

NOTICE OF EXEMPTION

TO:

- ☒ **Office of Planning and Research**
1400 Tenth Street
Sacramento, CA 95814
- ☒ **Shasta County Clerk**
1643 Market Street
Redding, CA 96001

FROM:

Burney Water District
20222 Hudson St.
Burney, CA 96013

Project Title: Burney Water District – Civic Park Improvements

Project Location:

The proposed project is located within the unincorporated community of Burney in Shasta County in Section 19, Township 35N, Range 3E, of the U.S. Geological Survey's (USGS) Burney 7.5-minute quadrangle. As shown in Figure 1, Civic Park is located on Juniper Avenue, generally southwest of Timber Drive, northeast of Cedar Street, and northwest of State Route 299; Assessor's Parcel Number 028-140-019.

City: Burney (unincorporated)

County: Shasta

Description of Nature, Purpose, and Beneficiaries of Project:

The project involves improvements to Burney Water District's Civic Park. Improvements are needed to provide additional recreational opportunities for current residents in the area. Improvements include:

- Construction of a paved parking lot along the property frontage on Juniper Avenue.
- Installation of a paved walking path throughout the park.
- Installation of a new splash pad and associated pump/equipment house adjacent to the splash pad.
- Construction of two playground areas.
- Replacement of existing restrooms with a concrete pad with anchorage for portable restrooms.
- Replacement of existing fencing and block wall fence with six-foot high fencing. The fence on the sides abutting residential properties will be solid.
- Installation of approximately six light fixtures within the park.

Name of Public Agency Approving Project: Burney Water District

Name of Agency Carrying out the Project: Burney Water District

Local Agency Contact Person: William Rodriguez, District Manager, 530.335.3582

Exempt Status: Categorical Exemption:

California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines):

Class 1, §15301 (Existing Facilities)

Class 2, §15302 (Replacement or Reconstruction)

Class 3, §15303 (New Construction or Conversion of Small Structures)

Class 11, §15311 (Accessory Structures)

Reason Why Project Is Exempt:

Class 1 includes the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features and the demolition and removal of individual small structures. Class 2 includes the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Class 3 includes the construction/installation of limited numbers of new, small facilities or structures; and/or installation of small new equipment and facilities in small structures. Class 11 includes the construction or placement of minor structures accessory to existing commercial, industrial, or institutional facilities, including small parking lots.

The project is consistent with the categorical exemptions noted above because work would consist of the alteration of existing public facilities, replacement of existing structures and facilities on the same site with substantially the same purpose and capacity, construction of new small structures, and construction of a small parking lot.

As documented in **Attachment A**, the proposed project would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources within a Scenic Highway; is not located on a hazardous waste site pursuant to §65962.5 of the Government Code; would not cause a substantial adverse change in the significance of a historical resource; and would not result in cumulative impacts.

Signature:


