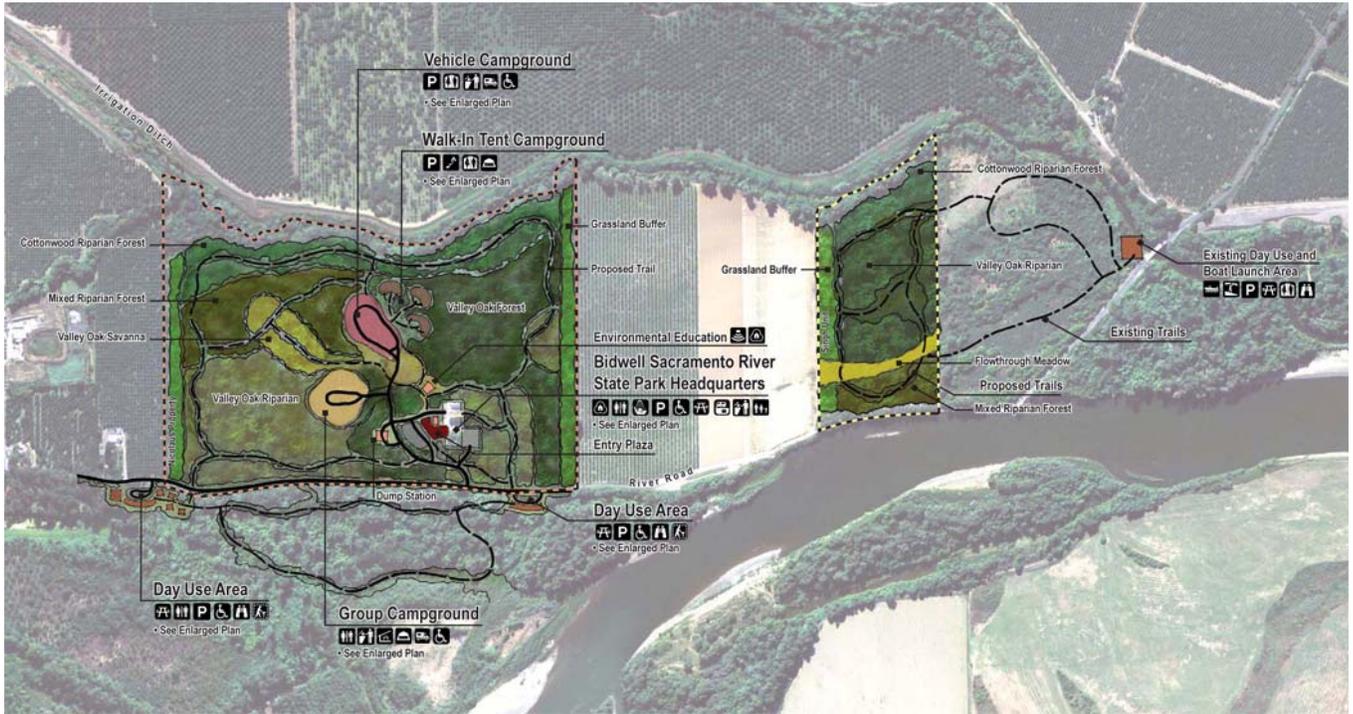


Final Environmental Impact Report
Bidwell–Sacramento River State Park
Habitat Restoration and Outdoor Recreation
Facilities Development Project
SHC# 2007082160



Lead Agency:

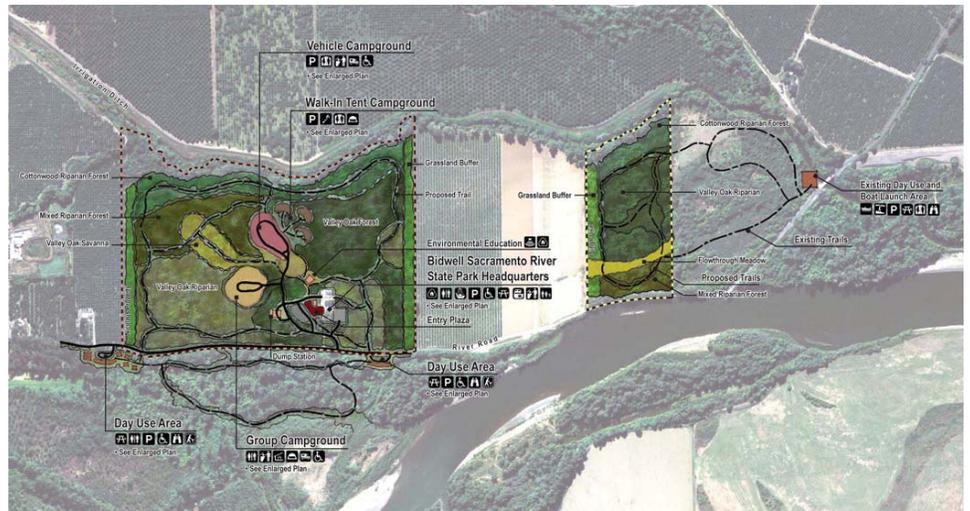
California Department of Parks and Recreation

Project Proponent:

The Nature Conservancy

September 17, 2008

Final Environmental Impact Report
Bidwell–Sacramento River State Park
Habitat Restoration and Outdoor Recreation
Facilities Development Project



Prepared for:

The Nature Conservancy
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Prepared by:

EDAW
2022 J Street, Sacramento, CA 95811

Contact:

Suzanne Enslow
916/414-5800

September 17, 2008





NOTICE OF DETERMINATION

To: State Clearinghouse
Office of Planning and Research
1400 Tenth Street, Room 222
P.O. Box 3044
Sacramento, California 95812-3044

From: Department of Parks and Recreation
Northern Buttes District
400 Glen Dr.
Oroville, CA 95966

SUBJECT: Filing of Notice of Determination, in compliance with §21108 of the Public Resources Code

Project Title: Bidwell-Sacramento River State Park, Habitat Restoration and Outdoor Recreation Facilities Development Project

State Clearinghouse Number: 2007082160

Contact Person: Denise Reichenberg

Phone: (530) 895-4304

Project Location: Bidwell-Sacramento River State Park, Butte County, California

Project Description:

State Parks, with planning assistance from The Nature Conservancy (TNC), is proposing to implement the project on two parcels known as the Singh Unit and Nicolaus property (collectively known as the project site) along the Sacramento River within and adjacent to Bidwell-Sacramento River State Park (BSRSP or Park), west of the City of Chico in Butte County, California. The Singh Unit is owned by State Parks and located within BSRSP. The Nicolaus property is currently owned by TNC, but would be transferred to State Parks, as part of the proposed project, prior to implementation of habitat restoration activities and recreation facilities development. After transfer of the Nicolaus property to State Parks, the current BSRSP headquarters (located in the Indian Fisheries subunit) would be relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground than the current headquarters location. Both the Singh Unit and Nicolaus property are currently in agricultural production (walnut and/or almond orchards). There is a Williamson Act contract on the Nicolaus property. Prior to habitat restoration or recreation facilities development on the Nicolaus property, the contract will either be phased out, amended or a new contract will be executed, which allows for such uses.

Habitat Restoration

The first project objective is to restore natural topography and vegetation on the Singh Unit and natural vegetation on the Nicolaus property. This includes the removal of two human-made berms on the Singh Unit; the removal of orchards from both properties; the removal of nonnative vegetation (including eucalyptus trees on the Singh Unit adjacent to River Road); and restoration of the following natural communities:

- cottonwood mixed riparian forest,
- valley oak savannah,
- mixed riparian forest,
- valley oak riparian forest, and
- native grasslands.

The Singh Unit and Nicolaus property present a unique opportunity for habitat restoration because they are located near the confluence of the Sacramento River, Big Chico Creek, and Mud Creek. The protection and restoration of habitat on these two parcels will aid in the recovery of special-status species, rehabilitate natural processes along the river, protect and restore riparian habitat, and improve water quality.

Outdoor Recreation Facilities Development

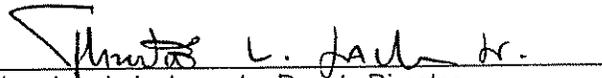
The second project objective is to develop outdoor recreation facilities on both the Nicolaus property and the Singh Unit. The inclusion of the Nicolaus property within BSRSP, and restoration of the Nicolaus property and the Singh Unit, presents an opportunity to enhance and expand the Park's recreational and public access opportunities. Therefore, the project will include the creation of new trails on both properties, aligned to connect with existing and proposed trails and facilities within the Park. It will also result in the construction of new day-use and overnight camping facilities on the Nicolaus property. The Park headquarters will be

relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground compared to the current headquarters location. By expanding outdoor recreation facilities and restoring habitat at BSRSP, this project will increase public accessibility to the middle reach of the Sacramento River, while providing more habitats for riparian plant species and river-dependent wildlife.

The California Department of Parks and Recreation has approved this project and has made the following determinations:

1. The project will not have a significant effect on the environment.
 The project will have a significant effect on the environment.
2. A Negative Declaration was prepared and adopted, pursuant to the provisions of the California Environmental Quality Act (CEQA).
 A Final Environmental Impact Report has been completed in compliance with CEQA, and has been presented to the decision-making body of this Department for its independent review and consideration of the information, prior to approval of the project.
3. Mitigation measures were were not made conditions of project approval.
4. A Mitigation, Monitoring, and Reporting Plan was was not prepared for this project.
5. A Statement of Overriding Considerations was was not adopted for this project
6. Findings were were not made on environmental effects of the project

The Environmental Impact Report and record of project approval may be examined at the California Department of Parks and Recreation, Valley Sector Office, located at 525 The Esplanade, Chico California 95926.



Theodore L. Jackson Jr., Deputy Director
Park Operations

10-14-08
Date



FINDINGS OF FACT
FOR THE
BIDWELL-SACRAMENTO RIVER STATE PARK HABITAT RESTORATION AND
OUTDOOR RECREATION FACILITIES DEVELOPMENT PROJECT
ENVIRONMENTAL IMPACT REPORT

Prepared for:
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916/414-5800

October 16, 2008

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SECTION 1

STATEMENT OF FINDINGS

1.1 INTRODUCTION

The California Department of Parks and Recreation (State Parks), as lead agency, prepared a Draft Environmental Impact Report (Draft EIR) (January 30, 2008) and a Final Environmental Impact Report (Final EIR) (September 17, 2008) (hereafter collectively referred to as the EIR) for the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project (State Clearinghouse [SCH] No. 2007082160). As described in the EIR, State Parks, with planning assistance from The Nature Conservancy, is proposing to implement a habitat restoration and outdoor recreation facility development project on two parcels known as the Singh Unit and the Nicolaus property (collectively known as the project site) along the Sacramento River within and adjacent to Bidwell-Sacramento River State Park (BSRSP), west of the City of Chico in Butte County, California. Detailed information on the proposed project is provided in Chapter 3 of the EIR.

These findings have been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Section 21000 et seq.) and its implementing guidelines (State CEQA Guidelines) (California Code of Regulations, Title 14, Section 15000 et seq.). State Parks, as the lead agency for the environmental review of the project, has the sole responsibility for the project's approval and implementation.

CEQA (PRC Section 21081) provides that:

No public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

- (a) The public agency makes one or more of the following findings with respect to each significant effect:
 - (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 - (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
- (b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Because the EIR identified significant and potentially significant environmental effects that may occur as a result of the project, and in accordance with the provisions of the guidelines presented above, the Director of State Parks hereby adopts these findings as part of the approval of the BSRSP Habitat Restoration and Outdoor Recreation Facilities Development Project.

1.2 PROJECT DESCRIPTION

1.2.1 PROJECT OVERVIEW

State Parks, with planning assistance from The Nature Conservancy (TNC), is proposing to implement the project on two parcels known as the Singh Unit and Nicolaus property (collectively known as the project site) along the Sacramento River within and adjacent to Bidwell-Sacramento River State Park (BSRSP or Park), west of the City of Chico in Butte County, California. The Singh Unit is owned by State Parks and located within BSRSP. The Nicolaus property is currently owned by TNC, but would be transferred to State Parks, as part of the proposed project, prior to implementation of habitat restoration activities and recreation facilities development. After transfer of the Nicolaus property to State Parks, the current BSRSP headquarters (located in the Indian Fisheries subunit) would be relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground than the current headquarters location. Both the Singh Unit and Nicolaus property are currently in agricultural production (walnut and/or almond orchards). There is a Williamson Act contract on the Nicolaus property. Prior to habitat restoration or recreation facilities development on the Nicolaus property, the contract will either be phased out, amended or a new contract will be executed, which allows for such uses. There are no such constraints on implementing the project on the Singh Unit and implementation may proceed on the Singh Unit following acquisition of a Central Valley Flood Protection Board (CVFPB) encroachment permit, and Regional Water Quality Control Board permit and regulatory requirements (as listed in Section 1.2.2 below) for the project.

HABITAT RESTORATION

The first project objective is to restore natural topography and vegetation on the Singh Unit and Nicolaus property. This includes the removal of two human made berms on the Singh Unit; removal of orchards from both properties; removal of nonnative invasive vegetation, including eucalyptus on the Singh Unit adjacent to River Road; and, restoration of the following natural communities:

- cottonwood mixed riparian forest,
- valley oak savannah,
- mixed riparian forest,
- valley oak riparian forest, and
- native grasslands.

The Singh Unit and Nicolaus property present a unique opportunity for habitat restoration because they are located near the confluence of the Sacramento River, Big Chico Creek, and Mud Creek. The protection and restoration of habitat on these two parcels would aid in the recovery of special-status species, rehabilitate natural processes along the river, protect and restore riparian habitat, and improve water quality.

OUTDOOR RECREATION FACILITIES DEVELOPMENT

The second project objective is to develop outdoor recreation facilities on both the Nicolaus property and the Singh Unit. The inclusion of the Nicolaus property within BSRSP, and restoration of the Nicolaus property and the Singh Unit, would present an opportunity to enhance and expand the Park's recreational and public access opportunities. Therefore, the project would include the creation of new trails on both properties, aligned to connect with existing and proposed trails and facilities within the Park. It would also result in the construction of new day-use and overnight camping facilities on the Nicolaus property. By expanding outdoor recreation facilities and restoring habitat at BSRSP, this project would increase public accessibility to the middle reaches of the Sacramento River, while providing more habitat for riparian and river-dependent wildlife and plant species.

1.2.2 DISCRETIONARY APPROVALS

State Parks is the lead agency under CEQA for the BSRSP Habitat Restoration and Outdoor Recreation Facilities Development Project. State Parks has the principal responsibility for approving and carrying out the project and for ensuring that the requirements of CEQA have been met. After the EIR review process is complete, the Director of State Parks is the party responsible for certifying that the EIR adequately evaluates the impacts of the project. State Parks will use the information contained in the EIR during the decision-making process.

The principal discretionary actions by State Parks for the BSRSP Habitat Restoration and Outdoor Recreation Facilities Development Project are:

- Certify by Resolution, the FEIR for the project, under the requirements of CEQA, as amended
- Approve the Findings of Fact and adopt a Mitigation Monitoring and Reporting Plan

The following permits and approval actions are likely to be required before implementation of the proposed project:

- Central Valley Flood Protection Board: Encroachment permit for removal of the existing berms on the Singh Unit and construction and maintenance associated with the proposed habitat restoration and recreation facilities.
- Regional Water Quality Control Board: General Construction Storm Water Permit (Order No. 99-08-DWQ) - Storm Water Pollution Prevention Plan; Waste Discharge Requirements (potentially for low-threat discharges from construction dewatering activities that discharge to surface waters, if necessary).

1.3 ENVIRONMENTAL REVIEW PROCESS

The Notice of Preparation (NOP) for the proposed project was distributed on August 28, 2007 to responsible agencies, interested parties, and organizations, as well as private individuals that may have an interest in the project. The NOP was filed with the State Clearinghouse and posted on the State Parks website (August 29, 2007); availability of the NOP was advertised in the Chico Enterprise Record (September 8, 2007); email notification was provided to the Sacramento River Conservation Area Forum (SRCAF) (August 30, 2007); and an announcement was made to the SRCAF technical advisory council on September 8, 2007. The NOP provided a general project description and solicited the views

of agencies and the public on the project and the scope of this environmental analysis. State Parks also held a scoping meeting for the public and agencies on September 19, 2007. The purpose of the NOP and the public scoping meeting were to provide notification that an EIR is being prepared for the project and to solicit guidance on the scope and content of the environmental document. Written comments were received and comments were presented by individuals at the public scoping meeting. Appendix A of this EIR contains a copy of the NOP, scoping meeting notes, copies of written comments received, and a summary of how comments have been addressed in this EIR.

On January 31, 2008, State Parks distributed to public agencies and the general public the Draft EIR pursuant to CEQA for the proposed project. A 45-day public-review period, as required by Section 15105 of the State CEQA Guidelines, was provided on the Draft EIR that ended on March 17, 2008. Thirteen letters providing comments on the document were received. In addition, consistent with Section 15202 of the State CEQA Guidelines, a public hearing was held by State Parks on February 19, 2008 from 6:30 p.m. to 8:30 p.m. at the Bidwell Mansion SHP Visitor Center located at 525 The Esplanade, Chico, CA 95926, during which time agencies and the public were given the opportunity to provide oral and written comments on the Draft EIR.

The written and oral comments received on the Draft EIR and the responses to those comments are provided in Chapter 8 of the EIR. All comment letters are reproduced in their entirety and oral comments provided during the public-hearing are summarized. Each comment is followed by a response to the comment, with the focus of the response being on substantive environmental issues.

On September 17, 2008, State Parks distributed the Final EIR to the agencies and interested members of the public that had submitted written comments on the Draft EIR.

1.4 RECORD OF PROCEEDINGS

The record of proceedings for State Parks' decision on the project consists of the following documents, at a minimum:

- Comments received from the scoping meeting held on September 19, 2007 at the Bidwell Mansion SHP Visitor Center located at 525 The Esplanade, Chico, CA 95926, regarding the preparation of the EIR;
- The Notice of Preparation dated August 29, 2007, and all other public notices issued by State Parks in conjunction with the project;
- The Notice of Availability dated January 31, 2008;
- Draft Environmental Impact Report Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project (SCH No. 2007082160) dated January 31, 2008;
- All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- All comments and correspondence submitted to State Parks with respect to the project, in addition to timely comments on the Draft EIR;

- The Final Environmental Impact Report Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project (SCH No. 2007082160) dated September 17, 2008;
- The notice dated October 16, 2008, stating that the Final EIR is available;
- The mitigation and monitoring plan for the project; and
- All findings and resolutions adopted by State Parks in connection with the project, and all documents cited or referred to therein:
 - All reports, studies, memoranda (including internal memoranda not protected by the attorney-client privilege), maps, staff reports, or other planning documents relating to the project prepared by State Parks, consultants to State Parks, or responsible or trustee agencies with respect to State Parks' compliance with the requirements of CEQA and with respect to State Parks' action on the project
 - All documents submitted to State Parks by other public agencies or members of the public in connection with the project, up through the certification of the EIR and approval of the project on October 16, 2008
 - Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by State Parks in connection with the project
 - Any documentary or other evidence submitted to State Parks at such information sessions, public meetings, and public hearings

1.5 FINDINGS REQUIRED UNDER CEQA

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See PRC Section 21081[a]; State CEQA Guidelines Section 15091[a].) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions:

- The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (State CEQA Guidelines Section 15091[a][1].)
- The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes

have been adopted by such other agency or can and should be adopted by such other agency.” (State CEQA Guidelines Section 15091[a][2].)

- The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (State CEQA Guidelines Section 15091[a][3].)

PRC Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” State CEQA Guidelines Section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (“*Goleta II*”) [1990] 52 Cal.3d 553, 565.)

The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 410, 417.) “[F]easibility” under CEQA encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* [1993] 23 Cal.App.4th 704, 715.)

The State CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. State Parks must therefore glean the meaning of these terms from the other contexts in which the terms are used. PRC Section 21081, on which State CEQA Guidelines Section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” The State CEQA Guidelines therefore equate “mitigating” with “substantially lessening.” Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” (PRC Section 21002.)

For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* [1978] 83 Cal.App.3d 515, 519–521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although State CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less-than-significant level, or has simply been substantially lessened but remains significant.

Moreover, although Section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these findings will nevertheless fully account for all such effects identified in the EIR.

These findings constitute State Parks' best efforts to set forth the evidentiary and policy bases for its decision to approve the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the EIR are feasible and have not been modified, superseded or withdrawn, State Parks hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when State Parks adopts resolutions approving the project.

The Deputy Director of State Parks reviewed the EIR for the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project. Pursuant to State CEQA Guidelines Section 15090 (Title 14, Section 15090 of the California Code of Regulations), State Parks certified that the EIR was completed in compliance with CEQA and the State CEQA Guidelines. State Parks certified the EIR for the actions described in these findings and in the EIR.

After reviewing the public record, composed of the aforementioned elements, the Deputy Director of State Parks hereby makes the findings described below regarding the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project.

1.5.1 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) was prepared for the project pursuant to the requirements of CEQA (see PRC Section 21081.6[a][1] and State CEQA Guidelines Section 15097.) State Parks finds that the MMRP fulfills the requirements of CEQA, and the MMRP has been approved by State Parks. State Parks will use the MMRP to track compliance with project mitigation measures. The MMRP will remain available for public review during the compliance period.

1.5.2 ABSENCE OF SIGNIFICANT NEW INFORMATION

State CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The State CEQA Guidelines provide examples of significant new information under this standard. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

State Parks recognizes that the Final EIR incorporates information obtained since the Draft EIR was completed, and contains additions, clarifications, modifications, and other changes, as follows.

- Clarification was provided regarding the process for nonrenewal of the Williamson Act contract on the Nicolaus property.
- Changes and edits were made to reflect removal of the recreational vehicle (RV) campgrounds and associated facilities, such as the dump station and electrical connections, from the recreation facilities plans.

- Changes and edits were made to the recreation facilities plans to remove one of the existing entry points at the day-use area on River Road and to provide a more vegetated buffer.
- The Flood Neutral Hydraulic Analysis for the Nicolaus and Singh Properties was revised in response to comments on the Draft EIR. The revised model included the lower three miles of Mud Creek and Big Chico Creek in addition to the Sacramento River and addressed removal of the RV campground from the recreation facilities plans and a reduction in the maximum density of revegetation. The revised modeling results varied slightly from the previous report presented in the Draft EIR, but resulted in the same conclusions as in the Draft EIR regarding the project's impact to water surface elevations and flood flow velocities, which would be less than significant.
- Additional minor changes and edits were made to the text, tables and exhibits, which were of an administrative nature such as correcting typographical errors, making minor adjustments to the data, and adding or changing certain phrases to improve accuracy and readability.
- The Final EIR provides additional information in response to comments and questions from agencies and the public.

State Parks finds that this additional information does not constitute significant new information requiring recirculation, but rather that the additional information merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. Specifically, State Parks finds that the changes and clarifications made to the Draft EIR *did not show* any of the following:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on the foregoing, and having reviewed the information contained in the EIR and in the record of State Parks' proceedings, including the comments on the Draft EIR and the responses thereto, and the above-described information, State Parks hereby finds that no significant new information has been added to the Final EIR since public notice was given of the availability of the Draft EIR that would require recirculation of the EIR.

1.5.3 FINDINGS REGARDING THE PROPOSED PROJECT

As described above, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions:

- The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.”
- The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.”
- The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.”

Such findings are made below for all significant impacts and potentially significant impacts identified in the EIR project.

HYDROLOGY, WATER QUALITY AND RIVER GEOMORPHOLOGY

Potentially Significant Impact: Temporary Effects on Water Quality Associated with Proposed Project Implementation (Impact 4.3-c)

Implementation of the project would be accomplished through the use of standard agricultural practices (already being used throughout the project area) and construction activities. Restoration activities would include orchard removal, discing, seeding, planting, and temporary herbicide use. Irrigation system modification and expansion would include standard trench and backfill techniques. Development of recreational facilities would include grading and compaction of park roads and parking spaces, and the installation of park trails, buildings, shelters, and restroom facilities. Utilization of standard agricultural practices for restoration implementation would not be expected to cause soil erosion and/or sedimentation of local drainages or the Sacramento River channel. However, potential temporary effects on water quality associated with the construction of recreational facilities could be potentially significant.

