencement of construction for potential natal or maternity den trees. If an active den is found, a qualified biologist, in consultation with CDFW, will determine a construction-free buffer zone to be established around the den until the mother and young have dispersed.

Mitigation Measure 9 – Migratory Birds

- a. Project activities should be scheduled to avoid the nesting season to the extent feasible. The typical nesting season in northern California extends from February 15 through September 30. Thus, if project activities can be scheduled to occur outside of the nesting season, no impacts would be expected. If the nesting season cannot be completely avoided, Mitigation Measure 6 shall be implemented.

Mitigation Measure 10 – Pallid Bat, Townsend’s Big-eared Bat, and Western Red Bat

- a. To the extent practicable, the removal of any large trees, if necessary, shall occur outside of the breeding season for bats. For purposes of implementation of this measure, the breeding season is considered to be April 1 through August 15.

PUBLIC REVIEW DISTRIBUTION

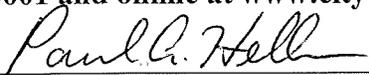
Draft copies or notice of this Mitigated Negative Declaration were distributed to:

- Shasta County Clerk
- Butte Environmental Council
- Defenders of Wildlife
- California Native Plant Society
- California Department of Fish and Wildlife
- All property owners within 300 feet of the property boundary

PUBLIC REVIEW

- (X) Draft document referred for comments April 7, 2017.
- () No comments were received during the public review period.
- () Comments were received but did not address the draft Mitigated Negative Declaration findings or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public review period. The letters and responses follow (see Response to Comments, attached).

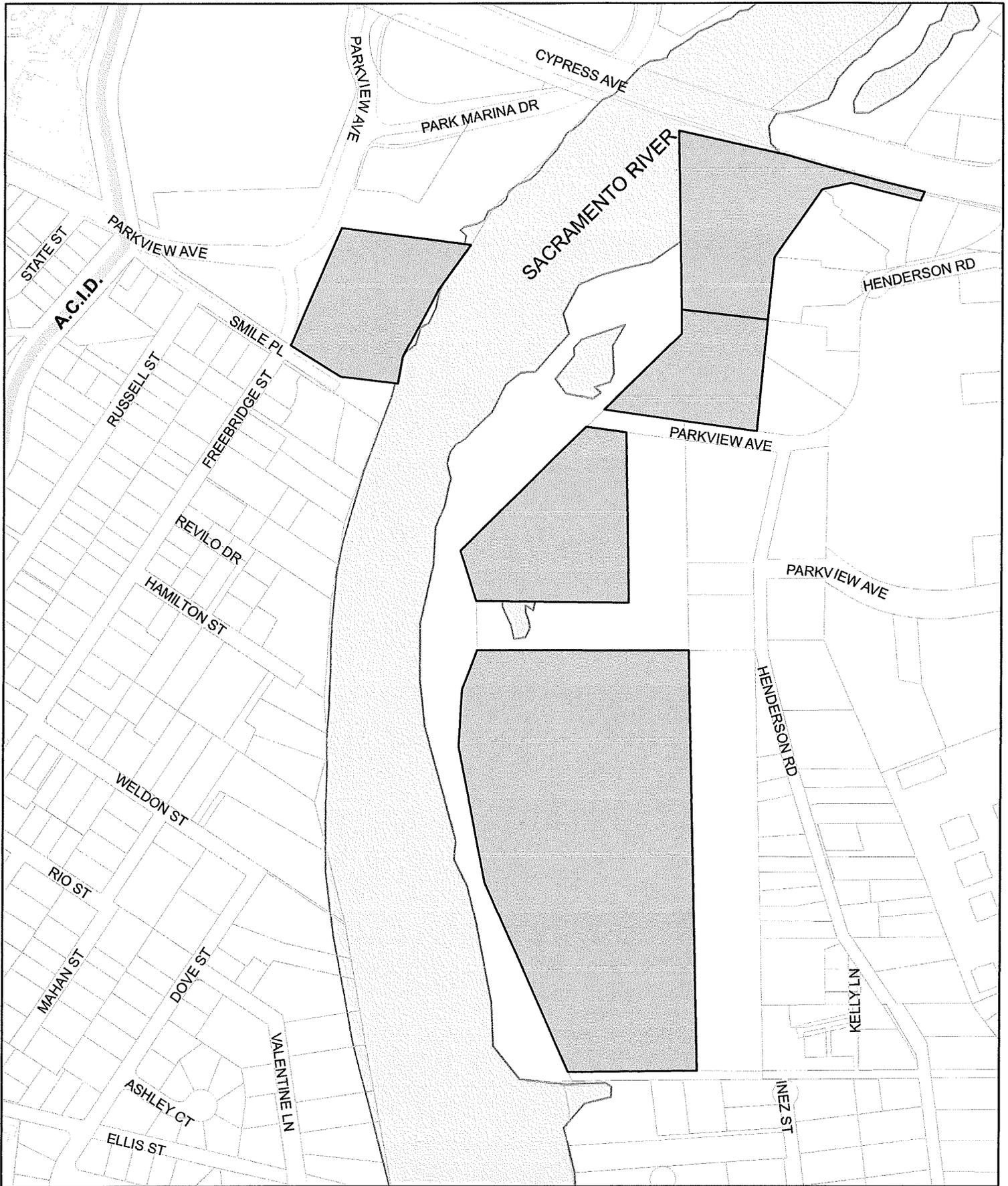
Copies of the Mitigated Negative Declaration, the Initial Study, documentation materials, and the Mitigation Monitoring Program may be obtained at the Planning Division of the Development Services Department, City of Redding, 777 Cypress Avenue, Redding, CA 96001 and online at www.cityofredding.org. Contact: Lily Toy, Senior Planner, 225-4020.


Paul Hellman, Planning Manager

4-6-17
Date

Attachments:

- A. Location Map
- B. Initial Study
- C. Mitigation Monitoring Program



	GIS DIVISION INFORMATION TECHNOLOGY DEPARTMENT	LOCATION MAP UP-2016-00392 \ CITY OF REDDING 2410/2560/2650 HENDERSON ROAD, 40 PARKVIEW AVENUE & 380 SMILE PLACE AP# 107-500-010, 012, 016 & 023 & 102-470-002	MTG. DATE:
	DATE PRODUCED: APRIL 12, 2016		ITEM:
			ATTACHMENT:
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