William Rodriguez
District Manager

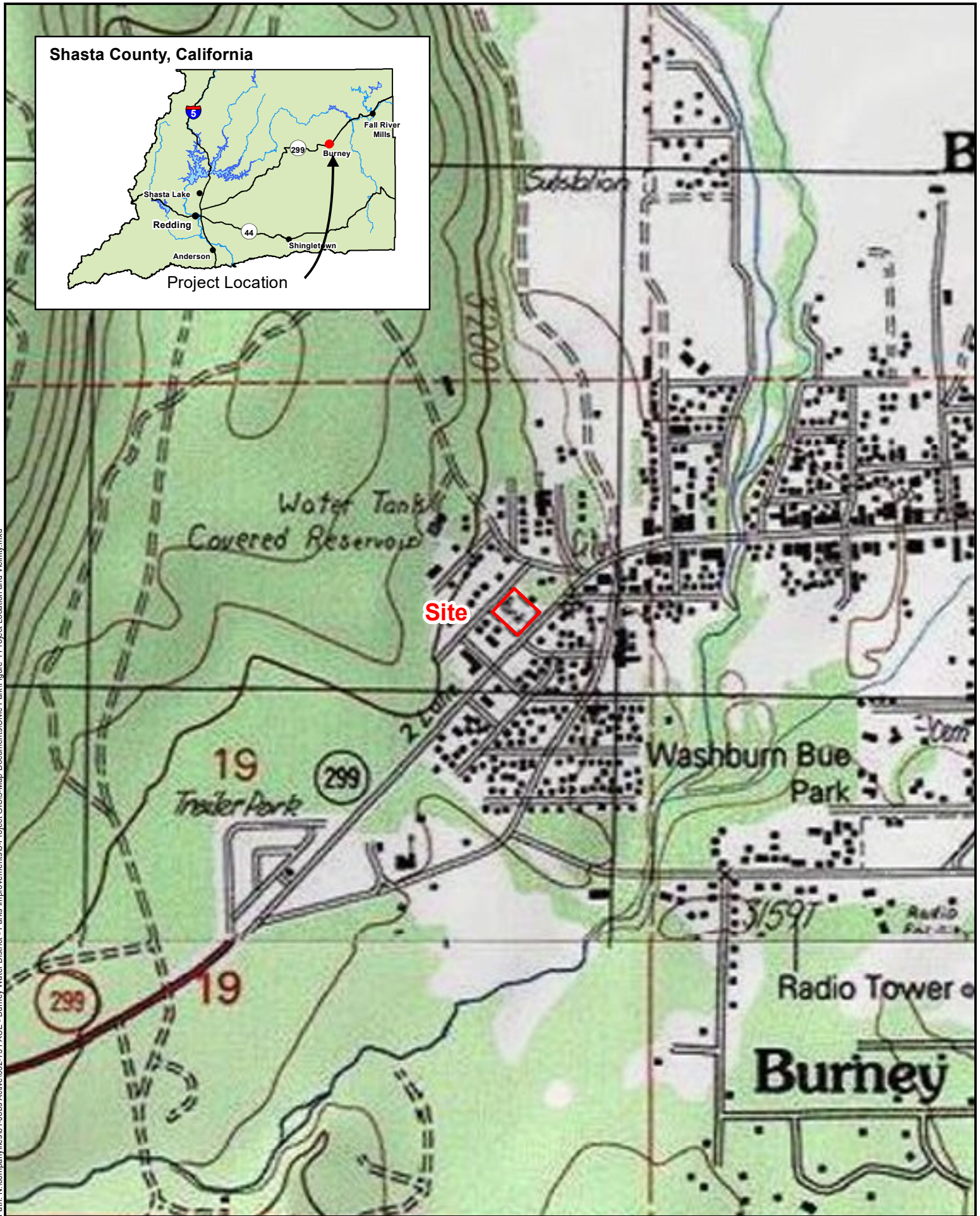
Date:

2/24/2021

Attachments:

- Figure 1: Project Location and Vicinity
- Figure 2: Proposed Civic Park Improvements
- Attachment A: Documentation in Support of a Categorical Exemption

Path: N:\companyfiles\01-Jobs Active\032-73 PACE - Parks Improvements\3-Project GIS\3-Map Documents\Civic Park\Figure 1 Project Location and Vicinity.mxd