Findings

Changes or alterations have been required in, or incorporated into, the project by State Parks that mitigate or avoid the potentially significant temporary construction impacts to water quality.

Facts in Support of Finding

State Parks adopted Mitigation Measure 4.3-c to reduce to less-than-significant levels the potentially significant temporary construction impacts to water quality. Measure 4.3-c provides:

Before the approval of grading permits and improvement plans for proposed recreational facilities, the project applicant shall obtain a State Water Resources Control Board Statewide National Pollutant Discharge Elimination System stormwater permit for general construction activity, and any other necessary site-specific waste discharge requirements or waivers under the Porter-Cologne Act. The project applicant shall prepare and submit the appropriate Notice of Intents and prepare the Storm Water Pollution Prevention Plan (SWPPP) with best management practices (BMPs) and any other necessary engineering plans and specifications for pollution prevention and control.

Implementation of the SWPPP will involve erosion and sediment controls, proper waste disposal, implementation of approved local plans, control of post construction sediment and erosion control measures and maintenance, and nonstormwater management controls. The BMPs and water quality controls shall ensure that runoff quality meets regulatory water quality objectives. Therefore, implementation of this mitigation measure would reduce the potentially significant temporary construction impacts to water quality to a less-than-significant level.

BIOLOGICAL RESOURCES

Potentially Significant Impact: Construction-related Loss and/or Disturbance of Birds and Bats Nesting or Roosting In or Near the Project Site (Impact 4.4-e)

Implementation of the proposed project could result in a potentially significant construction-related loss and/or disturbance of birds or bats nesting in or near the project site.

Findings

Changes or alterations have been required in, or incorporated into, the project by State Parks that mitigate or avoid the potentially significant construction-related impact on birds and bats nesting or roosting in or near the project site.

Facts in Support of Finding

State Parks adopted Mitigation Measure 4.4-e to reduce to less-than-significant levels the potentially significant impact on undocumented cultural resources. Measure 4.4-e provides:

Avoidance of Disturbance to Nesting Raptors and Special-status Birds

Osprey, white-tailed kite, northern harrier, Cooper's hawk, Swainson's hawk, western yellow-billed cuckoo, bank swallow, loggerhead shrike, yellow warbler, and yellow-breasted chat are known to or have potential to nest adjacent to the project site. In addition to these special-status species, the nests of all raptor species are protected under §3503.5 of the California Fish and Game Code. Nest disturbance may be entirely avoided by limiting construction to the non-breeding season (generally September 1 to January 31) to the extent feasible. To avoid nest disturbance and a potential reduction in fledging success resulting from construction activities during the breeding season (February 1 to August 31), focused surveys for raptors and special-status birds would be conducted by a qualified biologist no more than 14 days prior to the beginning of construction. Surveys for Swainson's hawk nests would include all areas of suitable nesting habitat within 0.25-mile of the two sites. To the extent feasible, guidelines provided in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000) would be followed. Surveys for other raptors and special-status birds would include suitable nesting habitat within 500 feet of each site.

If no active nests are found, no further measures would be needed. If active nests are found, impacts would be avoided by the establishment of appropriate buffers and/or nest monitoring by a qualified biologist. The size of the buffer would be determined by a qualified biologist and may vary, depending on the species biology, location, nest stage, and specific construction activities

to be performed while the nest is active. No construction activities would occur within a buffer zone until a qualified biologist confirms that the nest is no longer active.

Avoidance of Disturbance to Nesting Migratory Birds and Roosting Bats

As discussed for nesting raptors and special-status birds, nest disturbance of other migratory birds may be entirely avoided by limiting construction to the autumn and winter non-breeding season to the extent feasible. To avoid nest disturbance and a potential reduction in fledging success during any construction activities during the spring and summer breeding season, the project site's walnuts and almonds would be harvested for the last time the previous autumn, and standard orchard maintenance practices (e.g., mowing and herbicide applications) would continue until construction begins to discourage bird nesting and bat roosting in the orchard prior to felling of the trees.

Implementation of this mitigation measure would reduce the potentially significant construction-related loss and/or disturbance of birds or bats nesting in or near the project site to a less-than-significant level. Furthermore, because orchards would be restored to native habitats anticipated to support a higher diversity and abundance of wildlife species without significantly reducing populations of the species currently on site, the proposed restoration of native riparian habitat would have a long-term beneficial effect on wildlife. Potential impacts to existing wildlife that may occur during construction, maintenance, and visitor use of the proposed riparian habitat and recreational facilities would be expected to be minor, and would be largely avoided or minimized through the wildlife protection measures described in Mitigation Measure 4.4-e. These measures comply with the Park Plan and all applicable state and federal laws. Because the benefits to wildlife of the proposed habitat restoration are expected to be more substantial than any potential construction, maintenance, or visitor use impacts that may occur, the overall effect of the proposed project is considered beneficial to wildlife species, and there would not be any substantial adverse effect to special-status species, their use of wildlife movement corridors, or nursery sites.

CULTURAL RESOURCES

Potentially Significant Impact: Potential Disturbances to Undocumented Cultural Resources (Impact 4.5-a)

Implementation of the project, including site preparation, planting, and recreation facilities development, may affect currently undiscovered or unrecorded archaeological sites. The possibility of disturbing unrecorded resources is considered a potentially significant impact.

Finding

Changes or alterations have been required in, or incorporated into, the project by State Parks that mitigate or avoid the potentially significant impact on undocumented cultural resources.

Facts in Support of Finding

State Parks adopted Mitigation Measure 4.5-a to reduce to less-than-significant levels the potentially significant impact on undocumented cultural resources. Measure 4.5-a provides:

All excavations shall be monitored by a qualified professional archaeologist. If a discovery of cultural materials (e.g., unusual amounts of shell, animal bone, bottle glass, ceramics, structure/building remains, etc.) is made during project-related construction activities, ground disturbances in the area of the find will be halted within a 100-foot radius of the find, and State Parks staff shall be notified of the discovery. State Parks shall retain a professional archaeologist who, in consultation with the Mechoopda Tribe of Chico, shall determine whether the resource is potentially significant as per the California Register of Historic Resources and develop appropriate mitigation. Appropriate mitigation may include no action, avoidance of the resource, and potential data recovery.

All preservation options shall be considered as required by CEQA, including data recovery, mapping, capping, or avoidance of the resource. If artifacts are recovered from significant resources, they shall be housed at a qualified curation facility; reasonable effort will be made to house the collections in a local or regional facility. The results of the identification, evaluation, and data-recovery program shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, analyzes and interprets the results, and distributes this information to the public. Provisions will be made for additional construction monitoring as necessary.

Through proper monitoring of excavation; identification of discovered cultural materials; consultation with the Mechoopa Tribe; and either avoidance or data recovery as deemed appropriate, the project's potentially significant impacts resulting from inadvertent damage or destruction of unknown cultural resources during ground disturbing activities would be reduced to a less-than-significant level.

Potentially Significant Impact: Potential Disturbances to Undocumented Human Remains (Impact 4.5-b)

Currently undiscovered human remains may be uncovered during proposed project activities. The possibility of disturbing human remains is considered a potentially significant impact.

Finding

Changes or alterations have been required in, or incorporated into, the project by State Parks that mitigate or avoid the potentially significant impact on undocumented human remains.

Facts in Support of Finding

State Parks adopted Mitigation Measure 4.5-b to reduce to less-than-significant levels the potentially significant impact on undocumented human remains. Measure 4.5-b provides:

California law recognizes the need to protect interred human remains, particularly Native American burials and associated items of patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code Section 7050.5 and Section 7052 and California Public Resources Code Section 5097.

In accordance with the California Health and Safety Code, if human remains are found in any location other than a dedicated cemetery, the California Health and Safety Code requires that excavation is halted in the immediate area. The county coroner shall be notified and is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery

on private or state lands (Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Section 7050.5[c]).

The responsibilities of the NAHC for acting upon notification of a discovery of Native American human remains are identified within the California Public Resources Code (PRC Section 5097.9). The NAHC is responsible for immediately notifying the person or group it believes is the Most Likely Descendant (MLD). With permission of the legal landowner(s), the MLD may visit the site and make recommendations regarding the treatment and disposition of the human remains and any associated grave goods. This should be conducted within 24 hours of their notification by the NAHC (PRC Section 5097.98[a]). If an agreement for treatment of the remains cannot be resolved satisfactorily, any of the parties may request mediation by the NAHC (PRC Section 5097.94[k]). Should mediation fail, the landowner or the landowner's representative must re-enter the remains and associated items with appropriate dignity on the property in a location not subject to further subsurface disturbance (PRC Section 5097.98[b]).

Through agreement on the treatment and disposition of human remains reached between the MLD and State Parks with the assistance of the archaeologist, or through mediation by the NAHC, implementation of this mitigation measure would reduce potentially significant impacts associated with the discovery of human remains to a less-than-significant level.

AIR QUALITY

Significant Impact: Generation of Short-Term Restoration- and Construction-Related Emissions of Criteria Air Pollutants and Precursors (Impact 4.6-a)

Project-generated, restoration-related emissions levels of criteria air pollutants and precursors would not be substantially different from those currently generated by existing on-site orchard operations. However, emissions of ROG and PM₁₀ associated with the construction of the campground and relocation of the park headquarters would exceed associated Butte County Air Quality Management District (BCAQMD) trigger levels for incorporating applicable recommended emission reduction measures. Because applicable BCAQMD-recommended mitigation measures are not currently incorporated into the project description, this impact would be significant.

Findings

Changes or alterations have been required in, or incorporated into, the project by State Parks that mitigate or avoid the significant generation of short-term restoration- and construction-related emissions of criteria air pollutants and precursors.

Facts in Support of Finding

State Parks adopted Mitigation Measure 4.6-a to reduce to less-than-significant levels the significant generation of short-term restoration- and construction-related emissions of criteria air pollutants and precursors. Measure 4.6-a provides:

In accordance with BCAQMD recommendations, State Parks shall require restoration and construction contractors to implement the following measures to reduce emissions generated by restoration and construction activities:

- No open burning shall be performed on the project site. Use alternatives to open burning of vegetative material such as reuse of biomass material for habitat restoration; chipping; or mulching. Alternatively, vegetative material could be hauled/provided to a biomass power facility. The closest biomass power facility is operated jointly by Pacific Oroville Power, Inc. in conjunction with NorCal Waste Systems.
- On-site vehicles shall be limited to a speed of 15 mph on unpaved roads and surfaces.
- A publicly visible sign shall be posted at the site with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. BCAQMD's telephone number shall also be visible to ensure compliance with BCAQMD Rule 200 & 205 (Nuisance and Fugitive Dust Emissions).
- Vehicles entering or exiting the project site shall travel at a speed which minimizes dust emissions and trackout.
- Restoration and construction workers shall park in designated parking areas(s) to help reduce dust emissions. Soil pile surfaces shall be moistened if dust is being emitted from the pile(s). Adequately secured tarps, plastic or other material may be required to further reduce dust emissions.
- Dust suppression measures shall be applied to disturbed areas that are unused for at least four consecutive days. Measures may include the following: frequent watering (a minimum of 2 times per day); covering with weed-free straw mulch; or application of chemical stabilizers.
- Vegetative ground cover shall be planted in disturbed areas as soon as possible.
- Land clearing, grading, earth moving, or excavation activities shall be suspended when winds exceed 20 miles per hour.
- Paved streets adjacent to the restoration and construction sites shall be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the project sites.
- When not in use, idling of on-site equipment shall be minimized. Under no conditions shall on-site equipment shall be left idling for more than 5 minutes.

Implementation of this mitigation measure would incorporate all applicable BCAQMD-recommended measures to reduce emissions of criteria air pollutants and precursors generated by restoration and construction activities into the proposed project. Therefore, the project's short-term construction emissions would be reduced to a less-than-significant level.

Significant Impact: Generation of Long-Term Operation-Related (Regional) Emissions of Criteria Air Pollutants and Precursor Emissions (Impact 4.6-b)

Operation of the proposed campgrounds, relocated headquarters, and day-use facilities would result in project-generated emissions of PM₁₀ that exceed BCAQMD's "Level B" trigger level of 80 lb/day and emissions of ROG that exceed BCAQMD's "Level C" action-level threshold of 137 lb/day (refer to

Table 4.6-5). Thus, project-generated, operation-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations, especially considering the nonattainment status of Butte County. In addition, project-generated emissions could also conflict with air quality planning efforts. As a result, this would be a significant impact.

Finding

Changes or alterations have been required in, or incorporated into, the project by State Parks that mitigate or avoid the significant generation of long-term operation-related emissions of criteria air pollutants and precursor emissions.

Facts in Support of Finding

State Parks adopted Mitigation Measure 4.6-b to reduce to less-than-significant levels the significant generation of long-term operation-related emissions of criteria air pollutants and precursor emissions. Measure 4.6-b provides:

Pursuant to Park Plan Guideline AO-3.3-2, which states that State Parks shall establish appropriate campfire restrictions, through coordination with the local air district in conjunction with the development of an overnight campground at the Park, State Parks shall notify park users of all burn-ban periods determined by the California Department of Forestry and Fire Protection. Burn-ban periods established by the California Department of Forestry and Fire Protection apply to all vegetative and wood burning, including campfires and other burning activities on state land inside Butte County, with no exceptions made by BCAQMD Rule 300, part 2.10 (Williams, pers. comm., 2007). BCAQMD Rule 300, part 2.10 exempts campfires and some other types of burning from burn prohibitions established by other BCAQMD rules. Typically, the California Department of Forestry and Fire Protection begins the burn ban season around July 1 and it extends through October. In addition, the campgrounds at BSRSP shall also participate in BCAQMD's "Don't Light Tonight" program, in which BCAQMD requests that County residents not use woodstoves and fireplaces when air pollution approaches unhealthy levels (BCAQMD 2007c). These advisories are typically in effect for 24-hour periods. State Parks shall keep campground users informed of burn bans by posting notices on kiosks at the park headquarters, self-pay kiosks, and campground restroom and shower facilities. State Parks shall also inform campground users of burn bans upon check-in to the campground.

Implementation of this mitigation measure would eliminate all campfire emissions during times of the year when the Northern Sacramento Valley Air Basin experiences minimal atmospheric dispersion. Because campfire burning would be limited to times of the year when wood smoke would be adequately dispersed and therefore not expose sensitive receptors to substantial pollutant concentrations or cause or contribute to the County's nonattainment status with respect to ozone or PM₁₀, this measure would reduce long-term operation-related emissions to a less-than-significant level.

1.5.4 PROJECT ALTERNATIVES

ALTERNATIVES ANALYSIS

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would

substantially lessen the significant environmental effects of such projects[.]” The procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” (Ibid., italics added.) “[I]n the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects.” (Ibid.)

CEQA defines “feasible” to mean capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” (Public Resources Code Section 21061.1.) The State CEQA Guidelines add another factor: “legal” considerations. (State CEQA Guidelines Section 15364.) Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site. (State CEQA Guidelines Section 15126.6[f][1].) The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project.

Where a significant impact can be substantially lessened (i.e., mitigated to an “acceptable level”) solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the project. (PRC Section 21002.) In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility of modifying the project lies with some other agency. (State CEQA Guidelines Sections 15091[a]–[b].)

The EIR examined the project alternatives, exploring their comparative advantages and disadvantages with respect to the project. As the following discussion demonstrates, however, the proposed project is considered the environmentally superior alternative. State Parks therefore adopts the proposed project.

PROJECT OBJECTIVES

As explained above, the project objectives provide a basis for comparing project alternatives and determining the extent that the objectives would be achieved relative to the project.

Habitat Restoration

The first project objective is to restore natural topography and vegetation on the Singh Unit and Nicolaus property. This includes the removal of two human made berms on the Singh Unit; removal of orchards from both properties; removal of non-native vegetation, including eucalyptus on the Singh Unit adjacent to River Road; and, restoration of the following natural communities on both parcels: cottonwood riparian forest, valley oak savannah, valley oak forest, mixed riparian forest, native grassland, and valley oak riparian forest. The restoration activities proposed for this project have four central objectives, which are aligned with the California Bay-Delta Authority’s Ecosystem Restoration Program (ERP) Goals:

- Improve the ecological health and long-term viability of at-risk species and communities at a critical confluence area by protecting and restoring riparian habitat and rehabilitating floodplain processes through horticultural and process-based restoration (ERP Goal 1).
- Increase knowledge of ecosystem function and employ adaptive management to improve the ability to engineer “desired future conditions” for riparian restoration projects that focus on lowland tributary confluence areas (ERP Goal 2).
- Reduce flood damage to important human infrastructure by increasing the storage of floodwaters in the project area (ERP Goal 4).
- Improve water quality to benefit humans and wildlife through the restoration of riparian vegetation communities, and geomorphic and hydrologic processes (ERP Goal 6).

Outdoor Recreation Facilities Development

The second project objective is to increase public access and outdoor recreation opportunities at BSRSP. The outdoor recreation facilities development component of this project has four key objectives:

- Develop potential new outdoor recreational use opportunities (day-use and overnight camping).
- Relocate the BSRSP headquarters and maintenance area to the existing Nicolaus property farm buildings and surrounding site where frequency of flooding is decreased.
- Convert the abandoned BSRSP headquarters and maintenance area to a trailhead with parking, picnic facilities, restrooms and interpretive signs.
- Install trails that connect to existing and proposed trails in the BSRSP’s Indian Fisheries Subunit, Big Chico Creek Riparian Area Subunit, and the Department of Fish and Game’s (DFG) Pine Creek Unit at Allinger Ranch.

ALTERNATIVES ELIMINATED FROM DETAILED CONSIDERATION

During the planning stages of the proposed project, an alternative was considered that was identical to the proposed project, except that the habitat restoration plan for the Singh Unit included mixed riparian forest in the area of the existing/historic swale. The swale runs north-south along the western portion of the Singh property, and historically transferred water from the lands to the north to the south to Big Chico Creek near its confluence with Mud Creek. This alternative of mixed riparian forest in the area of the swale was considered to reduce water velocities and erosion through the private property to the north and through the project site. However, the landowners of the private property to the north of the Singh Unit expressed concerns during the CEQA scoping period regarding the forested vegetation and the potential to back-up water and sediment onto their property. In response to these concerns, TNC re-designed the Singh Unit restoration plans to provide a flowthrough meadow along the swale and re-modeled the restoration plans. The modeling determined that there would be flow velocity increases of up to 2.0 feet per second within the swale, but that the proposed changes would not be expected to substantially alter sediment transport and deposition within the project area. Therefore, the meadow flowthrough area was maintained in the proposed project (see Chapter 3 and Appendix C) and the restoration plan with mixed riparian forest habitat in the swale was eliminated from further consideration.

FINDINGS REGARDING ALTERNATIVES

ALTERNATIVE 1—NO PROJECT

DESCRIPTION

The no project alternative represents perpetuation of existing agricultural land uses on the Singh Unit and the Nicolaus property. The analysis of this alternative is based on the physical conditions that are likely to occur in the future if the proposed project (the active habitat restoration and development of recreation facilities) is not approved and implemented. Under this alternative the Nicolaus property would not be transferred from TNC to State Parks, the Williamson Act contract would remain in place, riparian habitat would not be restored and no recreation facilities would be constructed on the Singh Unit or the Nicolaus property, and the existing walnut and almond orchards would remain in active production.

EVALUATION

No direct effects would occur, either positive or negative, under the no project alternative. Because there would be no effort to restore riparian habitat, there would be no benefits to sensitive and common native wildlife populations and no increase in habitat values. It is expected that the project site would remain in orchards and would continue to flood periodically. Under this alternative, there would be no air quality, noise, or traffic impacts associated with construction of the proposed project. However, continued operation of the orchards would result in continued environmental effects related to agricultural activities (air emissions, hazardous materials, noise, traffic, water quality, etc.). In addition, the no project alternative would not meet the project objective to restore natural topography and native communities nor the project objective to increase public access and outdoor recreation opportunities at BSRSP.

ALTERNATIVE 2—PASSIVE RESTORATION

DESCRIPTION

Under the passive restoration alternative, the project site would not be actively restored and enhanced, but agricultural activities would cease. The orchards on the Singh Unit and the Nicolaus property would be removed, but the lands would not be actively planted with native riparian vegetation. This alternative would rely on natural recruitment from adjacent riparian communities to recolonize the project site, and on current hydrological conditions to sustain establishing seedlings. A weed control program could be implemented as part of the passive restoration alternative.

No public access or recreational facilities would be constructed under this alternative. The Nicolaus property would still be transferred to State Parks and would become part of BSRSP. However, there would be no developed public access or recreational facilities such as trails, parking areas, campgrounds, or restrooms provided on the Singh Unit or Nicolaus property. Any public use of these areas would be day-use only because no camp sites would be developed. The existing Park headquarters would not be relocated and would continue to be operated at its current location in the Indian Fishery subunit. The existing farm buildings on the Nicolaus property would remain and would likely be used by State Parks for storage and maintenance.

Analysis of this alternative is based on the physical conditions that are likely to occur in the future if active habitat restoration practices and recreational facilities development are not implemented but current land use practices are abandoned to allow natural processes to reclaim the land at the project site.

EVALUATION

The passive restoration alternative would result in the same change in land use from agricultural to riparian habitat that would occur under the proposed project. Like the proposed project, this alternative would involve nonrenewal of the Williamson Act contract on the Nicolaus property, but would not result in conversion of agricultural land to urban uses and would therefore not result in a loss of farmland as a resource, significant damage to soil values of the resource, or detract from the agricultural land values. However, because the project site would revegetate by natural recruitment, this alternative would not provide the grassland buffers and maintenance of the restored habitat that would help minimize indirect effects and land use conflicts with adjacent private agricultural lands (e.g., pests).

Aesthetically, this alternative would have a detrimental impact due to the removal of the orchards without the active planting of new riparian vegetation. The project site would remain unvegetated for a longer period of time than the proposed project due to reliance on natural recruitment and the lack of active irrigation and maintenance to establish new vegetation.

It is unlikely that the passive restoration alternative would meet the habitat restoration goals of the project (Peterson 2002). This alternative would require a much longer timeframe for the establishment of riparian habitat that would have real value to wildlife. In addition, wildlife habitat value is likely to be lower than is expected with the proposed project because it would likely include a significant amount of nonnative invasive species, and natural recruitment of native species would be lower than with active planting. As such, this alternative would not provide a short-term increase in wildlife habitat value and the long-term habitat values would be diminished in comparison with the proposed project. The flood storage and water quality benefits of this alternative would be similar to the proposed project.

Because this alternative would not involve earth-moving activities for restoration and recreation facilities development, it would avoid any potential construction-related air quality, noise, traffic, and water quality impacts. The lack of recreational facilities would also result in the avoidance of any operational air quality, noise, traffic, and water quality impacts. However, this alternative would not meet the outdoor recreation facilities development objectives of the project because, although the project site would become part of BSRSP, no day-use or overnight camping facilities would be developed and the Park headquarters would not be relocated.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

State CEQA Guidelines Section 15126.6(d)(2) state that if the environmentally superior alternative is the no project alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. Alternatives considered in the EIR include the proposed project, the no project alternative, and the passive restoration alternative.

The no project alternative would not meet the project objectives to restore natural topography and native vegetation or increase public access and outdoor recreation opportunities at BSRSP and would not provide the biological benefits that would be provided by the other two alternatives.

The proposed project is the environmentally superior alternative of the alternatives considered. Under the proposed project, native species would be planted and actively maintained for 3 years to allow the planted vegetation to become established. The planned maintenance program includes irrigation and weed control to allow root systems to mature to the depth of the water table and to eliminate or control weeds that could interfere with the establishment of native plants. The proposed project would provide the best balance between avoiding environmental impacts and obtaining the project objectives. No significant increases in flood risks would result from any of the alternatives considered. Although some impacts associated with the proposed project would be avoided by the passive restoration alternative, those impacts would be reduced to a less-than-significant level under the proposed project with the incorporation of mitigation. In addition, the proposed project would provide greater benefits to biological and recreational resources than the no project or passive relocation alternatives.

