

# Notice of Exemption

2020050031

Appendix E

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: Sutter

From: (Public Agency): City of Yuba City  
1201 Civic Center Blvd. Yuba City, CA 95993

(Address)

Project Title: Feather River Parkway Maintenance and Repair Project

Project Applicant: City of Yuba City

Project Location - Specific:

Feather River Parkway in the City of Yuba City. 121°36'35.4616"W 39°9'8.841"N

Project Location - City: City of Yuba City Project Location - County: Sutter

Description of Nature, Purpose and Beneficiaries of Project:

The project repairs damage to public facilities caused by inundation of the Feather River Parkway following the Oroville Dam Spillway failure

Name of Public Agency Approving Project: City of Yuba City

Name of Person or Agency Carrying Out Project: Brad McIntire, Parks and Recreation Director, (530) 822-4652

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);  
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));  
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));  
☒ Categorical Exemption. State type and section number: Class I, 15301, Existing Facilities  
☐ Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

The project consists of the repair and maintenance of existing public facilities and does not involve expansion of an existing or former use.

Lead Agency

Contact Person: Brad McIntire, Parks and Recreation Director Area Code/Telephone/Extension: (530) 822-4652

If filed by applicant:

1. Attach certified document of exemption finding.  
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Brad McIntire Date: 4/27/2020 Title: Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

Governor's Office of Planning & Research

**MAY 01 2020**

**STATE CLEARINGHOUSE**  
Revised 2011

## **City of Yuba City** **CATEGORICAL EXEMPTION FINDING**

### ***GENERAL INFORMATION***

**Name of Project:**

Feather River Parkway Maintenance and Repair Project

**Lead Agency Name and Address:**

City of Yuba City, 1201 Civic Center Blvd., Yuba City, CA 95993

**Contact Person and Phone number:**

Brad McIntire, Parks and Recreation Director, (530) 822-4652

**Project Location:**

The Project is located along the western edge of the Feather River within the city limits of Yuba City, in Sutter County. Coordinates are: 121° 36' 35.4616" W 39° 9' 8.841" N

**General Plan Designation:**

The Feather River Parkway is designated "Parks, Recreation and Open Space" in the Yuba City General Plan (May 2018)

**Zoning:**

The Feather River Parkway is zoned as a "Flood District" by the City of Yuba City. Public facilities and recreational facilities are an allowed use of an area zoned as "Flood District."

**Project Description:**

The Federal Emergency Management Agency (FEMA) has authorized funding to the City of Yuba City (City) for repairing damage caused by February 2017 high water events within the Feather River Parkway that were associated with the Oroville Dam Spillway failure. The Feather River is a principal tributary of the Sacramento River and passes through Yuba City adjacent to parks and facilities including the Feather River Parkway. Heavy rains, high winds and high-water releases from Oroville Dam between February 1, 2017 and February 23, 2017 caused the banks of the Feather River to crest and inundate Feather River Parkway, the park it encompasses and its Water Intake Facility Access Road. These facilities were fully submerged by fast water flows, silt, sand and vegetative debris.

The City will use the FEMA funding to restore the damaged facilities to pre-disaster conditions. The proposed work for the Feather River Parkway includes:

- replacing the eroded gravel roadways,
- repairing and re-grading the eroded bike trails,
- excavating and reinstalling the concrete slabs, picnic tables, and benches back to their original locations,
- removing and disposing of accumulated debris (including downed trees), and
- replacing and re-grading the washed out Facility Access Road and replacing the damaged culverts.

## ***CATEGORICAL EXEMPTION FINDING***

The City of Yuba City has determined this Project is categorically exempt under CEQA Guidelines Article 19, Section 15301, Existing Facilities as a Class 1 categorical exemption. A Class 1 categorical exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. CEQA Guidelines Section 15302, Replacement or Reconstruction, a Class 2 categorical exemption, applies to some components of the Project including reinstalling picnic tables to their original location.

### Exceptions to Categorical Exemptions

In accordance with CEQA Guidelines, Section 15300.2, and Public Resources Code, Section 21084, the City has considered whether circumstances exist that would create an exception to this categorical exemption and have not found any such circumstances exist. As a categorically exempt project, the City has made the following findings:

| Yes                      | No                                  |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Would the project and successive projects of the same type in the same place result in cumulative impacts?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are there "unusual circumstances" creating the reasonable possibility of significant effects?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Would the project result in damage to scenic resources, including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the project located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code section 65962.5, as being affected by hazardous wastes or clean-up problems? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Would the project cause a substantial adverse change in the significance of a historical resource?   |

### Discussion:

The Project site is the Feather River Parkway (Parkway). The Parkway was created by the City of Yuba City (City) in 2012, is located within the city limits of City and within the Feather River floodplain, and is owned and managed by the City. The Parkway is surrounded by mixed use development including retail, light industrial, high and low density residential, and utilities. The Parkway has been used for agricultural production in the past and is not an area with important mineral resources. Figure 1 shows the Project's location and planned activities.

The Feather River Parkway Maintenance and Repair Project (Project) is focused on the repair and restoration of existing public infrastructure damaged due to inundation, an unusual circumstance associated with the Oroville Dam Spillway failure in 2017. There are no environmental impacts identified associated with the repair and restoration of any of the facilities and there are no other projects of the same type planned within the Parkway that would cause a cumulative impact. There are no current unusual circumstances that would create the reasonable possibility of any significant effects associated with the Project.

Multiple biological surveys of the Project area have been conducted associated with recreational and habitat improvements implemented by the City since 2014 (Feather River Parkway Project Phase I and II) and the City continues to monitor for identified sensitive species in the area including valley elderberry longhorn beetle. Recent reconnaissance-level surveys of the areas expected to be impacted by the repair and maintenance

City of Yuba City

activities associated with the Project were conducted by the environmental consulting firm EN2 Resources, Inc. (EN2) in April 2020. No special-status species were identified within the locations where repair and maintenance activities are proposed, and surveys of known raptor nests adjacent to the Project area did not identify active nests.

There is no State Scenic Highway in the vicinity of the Feather River Parkway. The Project does not involve removal of any large live trees, and there are no rock outcroppings or historic buildings on site to be affected by Project activities. As shown by a search of the Department of Toxic Substances Control EnviroStor database, there are no hazardous waste sites within or approximate to the Feather River (DTSC 2020).

Potential impacts to cultural resources were analyzed during the environmental review for development of the Parkway. This included thorough record searches of the Parkway area and, in 2010, a cultural resource pedestrian survey by qualified archeologists. This survey and the associated cultural resource inventory identified only one historical resource in the Parkway. This was the abandoned “sewer farm” operated as part of the City Department of Public Works water treatment plant. These sewer ponds were determined ineligible for the National Register of Historic Places listing (City of Yuba City 2014). As there are no historical resources on site and as the activities associated with the Project are limited to restoration and repair of existing facilities damaged by inundation, the Project would not cause a substantial adverse change in the significance of a historical resource.

References:

DTSC, 2020. The California Dept. of Toxic Substances Control EnviroStor Database. Searched April 20, 2020.  
<http://www.envirostor.dtsc.ca.gov/>

City of Yuba City, 2014. Initial Study/Proposed Mitigated Negative Declaration, Feather River Parkway, Phase II Project. April 4, 2014. State Clearinghouse No. 2014022014



Figure 1: Project Location