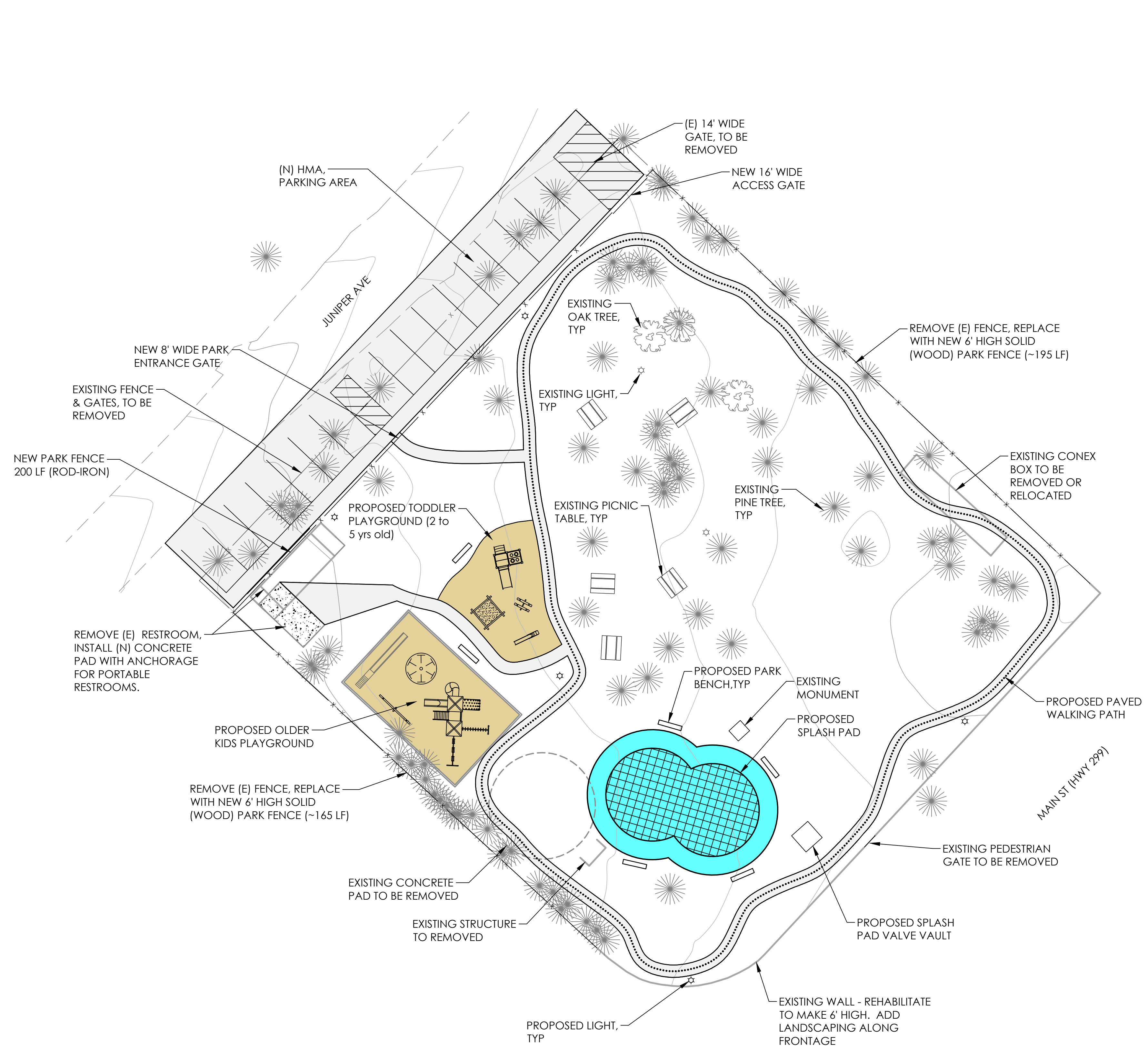


All depictions are approximate. Not a survey product. 01.27.21



Figure 1
Project Location and Vicinity

1"=20'



- LEGEND
- PROPOSED PAVED PARKING & PATH
 - PROPOSED SPLASH PAD AREA
 - PROPOSED PLAYGROUND AREA
 - (E) WALL
 - (N) PATH
 - (E) CONC
 - (N) CONC
 - (E) FENCE LINE
 - (N) FENCE LINE (SEE PLAN FOR TYPE)
 - WALKING ROUTE (1/8 MILE)

BAR IS ONE INCH ON ORIGINAL DRAWING

0" 1"

IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

REVISIONS		
NO	DATE	DESCRIPTION

PACE
ENGINEERING
REDDING, CALIFORNIA

DES TJ	CKD	JOB NO.
DRN TJ	DATE 02/22/21	306.41

SIGNED

STATEWIDE PARK DEVELOPMENT & COMMUNITY REVITALIZATION GRANT PROGRAM
CIVIC PARK IMPROVEMENTS PROJECT
CONCEPTUAL SITE PLAN
CIVIC PARK