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ACRONYMS AND ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation
Bay-Delta	San Francisco Bay/Sacramento-San Joaquin River Delta
BP	before present
BMP	Best Management Practice
BSRSP	Bidwell-Sacramento River State Park
CBDA	California Bay-Delta Authority
CCP	Comprehensive Conservation Plan
CAL FIRE	California Department of Forestry and Fire Protection
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
cfs	cubic feet per second
CNPS	California Native Plant Society
CNRFC	California-Nevada River Forecast Center
CRHR	California Register of Historic Resources
CTS	California Toxics Rule
CVP	Central Valley Project
CWA	federal Clean Water Act
DEIR	Draft Environmental Impact Report
DFG	California Department of Fish and Game
DO	dissolved oxygen
DOC	California Department of Conservation
DWR	California Department of Water Resources
EA/FONSI	Environmental Assessment and Finding of No Significant Impact
EC	conductivity and electrical conductivity
EFH	Essential Fish Habitat
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ERP	Ecosystem Restoration Program
ESA	federal Endangered Species Act
ESU	evolutionarily significant unit
FMMP	Farmland Mapping and Monitoring Program
FRS	flood relief structure
FSZ	Farmland Security Zone
HCP	Habitat Conservation Plan

IS	Initial Study
LWD	large woody debris
MAF	million acre-feet
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendent
MOA	Memorandum of Agreement
MSCS	Multi-Species Conservation Strategy
MSDS	Material Safety Data Sheets
ng/L	nanograms per liter
NAGPRA	Native American Graves Protection and Repatriation Act of 1990
NAHC	Native American Heritage Commission
NCCP program	Natural Community Conservation Planning program
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NIS	nonnative invasive species (weeds)
NOAA Fisheries	National Oceanic and Atmospheric Administration Fisheries
NOI	Notice of Intent
NOP	notice of preparation
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWS	National Weather Service
OES	State Office of Emergency Services
PFMC	Pacific Fisheries Management Council
PRBO	Point Reyes Bird Observatory
Reclamation	U.S. Bureau of Reclamation
Regional Board(s)	regional water boards of the State Water Board (see below) (formerly referred to as RWQCB[s])
RM	river mile
ROD	Record of Decision
RV	Recreational Vehicle
SB	Senate Bill
SHPO	State Historic Preservation Officer
SRA	shaded riverine aquatic
SRCA Forum	Sacramento River Conservation Area Forum
SRCA	Sacramento River Conservation Area

SRFCP	Sacramento River Flood Control Project
SRNWR	Sacramento River National Wildlife Refuge
SRWA	Sacramento River Wildlife Area
SRWP	Sacramento River Watershed Program
State	State of California
State Parks	California Department of Parks and Recreation
State Water Board	State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan
TDS	total dissolved solids
The Reclamation Board	State of California Reclamation Board
TMDL	total maximum daily load
TNC	The Nature Conservancy
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WCB	Wildlife Conservation Board
WDR	Waste Discharge Requirement

1 INTRODUCTION

This document is ~~the Final a Draft~~ Environmental Impact Report (Final ~~E~~IR) on the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project (proposed project or project). It has been prepared under the direction of the lead agency, California Department of Parks and Recreation (State Parks), in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Sections 15000 et seq.).

On January 31, 2008, State Parks distributed to public agencies and the general public a draft environmental impact report (Draft EIR) pursuant to CEQA for the proposed project. A 45-day public-review period, as required by Section 15105 of the State CEQA Guidelines, was provided on the Draft EIR that ended on March 17, 2008. Thirteen letters providing comments on the document were received. In addition, consistent with Section 15202 of the State CEQA Guidelines, a public hearing was held by State Parks on February 19, 2008, during which time agencies and the public were given the opportunity to provide oral or written comments on the Draft EIR.

This Final EIR responds to the written and oral comments received on the Draft EIR (see Chapter 8) and has been prepared in accordance with Sections 15089 and 15132 of the State CEQA Guidelines. This Final EIR includes the entire Draft EIR text and appendices, which have been revised in concert with the responses to comments. Revisions to the EIR text are shown with strikethrough (~~strikethrough~~) text for deletions and underlined (underlined) text for additions. The *Hydraulic Analysis for Flood Neutrality on the Nicolaus and Singh Properties, Sacramento River, Mud Creek, and Big Chico Creek*, the *Riparian Habitat Restoration Plans* for the Nicolaus property and the Singh Unit, and the *Recreation Facilities Plan* and have been revised in response to comments and the new documents (replaced in their entirety) are provided in Appendices B, C, and D, respectively of this Final EIR. Additionally, the Mitigation Monitoring and Reporting Program has been prepared and is included as Appendix G of this Final EIR.

Before adopting the project, the lead agency, State Parks, is required to certify that the Final EIR has been completed in compliance with CEQA, that the decision-making body reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the lead agency.

1.1 PROJECT OVERVIEW

State Parks, with planning assistance from ~~T~~the Nature Conservancy (TNC), is proposing to implement the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project on two parcels known as the Singh Unit and Nicolaus property (collectively known as the project site) along the Sacramento River within and adjacent to Bidwell-Sacramento River State Park (BSRSP or Park), west of the City of Chico in Butte County, California. The Singh Unit is owned by State Parks and located within BSRSP. The Nicolaus property is currently owned by TNC, but would be transferred to the State Parks, as part of the proposed project, prior to implementation of habitat restoration activities and recreation facilities development. It is located immediately adjacent to the Indian Fisheries subunit of BSRSP. After transfer of the Nicolaus property to State Parks, the current BSRSP headquarters (located in the Indian Fisheries subunit) would be relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground than the current headquarters location. Both the Singh Unit and Nicolaus property are currently in agricultural production (walnut and/or almond orchards). There is a Williamson Act contract on the Nicolaus property. ; a notice of nonrenewal and the contract will prior to habitat restoration or recreation facilities development on the Nicolaus property. Prior to habitat restoration or recreation facilities development on the Nicolaus property, the contract will either be phased out, amended, or a new contract will be executed, which allows for such uses.

1.1.1 HABITAT RESTORATION

The first project objective is to restore natural topography and vegetation on the Singh Unit and Nicolaus property. This includes the removal of two human-made berms on the Singh Unit; the removal of orchards from both properties; the removal of nonnative vegetation (including eucalyptus trees on the Singh Unit adjacent to River Road); and restoration of the following natural communities:

- ▶ cottonwood mixed riparian forest,
- ▶ valley oak savannah,
- ▶ mixed riparian forest,
- ▶ valley oak riparian forest, and
- ▶ native grasslands.

The Singh Unit and Nicolaus property present a unique opportunity for habitat restoration because they are located ~~at~~ near the confluence of the Sacramento River, Big Chico Creek, and Mud Creek. The protection and restoration of habitat on these two parcels would aid in the recovery of special-status species, rehabilitate natural processes along the river, protect and restore riparian habitat, and improve water quality.

1.1.2 OUTDOOR RECREATION FACILITIES DEVELOPMENT

The second project objective is to develop ~~includes the transfer of ownership of the Nicolaus property from TNC to State Parks and development of~~ outdoor recreation facilities on both the Nicolaus property and the Singh Unit. ~~The Nicolaus property would become part of BSRSP and the Williamson Act contract w prior to implementation of habitat restoration activities or outdoor recreation facilities development.~~ The inclusion of the Nicolaus property within BSRSP, and restoration of the Nicolaus property and the Singh Unit, would present an opportunity to enhance and expand the Park’s recreational and public access opportunities. Therefore, the project would include the creation of new trails on both properties, aligned to connect with existing and proposed trails and facilities within the Park. It would also result in the construction of new day-use and overnight camping facilities on the Nicolaus property. ~~The Park headquarters would be relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground compared to the current headquarters location~~ (see Chapter 3, “Description of Proposed Project,” Exhibits 3-1 through 3-3). By expanding outdoor recreation facilities and restoring habitat at BSRSP, this project would increase public accessibility to the middle reach of the Sacramento River, while providing more habitat for riparian plant species and river-dependent wildlife.

1.2 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

State Parks has prepared this ~~DEIR~~ to provide agencies and the public with information about the potential environmental effects of the project. This ~~DEIR~~ has been prepared in accordance with the California Environmental Quality Act (CEQA) (Pub. Res. Code Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et seq.). CEQA defines a “project” as any activity directly undertaken by a public agency that “may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (Pub. Res. Code Section 21065).

An EIR provides information for use in the planning and decision-making process for a project. The purpose of an EIR is not to recommend either approval or denial of a project. An EIR informs the public agency decision-makers and the general public of any significant environmental effects of a project, identifies feasible ways to minimize the significant effects, and describes reasonable alternatives to the project that can reduce environmental impacts. CEQA requires decision makers to balance the benefits of a proposed project with its unavoidable environmental effects in deciding whether to carry out a project. State Parks will consider the information presented in the EIR, as required by CEQA, when determining whether to approve the proposed project.

1.3 TIERED PROJECT-LEVEL EIR

CEQA permits an EIR for a project to tier off a more general EIR for a previously prepared program, plan, policy, or ordinance in instances where the later project would be consistent with the earlier program, plan, policy, or ordinance (Pub. Res. Code Section 21094 and State CEQA Guidelines Section 15152). Tiering promotes efficiency in the CEQA process by encouraging the lead agency to limit an EIR on a later project to examining the significant effects that were not examined as significant effects in the prior EIR or are susceptible to substantial reduction or avoidance by specific revisions in the project (State CEQA Guidelines Section 15152).

This EIR for the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project is a project-level document, tiered off the Bidwell-Sacramento River State Park General Plan and EIR (State Parks 2003, 2006) (Park Plan). The relationship between this project-level EIR and the Park Plan is described below.

1.3.1 BIDWELL-SACRAMENTO RIVER STATE PARK PRELIMINARY GENERAL PLAN AND EIR

The Park Plan for the Bidwell-Sacramento River State Park was completed in 2006, and reflects State Park's dual mandates as the steward of sensitive ecological resources and the provider of outdoor recreation opportunities (DPR 2003, 2006). The Park Plan consists of the following three documents:

- ▶ Bidwell-Sacramento River State Park Preliminary General Plan and Draft EIR (December 2003)
- ▶ Bidwell-Sacramento River State Park Recirculated Draft EIR (Agricultural Resources) (October 2005)
- ▶ Bidwell-Sacramento River State Park Comments and Responses to Comments on the Recirculated Draft EIR (January 2006)

On December 12, 2003, State Parks released the Bidwell-Sacramento River State Park Preliminary General Plan and Draft EIR to the general public and public agencies for review. The General Plan component of the Park Plan was prepared to guide future management direction at Bidwell-Sacramento River State Park over an approximate 20-year planning horizon. It contains a comprehensive and integrated set of Park-wide goals and guidelines for the long-term management of the Park that focus on protection of environmental resources, enhancements to visitor use and recreation opportunities, and improvements to administration and operations of the Park. In addition, the General Plan provides a spatial dimension to Park planning through the use of area concept planning, which includes area-specific management and facility prescriptions for the subunits and potential property additions that were considered in the planning process. A range of new recreation facilities were proposed in the General Plan including, but not limited to, overnight campgrounds, day-use areas, trails, and a visitor center.

The EIR component of the Park Plan analyzed the potentially significant effects of the General Plan on the environment. In accordance with CEQA Section 21091 and State CEQA Guidelines Section 15087, a 45-day public review period for the Draft EIR was provided ending January 26, 2004. During the public review, comments were received from public agencies, private groups, and individuals on environmental issues. In response to the comments and a new policy guidance memorandum from the Resources Agency, State Parks re-evaluated its finding on the conversion of agricultural land, changed the finding to less than significant, and recirculated the portions of the Draft EIR that addressed agricultural resources (pursuant to State CEQA Guidelines Section 15088.5). A 30-day public review period was provided for the Bidwell-Sacramento River State Park Recirculated Draft EIR (Agricultural Resources) from October 18, 2005 to November 17, 2005. State Parks received comments on the Recirculated Draft EIR, prepared responses, and published the Bidwell-Sacramento River State Park Comments and Responses to Comments on the Recirculated Draft EIR in January 2006.

Together, the Bidwell-Sacramento River State Park Preliminary General Plan and Draft EIR (December 2003), the Bidwell-Sacramento River State Park Recirculated Draft EIR (Agricultural Resources) (October 2005), and the Bidwell-Sacramento River State Park Comments and Responses to Comments on the Recirculated Draft EIR (January 2006) constitute the Final EIR (Final EIR) for the Bidwell-Sacramento River State Park General Plan. The Final EIR was certified and the General Plan was adopted by State Parks on March 10, 2006.

As described in Section 4.1.3 of the Park Plan, the General Plan Final EIR provides an analysis of broad environmental issues at the general planning stage, and allows the environmental review for subsequent projects to be tiered, pursuant to or consistent with the General Plan. Based on review of the Park Plan, the proposed Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project is consistent with and implements the following Park Plan goals:

Goal ER-1: Preserve, maintain and, where necessary, rehabilitate the Park's ecosystems to protect natural features and processes and perpetuate biological resource functions.

- ▶ **Goal ER-1.1:** Protect and restore sensitive natural communities, including wetland, valley oak woodland, and other successional riparian woodland plant communities that support the Park's abundant natural resources and function in the evolving hydrological and geomorphologic conditions of the middle reaches of the Sacramento River.
- ▶ **Goal ER-1.2:** Manage for the perpetuation of special-status plant, terrestrial wildlife, and aquatic species within the Park, in accordance with state and federal laws.
- ▶ **Goal ER-1.3:** Reduce the presence of invasive nonnative plant species.
- ▶ **Goal ER-1.4:** Reduce the numbers of feral and other problematic nonnative animals, particularly those that have a negative effect on the populations of native special-status species.
- ▶ **Goal ER-1.5:** Preserve and enhance, as appropriate, habitat corridors provided by the Park and between the Park and other areas of similar habitats to maintain or increase their usage by native plant and animal species.

Goal ER-2: Protect the culturally significant resources within the Park, providing interpretive and educational opportunities, where feasible.

- ▶ **Goal ER-2.1:** Locate and assess the significance of cultural resources within the Park

Goal ER-3: Operate the Park within the context of natural watershed functions, and promote watershed health, wherever possible.

- ▶ **Goal ER-3.1:** Allow for the natural meander of the Sacramento River where the river course and the associated flood events would be compatible with public safety, environmental protection considerations, and principles of the Sacramento River Conservation Area Handbook (SCRAF 2002).
- ▶ **Goal ER-3.2:** Operate Park facilities and manage resources in a manner that does not contribute to degradation in water quality of the watershed.

Goal ER-4: Preserve, perpetuate, and provide access to the distinctive landscape qualities that reinforce the general character of Bidwell-Sacramento River State Park.

- ▶ **Goal ER-4.1:** Preserve the natural landscape appearance of the Sacramento River corridor and its tributaries.
- ▶ **Goal ER-4.3:** Establish a uniform and consistent appearance of facilities and landscapes within the Park that are aesthetically pleasing and compatible with the landscape setting.

Goal VU-1: Provide recreational opportunities associated and compatible with the unique resources of the Sacramento River and its riparian and oak woodland environments.

- ▶ **Goal VU-1.3:** Develop additional day-use facilities near recreational or aesthetic amenities based on availability of appropriate sites.
- ▶ **Goal VU-1.4:** Develop a range of overnight camping opportunities in the Park based on availability of appropriate sites.
- ▶ **Goal VU-1.6:** Provide high quality wildlife observation opportunities throughout the Park.

Goal VU-2: Provide educational and interpretive opportunities associated with the unique natural and cultural resources of the Sacramento River and its riparian and oak woodland environments.

- ▶ **Goal VU-2.3:** Disseminate interpretive and educational information to Park visitors and the local community via non-staffed facilities.
- ▶ **Goal VU-2.4:** Evaluate opportunities to develop a visitor center to provide multiple visitor services at an easily accessible location that serves local and regional residents.

Goal VU-3: Provide safe, convenient, and well-connected facilities for multiple modes of transportation within and between the Park's subunits.

- ▶ **Goal VU-3.1:** Provide for safe and readily available access to the Park from the local roadway system serving the Park.
- ▶ **Goal VU-3.3:** Provide car and bus parking spaces for points of interest where environmentally compatible and as space allows.
- ▶ **Goal VU-3.4:** Provide for an interconnecting trail network within the Park, where feasible, and consider linkages to regional trail systems where appropriate.
- ▶ **Goal VU-3.6:** Provide access to recreational opportunities to all people regardless of physical limitations.
- ▶ **Goal VU-3.7:** Develop a system of signage that directs, orients, and educates visitors within the Park.
- ▶ **Goal VU-3.8:** Provide for the safety of Park visitors while circulating within the Park.

Goal AO-1: Establishment of well-defined Park boundaries that can serve as base for future expansion in accordance with the vision and goals for the Park.

- ▶ **Goal AO-1.2:** Expand the Park to promote consolidated management of natural resources and recreational opportunities.

Goal AO-2: Manage, maintain, and operate Park facilities to meet visitor needs.

- ▶ **Goal AO-2.1:** Establish a centralized location for administrative facilities that promotes efficient management of the Park's resources.
- ▶ **Goal AO-2.2:** Maintain Park facilities to meet visitor needs.
- ▶ **Goal AO-2.3:** Provide a safe environment for visitors to the Park.

Goal AO-3: Develop facilities within the parameters of the Park’s natural and physical environment, and in consideration of the safety of Park visitors.

- ▶ **Goal AO-3.1:** Site and design appropriate Park facilities to embrace natural river processes.
- ▶ **Goal AO-3.2:** Develop facilities that are supported by established infrastructure systems.
- ▶ **Goal AO-3.3:** Develop facilities that do not conflict with ambient air quality and noise standards.
- ▶ **Goal AO-3.4:** Ensure the safety of Park visitors during the planning and development of new Park facilities.
- ▶ **Goal AO-3.5:** Incorporate principles and practices of sustainability into the Park’s design, improvements, and maintenance and operations, and utilize adaptive management principles, to the extent feasible.

Goal AO-4: Cooperate with local landowners, communities, and public agencies to foster coordinated management of public lands along the Sacramento River.

- ▶ **Goal AO-4.1:** Allow local communities the opportunity to provide input into Park planning and environmental review processes.
- ▶ **Goal AO-4.4:** Work with private landowners in proximity to the Park to minimize conflicts associated with the mixed public and private land ownership pattern in the area.
- ▶ **Goal AO-4.5:** Establish a multi-agency approach to regional public lands management where practical and feasible.

Because the project is consistent with the Park Plan goals, the Park Plan will provide the more general, first-tier environmental document, and this DEIR ~~will~~ focuses on analyzing the issues specific to the project.

1.4 CONSISTENCY WITH THE CALFED PROGRAM

The current planning for the proposed project is funded by a CALFED Ecosystem Restoration Program (CALFED ERP Program) grant (ERP-02-P16D). The purpose of the grant was to provide funding for the acquisition of properties in the project area from willing sellers (Nicolaus) and transfer of purchased properties to an appropriate long-term conservation owner. In addition, the grant called for developing restoration and management plans, including recreation facilities plans, and aquatic surveys of adjacent tributaries. The mission of the CALFED ERP Program is to develop a long-term comprehensive plan that will restore ecological health and improve water management for beneficial uses of the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta). The Record of Decision (ROD) for the approval of the CALFED Program documents the final selection of the Preferred Program Alternative that includes broad programmatic actions to restore ecosystem function to the Bay-Delta. The ERP is among the set of linked programmatic actions comprising the Preferred Program Alternative to be implemented over a 30-year period. The goal of the ERP is to improve and increase aquatic and terrestrial habitats and improve ecological functions in the Bay-Delta system to support sustainable populations of diverse and valuable plant and animal species (CALFED 2000a). The ROD includes a summary list of programmatic actions designed to achieve the objectives of the ERP. The most applicable of these actions to the proposed project specifies protection and restoration of the Sacramento River meander corridor consistent with SRCA river corridor management plans and processes.

1.4.1 CALFED FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT AND ENVIRONMENTAL IMPACT REPORT

The CALFED Final Programmatic Environmental Impact Statement and Environmental Impact Report (CALFED Final PEIS/EIR) provides a very broad, programmatic analysis of the general effect of implementing the multiple components of the CALFED Program over a 30-year period (2000–2030) across two-thirds of the State of California. The analysis of impacts in the CALFED Final PEIS/EIR is not intended to address any site-specific environmental effects of individual projects; therefore, the analyses of direct, indirect, and cumulative impacts contained in the CALFED Programmatic document are not sufficiently detailed for purposes of this DEIR, which focuses on a specific project and a specific affected geographic area over a discreet time frame. Preparation of this DEIR for the proposed project has included reviews of applicable chapters and sections contained in the CALFED Final PEIS/EIR and the ROD to develop background information, assess consistency of the proposed project with the CALFED Program Preferred Program Alternative, and provide mitigation guidance. This DEIR, tiered from the Park Plan, includes an independently developed analysis of the impacts of the proposed project, including direct, indirect, and cumulative impacts, and an analysis of alternatives to the proposed project. The proposed riparian habitat restoration included in this project is consistent with the programmatic guidance contained in the CALFED Final PEIS/EIR. Because the planning phase of the proposed project is funded by a CALFED ERP Program grant (ERP-02-P16D), it is also consistent with the ROD for the approval of the CALFED Program. Furthermore, it is consistent with the Multi-Species Conservation Strategy (MSCS), which is part of the comprehensive regulatory compliance strategy that is integrated with the CALFED Final PEIS/EIR.

Preparation of this DEIR included reviews of the following chapters, sections, and plans that are parts of the CALFED Final PEIS/EIR, as well as the ROD documenting the final selection of the Preferred Program Alternative:

- ▶ Chapter 1, “Program Description,” was reviewed for background information.
- ▶ Section 5.1, “Water Supply and Water Management,” was reviewed for background information and to determine consistency of the proposed project with the CALFED Program Preferred Program Alternative.
- ▶ Section 5.2, “Bay-Delta Hydrodynamics and Riverine Hydraulics,” was reviewed for background information and to determine consistency of the proposed project with the Preferred Program Alternative.
- ▶ Section 5.3, “Water Quality,” was reviewed for background information and to determine consistency of the proposed project with the Preferred Program Alternative.
- ▶ Section 6.1, “Fisheries and Aquatic Ecosystems,” was reviewed for background information and to determine consistency of the proposed project with the Preferred Program Alternative.
- ▶ Section 6.2, “Vegetation and Wildlife,” was reviewed was reviewed for background information and to determine consistency of the proposed project with the Preferred Program Alternative.
- ▶ Section 7.1, “Agricultural Land and Water Use,” was reviewed for background information and to determine consistency of the proposed project with applicable programmatic actions under the ERP as part of the Preferred Program Alternative. Mitigation Strategies 4, 10, 11, 18 and 19 were incorporated into the development of the proposed project in order to avoid potential impacts to agricultural lands and water use.
- ▶ Section 7.7, “Recreation Resources,” was reviewed for background information and to determine consistency of the proposed project with the Preferred Program Alternative. The proposed project supports Mitigation Strategies 1, 9, 11, 15, and 17 through the development of new recreation facilities.

- ▶ Section 7.11, “Cultural Resources,” was reviewed to determine consistency of the proposed project with the Preferred Program Alternative.
- ▶ Ecosystem Restoration Program Plan, Volume II: Ecological Management Zone Visions, was used as a source of information for the project description and to assess consistency of the proposed project with specified restoration targets for the Sacramento River Ecological Management Zone.
- ▶ Ecosystem Restoration Program Plan, Strategic Plan for Ecosystem Restoration, Appendix D: Draft Stage 1 Actions, was reviewed to assess consistency of the proposed project with Stage 1 programmatic actions for the mainstem Sacramento River.
- ▶ Multi-Species Conservation Strategy, was reviewed to determine consistency of the proposed project with conservation goals for particular species and community types.
- ▶ ROD for the CALFED Program was reviewed to assess consistency of the proposed project with applicable programmatic actions under the Ecosystem Restoration Program as part of the Preferred Program Alternative.