Figure 2

ATTACHMENT A
Documentation in Support of a Categorical Exemption
Burney Water District, Civic Park

As described in the Notice of Exemption (NOE), the proposed project is categorically exempt from CEQA pursuant to §15301 (Class 1-Existing Facilities), §15302 (Class 2-Replacement or Reconstruction), §15303 (Class 3-New Construction or Conversion of Small Structures), and §15311 (Class 11-Accessory Structures) of the CEQA Guidelines. CEQA Guidelines §15300.2 identifies exceptions that override a lead agency's ability to use a categorical exemption. These exceptions are listed below, followed by documentation of why each exception does not apply to the proposed project.

- 1. Cumulative Impact.** *All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.*

The project involves improvements to Burney Water District's Civic Park. Although the District is proposing improvements to two other parks in the community, those parks are not in proximity to Civic Park, and the project's impacts would not be cumulatively considerable.

- 2. Significant Effect.** *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

An "unusual circumstance" exists if the project's circumstances differ from the general circumstances of projects covered by the applicable exemption, and, if so, whether there is a reasonable possibility of a significant effect on the environment *due to* the unusual circumstances. As documented below, there are no unusual circumstances that would preclude a categorical exemption for the proposed project.

Aesthetics:

The park property is visible to motorists and pedestrians on State Route 299 (Main Street) and Juniper Avenue, and to individuals living and working in the area. A wooden fence along the southwestern property line provides screening between the adjacent residence and the park. The fence along the northeastern property line is a combination of chain link and chain link with slats, and provides some screening between the adjacent residence to the northeast and the park. The new fence would be solid along these property lines.

Proposed improvements that would be visible from adjacent streets and properties include the new parking lot and new playground equipment. The walking path and splash pad would not significantly project above the ground and would not be prominent features in the viewshed. Although several trees would be removed to accommodate the proposed parking lot, given the number of trees that would remain, the visual change would not be significant.

Two new light fixtures would be installed on the property adjacent to the parking lot, two in the center of the property, and two adjacent to the walking path in the southeastern area of the property. In accordance with Shasta County requirements (Zoning Code Section 17.84.050), all lighting will be designed and located so as to confine direct lighting to the property, ensure that the light source does not shine on any surface other than the area to be lighted, and ensure that lighting does not constitute a hazard to vehicular traffic. Temporary visual impacts during construction due to excavation and staging activities would cease upon the completion of the improvements; no unusual circumstances apply and no significant impacts would occur.

Agriculture and Forest Resources:

According to the USDA Natural Resources Conservation Service (NRCS), areas in which improvements would occur are not designated as farmland, and there are no agricultural uses in the project area. The project area is not zoned forest land or timberland; however, a portion of the project site meets the

definition of forest land pursuant to Public Resources Code section 12220(g). Project implementation would result in removal of up to 12 pine trees to facilitate construction of the parking area. Due to the abundance of trees that would remain, tree removal would not result in a significant impact on forest land. A timberland conversion permit or conversion exemption from the California Department of Forestry and Fire Protection may be required.

Air Quality/Greenhouse Gas (GHG) Emissions:

The proposed project would result in the temporary generation of ROG, NO_x, PM₁₀, and other regulated pollutants during construction. ROG and NO_x emissions would be associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. PM₁₀ would be generated during site preparation, excavation, parking-lot paving, and from exhaust associated with construction equipment. However, this is a temporary impact and would cease when construction is complete. Although the project may result in more vehicles traveling to the park, the increased emissions associated with motor vehicle use is not expected to be significant. There are no unusual circumstances associated with air quality that would preclude a categorical exemption for the proposed project.

Biological Resources:

Special-Status Plant and Wildlife Species

Review of the U.S. Fish and Wildlife Services (USFWS) species list for the project area identified one federally listed plant species, slender Orcutt grass, as potentially occurring in the project area. The project area does not contain designated critical habitat for federally listed plant species.

A review of the California Natural Diversity Data Base (CNDDDB) records showed that one special-status plant, Lassen paintbrush, was reported in the project area one time in 1923 and is broadly mapped to encompass the project site; however, the exact location is unknown and CNDDDB records indicate that the Burney occurrence may have been misidentified.

Seven additional special-status plants have been reported within an approximate 5-mile radius of the project site: long-haired star-tulip, slender Orcutt grass, long-leaved starwort, English sundew, tufted loosestrife, Red Bluff dwarf rush, and Jepson's dodder. One non-status plant species, woolly meadowfoam, was also reported within the search radius.

Review of the USFWS species list for the project area identified the following federally listed animal species as potentially being present in the project area: northern spotted owl, California red-legged frog, Delta smelt, conservancy fairy shrimp, and Shasta crayfish. The USFWS species list does not identify designated critical habitat in the study area for any federally listed animal species.

A review of CNDDDB records showed that two special-status wildlife species, California wolverine and American badger, have been reported in the project area and are broadly mapped to encompass the project site. The California wolverine was reported one time in 1966 "0.5 miles from Burney." No details on the date or location of the American badger occurrence are provided other than reference to a 1986 Wildlife Management Division Administrative Report.

The following special-status wildlife species have been reported within an approximate five-mile radius of the project site: Pit-Klamath brook lamprey, fisher, southern long-toed salamander, bald eagle, and western goshawk. The following non-status animals have also been mapped within the search radius: North American porcupine, osprey, and great blue heron. Due to the amount of human activity in the area and the lack of suitable habitat, none of these special-status wildlife species would be present on the project site.

Wetlands and Other Waters

Based on review of aerial photographs and the USFWS Wetlands Mapper, no streams, watercourses, or other waters subject to federal or State jurisdiction are present in the project site.

Nesting Birds

Although the project is in a residential neighborhood, the vegetative structure of the area is relatively natural with an overstory of large trees. Given the habitat characteristics, the potential for birds to nest in the area is relatively high. Project construction has some potential to directly affect nesting birds if trees are removed during the nesting season. Project construction could also indirectly affect nesting birds by causing adults to abandon their nests in response to loud noise levels and other human-induced disturbances during construction.

The potential for adversely affecting nesting birds will be minimized by conducting construction activities outside of the nesting season (between September 1 and January 31), or conducting pre-construction nesting surveys in accordance with existing standard construction measures if work is conducted during the nesting season.

There are no unusual circumstances associated with nesting birds that would preclude a categorical exemption for the proposed project.

Energy

Components of the proposed project that would result in energy use include new lighting and pumps and related equipment associated with the splash pad. Energy use from the lighting and splash pad equipment would be minimal and not considered wasteful, inefficient, or unnecessary. Given the size of the project, energy use during construction would not be excessive and would cease at completion of the project. There are no unique circumstances related to energy use that would result in more significant impacts than other similar projects.

Geology and Soils:

According to the California Geological Survey (CGS), the nearest Alquist-Priolo Special Study Zone is the Rocky Ledge Fault Zone, approximately 2.5 miles east of the project site. There are additional potentially active faults in the Burney area; however, the project does not include the construction of structures for human occupancy and would not increase the likelihood that an earthquake would occur in the area. The project site is relatively flat and there is no potential for impacts associated with landslides. Soil types found on the project site are present throughout the Burney area and are not unique to the project site. There are no unusual circumstances related to geology or soils that would result in more significant impacts than other similar projects.

Hydrology and Water Quality:

Construction activities would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation. However, this is a temporary impact during construction activities, and no long-term impacts would occur. Best Management Practices (BMPs) for erosion/sediment control would be implemented in accordance with standard construction measures. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panel 06089C0745G, 03/17/2011), the project site is not located within a designated flood hazard area.

Land Use and Planning:

The project does not have any components that would physically divide an established community or cause an environmental impact due to a conflict with a land use plan, policy, or regulation.

Mineral Resources:

The CGS has not designated any Mineral Resource Zones in the study area. In addition, there are no properties in the project area that are zoned for mining activities.