1.4.2 CALFED PROGRAM MULTI-SPECIES CONSERVATION STRATEGY

The CALFED Program Multi-Species Conservation Strategy (MSCS) was developed for the CALFED Program in accordance with the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA) and California’s Natural Community Conservation Planning Act (NCCPA). The MSCS is a comprehensive programmatic strategy for the conservation of numerous species of fish, wildlife and plants and their habitat based on key CALFED Program elements, such as the ERP and the Environmental Water Account. Implementation of the MSCS is intended to ensure that entities implementing CALFED Program actions will satisfy the requirements of ESA, CESA and the NCCPA. State Parks and TNC will follow the CALFED Program MSCS for any necessary California Endangered Species Act (CESA) and Federal Endangered Species Act (ESA) compliance for the project. Refer to Section 4.4, “Biological Resources,” for further discussion of MSCS goals for wildlife and plant species that occur in the project area.

1.5 COMMENTS ON THE NOTICE OF PREPARATION

The Notice of Preparation (NOP) for the proposed project was distributed on August 28, 2007 to responsible agencies, interested parties, and organizations, as well as private individuals that may have an interest in the project. The NOP was filed with the State Clearinghouse and posted on the State Parks website (August 29, 2007); availability of the NOP was advertised in the Chico Enterprise Record (September 8, 2007); email notification was provided to the Sacramento River Conservation Area Forum (SRCAF) (August 30, 2007); and an announcement was made to the SRCAF technical advisory council on September 8, 2007. The NOP provided a general project description and solicited the views of agencies and the public on the project and the scope of this environmental analysis. State Parks also held a scoping meeting for the public and agencies on September 19, 2007. The purpose of the NOP and the public scoping meeting were to provide notification that an EIR is being prepared for the project and to solicit guidance on the scope and content of the environmental document. Written comments were received and comments were presented by individuals at the public scoping meeting. Appendix A of this DEIR contains a copy of the NOP, scoping meeting notes, copies of written comments received, and a summary of how comments have been addressed in this DEIR.

Comments were presented on the following issues (including references to the sections or chapters in this DEIR where relevant discussions are included):

- ▶ width of the proposed grassland buffers in the habitat restoration plans (Chapter 3 and Section 4.4)
- ▶ type of habitat proposed in the restoration plans for the slough that runs through the Singh parcel (Chapter 3 and Section 4.3)
- ▶ consideration for drainage, groundwater, and topography in the habitat restoration plans (Chapter 3 and Section 4.3)
- ▶ fencing of the project sites (Chapter 3)
- ▶ protection of neighboring land owners from trespassing, fire hazards, and pests/invasive species (Chapter 3 and Section 4.4)
- ▶ description of habitat restoration management considerations (regional plans and key players) (Chapter 3)
- ▶ description of environmental setting and all project elements (Chapter 3)
- ▶ description of how recreation facilities would be designed to be protective of neighboring properties during flood events (Chapter 3)
- ▶ potential effects of cancellation of Williamson Act Contract(s) (Section 4.2)
- ▶ potential effects associated with the above-ground fuel storage tank on the Nicolaus property (Section 4.1)
- ▶ potential effects on traffic, particularly on River Road (Section 4.1)
- ▶ potential effects to wildlife (Section 4.4)
- ▶ description of cumulative projects (Chapter 5)
- ▶ potential need for permits from the Regional Water Quality Control Board (Section 4.3)
- ▶ procedural issues related to public review of the Draft EIR, certification of the Final EIR, and project approval (Chapter 1)

1.6 SCOPE OF THE EIR

The scope of this tiered DEIR was developed based on the preliminary analysis of the proposed project; review of the Bidwell-Sacramento River State Park Preliminary General Plan and Final EIR; review of the CALFED Final PEIS/EIR; a site visit; identified agency concerns; comments received during a public scoping meeting held on September 19, 2007 (Appendix A); and comments received on the Notice of Preparation (NOP) (Appendix A).

As a result of the review of existing information and the scoping process, it was determined that the following issue topics would be the focus of this DEIR analysis:

- ▶ agricultural resources
- ▶ hydrology and water quality
- ▶ biological resources
- ▶ cultural resources
- ▶ air quality and climate change

Under the State CEQA Guidelines Sections 15128, 15143 and 15152, a lead agency may limit an EIR's discussion of environmental effects when such effects are not considered potentially significant or when a General Plan EIR (or Staged EIR, Program EIR, or Master EIR) adequately addresses the potential impact. Therefore, based on the scoping process, the following issues are tiered from the Park Plan and addressed in a lesser level of detail in this DEIR:

- ▶ aesthetics/visual resources
- ▶ geology and soils
- ▶ hazards and hazardous materials
- ▶ land use and planning
- ▶ mineral resources
- ▶ noise
- ▶ population and housing
- ▶ public services
- ▶ recreation
- ▶ transportation/traffic and circulation
- ▶ utilities and service systems

Refer to Section 4.1 for additional discussion of impacts found to be less than significant and adequately addressed in the Park Plan.

1.7 AGENCY ROLES AND RESPONSIBILITIES

1.7.1 LEAD AGENCY

State Parks is the lead agency for the project. State Parks has the principal responsibility for approving and carrying out the project and for ensuring that the requirements of CEQA have been met. After the EIR public-review process is complete, the Director of State Parks is the party responsible for certifying that the EIR adequately evaluates the impacts of the project. The Director also has the authority to either approve, modify, or reject the project.

1.7.2 TRUSTEE AGENCIES

Trustee agencies under CEQA are designated public agencies with legal jurisdiction over natural resources that are held in trust for the people of the State of California and would be affected by a project, whether or not the agencies have authority to approve or implement the project. The following agencies are identified as trustee agencies for the proposed project:

- ▶ California Department of Fish and Game (DFG), Region 2, with trustee jurisdiction over fish and wildlife and their habitat

1.7.2 RESPONSIBLE AGENCIES

Responsible agencies are public agencies, other than the lead agency, that are anticipated to have discretionary-approval responsibility for reviewing, carrying out, or approving elements of a project. Responsible agencies should participate in the lead agency's CEQA process, review the lead agency's CEQA document, and use the document when making a decision on project elements. Several agencies may have responsibility for, or jurisdiction over, the implementation of elements of the project. These agencies may include the following:

- ▶ Central Valley Flood Protection Board
- ▶ Regional Water Quality Control Board, Region 5 (Redding)

1.7.3 OTHER INTERESTED AGENCIES

Other agencies that may have an interest in the proposed project include:

- ▶ Butte County
- ▶ California Air Resources Board
- ▶ California Department of Conservation, Division of Land Resource Protection
- ▶ California Department of Food and Agriculture
- ▶ California Department of Forestry and Fire Protection
- ▶ California Department of Health Services
- ▶ California Department of Transportation, District 3
- ▶ California Department of Water Resources
- ▶ Native American Heritage Commission
- ▶ National Oceanic and Atmospheric Association, National Marine Fisheries Service
- ▶ Sacramento River Reclamation District
- ▶ State Office of Historic Preservation
- ▶ State Water Board (formerly known as State Water Resources Control Board), Division of Water Quality
- ▶ U.S. Army Corps of Engineers
- ▶ U.S. Fish and Wildlife Service

1.7.4 PERMITS AND APPROVALS

The following permits and approval actions are likely to be required before implementation of the proposed project:

- ▶ Central Valley Flood Protection Board: Encroachment permit for removal of the existing ~~Sacramento River~~ berms on the Singh Unit and construction and maintenance associated ~~with~~ with the proposed habitat restoration and public access use of the project area recreation facilities.
- ▶ Regional Water Quality Control Board: General Construction Storm Water Permit (Order No. 99-08-DWQ) - Storm Water Pollution Prevention Plan; Waste Discharge Requirements (potentially for low-threat discharges from construction dewatering activities that discharge to surface waters, if necessary).

1.8 DRAFT EIR PUBLIC REVIEW PROCESS

On January 31, 2008, State Parks distributed to public agencies and the general public the Draft EIR pursuant to CEQA for the proposed project. A 45-day public-review period, as required by Section 15105 of the State CEQA Guidelines, was provided on the Draft EIR that ended on March 17, 2008. Thirteen letters providing comments on the document were received. In addition, consistent with Section 15202 of the State CEQA Guidelines, a public hearing was held by State Parks on February 19, 2008 from 6:30 p.m. to 8:30 p.m. at the Bidwell Mansion SHP Visitor Center located at 525 The Esplanade, Chico, CA 95926, during which time agencies and the public were given the opportunity to provide oral and written comments on the Draft EIR.

The Draft EIR and the Park Plan, from which this EIR is tiered, were available for review during the 45-day public-review period at the following locations:

California Department of Parks and Recreation
525 Esplanade
Chico, California 95926
(530) 895-4304

Chico Branch of the Butte County Library
1108 Sherman Avenue
Chico, California 95926

Oroville Branch of the Butte County Library
1820 Mitchell Avenue
Oroville, California 95966

Colusa County Free Library
738 Market Street
Colusa, California 95932

Princeton Branch Library
232 Prince Street
Princeton, California 95970

Tehama County Library
645 Madison Street
Red Bluff, California 96080

Scotty's Landing
12609 River Road
Chico, California 95973

California State Parks Website: <http://www.parks.ca.gov/>

State Parks received thirteen letters providing comments on the Draft EIR in addition to comments received at the Public Hearing. The written and oral comments received on the Draft EIR and the responses to those comments are provided in Chapter 8 of this EIR. All comment letters are reproduced in their entirety and oral comments provided during the public-hearing are summarized. Each comment is followed by a response to the comment, with the focus of the response being on substantive environmental issues.

1.8 — PUBLIC REVIEW PROCESS

~~This DEIR is being circulated for public review and comment for a period of 45 days, from **January 31, 2008** through **March 17, 2008**. During this period, comments from the general public, organizations, and agencies, may be submitted to the lead agency on the DEIR's accuracy and completeness. Comments may be submitted to:~~

~~Denise Reichenberg
Sector Superintendent
California Department of Parks and Recreation Northern Buttes District/Valley Sector
525 Esplanade
Chico, California 95926
(530) 895-4304~~

~~This DEIR and the Park Plan, from which this DEIR is tiered, are available for review at the following locations:~~

~~California Department of Parks and Recreation
525 Esplanade
Chico, California 95926
(530) 895-4304~~

~~Chico Branch of the Butte County Library
1108 Sherman Avenue
Chico, California 95926~~

~~Oroville Branch of the Butte County Library
1820 Mitchell Avenue
Oroville, California 95966~~

~~Colusa County Free Library
738 Market Street
Colusa, California 95932~~

~~Princeton Branch Library
232 Prince Street
Princeton, California 95970~~

~~Tehama County Library
645 Madison Street
Red Bluff, California 96080~~

~~Scotty's Landing
12609 River Road
Chico, California 95973~~

~~California State Parks Website: <http://www.parks.ca.gov/>~~

~~Under the "Public Interest" tab, click on "CEQA Notices"
Click on "CEQA Notices for Northern California Parks"
You will then see the project's CEQA documents listed under "Butte County"~~

~~A public workshop and hearing will be held on the DEIR on **Tuesday February 19, 2008** from **6:30 p.m. to 8:30 p.m.** at the Bidwell Mansion SHP Visitor Center located at 525 The Esplanade, Chico CA 95926.~~

1.9 FINAL EIR ORGANIZATION

This Final EIR includes the entire Draft EIR text and appendices, which have been revised in concert with the responses to comments, which are provided in Chapter 8. Revisions to the EIR text are shown with strikethrough (~~strikethrough~~) text for deletions and underlined (underlined) text for additions. The *Flood Neutral Hydraulic Analysis for the Nicolaus and Singh Properties*, the *Riparian Habitat Restoration Plans* for the Nicolaus property and the Singh Unit, and the *Recreation Facilities Plan* and have been revised in response to comments and the new documents (replaced in their entirety) are provided in Appendices B, C, and D, respectively of this Final EIR. Additionally, the Mitigation Monitoring and Reporting Program has been prepared and is included as Appendix G of this Final EIR.

This ~~DEIR~~ Final EIR is organized as follows:

Chapter 1, "Introduction," summarizes the purpose and scope of the proposed project; and explains the scope and uses of this document.

Chapter 2, "Summary," summarizes the conclusions of the environmental analysis.

Chapter 3, "Description of the Proposed Project," describes the proposed action and project purpose, the related planning and management efforts for the middle Sacramento River, and the proposed project characteristics.

Chapter 4, “Environmental Analysis of the Proposed Project,” describes the local and regional environmental setting, the regulatory background, and the effects of the proposed project for each of the topics listed above under “Scope of the EIR.”

Chapter 5, “Cumulative Impacts,” describes the cumulative impacts of the proposed project.

Chapter 6, “Other CEQA-Required Sections,” discusses growth-inducing effects, significant unavoidable effects on the environment, and irreversible or irretrievable commitments of resources.

Chapter 7, “Alternatives,” describes the alternatives to the proposed project considered in this analysis and the evaluation of the environmental effects of those alternatives.

Chapter 8, “Comments and Responses to Comments on the Draft EIR,” reproduces public comments received on the Draft EIR, including a summary of oral comments from the public hearing held on February 19, 2008, and presents responses to those comments.

Chapter 89, “Agency Roles and Report Preparers,” lists the individuals who prepared this DEIR.

Chapter 109, “References,” lists the sources of information cited throughout this DEIR.

Appendix A, “Project Scoping,” includes the NOP issued for the project, a spreadsheet of comments received, and an explanation of how comments have been addressed in the EIR.

Appendix B, “Hydrologic Analysis,” includes the revised *Hydraulic Analysis for Flood Neutrality on the Nicolaus and Singh Properties, Sacramento River, Mud Creek, and Big Chico Creek* ~~Flood Neutral Hydraulic Analysis for the Nicolaus and Singh Properties, Sacramento River RM 194–195, August 31~~ May 30, 2008.

Appendix C, “Restoration and Management Plans,” including the revised *Riparian Habitat Restoration Plan, Singh Unit, Sacramento River (RM 194), Bidwell Sacramento River State Park* and the revised *Restoration Design and Management Plan, Nicolaus Property, Sacramento River (RM 195)*, ~~September 2007~~ April 2008.

Appendix D, “Recreation Facilities Plans,” including the revised *Singh and Nicolaus Public Access and Recreation Concept Plan*, ~~March 29, 2007~~ June August 2008.

Appendix E, “Cultural Resources Inventory,” including the *Cultural Resources Inventory and Assessment, Singh and Nicolaus Restoration and Public Access Project*, December 2006.

Appendix F, “Air Quality Modeling Data,” including the assumptions, input parameters, and modeling results, December 2007.

Appendix G, “Mitigation Monitoring and Reporting Program,” is the program adopted by State Parks pursuant to Public Resources Code Section 21081.6 to ensure compliance with adopted or required changes to mitigate or avoid significant environmental effects.

1.10 DOCUMENTS INCORPORATED BY REFERENCE

In accordance with State CEQA Guidelines Section 15150 and 15152, the following documents are incorporated by reference into this ~~DEIR~~ Final EIR, and they are available for review at the locations listed below. The CALFED Final PEIS/EIR is incorporated by reference solely for the purpose of providing background information, to demonstrate consistency of this habitat restoration project with the overall CALFED Program, and to provide mitigation guidance.

State Parks (California Department of Parks and Recreation). 2003 (December). Bidwell-Sacramento River State Park Preliminary General Plan and Draft EIR. Prepared by EDAW. Sacramento, CA.

State Parks (California Department of Parks and Recreation). 2005 (October). Bidwell-Sacramento River State Park Recirculated Draft EIR (Agricultural Resources). Prepared by EDAW. Sacramento, CA.

State Parks (California Department of Parks and Recreation). 2006 (January). Bidwell-Sacramento River State Park Comments and Responses to Comments on the Recirculated Draft EIR. Prepared by EDAW. Sacramento, CA.

The Park Plan documents are available for review at the office of the lead agency:

California Department of Parks and Recreation
525 Esplanade
Chico, California 95926
(530) 895-4304

CALFED Bay-Delta Program. 2000 (July). Final Programmatic Environmental Impact Statement and Environmental Impact Report and portions of the Ecosystem Restoration Program Plan. Sacramento, CA.

CALFED Bay-Delta Program. 2000 (August 28). Final Programmatic Environmental Impact Statement and Environmental Impact Report. Programmatic Record of Decision. Sacramento, CA.

The CALFED documents are available for review at:

http://calwater.ca.gov/calfed/library/library_archive_rod.html

1.11 STANDARD TERMINOLOGY

The Final DEIR uses several standard terms as follows:

Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project is the proposed project, which would involve restoration of native riparian habitat and development of recreational facilities on two parcels, the Singh Unit owned by State Parks and the Nicolaus property owned by TNC.

Park Plan refers to the Bidwell-Sacramento River State Park Preliminary General Plan and Draft EIR, the Bidwell-Sacramento River State Park Recirculated Draft EIR (Agricultural Resources), and the Bidwell-Sacramento River State Park Comments and Responses to Comments on the Recirculated Draft EIR, which constitute the Final EIR for the Bidwell-Sacramento River State Park General Plan.

Project site refers to the Singh Unit and the Nicolaus property, proposed for habitat restoration and recreation facilities.

Project area refers collectively to the area affected by the project, including the Singh Unit, the Nicolaus property, portions of the Bidwell-Sacramento River State Park, and adjacent properties.

Study area refers to a geographic area along the Sacramento River that extends between river mile (RM) 194¹ and RM 196.5 as well as the lower three miles of Mud Creek and Big Chico Creek, and generally corresponds to the study area for the hydrological analysis in this DEIR.

Thresholds of significance means criteria that are established by the lead agency to define the level at which an impact would be considered significant. Criteria are defined by a lead agency based on examples found in CEQA

or the State CEQA Guidelines, scientific and factual data relative to the lead agency jurisdiction, views of the public in the affected area, the policy/regulatory environment of affected jurisdictions, or other factors.

No impact means no change from existing conditions.

Beneficial impact means an effect that may enhance or improve an existing environmental condition.

Less-than-significant impact means no substantial adverse change in the physical environment (no mitigation needed).

Potentially significant effect on the environment (or potentially significant impact) means a potential effect that may cause a substantial adverse change in the environment (mitigation is recommended, because potentially significant impacts are treated the same as significant impacts in the CEQA process).

2 SUMMARY

2.1 INTRODUCTION

State Parks has prepared this tiered ~~project-level draft~~ environmental impact report (~~DEIR~~EIR) to provide agencies and the public with information about the potential environmental effects of the proposed Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project (proposed project or project). This ~~DEIR~~EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) (Pub. Res. Code Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15000 et seq.). CEQA defines a “project” as any activity directly undertaken by a public agency that “may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (Pub. Res. Code Section 21065).

This summary is provided in accordance with State CEQA Guidelines Section 15123. As stated in Section 15123(a), “an EIR shall contain a brief summary of the proposed actions and its consequences. The language of the summary should be as clear and simple as reasonably practical.” Pursuant to the State CEQA Guidelines, this section includes: (1) a summary description of proposed project elements, (2) a synopsis of environmental impacts of the proposed project and recommended mitigation measures (in tabular form), (3) identification of the alternatives evaluated and of the environmentally superior alternative, and (4) a discussion of potential areas of controversy associated with the project.

2.2 SUMMARY OF PROPOSED PROJECT ELEMENTS

State Parks, with planning assistance from ~~the~~The Nature Conservancy (TNC), is proposing to implement the project on two parcels known as the Singh Unit and Nicolaus property (collectively known as the project site) along the Sacramento River within and adjacent to Bidwell-Sacramento River State Park (BSRSP or Park), west of the City of Chico in Butte County, California. The Singh Unit is owned by State Parks and located within BSRSP. The Nicolaus property is currently owned by TNC, but would be transferred to State Parks, as part of the proposed project, prior to implementation of habitat restoration activities and recreation facilities development. ~~It is located immediately adjacent to the Indian Fisheries subunit of BSRSP. After transfer of the Nicolaus property to State Parks, the current BSRSP headquarters (located in the Indian Fisheries subunit) would be relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground than the current headquarters location. Both the Singh Unit and Nicolaus property are currently in agricultural production (walnut and/or almond orchards). There is a Williamson Act contract on the Nicolaus property. P; a and the contract will out prior to habitat restoration or recreation facilities development on the Nicolaus property, the contract will either be phased out, amended or a new contract will be executed, which allows for such uses. In the interim, agricultural activities will continue on the Nicolaus property.~~

2.2.1 HABITAT RESTORATION

The first project objective is to restore natural topography and vegetation on the Singh Unit and Nicolaus property. This includes the removal of two human made berms on the Singh Unit; removal of orchards from both properties; ~~the~~ removal of nonnative invasive vegetation, including eucalyptus on the Singh Unit adjacent to River Road; and, restoration of the following natural communities:

- ▶ cottonwood mixed riparian forest,
- ▶ valley oak savannah,
- ▶ mixed riparian forest,
- ▶ valley oak riparian forest, and
- ▶ native grasslands.

The Singh Unit and Nicolaus property present a unique opportunity for habitat restoration because they are located ~~at~~near the confluence of the Sacramento River, Big Chico Creek, and Mud Creek. The protection and restoration of habitat on these two parcels would aid in the recovery of special-status species, rehabilitate natural processes along the river, protect and restore riparian habitat, and improve water quality.

2.2.2 OUTDOOR RECREATION FACILITIES DEVELOPMENT

The second project objective ~~is to develop~~ includes the transfer of ownership of the Nicolaus property from TNC to State Parks and development of outdoor recreation facilities on both the Nicolaus property and the Singh Unit. ~~The Nicolaus property would become part of BSRSP and the Williamson Act contract prior to implementation of habitat restoration activities or outdoor recreation facilities development.~~ The inclusion of the Nicolaus property within BSRSP, and restoration of the Nicolaus property and the Singh Unit, would present an opportunity to enhance and expand the Park's recreational and public access opportunities. Therefore, the project would include the creation of new trails on both properties, aligned to connect with existing and proposed trails and facilities within the Park. It would also result in the construction of new day-use and overnight camping facilities on the Nicolaus property. ~~The Park headquarters would be relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground compared to the current headquarters location.~~ By expanding outdoor recreation facilities and restoring habitat at BSRSP, this project would increase public accessibility to the middle reaches of the Sacramento River, while providing more habitat for riparian and river-dependent wildlife and plant species.

2.3 ENVIRONMENTAL IMPACTS AND RECOMMENDED MITIGATION MEASURES

Table 2-1, "Summary of Impacts and Mitigation Measures" (included at the end of this chapter), provides a summary of the environmental impacts of the proposed project, the level of significance of each impact before mitigation, recommended mitigation measures, and the level of significance of each impact after implementation of the mitigation. As shown in Table 2-1, implementation of the proposed project could result in potentially significant impacts to undocumented or undiscovered prehistoric or historic archaeological resources during project implementation phases. These potential impacts would be mitigated to less than significant levels with implementation of Mitigation Measures 4.5-a and 4.5-b. The proposed project would restore some land used for agriculture to native riparian habitat, effectively removing it from agricultural production; however, this process would be neither irreversible nor cause serious degradation or elimination of the physical or natural conditions that provide the land's values for farming. In addition, the proposed project would provide several environmental benefits: re-establishment of fully functioning riparian ecosystems would benefit sensitive habitats, special-status plants, and wildlife species; restoring natural riparian areas would benefit Sacramento River system fisheries by increasing complexity of the aquatic environment and providing cover, food, and other habitat components. Furthermore, the proposed project would re-establish long-term processes and functions present in natural riparian communities, including the natural formation of soils that gave these lands their original agricultural value. Fully functioning riparian ecosystems are also known to improve groundwater and surface water quality by removing undesirable constituents such as nutrients and pesticides.

2.4 SUMMARY OF ALTERNATIVES

Guiding principles for an analysis of alternatives are provided by the State CEQA Guidelines Section 15126.6. In accordance with the State CEQA Guidelines, this ~~Draft~~ EIR evaluates the following three alternatives:

- ▶ Proposed project
- ▶ No project
- ▶ Passive restoration

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. State CEQA Guidelines Section 15126.6(d)(2) state that if the environmentally superior alternative is the no project alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives. Alternatives considered in this ~~DEIR~~ include the proposed project, the no project alternative, and the passive restoration alternative.

The no project alternative would not meet the project objectives to restore natural topography and vegetation or increase public access and outdoor recreation opportunities at BSRSP and would not provide the biological benefits that would be provided by the other two alternatives.

The proposed project is the environmentally superior alternative of the alternatives considered. Under the proposed project, native species would be planted and actively maintained for 3 years to allow the planted vegetation to become established. The planned maintenance program includes irrigation and weed control to allow root systems to mature to the depth of the water table and to eliminate or control weeds that could interfere with the establishment of native plants. The proposed project would provide the best balance between avoiding environmental impacts and achieving the project objectives. No significant increases in flood risks would result from any of the alternatives considered. Although some impacts associated with the proposed project would be avoided by the passive restoration alternative, those impacts would be reduced to a less-than-significant level under the proposed project with the incorporation of mitigation. In addition, the proposed project would provide greater benefits to biological and recreational resources than the no project or passive restoration alternatives.

2.5 AREAS OF CONTROVERSY

State Parks issued an NOP on August 28, 2007, to inform agencies and the public of the preparation of an EIR on the proposed project. The purpose of the NOP was to solicit comments from public agencies and interested members of the public on issues germane to the proposed project that should be considered in the ~~Draft~~ EIR. State Parks received nine written comments on the NOP. State Parks also held a scoping meeting for the public and agencies on September 19, 2007. Comments were presented by individuals at the public scoping meeting. Appendix A of this ~~Draft~~ EIR contains a copy of the NOP, scoping meeting notes, copies of written comments received, and a summary of how the scoping comments have been addressed in this ~~DEIR~~.

On January 31, 2008, State Parks distributed to public agencies and the general public a Draft EIR pursuant to CEQA for the proposed project. A 45-day public-review period, as required by Section 15105 of the State CEQA Guidelines, was provided on the Draft EIR that ended on March 17, 2008. Thirteen letters providing comments on the document were received. In addition, consistent with Section 15202 of the State CEQA Guidelines, a public hearing was held by State Parks on February 19, 2008, during which time agencies and the public were given the opportunity to provide oral and written comments on the Draft EIR. Chapter 8 of this Final EIR, "Comments and Responses to Comments on the Draft EIR," reproduces the public comments received on the Draft EIR, including a summary of oral comments from the public hearing held on February 19, 2008, and presents responses to those comments.

Implementation of the proposed project would involve re-establishing native riparian habitat on agricultural lands. Whether restoration of riparian habitat on lands that have more recently been in agricultural uses would result in significant environmental impacts has been an issue for discussion by the affected public and state and federal agencies. Additionally, there is a Williamson Act contract on the Nicolaus property and members of the public as well as local agencies raised concern about the potential cancellation of that contract. These issues are discussed in detail in Section 4.2, "Agricultural Resources." ~~In addition, the~~ The effects of re-establishing riparian habitat on the direction and flow pattern of flood events has also been expressed as an issue of concern. This issue is discussed in detail in Section 4.3, "Hydrology, Water Quality, and River Geomorphology," and in Appendix B, "Hydraulic Analysis," which includes the *Hydraulic Analysis for Flood Neutrality on the Nicolaus and Singh Properties, Sacramento River, Mud Creek, and Big Chico Creek* ~~Flood Neutral Hydraulic Analysis for the Nicolaus and Singh Properties, Sacramento River RM 194-195, December 2007~~ May 30, 2008. Comments on the Draft EIR also raised concerns related to the creation of campsites, BSRSP management, human trespass, pests, buffers, and noise. Responses to these comments are provided in Chapter 8 of this EIR. Furthermore, State Parks has revised the project description in response to public and agency concerns and removed the recreational vehicle (RV) campsites from the recreation facilities plans. Please refer to Chapter 3 of this EIR for the revised project description.

**Table 2-1
Summary of Impacts and Mitigation Measures**

Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
4.2 Agricultural Resources and Land Uses			
<p>IMPACT 4.2-a. Change of Land Use from Agricultural Land to Restored Native Riparian Habitat and Developed Recreational Facilities. The proposed project would restore agricultural acreage to native riparian habitat and develop outdoor recreation facilities, effectively removing the land from agricultural production. However, the proposed project would neither be irreversible nor cause serious degradation or elimination of the physical or natural conditions that provide the site’s values for farming. The proposed project would not stop or hinder the agricultural practices that occur on neighboring properties. This impact is considered less than significant.</p>	LTS	No mitigation is required.	
<p>IMPACT 4.2-b. Williamson Act Contract Cancellation-Nonrenewal and Land Use Compatibility. The Singh Unit is not in a Williamson Act contract. However, the Nicolaus property (approximately 146 acres) is currently in a Williamson Act contract. Transfer of ownership of the Nicolaus property from TNC to the State of California (i.e., State Parks) would not require a new Williamson Act contract (pursuant to California Government Code Section 51295). However, prior to the land transfer, State Parks is required to <u>advise the Director of Conservation and Butte County of its intention to locate a public improvement on land under a Williamson Act contract (pursuant to Section 51291). Following the transfer, State Parks is required to make findings pursuant to California Government Code Section 51292 to locate a public improvement on support the cancellation acquisition of the property under a Williamson Act contract for the property. Either TNC (prior to the transfer) or State Parks (following the transfer) would serve written notice of nonrenewal to Butte County, which would stop the automatic renewal of the contract and start the 10-year phase-out of the contract. Either TNC (prior to the transfer) or State Parks (following the transfer) would serve written notice of nonrenewal to DOC and Butte County, which would release State parks from the contract after the ninth year following the year the notice of nonrenewal is submitted. The cancellation nonrenewal would represent a 0.07% decrease in the total acreage under <u>Williamson Act contracts</u> in Butte County (using data from 2005, which is the most recent data available). However, per California Government Code Section 51238.1, the proposed habitat restoration and outdoor</u></p>	LTS	No mitigation is required.	

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

**Table 2-1
Summary of Impacts and Mitigation Measures**

Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
recreational facilities would not significantly compromise the long-term agricultural capability of the Singh Unit and Nicolaus property. In addition, the habitat restoration and recreational facilities proposed are considered compatible with agriculture and therefore would have no significant adverse effects on neighboring farmland production. Therefore, this impact is considered less than significant.			
4.3 Hydrology, Water Quality, and River Geomorphology			
IMPACT 4.3-a. Changes in Flood Hydrology. The proposed project would have the potential to change local and downstream flood hydrology on the Sacramento River by changing vegetation densities and land cover types on the floodplain. Modeling results predicted <u>no increase in flood stage elevation due to the project and a small section of decrease in flood elevation of approximately 0.10 foot near the oak savannah habitat on the Nicolaus property.</u> localized changes in flood stage elevations up to 0.10 foot. This small change does not represent an increase that would not pose a significant risk to people, structures, or the operation of flood control infrastructure and does would not violate existing regulations for risk to flood control infrastructure. Project-related changes in local and downstream flood hydrology would be less than significant.	LTS	No mitigation is required.	
IMPACT 4.3-b. Changes in Geomorphic Processes. Increasing vegetation densities (habitat restoration) and changing land cover types (recreation facility development) on the floodplain would alter water velocities in the existing floodway in the project area, possibly changing sediment transport, channel scouring, and meander migration. Modeling predicts <u>slight increases in velocities around the Nicolaus oak savannah habitat as well as the grasslands on both tracts.</u> <u>Additionally, as a result of the Singh Unit flow-through area requested by neighbors to the north of the Singh Unit, there would be an increase in velocities within and north of the Singh flow-through area.</u> A However, any potential changes in velocities would be too small to substantially affect channel hydraulics or lead to erosive forces that could affect this already dynamic system. The changes in geomorphic processes resulting from restoration activities would be less than significant.	LTS	No mitigation is required.	

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

Table 2-1 Summary of Impacts and Mitigation Measures			
Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
<p>IMPACT 4.3-c. Temporary Effects on Water Quality Associated with Proposed Project Implementation. Implementation of the project would be accomplished through the use of standard agricultural practices (already being used throughout the project area) and construction activities. Restoration activities would include orchard removal, discing, seeding, planting, and temporary herbicide use. Irrigation system modification and expansion would include standard trench and backfill techniques. Development of recreational facilities would include grading and compaction of park roads and parking spaces, and the installation of park trails, buildings, shelters, and restroom facilities. Utilization of standard agricultural practices for restoration implementation would not be expected to cause soil erosion and/or sedimentation of local drainages or the Sacramento River channel. However, potential temporary effects on water quality associated with the construction of recreational facilities could be potentially significant.</p>	PS	<p>Mitigation Measure 4.3-a: Acquire Appropriate Regulatory Permits and Implement SWPPP and BMPs.</p>	LTS
<p>IMPACT 4.3-d. Long-Term Effects on Water Quality and Water Temperature in the Sacramento River. Replacing flood-prone agriculture with restored riparian habitat would decrease pesticide and herbicide applications on land adjacent to the river, thereby increasing water quality. Additionally, restored riparian forests would buffer and filter toxic and organic matter that originate further away from the river, thereby further enhancing water quality. Restoring native riparian habitat would have no discernible effect on water temperature, and may actually have a moderating effect on water temperature over the long-term. The development of recreational facilities would involve the conversion of orchards to roads, campgrounds, trails, and other facilities; which would increase human uses and potentially result in the degradation of runoff water quality from the project site. However, human uses of these areas would generally be low-intensity and facilities would be managed to minimize potential water quality effects. This impact would be less than significant.</p>	LTS	No mitigation is required.	

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

**Table 2-1
Summary of Impacts and Mitigation Measures**

Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
<p>IMPACT 4.3-e. Change in Water Demand and Available Water Supply. Over the long term, the proposed project would result in a decrease in the use of groundwater. The conversion of orchards to native vegetation would require less water for irrigation; especially after planted vegetation has become established. <u>an existing domestic groundwater well</u> One would remain in-use to provide water for recreational facilities; however, there would be a The net decrease in water demand/ use compared to existing conditions. This decrease in water demand is considered a beneficial effect.</p>	B	No mitigation is required.	
4.4 Biological Resources			
<p>IMPACT 4.4-a. Change in Habitat Conditions. Implementation of the proposed project would involve restoration of native Sacramento River riparian habitat on land that has been actively cultivated. It would not result in the loss or disturbance of native habitats or special-status plant species because these resources are not present in areas that would be disturbed during restoration activities. Restoration of native habitat would, in fact, have a long-term beneficial effect to native vegetation and associated plant species.</p>	B	No mitigation is required.	
<p>IMPACT 4.4-b. Introduction and Spread of Invasive Plants (Weeds). Implementation of the proposed project would involve initial ground clearing and an eventual reduction in the active management and control of nonnative invasive plants from the present level associated with agricultural activities on the project site. The restoration plans for both the Singh Unit and the Nicolaus property have specific measures for the control of nonnative invasive plant species. Therefore, the potential for project implementation to increase the risk of spreading nonnative invasive plant species into adjacent existing native habitats is low. The potential introduction and spread of nonnative invasive plants would be a less-than-significant impact.</p>	LTS	No mitigation is required.	
<p>IMPACT 4.4-c. Potential Effects to Wildlife. Implementation of the proposed project would result in an overall benefit to wildlife. Approximately 1506 acres would be restored from cultivated orchard to native riparian habitat, which supports a greater diversity and abundance of wildlife, including many special-status species.</p>	B	No mitigation is required.	

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

**Table 2-1
Summary of Impacts and Mitigation Measures**

Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
<p>IMPACT 4.4-d. Potential Effects to Valley Elderberry Longhorn Beetles. No elderberry shrubs would be directly affected by habitat restoration activities or recreation facilities construction, because these activities would be restricted to areas that have long been subject to high levels of disturbance from agricultural activities and do not support any elderberry shrubs. In addition, the restoration plans do not include planting elderberry shrubs. However, elderberry shrubs that could support valley elderberry longhorn beetle are likely to occur adjacent to the project site. Therefore, focused surveys for elderberry shrubs would be conducted on land within 100 feet of the project site prior to construction. If any elderberry shrubs with 1.0 inch or greater stem diameter are found, USFWS conservation guidelines for valley elderberry longhorn beetles would be followed. Therefore, the proposed project would result in a less than significant impact to valley elderberry longhorn beetles.</p>	LTS	No mitigation is required.	
<p>IMPACT 4.4-e. Implementation of the proposed project could result in a potentially significant construction-related loss and/or disturbance of birds and bats nesting or roosting in or near the project site.</p>	PS	<p>Mitigation Measure 4.4-e: Avoidance of Disturbance to Nesting Migratory Birds and Roosting Bats.</p> <p>Mitigation Measure 4.4-e: Avoidance of Disturbance to Nesting Raptors and Special-status Birds.</p>	B
<p>IMPACT 4.4-f. Potential Effects to Fisheries. Implementation of the proposed project would not result in loss or disturbance of fish habitat or special-status fish because these resources are not present in areas that would be disturbed during restoration activities. The creation of recreational facilities would involve construction activities and increased visitation of the project area; however, this potential impact would be minimized with implementation of a storm water pollution prevention plan and therefore would not result in significant impacts to the Sacramento River fisheries. Restoration of riparian habitat would be expected to have a long-term beneficial effect to fish.</p>	B	No mitigation is required.	

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

**Table 2-1
Summary of Impacts and Mitigation Measures**

Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
4.5 Cultural Resources			
IMPACT 4.5-a. Potential Disturbances to Undocumented Cultural Resources. Implementation of the project, including site preparation, planting, and recreation facilities development, may affect currently undiscovered or unrecorded archaeological sites. The possibility of disturbing unrecorded resources is considered a potentially significant impact.	PS	Mitigation Measure 4.5-a: If unrecorded cultural resources are encountered during project-related ground-disturbing activities, a qualified cultural resources specialist shall be contacted to assess the potential significance of the find.	LTS
IMPACT 4.5-b. Potential Disturbances to Undocumented Human Remains. Currently undiscovered human remains may be uncovered during proposed project activities. The possibility of disturbing human remains is considered a potentially significant impact.	PS	Mitigation Measure 4.5-b: Stop potentially damaging work if human remains are uncovered during project-related ground-disturbing activities, assess the significance of the find, and pursue appropriate management.	LTS
4.6. Air Quality and Climate Change			
IMPACT 4.6-a. Generation of Short-Term Restoration- and Construction-Related Emissions of Criteria Air Pollutants and Precursors. Project-generated, restoration-related emissions levels of criteria air pollutants and precursors would not be substantially different from those currently generated by existing on-site orchard operations. However, emissions of ROG and PM ₁₀ associated with the construction of the campground and new relocation of the park headquarters would exceed associated BCAQMD trigger levels for incorporating applicable recommended emission reduction measures. Because applicable BCAQMD-recommended mitigation measures are not currently incorporated into the project description, this impact would be significant.	S	Mitigation Measure 4.6-a: Implement Measures to Reduce Short-Term Restoration- and Construction Emissions of ROG, NO _x , and PM ₁₀ .	LTS

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

Table 2-1 Summary of Impacts and Mitigation Measures			
Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
<p>IMPACT 4.6-b. Generation of Long-Term Operation-Related (Regional) Emissions of Criteria Air Pollutants and Precursor Emissions. Operation of the proposed campgrounds, relocated headquarters, and new day-use facilities would result in project-generated emissions of PM₁₀ that exceed BCAQMD’s “Level B” trigger level of 80 lb/day and emissions of ROG that exceed BCAQMD’s “Level C” action-level threshold of 137 lb/day (refer to Table 4.6-5). Thus, project-generated, operation-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations, especially considering the nonattainment status of Butte County. In addition, project-generated emissions could also conflict with air quality planning efforts. As a result, this would be a significant impact.</p>	S	<p>Mitigation Measure 4.6-b. Prohibit campfires during burn bans established by Cal Fire CAL FIRE and/or BCAQMD’s “Don’t Light Tonight” Advisory Program.</p>	LTS
<p>IMPACT 4.6-c. Local Mobile-Source Carbon Monoxide Emissions. The proposed project would not result in, or contribute to, congestion on nearby roadways or at nearby intersections and, as such, would not result in or contribute to CO concentrations that exceed the California 1-hour CO ambient air quality standard of 20 parts per million (ppm) or the 8-hour CO ambient air quality standard of 9 ppm. As a result, this would be considered a less-than-significant impact.</p>	LTS	No mitigation is required.	
<p>IMPACT 4.6-d. Odor Emissions. Odorous diesel exhaust emissions from on-site construction and restoration equipment would be temporary and intermittent in nature and dissipate rapidly from the source. Also, the proposed project would not include the long-term operation of an odorous emission source. Odorous emissions may occur when the RV dump station is serviced (i.e., biosolids removed); however, pumping of the RV dump station would be performed on an infrequent basis and the dump station would not be located in close proximity to off-site sensitive receptors. Thus, the project would not create objectionable odors affecting a substantial number of people. This impact would be less than significant.</p>	LTS	No mitigation is required.	

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

**Table 2-1
Summary of Impacts and Mitigation Measures**

Impact	Level of Significance Before Mitigation*	Mitigation Measure	Level of Significance After Mitigation
IMPACT 4.6-e. Toxic Air Contaminant Emissions. The proposed project would not be a source of toxic air contaminant emissions (TACs), and there are no sources of TAC emissions near the project site; therefore, the project would not result in the exposure of sensitive receptors to TAC emissions that exceed recommended thresholds. This would be considered a less-than-significant impact.	LTS	No mitigation is required.	
IMPACT 4.6-f. Greenhouse Gas Emissions. While the project could potentially result in a net increase or decrease in GHG emissions, the size of the change would be considered nominal. Nonetheless, if the project contributed a net increase in GHG emissions, the amount would be less than considerable. This impact would be less than significant.	LTS	No mitigation is required.	
5. Cumulative Impacts			
Agricultural Resources—no cumulatively significant impacts	LTS	No mitigation is required.	
Hydrology, Water Quality, and River Geomorphology—no cumulatively significant impacts	LTS	No mitigation is required.	
Biological Resources—cumulative effects would be beneficial	B	No mitigation is required.	
Cultural Resources—no cumulatively significant impacts	LTS	No mitigation is required.	

*_B = Beneficial Impact

LTS = Less-than-Significant Impact

PS = Potentially Significant Impact

3 DESCRIPTION OF THE PROPOSED PROJECT

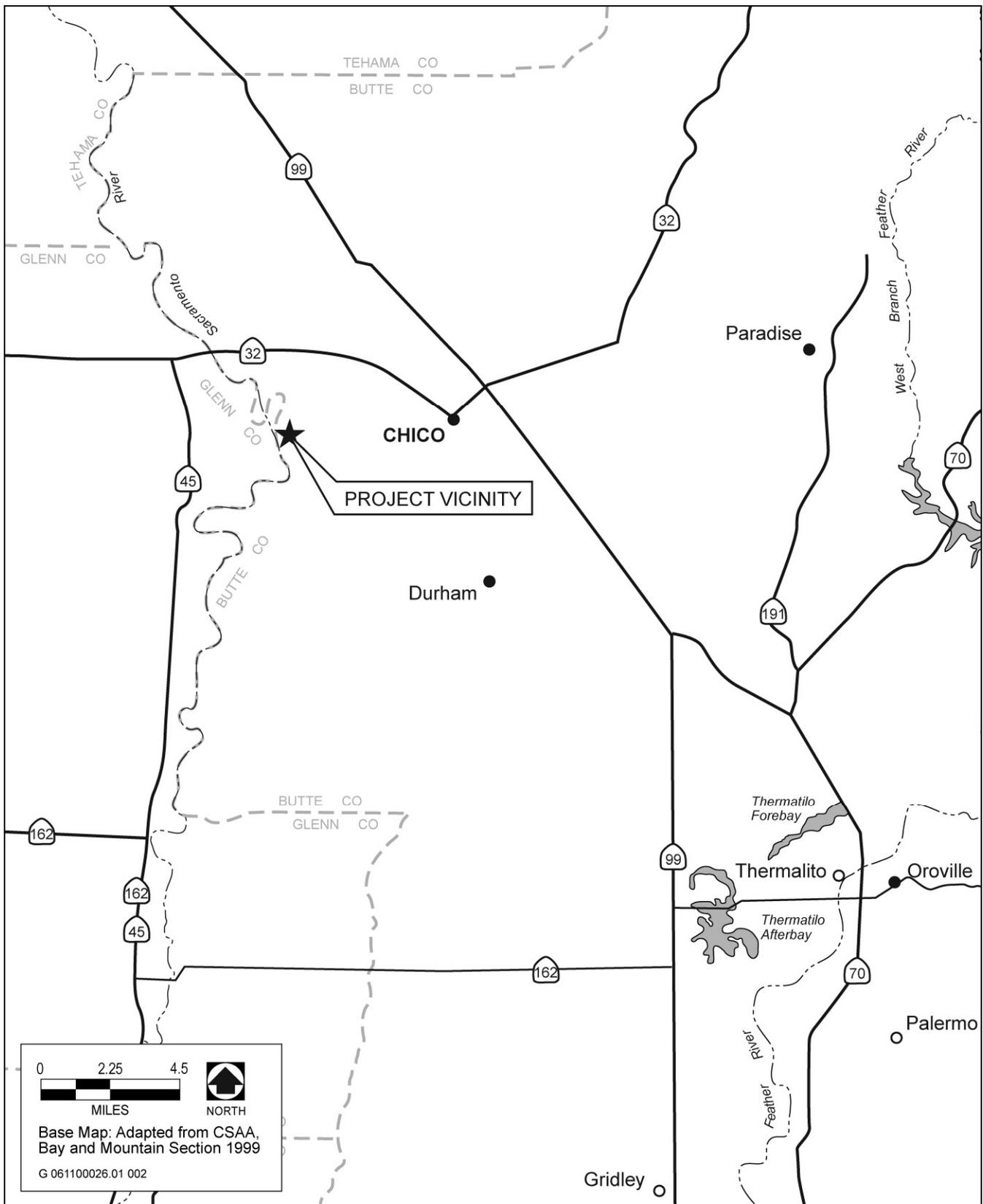
3.1 PROJECT OVERVIEW

3.1.1 PROJECT BACKGROUND AND PURPOSE

The California Department of Parks and Recreation (State Parks), with planning assistance from the Nature Conservancy (TNC), is proposing to implement a habitat restoration and outdoor recreation facility development project on two parcels known as the Singh Unit and Nicolaus property (collectively known as the project site) along the Sacramento River within and adjacent to Bidwell-Sacramento River State Park (BSRSP or Park), west of the City of Chico in Butte County, California (Exhibit 3-1). The Singh Unit is owned by State Parks and located within BSRSP. The Nicolaus property is currently owned by TNC, but would be transferred to State Parks, as part of the proposed project, prior to implementation of habitat restoration activities and recreation facilities development. It's located immediately adjacent to the Indian Fisheries subunit of BSRSP. After transfer of the Nicolaus property to State Parks, the current BSRSP headquarters (located in the Indian Fisheries subunit) would be relocated to the existing farm complex on the Nicolaus property, which is on higher, less frequently flooded ground than the current headquarters location. Both the Singh Unit and Nicolaus property are currently in agricultural production (walnut and/or almond orchards). There is a Williamson Act contract on the Nicolaus property. Prior to habitat restoration or recreation facilities development on the Nicolaus property, the contract will either be phased out, amended or a new contract will be executed, which allows for such uses.

The Singh Unit and Nicolaus property present a unique opportunity for habitat restoration because they are located ~~near~~ at the confluence of the Sacramento River, Big Chico Creek, and Mud Creek (Exhibit 3-2). The protection and restoration of habitat on these two parcels would aid in the recovery of special-status species, rehabilitate natural river processes, protect and restore riparian habitat, and improve water quality. The primary terrestrial and avian wildlife special-status species that would benefit from restoration of the project site include western yellow-billed cuckoo, Swainson's hawk, Cooper's hawk, and valley elderberry longhorn beetle. Several special-status fish species, including Chinook salmon, green sturgeon, and steelhead trout, would also benefit. The proposed project would add approximately 1506 acres of restored riparian habitat to the existing 2,887 acres of protected and restored habitat along the Sacramento River between river mile (RM) 199 and RM 193.

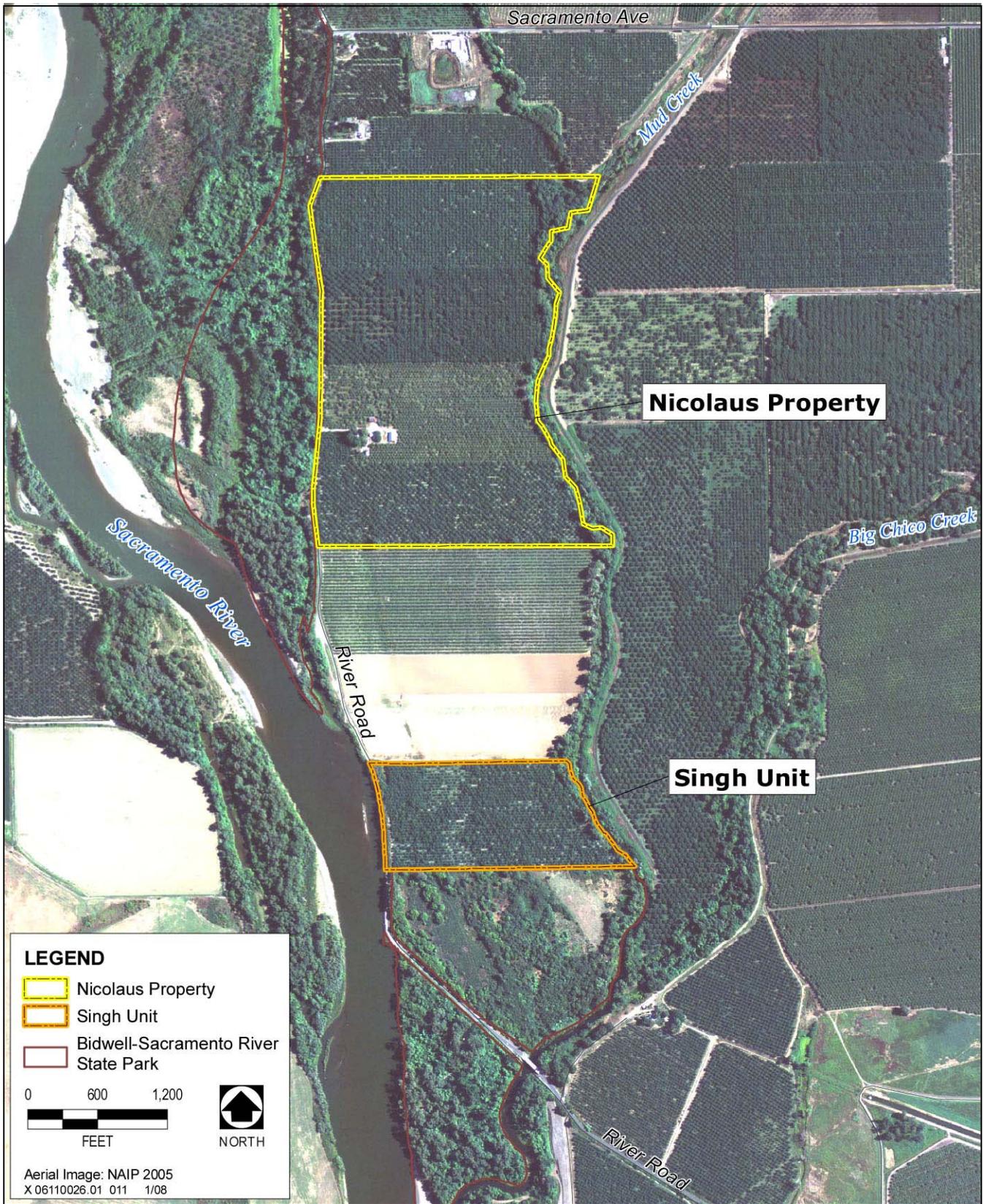
The project would include the transfer of ownership of the Nicolaus property from TNC to State Parks. The Nicolaus property would become part of BSRSP. Prior to implementation of habitat restoration activities or outdoor recreation facilities development, the contract will either be phased out, amended or a new contract will be executed, which allows for such uses. The inclusion of the Nicolaus property within BSRSP, and restoration of the Nicolaus property and the Singh Unit, would present an opportunity to enhance and expand the Park's recreational and public access opportunities through new and expanded trails, new day and overnight facilities, and visitor-service enhancement. ~~It would also enable more efficient siting of Park headquarters facilities.~~ Therefore, in conjunction with restoration activities, the proposed project includes creation and expansion of public outdoor recreation facilities. New trails would be created on both properties that would be aligned to connect with existing and proposed trails and facilities within the Park; and new day-use and overnight camping facilities would be constructed; and the Park headquarters would be relocated to the existing farm buildings on the Nicolaus property, which is on higher, less frequently flooded ground compared to the current headquarters location. By expanding outdoor recreation facilities and restoring habitat at BSRSP, this project would increase public accessibility and opportunities to the middle reaches of the Sacramento River, while providing more habitat for riparian and river-dependent wildlife and plant species.



Source: Data compiled by EDAW 2007

Project Vicinity Map

Exhibit 3-1



Source: Data compiled by EDAW 2007

Aerial Photograph of the Project Site

Exhibit 3-2

3.1.2 PROJECT OBJECTIVES

HABITAT RESTORATION

The first project objective is to restore natural topography and vegetation on the Singh Unit and Nicolaus property. This includes the removal of two human made berms on the Singh Unit; removal of orchards from both the properties; removal of non-native vegetation, including eucalyptus on the Singh Unit adjacent to River Road; and, restoration of the following natural communities on both parcels: cottonwood riparian forest, valley oak savannah, valley oak forest, mixed riparian forest, native grassland, and valley oak riparian forest. The restoration activities proposed for this project have four central objectives, which are aligned with the California Bay-Delta Authority's Ecosystem Restoration Program (ERP) Goals:

1. Improve the ecological health and long-term viability of at-risk species and communities at a critical confluence area by protecting and restoring riparian habitat and rehabilitating floodplain processes through horticultural and process-based restoration (ERP Goal 1).
2. Increase knowledge of ecosystem function and employ adaptive management to improve the ability to engineer "desired future conditions" for riparian restoration projects that focus on lowland tributary confluence areas (ERP Goal 2).
3. Reduce flood damage to important human infrastructure by increasing the storage of floodwaters in the project area (ERP Goal 4).
4. Improve water quality to benefit humans and wildlife through the restoration of riparian vegetation communities, and geomorphic and hydrologic processes (ERP Goal 6).

OUTDOOR RECREATION FACILITIES DEVELOPMENT

The second project objective is to increase public access and outdoor recreation opportunities at BSRSP. The outdoor recreation facilities development component of this project has ~~four~~three key objectives:

- ▶ Develop potential new outdoor recreational use opportunities (day-use and overnight camping).
- ~~▶ Relocate the BSRSP headquarters and maintenance area to the existing Nicolaus property farm buildings and surrounding site where frequency of flooding is decreased.~~
- ▶ Convert the abandoned BSRSP headquarters and maintenance area to a trailhead with parking, picnic facilities, restrooms and interpretive signs.
- ▶ Install trails that connect to existing and proposed trails in the BSRSP's Indian Fisheries Subunit, Big Chico Creek Riparian Area Subunit, and the Department of Fish and Game's (DFG) Pine Creek Unit at Allinger Ranch.

3.1.3 INNER RIVER ZONE OF THE MIDDLE SACRAMENTO RIVER

The Singh Unit and Nicolaus property are located within the inner river zone of the Sacramento River Conservation Area¹ (SRCA), on lands identified by the U.S. Fish and Wildlife Service (USFWS) in the *Final Environmental Assessment for Proposed Restoration Activities on the Sacramento River National Wildlife Refuge* (USFWS 2002) as having high potential for restoration of native riparian habitat that would benefit fish, wildlife and plant species dependent on a naturally functioning riverine ecosystem. The inner river zone stretches from Red Bluff to Colusa and is defined as the 150-year meander zone of the Sacramento River, or the location in which the river has meandered within the last 100 years and is predicted to meander over the next 50 years.

¹ The Sacramento River Conservation Area is defined as the 213,000 acre area along the banks of the Sacramento River between Keswick Dam and Verona where there is the potential for riparian habitat or valley oak woodland through voluntary participation.

Most of the properties within this zone also lie within the 2 ½ to 4-year flood recurrence interval zone of the river, which means that they have a 40 to 25 percent chance of flooding each year, generally in winter or spring (based on aerial photograph-interpreted flood recurrence intervals generated by the California Department of Water Resources [DWR]). The inner river zone guideline defines, for the most part, the SRCA planning boundary used by state and federal agencies, and private entities to restore and enhance natural riparian habitats and functions along the Sacramento River (SRCA Forum 2003). The suitable hydrology, soils, and presence of protected native riparian habitat within the inner river zone contribute to the suitability of the proposed project site for restoration of riparian habitat that was historically extensive along the middle Sacramento River.

3.1.4 IMPORTANCE OF RIPARIAN HABITAT

Over 225 species of birds, mammals, reptiles, and amphibians in California depend on riparian habitats for nesting, foraging, dispersal corridors, and migration stop-over sites. Riparian vegetation supplies instream habitat important for fish, semi-aquatic reptiles and amphibians, and aquatic insects (Riparian Habitat Joint Venture 2004). It is also critical to the quality of instream habitat and aquatic life, providing shade, food, and nutrients that form the basis of the food chain (Jensen et al. 1993, cited in RHJV 2004). Riparian habitats may be the most important habitat for land bird species in California (Manley and Davidson 1993, cited in RHJV 2004). Despite their importance, riparian habitats have been decimated over the past 150 years as a consequence of reservoir construction, levee and channelization projects, livestock grazing, timber harvest, water pollution, introduction of nonnative plant species, gravel and gold mining, and clearing for agricultural, residential, and industrial uses (Knopf et al. 1998, cited in RHJV 2004). Today, depending on the bioregion, riparian habitat covers 2% to 15% of its historic range in California (Katibah 1984 and Dawdy 1989, cited in RHJV 2004).

3.2 PROPOSED PROJECT PARCELS AND LOCATIONS

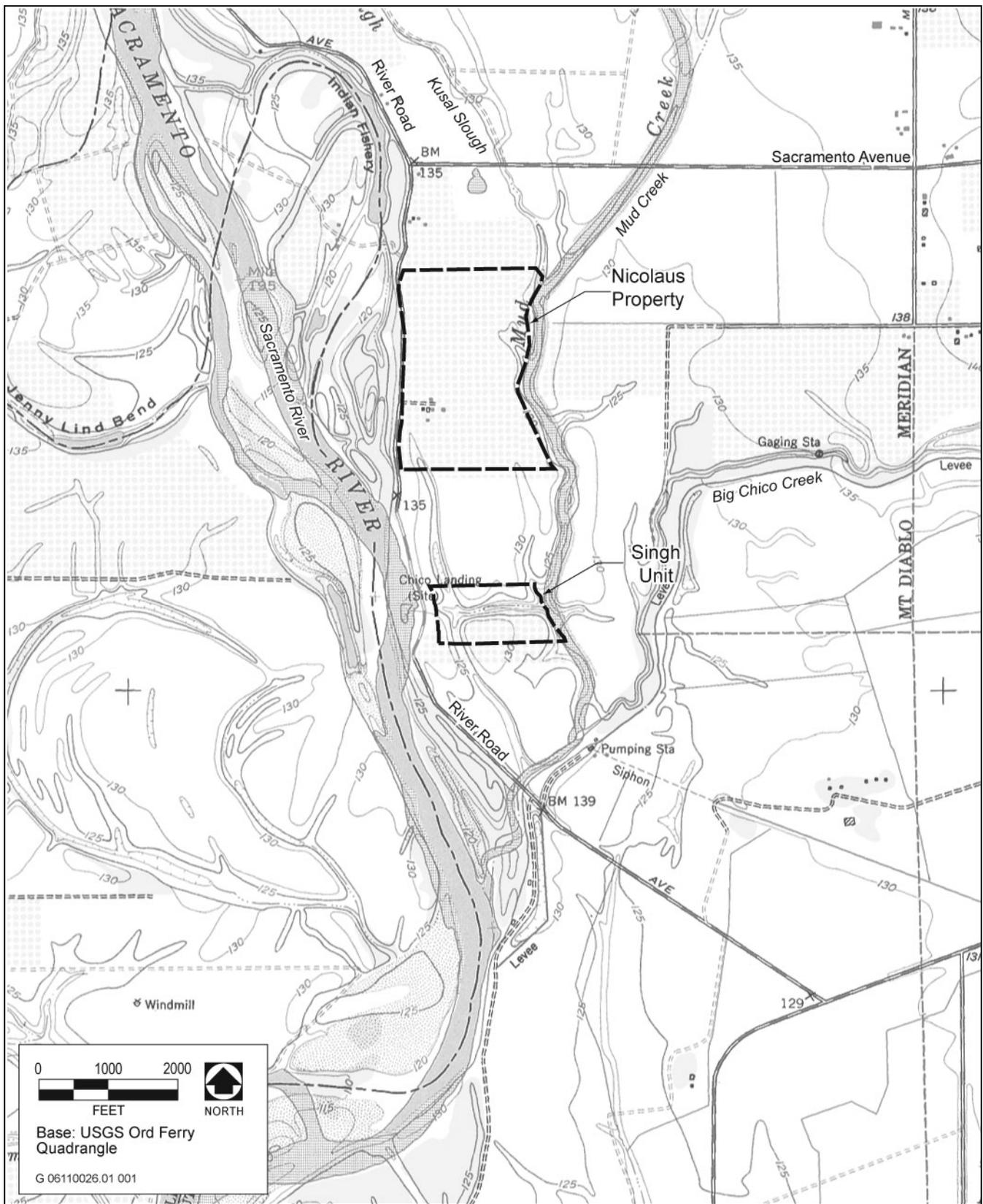
The project site includes the Singh Unit and Nicolaus property. These two non-contiguous parcels are depicted on the USGS Ord Ferry, California USGS 7.5 minute topographic map, within unsurveyed portions of Township 22 North, Range 1 West (Exhibit 3-3). The project site, located along the east bank of the Sacramento River, is adjacent to Mud Creek just upstream of the confluences of Big Chico Creek and Mud Creek and of Big Chico Creek and the Sacramento River. Because the Singh Unit and Nicolaus property are or would become part of BSRSP, respectively, and because potential future public access and recreation elements would be designed to connect to other Park subunits, a summary description of the Park is also provided below.

3.2.1 SINGH UNIT

This approximately 43-acre parcel is a recent addition to the Big Chico Creek Riparian subunit of the BSRSP. The parcel is located along the east bank of the Sacramento River at river mile 194 and bordered on the north by privately owned agricultural land, on the west by River Road, on the east by Mud Creek, and on the south by the Big Chico Creek Riparian Area subunit of BSRSP. The parcel is approximately one-half mile north of the confluence of Big Chico Creek and the Sacramento River and is located in the 1- to 2½-year estimated flood recurrence interval. The unit has historic channel topography and existing shaded riverine aquatic habitat along Mud Creek. Berms constructed from sediment deposited from floods and scraped from the orchard surface are present on the eastern boundary and the southwest corner of the parcel. Approximately 34 acres of the unit are planted in walnuts, ranging in age from one-year replants to ten-year old trees. There is one agricultural ground water well at this site (current capacity of approximately 500 gallons per minute) and a row of non-native eucalyptus trees located along River Road, within the right of way of Butte County, just outside the west boundary of the parcel.

3.2.2 NICOLAUS PROPERTY

This approximately 146-acre parcel is adjacent to BSRSP, located along the east bank of the Sacramento River at river mile 195. It is immediately east of River Road and approximately two miles north of the confluence of Big Chico Creek and the Sacramento River and is located in the 1- to 2½-year estimated flood recurrence interval.



Source: Data compiled by EDAW 2007

USGS 7.5 Minute Topographic Map of Project Site

Exhibit 3-3

The parcel is bordered by River Road on the west, Mud Creek on the east, and privately owned agricultural land to the south and to the north. The parcel has historic channel topography and existing shaded riverine aquatic habitat along Mud Creek. Approximately 104 acres of the parcel are planted in walnuts, ranging in age from 6-year old trees to 11-year old trees. The parcel also contains a 32-acre almond orchard, planted approximately 10 years ago. The parcel includes an agricultural building complex consisting of a residence, two sheds, and a barn. There are five groundwater wells on the Nicolaus property. Four of the wells are intended for agricultural use; however, only one of the agricultural wells (located in the north-central part of the property) is used to water the entire orchard. This well has a current capacity of approximately 1,800-2,000 gallons per minute (Luster 2007). The other three agricultural wells are drilled and cased and could be functional, although they do not currently have pumps or motors. The fifth well is the existing domestic water source, with a capacity of approximately 25 gallons per minute, which is located adjacent to the existing farm house. The complex also includes a 200-gallon diesel fuel tank that would be removed as part of this project.

3.2.3 BIDWELL-SACRAMENTO RIVER STATE PARK

The Park consists of four non-contiguous subunits totaling approximately 315 acres that straddle the Sacramento River between State Route 32 (SR 32) and the mouth of Big Chico Creek (Exhibit 3-4). The Irvine Finch River Access area is located on the west side of the river in Glenn County, while the Pine Creek Landing, Indian Fishery, and Big Chico Creek Riparian Area subunits are situated east of the River in Butte County. Each subunit is characterized by unique land use environments, as described in Table 3-1. The Big Chico Creek Riparian Area includes and is located directly south of the Singh Unit, and the Indian Fishery subunit is located directly west of the Nicolaus property.

Table 3-1 BSRSP Land Uses		
Subunit	Size (acres)	Existing Land Use & Activities
Irvine Finch River Access (including the Beard Addition)	25.2	▶ Developed recreation (boat launch that facilitates motor-boating, kayaking, canoeing, tubing, and fishing; picnicking; and en-route camping)
Pine Creek Landing	4.8	▶ Developed recreation (boat launch that facilitates motor-boating, kayaking, canoeing and fishing, and picnicking); ▶ Dispersed recreation (nature viewing); ▶ Interpretation (interpretive panel)
Indian Fishery (including Brayton Addition)	145.7	▶ Developed recreation (picnicking); ▶ Dispersed recreation (trail use, nature viewing, hiking, and bank fishing); ▶ Interpretation and education (trail with interpretive/educational stations, local school group visits) ▶ Park administration
Big Chico Creek Riparian Area (including the Singh Unit)	139.7	▶ Developed recreation (small boat launch that facilitates kayaking, canoeing and fishing, and picnicking); ▶ Dispersed recreation (bank fishing, trail use, nature viewing, and sunbathing); ▶ Conservation/restoration ▶ Walnut orchard
Total	315.4	--
acres		
Source: California Department of Parks and Recreation (State Parks) 2003, EDAW 2008, EDAW 2007		

The Park is characterized by lush valley oak riparian woodland and other riparian communities, including unique ecological associations. The Park's various communities provide habitat to several special-status species, including western yellow-billed cuckoo, Swainson's hawk, and valley elderberry longhorn beetle, Chinook salmon, green sturgeon, and steelhead trout. In addition to its natural resources, the Park provides opportunities for river-oriented recreation. Recreational opportunities range from nature study, walking, fishing, picnicking, camping, and biking to paddling, floating, and motorized boating along the Sacramento River and its tributaries.

3.2.4 PROJECT SITE ACCESS

Access to the Singh Unit and Nicolaus property is provided by River Road, a two-lane rural road, maintained by Butte County, which runs in a north-south alignment along properties located on the eastern banks of the Sacramento River and its tributaries. West Sacramento Avenue, a two-lane rural road maintained by Butte County, intersects with River Road, thereby linking the downtown Chico area to the Singh Unit, Nicolaus property, and BSRSP. In addition, Chico River Road, a two-lane rural road maintained by Butte County, does not provide direct access to the project site, but is one of the primary roadways that provide access to River Road from Chico (Exhibit 3-5).

3.3 RELATED PLANNING AND MANAGEMENT EFFORTS, RELATED PROJECTS, AND CONFORMANCE WITH EXISTING PROGRAMS

Ecosystems of the Sacramento River have been the subject of study and investigation for over 20 years as scientists, resource agency representatives, and elected officials have considered methods for the protection of riverine resources that also incorporate plans related to flood damage reduction, recreation, and agricultural uses. Complex planning and funding efforts by various agencies and other groups have contributed to the gradual implementation of projects to conserve and restore riparian habitat along the middle Sacramento River system between Red Bluff and Colusa.

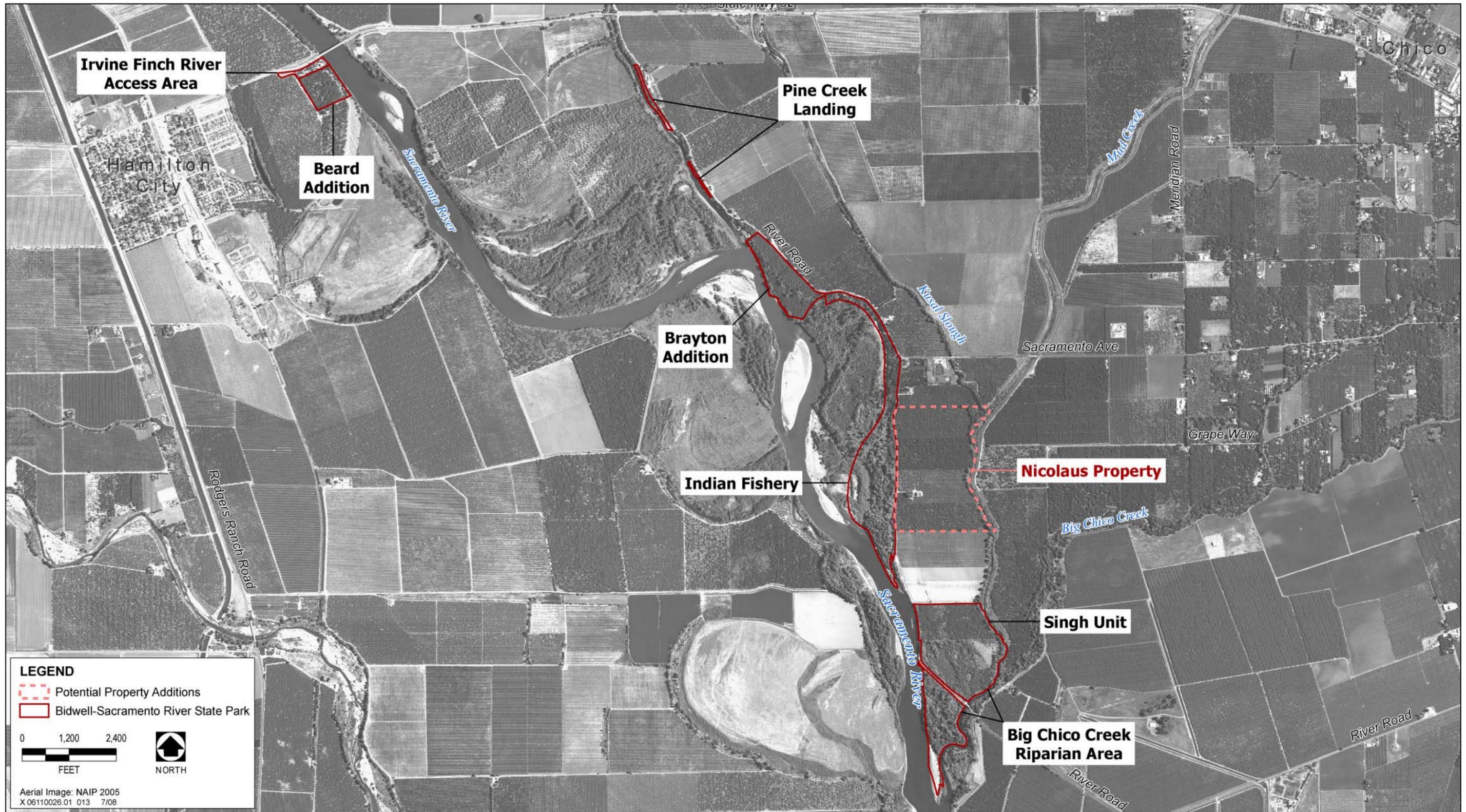
The middle Sacramento River is subject to complex public and private ownership patterns, and consequently, diverse planning and management systems. Exhibit 3-6 shows public and non-profit land ownership in the project area. Public landowners in the vicinity of the project include State Parks, DFG, USFWS, and the Reclamation Board. Other properties are held by TNC, a non-profit organization that purchases and transfers properties into public ownership once they have been restored to natural conditions. Private lands along the middle Sacramento River are primarily used for agriculture, including orchards, row crops, and pasture.

3.3.1 LOCAL AND REGIONAL CONSERVATION PLANNING

BIDWELL-SACRAMENTO RIVER STATE PARK GENERAL PLAN

The General Plan and EIR (Park Plan) for the Bidwell-Sacramento River State Park were completed in 2006, and reflects State Parks' dual mandates as the steward of sensitive ecological resources and the provider of recreation opportunities (State Parks 2003, 2006). As described in Section 1.3 of this DEIR, the proposed project is consistent with and implements a wide range of Park Plan goals. The protection and restoration of natural and cultural resources are key components of the Park Plan. The Park Plan allows for additional biological habitat restoration and water quality protection; preserves scenic and cultural resources; and calls for facility developments and improvements in response to local and regional demand, yet with consideration given to physical and environmental constraints.

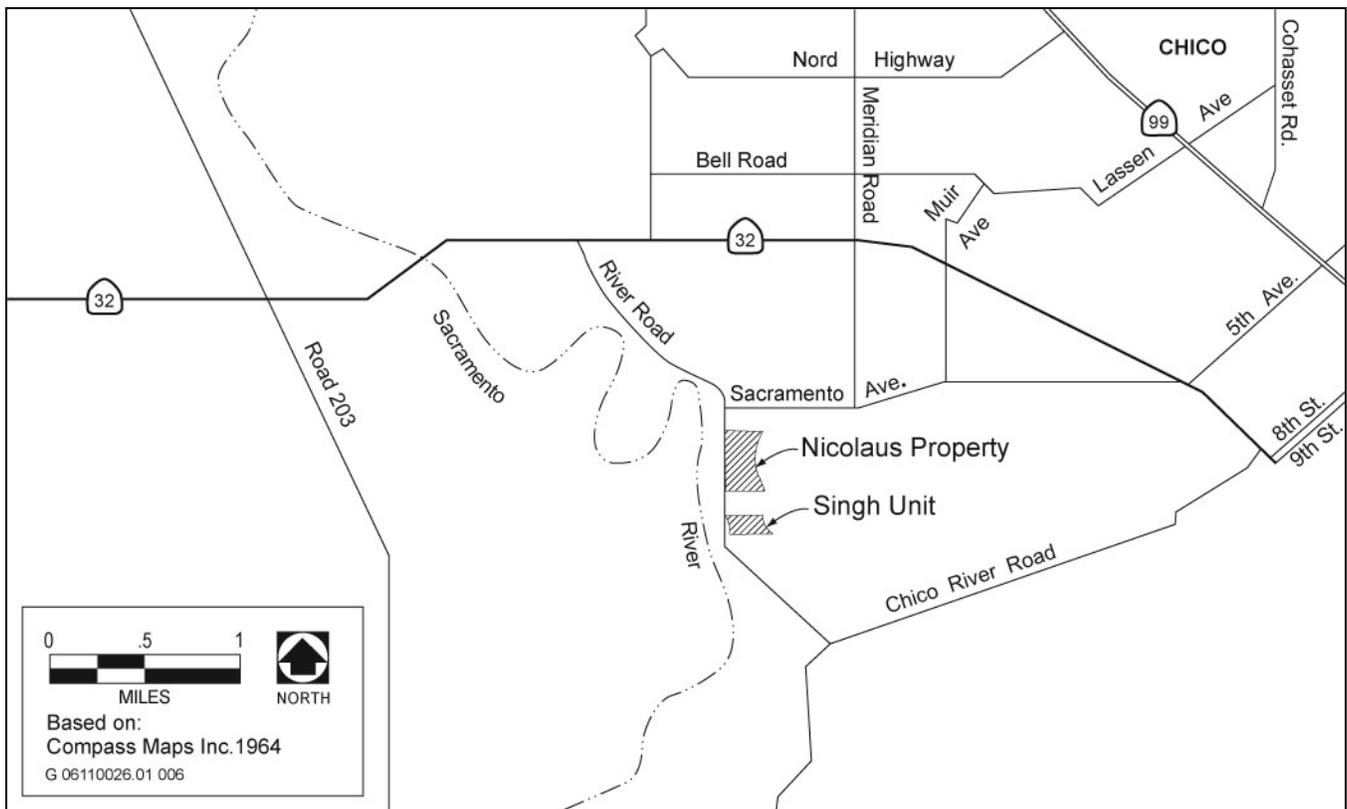
The Park Plan also addresses key planning issues that have been identified during the planning process. These issues include definition of a purpose and vision for the Park; resource protection and management; recreational opportunity/visitor service enhancement; interpretation; facility development; operational improvements; and property acquisition/park expansion. The following list summarizes potential facilities and developments identified in the Park Plan that are relevant to proposed project and this EIR:



Source: Data compiled by EDAW 2007

BSRSP Subunits

Exhibit 3-4



Source: Data compiled by EDAW 2007

Project Site Access Map

Exhibit 3-5

- ▶ New overnight campground, including family and group campsites.
- ▶ New day-use areas.
- ▶ Ongoing operation and use of existing day-use areas.
- ▶ Relocation of existing administrative center to a more centralized location.
- ▶ New day-use area at the location of the existing administrative center.
- ▶ New visitor center that could serve multiple public land managers.
- ▶ Potential for new multi-agency loop trails and associated trailheads.

SACRAMENTO RIVER CONSERVATION AREA

In 1986, the California State Legislature passed Senate Bill 1086, which calls for the development of a management plan for the Sacramento River and its tributaries to protect, restore, and enhance fisheries and riparian habitat. The result of this effort was the Upper Sacramento River Fisheries and Riparian Habitat Management Plan published by the State of California Resources Agency in 1989. This management plan addresses a 222-mile stretch of the Sacramento River from Keswick Dam (in the north) to Verona (in the south), which is called the SRCA. The goal of the SRCA is to “preserve remaining riparian habitat and reestablish a continuous riparian ecosystem along the Sacramento River between Redding and Chico and reestablish riparian vegetation along the river from Chico to Verona.” The Sacramento River Conservation Area Forum (SRCAF) is a group of local, state, federal, and private organizations that help implement the actions necessary to achieve the goal of the SRCA. The guiding principals for the SRCA include: ecosystem management, flood management, voluntary participation, local concerns, bank protection, and information and education. The project site is located within the SRCA; therefore, planning for the project needs to consider the management strategies developed for the SRCA.

TNC, in conjunction with the USFWS, the California Wildlife Conservation Board, and DFG, commissioned a study conducted in 2003 to assess existing and potential public recreation uses, access needs, and opportunities along a 100-mile stretch of the Sacramento River between Red Bluff and Colusa. The goals of the Sacramento River Public Recreation Access Study (EDAW 2003) were: (1) to identify and characterize existing public access opportunities and needs associated with public recreation facilities and infrastructure throughout the study area, and (2) to identify and make recommendations for future public recreation access opportunities and management programs in the study area.

The results of the 2003 study and previous studies indicated substantial public interest in natural areas. Potentially attractive recreation uses along the Sacramento River include trail hiking, walking, hunting and fishing, camping, wildlife viewing, nature study, picnicking, boating, beach activities, attending outdoor cultural events, and visiting museums and historic sites. Regional trends indicate a continued interest in the traditional outdoor recreation activities of boating, fishing, and hunting. Additionally, other nature observation activities, such as bird watching and wildlife viewing, are expected to increase 65% over the next 40 years.

SACRAMENTO WILDLIFE AREA MANAGEMENT PLAN

A Comprehensive Management Plan (DFG February 2004) was prepared for the Sacramento River Wildlife Area, portions of which are located near the project site, particularly the Nicolaus property. The management plan, which updated DFG's management strategy for the Wildlife Area, involved a detailed inventory and analysis of the 13 Wildlife Area units, extensive public outreach, and coordination with other management agencies active in the plan area, including State Parks. The management plan also specified that there would be no substantial changes in land use at the Wildlife Area and that no new facilities are planned. The wildlife area would continue to be focused on conservation, allowing appropriate outdoor recreational opportunities, including hunting, fishing, hiking, wildlife observation, environmental education, and nature interpretation. The Sacramento River Wildlife Area is currently open to the public and recreation use is a major component of the management plan.

USFWS COMPREHENSIVE CONSERVATION PLAN

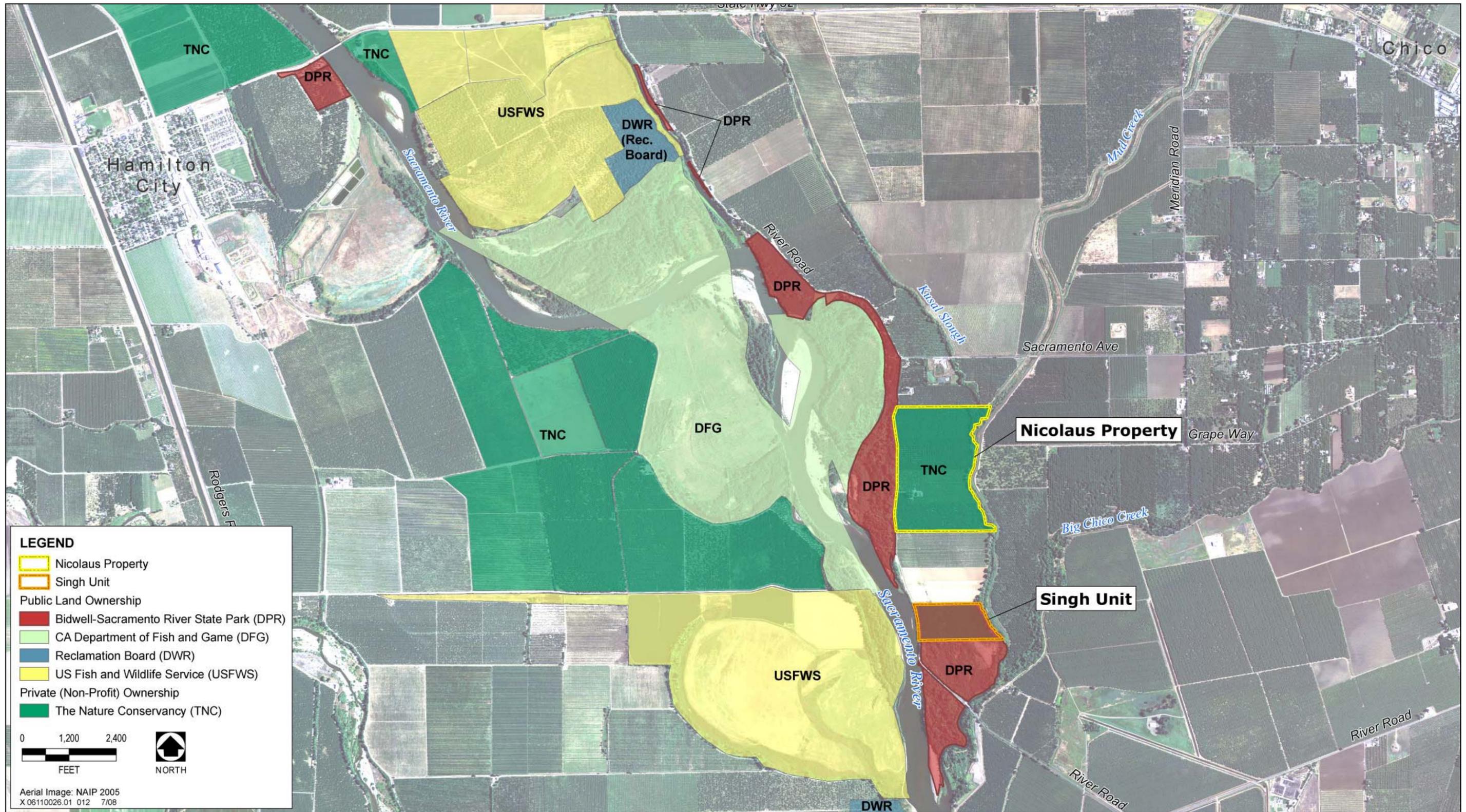
A portion of the USFWS Sacramento River National Wildlife Refuge (SRNWR) is located in proximity to the project site, between the Irvine Finch and Pine Creek Landing subunits of BSRSP. A Comprehensive Conservation Plan (CCP) for the SRNWR was completed in July 2005 (USFWS). The CCP guides management of the SRNWR for the next 15 years. The SRNWR's mission is to preserve, restore, and enhance riparian habitat for threatened and endangered species, and other wildlife and vegetation. Compatible recreation opportunities in the SRNWR identified in the CCP include hunting, fishing, hiking, wildlife observation, environmental education, and nature interpretation.

3.3.2 LOCAL GENERAL PLANS AND BICYCLE PLANS

BUTTE COUNTY GENERAL PLAN

The project site is located in unincorporated portions of Butte County. The Butte County General Plan designation in the project vicinity is OFC – orchard and field crops, 5–40 acres, and the zoning for the project site is A-160, which is agriculture with a minimum parcel size of 160 acres. Non-agricultural uses allowed with this zoning designation include seasonal hunting and fishing camps and recreational uses not requiring permanent improvements. The Butte County General Plan is currently applicable to the Nicolaus property. The Singh Unit is owned by the State. While the State is not bound by local general plan and zoning designations, State Parks seeks to maintain good coordination with the County about land uses on State property. Once transferred to State Parks' ownership, the Nicolaus property will no longer be subject to the Butte County General Plan.

The Butte County General Plan was adopted over a period of several years, from 1971 to 1995. In 2005, Butte County produced the Butte County General Plan Technical Update (GPTU) Background Report, which



Source: GIC 2003, State Parks 2003

Public and Non-profit Land Ownership in the Project Area

Exhibit 3-6

inventoried and analyzed existing conditions and trends in Butte County, providing formal supporting documentation for General Plan policy. Elements in the General Plan that are most applicable to the Nicolaus property include Land Use, Conservation, Open Space, Recreation, and Agriculture. The General Plan Land Use Element contains goals and policies for recreation facilities, open space, scenic areas, biological habitat, natural areas, archaeological resources, and flood hazards. The Conservation Element includes a discussion of flood control, soils and soil erosion, wildlife and fisheries. The Open Space Element addresses agricultural lands, timber land, water resource areas, wildlife habitat, and open space for outdoor recreation. In addition, the County Board of Supervisors directed the preparation of a separate Agricultural Element in 1994 to protect and maintain agriculture as a major part of the local economy and way of life. The Agricultural Element establishes policies designed to preserve agricultural lands, strengthen and support the agricultural sector of the economy, protect the natural resources that sustain agriculture, and consolidate agricultural policies required in mandated general plan elements. The County is currently in the process of preparing a comprehensive update to the general plan to be completed in 2009.

BUTTE COUNTY BIKEWAY MASTER PLAN

The Butte County Area Governments, in coordination with the Butte County Public Works Department, prepared a Bikeway Master Plan for Butte County, which was adopted in 1998. This document focuses on countywide bikeway connections, and incorporates the proposed bike plans for each of the cities within the county. In the vicinity of the project site, the Bikeway Master Plan identified the need for Class II bike lanes on River Road from Ord Ferry Road to SR 32 and on SR 32 to the county line (medium funding priority). Class II bike lanes provide for a restricted right-of-way designated for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted. Caltrans standards generally require a 4-foot (1.2-meter) bike lane with a 6-inch (150-mm) white stripe separating the roadway from the bike lane. Although River Road and SR 32 are used by bicyclists, bike lanes have not yet been developed and no funding has been identified for the proposed lanes. The County is scheduled to update the Bikeway Master Plan in 2007.

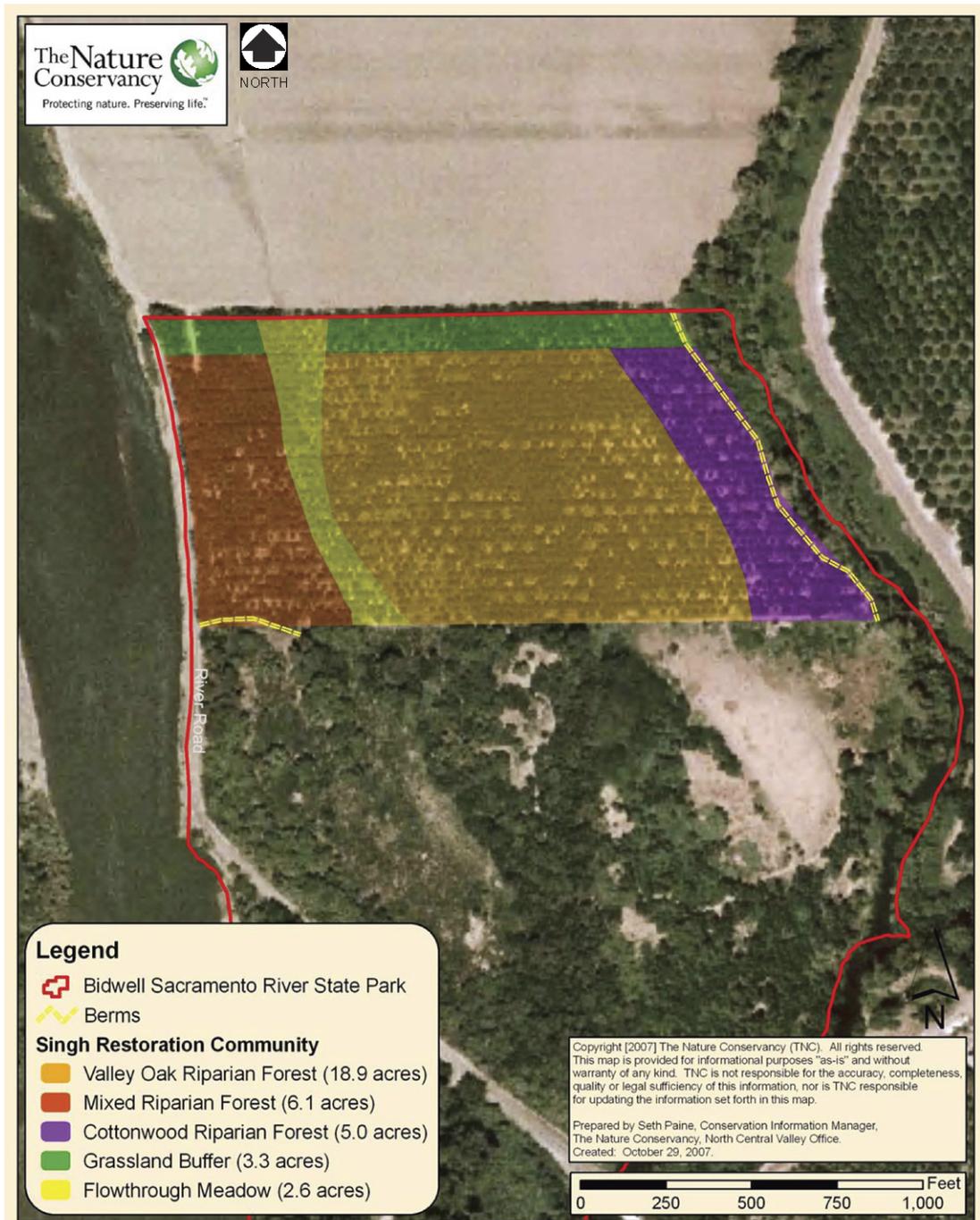
3.4 PROPOSED PROJECT CHARACTERISTICS

3.4.1 RELOCATION OF BSRSP HEADQUARTERS

After transfer of the Nicolaus property from TNC to State Parks, the current BSRSP headquarters (i.e., administrative facilities) would be relocated from its current location west of River Road in the Indian Fisheries subunit to the existing farm complex on the Nicolaus property. The buildings, fencing, and equipment would be removed from the current headquarters location and the site would be modified to accommodate day-use activities as described in the BSRSP General Plan (State Parks 2003). The new Park headquarters on the Nicolaus property would utilize the existing farm buildings on the site. The two existing barns would potentially be used for maintenance equipment storage; the farmhouse and two other existing buildings would be converted or replaced and used for offices for permanent and seasonal Park staff, including rangers and maintenance staff. The converted or replaced farmhouse would also be used as the visitor contact station and would be accessible per the Americans with Disabilities Act (ADA). Any conversion of the farm buildings would include maintaining and enhancing the aesthetic ranch-character of the buildings. The maintenance yard would be fenced and paved with aggregate base course.

3.4.2 HABITAT RESTORATION

The proposed project would involve the removal of human made berms (Exhibit 3-7) on the Singh Unit and grading to match the natural topography. The project would involve revegetation and restoration of the Singh and Nicolaus parcels with native riparian communities such as cottonwood riparian forest, valley oak savannah, valley oak forest, mixed riparian forest, native grassland, and valley oak riparian forest habitats as described ~~in the~~ revised Nicolaus Property Riparian Habitat Restoration Plan, Sacramento River (RM 195) (TNC 20078-a) and



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Source: The Nature Conservancy 2007

Singh Unit Restoration Communities

Exhibit 3-7

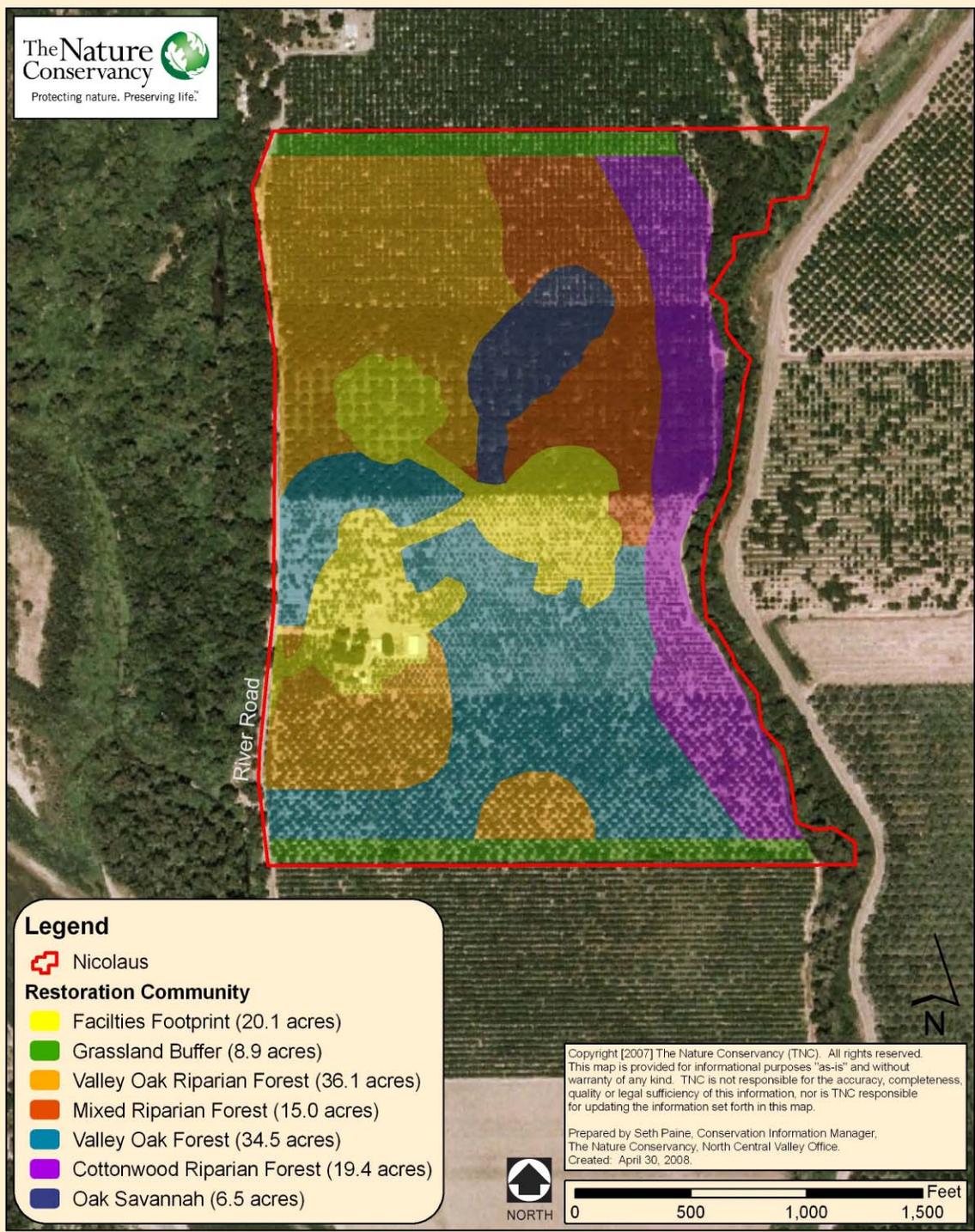
the revised *Singh Unit Riparian Restoration Plan – Bidwell Sacramento River State Park, Sacramento River (RM 194)* (TNC 2007~~8~~-b) (Appendix C). These plans were prepared based on approximately 17 years of adaptive management practices conducted by TNC on approximately 4,600 acres within the middle reaches of the Sacramento River as well as the revised *Hydraulic Analysis for Flood Neutrality on the Nicolaus and Singh Properties, Sacramento River, Mud Creek, and Big Chico Creek*~~Flood Neutral Hydraulic Analysis for the Nicolaus and Singh Properties, Sacramento River RM 194–195~~, dated ~~December 2007~~May 30, 2008 (Appendix B). Exhibits 3-7 and 3-8 depict the proposed plan for the habitat restoration communities, and Table 3-2 summarizes the proposed acreages of habitat community types to be restored.

	Singh Unit	Nicolaus Property	Total Acres
Cottonwood riparian forest	5.0	19.4	24.4
Valley oak forest	0	34.5	34.5
Mixed riparian forest	6.1	15.0	21.1
Valley oak riparian forest	18.9	36.1	55.0
Oak Savanna	0	6.5	6.5
Grassland buffer	3.3	8.9	12.2
Flowthrough Meadow	2.6	0	2.6
Facilities Footprint (valley oak savanna)	0	20.1	20.1
Total Acres	35.9	140.5	176.4

Source: The Nature Conservancy 2007

To accomplish this restoration, native species would be propagated, planted, and actively maintained for a period of 3 years following the initial planting. Over time, habitat management and natural processes would control the species composition and overall structure of the plant communities. The restoration work on the ground Singh Unit would occur after the project has been approved, permits are obtained, and restoration funds are secured. The restoration work on the Nicolaus property would occur after it has been transferred from TNC to State Parks; the Williamson Act contract has been phased out, amended or a new contract has been executed, which allows for such uses; the project has been approved; permits are obtained; and restoration funds are secured. All restoration activities would comply with the noise control measures required by the Butte County Planning Department for construction-related noise. Proposed project activities for habitat restoration would include:

- ▶ Selection and propagation of native plants;
- ▶ Project site preparation, including orchard removal, debris removal, discing, grading, and removal of nonnative invasive plant species (including eucalyptus);
- ▶ Irrigation system design and installation;
- ▶ Planting of propagated container stock and direct seeding of grasses;
- ▶ Maintenance, including irrigation, plant replacement, and weed control; and,
- ▶ Monitoring and reporting.



Source: The Nature Conservancy 2007

Nicolaus Property Restoration Communities

Exhibit 3-8

Analysis of the proposed habitat restoration project activities is based on the detailed information as described in the restoration plans. Please refer to Appendix C for a more detailed description of specific approaches and prescriptions for restoration activities.

3.4.32 PUBLIC ACCESS AND RECREATION FACILITIES

In addition to the restoration and revegetation of the Singh and Nicolaus parcels, the proposed project would also include the development of public access and outdoor recreation facilities as part of the BSRSP (Exhibit 3-9). The public access and recreation facilities would not be developed until ownership of the Nicolaus property is transferred from TNC to State Parks; ~~the nonrenewal period for the Williamson Act Contract on the Nicolaus property has passed~~ been phased out, amended or a new contract has been executed to allow for such uses; ~~the project has been approved; permits are obtained;~~ and funding for detailed planning, design, and construction are secured. The Singh and Nicolaus Public Access and Recreation Concept Plan (TNC 2007) (Appendix D), would guide further planning, design, and development of outdoor recreation facilities. It incorporates trails, day-use areas, and overnight camping facilities into the areas to be restored on the Singh and Nicolaus parcels, and modifies existing ~~Park BSRSP~~ day-use facilities on the west side of River Road. Day-use facilities would include parking areas, trails and trailheads, picnic areas, restrooms, and educational and interpretive features. Overnight camping facilities would include an entry plaza; ~~recreational vehicle (RV), tent, and group camping sites;~~ restrooms; showers; dump station; and parking. State Parks would hire one additional staff person to support these new facilities.

RELOCATION OF BSRSP HEADQUARTERS

~~The proposed project would relocate the Park headquarters (i.e., administrative facilities) from its current location west of River Road to the existing farm complex on the Nicolaus property. The buildings, fencing, and equipment would be removed from the current headquarters location and the site would be modified to accommodate day use activities as described in the BSRSP General Plan (State Parks 2003). The new Park headquarters on the Nicolaus property would utilize the existing farm buildings on the site. The two existing barns would potentially be used for maintenance equipment storage; the farmhouse and two other existing buildings would be converted or replaced and used for offices for permanent and seasonal Park staff, including rangers and maintenance staff. The converted or replaced farmhouse would also be used as the visitor contact station and would be accessible per the Americans with Disabilities Act (ADA). Any conversion of the farm buildings would include maintaining and enhancing the aesthetic ranch character of the buildings. The maintenance yard would be fenced and paved with aggregate base course (ABC). The new Park headquarters would include a new 24 foot wide entrance road and parking area that could accommodate 10 oversized vehicles, such as RVs and vehicles with trailers up to 65 feet total length, and 15 regular vehicles (including 3 ADA accessible spaces); a bus turn around area; a separate new maintenance and ranger entrance and parking area; a restroom and shower building for use by campers; and an environmental education area with amphitheater and interpretive features.~~

RECREATIONAL DAY-USE FACILITIES

Recreational day-use facilities would be developed on the Singh Unit and Nicolaus property. Additional facilities would be developed on adjacent Park property as described in the BSRSP General Plan (State Parks 2003). The existing headquarters, on Park property west of River Road, would be developed into a day-use area that would include an aggregate base course ABC paved parking area that accommodates five oversized vehicles and 12 regular vehicles (2 ADA accessible spaces); restroom facilities; group picnic area with three picnic tables; seven picnic tables on concrete pads; trailhead signage; and trails connecting to other Park facilities. Development of the existing headquarters to a day-use facility was analyzed in the EIR for the BSRSP General Plan (State Parks 2003); therefore, it is not included as part of this project.

A second day-use facility would be developed by modifying an existing day-use area approximately 0.5 mile south of the existing headquarters on the west side of River Road. This day-use area is located near the new Park

headquarters site on the Nicolaus property. Modifications proposed at the existing day-use area would include an aggregate parking area that could accommodate 8 standard vehicles (including one ADA-accessible space); three picnic tables on concrete pads; and informational signage. Modification and maintenance of existing Park facilities was analyzed in the EIR for the BSRSP Preliminary General Plan (State Parks 2003); therefore, modification of the existing day-use area south of the existing headquarters is not included as part of this project.

~~The New limited day-use facilities would be constructed near the relocated new Park headquarters (at the Nicolaus farm complex) would offer limited day-use facilities~~ including: parking; visitor contact station and informational signage; environmental education and interpretive facilities, including an open-air amphitheater; a loop trail, and trail connections to other day-use areas. The new Park headquarters facilities would include a new 24-foot-wide entrance road and parking area that could accommodate 10 oversized vehicles, such as RVs and vehicles with trailers up to 65 feet total length, and 15 regular vehicles (including 3 ADA-accessible spaces); a bus turn-around area; a separate new maintenance and Park staff entrance and parking area; a restroom and shower building for use by campers; and an environmental education area with amphitheater and interpretive features.

OVERNIGHT CAMPSITES

~~Four~~ Three types of overnight camping facilities would be developed on the Nicolaus property, including: ~~RV camping,~~ vehicle camping, walk-in tent camping, and group camping. Camping facilities would be accessed via the headquarters entrance road. ~~Each~~ The vehicle camping and group camping are ~~a type of camping facility~~ would have ~~its~~ their own driving loop to access the individual campsites; ~~with the exception of the walk-in tent campground which~~ would use the vehicle campground loop. All campsites would share the use of the restroom and shower ~~shower~~ facility. The ~~three~~ four camping facility types are described below.

RV Campground

~~The RV campground would include 25 RV campsites, including four pull through sites and 21 back in sites. Each RV spur would include one 8-foot picnic table, one fire ring and grate, one electrical pedestal, and potable water hookups. The RV campground would contain two restroom facilities and one garbage dumpster.~~

Vehicle Campground

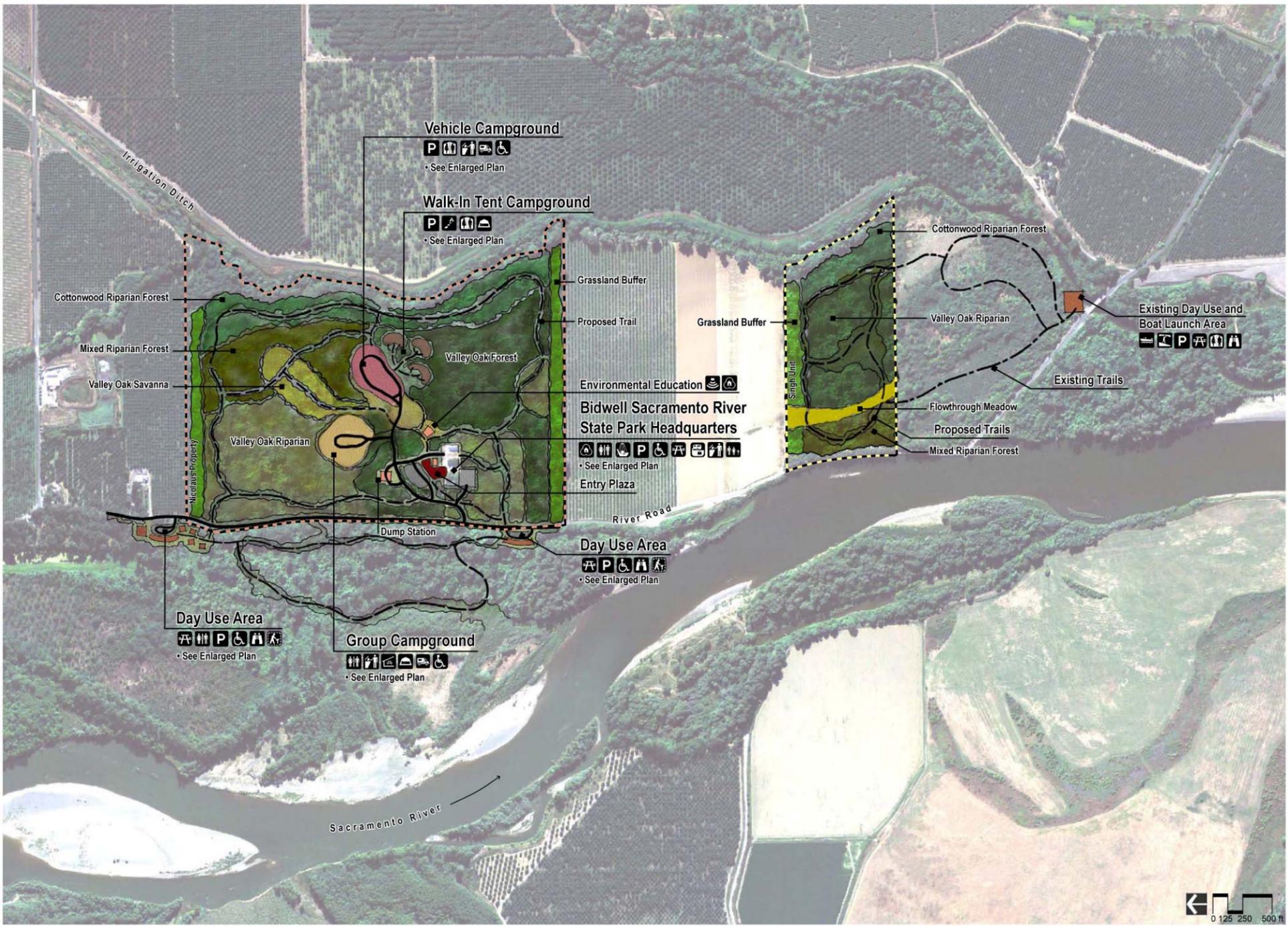
The vehicle campground would include 15 vehicle campsites, including eight back-in tent sites and seven pull-out tent sites. Each vehicle spur would include one 8-foot picnic table, one food storage locker and one fire ring and grate. Campsites would share a potable water station with neighboring campsites. The vehicle campground would contain two restroom facilities and one garbage dumpster.

Walk-in Tent Campground

The walk-in campground would include 10 tent sites accessed via trail. Each tent site would have three parking spaces available at the parking area on the vehicle campground loop. Each tent site would include one 8-foot picnic table and one fire ring and grate. Two potable water stations would be provided for use by walk-in tent sites. The walk-in campground would share the two restroom facilities and one garbage dumpster with the vehicle campground.

Group Campground

The group campground would include ~~six back in RV sites, 6 RV pull through buddy spurs, seven~~ six group tent camping pods, and four group picnic shelters (44 feet by 22 feet). Each group picnic shelter would include four picnic tables, a food storage locker and a fire ring and grate. ~~RV sites and buddy spurs would include an electrical~~



**Singh & Nicolaus
Conceptual
Public Access
& Recreation Plan**
Overall Concept Plan
June 2008

- Legend**
- Amphitheater
 - Cartop Boat Access
 - Vehicle Camping
 - Walk-In Camping
 - Picnic Area
 - Restroom
 - Showers
 - Wildlife Viewing
 - Accessible Facilities
 - Interpretive Trails
 - Vehicle Parking
 - Environmental Education
 - Dumpster
 - Visitor Contact
 - Picnic Shelter
 - Tent Campground
 - Dump Station
 - Grassland Buffer
 - Valley Oak Savanna
 - Valley Oak Riparian
 - Cottonwood Riparian Forest
 - Mixed Riparian Forest
 - Valley Oak Forest
 - Flowthrough Meadow
 - Day Use Facilities
 - Parking
 - Existing Trail
 - Proposed Trail
 - Singh Boundary
 - Nicolaus Boundary



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Source: EDAW 2008

~~pedestal, and potable water hookups.~~ The group campground would contain two restroom facilities with potable water stations and one garbage dumpster. The group campground would also include a group fire ring with seating for up to 20 people.

PROPERTY BOUNDARIES

The boundaries between the project site, which would be part of State Park’s BSRSP, and private property would be clearly posted, consistent with Guideline AO-1.1-2 and AO-4.4-1 of the Park Plan. The northern boundary of the Singh Unit and the four corners (NW, NE, SW, SE) of Nicolaus property have been surveyed and marked (April 2008). The survey plat has been recorded with Butte County. State Parks would post “Park Boundary” signs as well as “No Trespass” signs along the project site boundaries with private lands. State Parks plans on locking the gate at the proposed day use area (located at the current site of the BSRSP headquarters on River Road) from sunset to sunrise. Additionally, State Parks will consider other measures to prevent trespass such as appropriate fencing or natural barriers, subject to regulatory approval.

PUBLIC ACCESS AND OUTDOOR RECREATION SPECIFICATIONS

Public access and recreation facilities would be designed and developed consistent with goals and guidelines in the BSRSP General Plan and EIR (State Parks 2003), and would follow current State Parks design standards. In addition, all construction activities would comply with the noise control measures required by the Butte County Planning Department for construction-related noise.

- ▶ **Accessibility Guidelines:** Facilities would be designed to conform to ADA guidelines and California Division of the State Architect (DSA) Accessibility Standards.
- ▶ **Restrooms:** A total of seven restroom facilities would be built. Restrooms would be pre-manufactured vault toilets suitable for occasional flooding, which could be pumped and sealed, placed on a raised pad. Architectural character to be consistent with similar facilities at other subunits with the Park.
- ▶ **Combination Restroom/Shower Building:** One combination restroom/shower building would be built. The combination restroom/shower building would be a pre-manufactured or site built building placed on a raised pad. The restroom would be connected to a septic system. The building would include a dish washing station. Architectural character to be consistent with similar facilities at other subunits with the Park.
- ▶ **Group Shelters:** A total of four group shelters would be built. Pre-manufactured picnic shelters would be placed on a raised pad. Typical dimensions would be 44 feet by 22 feet. Architectural character to be consistent with similar facilities at other subunits with the Park.
- ▶ **Roads:** Approximately 1 mile of interior road would be built. Roads would be up to 24 feet wide (two way traffic) and up to 16 feet wide (one way traffic), with a one foot of aggregate base course shoulder~~ABC shoulder~~. Pavement would be asphalt, concrete or ~~ABC aggregate base course~~aggregate base course. The Park Plan calls for minimal use of asphalt or concrete for the campground facilities. Aggregate base course~~BC~~ would be the preferred road surface treatment. Road grades would be elevated to maintain accessibility during flooding.
- ▶ **Parking Spaces:** Standard parking spaces would be 10 feet by 20 feet. Oversized parking spaces would be 12 feet by 65 feet. Accessible parking spaces would conform to ADA Accessibility Guidelines and California DSA Accessibility Standards.
- ▶ **Trails:** Approximately 2 miles of trails would be built. Trails would be up to 8 feet wide. Trail surface would primarily be ~~ABC~~aggregate base course and native soil, and possibly in some cases concrete or asphalt.

- ▶ **Garbage Dumpsters:** A total of four garbage dumpsters would be located within the overnight, day-use, and headquarter areas. Garbage dumpsters would be animal proof. Animal-proof waste and recycling containers would be placed throughout the Park. Garbage collection would be by contract.

- ▶ **Water:** The Singh Unit has one groundwater well with a current capacity of approximately 500 gallons per minute (Luster 2007). This well would be used to irrigate the riparian vegetation on the Singh Unit during the first three years of restoration.

Existing on-site wells would provide potable water for the campground, day-use facilities, and Park headquarters. An on-site water treatment facility would be installed to maintain acceptable water quality levels. There are currently five wells on the Nicolaus property. Four of the wells are intended for agricultural use; however, only one of the agricultural wells (located in the north-central part of the property) is used to water the entire orchard. This well has a capacity of approximately 1,800 to 2,000 gallons per minute (Luster 2007) and would be used to irrigate the riparian restoration on the Nicolaus property during the first three years of restoration. The other three agricultural wells are drilled and cased and could be functional, although they do not currently have pumps or motors. The fifth well is the existing domestic water source, with a capacity of 25 gallons per minute, which is located adjacent to the existing farm house. This domestic water well would continue to be used to serve the BSRSP headquarters (relocated to be in the farm buildings) and the recreational facilities on the Nicolaus property (Luster 2008). An on-site water treatment facility would be installed to maintain acceptable water quality levels from this domestic groundwater well as regulated by the State Division of Drinking Water.

- ▶ **Wastewater:** The facilities at the farm complex are above normal flood stage and the existing septic system/leachfield would be used to service the relocated Park headquarters. A new septic system/leachfield would be installed to service the combination restroom/shower building (in an area where annual flooding is not anticipated, such as near the farm complex). ~~∇The vault toilets and RV dump station could be pumped and sealed when necessary and would be pumped by a local contractor.~~
- ▶ **Drainage:** Recreational facilities would be designed to allow natural drainage on the project site, similar to existing conditions. Stormwater drainage would be transported in grass-lined swales and overland flow. The recreational facilities would be designed to minimize the use of impervious surfaces.

FIRE PROTECTION

Wildland fire protection in California is the responsibility of either the State, local government, or the federal government. The project site, neighboring agricultural lands and BSRSP are located within a Local Responsibility Area (LRA). Local Responsibility Areas include incorporated cities, cultivated agriculture lands, and portions of the desert. Fire protection in LRAs is typically provided by city fire departments, fire protection districts, counties, and by the California Department of Forestry and Fire Protection (CAL FIRE) under contract to local government (CAL FIRE 2007).

Fire hazard in the LRA is evaluated by CAL FIRE. California law requires CAL FIRE to identify areas based on the severity of fire hazard that is expected to prevail there. These “zones” are based on factors such as fuel (material that can burn), slope and fire weather. There are three zones, based on increasing fire hazard: medium, high and very high. CAL FIRE uses an extension of the State Responsibility Area Fire Hazard Severity Zone model as the basis for evaluating fire hazard in the LRA. The model evaluates property using characteristics that affect the probability of the area burning and potential fire behavior in the area. Many factors are considered such as fire history, existing and potential fuel, flame length, blowing embers, terrain, weather and likelihood of buildings igniting. The LRA hazard rating reflects flame and ember intrusion from adjacent wildlands and from flammable vegetation in the urban area (CAL FIRE 2007). The project site is designated as a “non-wildland fuels (e.g., rock, agriculture, water)” fire hazard zone. The neighboring BSRSP lands are designated as a “moderate” fire hazard zone (CAL FIRE 2006).

Butte County is statutorily responsible for fire, life and safety incidents at the project site due to its location in the Local Responsibility Area. The Butte County Fire Department contracts with the California Department of Forestry and Fire Protection (CDFCAL FIRE) to administer fire prevention and suppression in Butte County. The program includes full-time firefighters as well as a capably-trained contingent of volunteers who respond to every type of emergency. The closest fire station to the project site, and the first due engine, through an automatic aid agreement between Butte County and the City of Chico, would be Chico Station 6 located at 2544 State Route 32. For multiple engine responses, County Stations 41 (13871 Hwy 99, Chico), 42 (10 Frontier Circle, Chico), and 44 (2334 Fair Street, Chico) would respond. Response times from these stations are as follows:

- ▶ Chico Station 6: approximately 6 minutes 15 seconds
- ▶ County Station 41: approximately 9 minutes 11 seconds
- ▶ County Station 42: approximately 12 minutes 6 seconds
- ▶ County Station 44: approximately 14 minutes 41 seconds

Historic data for the past three (3) years indicates there have been approximately 45 calls over the three-year period in the Scotty's Boat Landing and Hwy 32/River Road area. The CDF Butte County Unit, Station #43 is located in west Chico at 2544 SR 32 and would likely be the first to respond to a call for fire prevention or protection at the project site.

Implementation of Park Plan Goal AO-2.3 and Guidelines AO-2.3.1 and AO-2.3.2 would facilitate monitoring and patrolling of the Park, which would provide the opportunity to respond to potential causes of wildfire (e.g., illegal fires). In addition, Park Plan Guideline AO-3.3-2 would restrict the use of campfires, further minimizing potential wildfire ignition, and Park Plan Guideline VU-3.7-4 would ensure the provision of information to visitors on Park rules regarding fire safety. Given these goals and guidelines, the increase in the risk of wildland fire is not expected to be substantial. Further, all facilities would be designed in compliance with the California Building Code, which requires fire safety features.

LAW ENFORCEMENT

Law enforcement services are provided concurrently by State Parks, California Highway Patrol and local law enforcement agencies, namely Butte County Sheriff Department for the portion of BSRSP in Butte County. ~~Park security is the primary responsibility of the Park Ranger serving the Park. Additionally, consistent with the Park Plan Goal AO-4.4, State Parks will work with private landowners in proximity to BSRSP to minimize conflicts associated with the mixed public and private land ownership in the area.~~ Public safety and emergency services are the primary responsibility of the Park Ranger/State Park Peace Officer serving the Park. State Parks has its own law enforcement in the form of State Park Peace Officer Rangers who are California Penal Code 830.2(f) and have full law enforcement authority in the State of California. These Rangers Peace Officers patrol State Parks and enforce California Code of Regulations Section 4320 (a), (b), and (c) Peace and Quiet. Additionally, consistent with the Park Plan Goal AO-4.4, State Parks will work with private land owners in proximity to BSRSP to minimize conflicts associated with the mixed public and private land ownership in the area.