Noise:

Construction activities would generate noise and would temporarily increase noise levels in the area. However, there is nothing unique to the project that would result in more significant impacts than other similar construction projects. Visitors to the park would likely increase as a result of the proposed project;

however, it is not expected that long-term noise levels would be substantially higher than existing noise levels in the area because the types of new uses proposed are not anticipated to draw large crowds to the park. Further, park hours are limited to daytime hours. There are no unusual circumstances associated with noise that would preclude a categorical exemption for the proposed project.

Population and Housing:

The purpose of the project is to enhance recreational opportunities for current residents in the area. The project does not include housing or employment-generating uses that would result in population growth. There are no unusual circumstances associated with population or housing that would preclude a categorical exemption for the proposed project.

Public Services/Recreation:

Because the project would not induce population growth, the project would not generate a demand for additional fire protection, police protection, schools, or other public services.

Transportation:

The project does not include any components that would conflict or interfere with plans that address transit, roadway, bicycle, or pedestrian facilities. There would be short-term increases in traffic in the area associated with construction workers and equipment; however, existing regulations require safety measures to be employed to safeguard travel by the general public and ensure that adequate emergency access is maintained during construction. The park would serve local residents in the area and would not result in a significant increase in vehicle miles traveled. There are no unusual circumstances associated with transportation that would preclude a categorical exemption for the proposed project.

Utilities and Service Systems:

The project would not require the relocation of sewer lines, electric facilities, storm drains, natural gas, or other utility infrastructure. A small water pump for the splash pad and six new lighting fixtures would be installed, which would result in a minor increase in electrical demand. However, because the project would not directly or indirectly induce population growth, no significant impact on utilities or services would occur. There are no unusual circumstances associated with utilities or service systems that would preclude a categorical exemption for the proposed project.

Wildfire:

The proposed project does not include any development or improvements that would increase the long-term risk of wildland fires or expose people or structures to wildland fires. There are no unique circumstances associated with the proposed project that would result in more significant impacts than other similar projects in the area.

- 3. Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway.*

According to the California Scenic Highway Mapping System, the closest eligible State scenic highway is a segment of State Route (SR) 299 starting at Route 89, approximately 5.5 miles east of the project site, and extending to the east. The project area is not visible from the eligible highway segment; therefore, there would be no impact.

4. Hazardous Waste Sites. *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to §65962.5 of the Government Code.*

The following databases were reviewed to locate "Cortese List" sites: List of Hazardous Waste and Substances sites from the Department of Toxic Substances Control (DTSC) EnviroStor database and SWRCB GeoTracker database. Review of these records shows that the nearest active clean-up site is about 0.35 miles northeast of the project site on Main Street. Due to this distance, the project would not affect or be affected by the clean-up site.

5. Historical Resources. *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

Records searches conducted for the general area by an ENPLAN archaeologist in 2018 did not identify any historical resources in the project site or surrounding area. There are two soil types on the project site: Burney-Arkright complex, 2 to 9 percent slopes, and Jimmerson loam-Jimmerson stony sandy loam complex, 2 to 15 percent slopes. The Burney-Arkright soil dates to the late Pleistocene, and the Jimmerson soil is pre-Quaternary age. Both of these soil types are generally too old to harbor buried resources (Meyer, 2013). In addition, the project area has been subject to prior disturbance from grading activity associated with installation of roads, utility lines, and structures. Based on the geomorphological characteristics of the project site, the results of the records and literature search, the age of soils mapped in the area, and the level of contemporary disturbance, the project site is considered to have a very low potential for both buried historic and prehistoric resources.

However, there is always some potential for previously unknown cultural resources to be encountered during excavation activities. Therefore, the following standard construction measures will be included in bid/contract documents to address the inadvertent discovery of cultural resources and human remains.

1. In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, Burney Water District staff shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. The Treatment Plan shall be reviewed and approved by the District prior to resuming construction.
2. In the event that human remains are encountered during construction activities, the Burney Water District shall comply with §15064.5 (e) (1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbance within 100 feet of the find shall be halted until the County coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the NAHC to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5 (e) has been completed.
3. In the event that project plans change to include areas not surveyed, additional archaeological reconnaissance may be required. If cultural resources are encountered, the archaeologist shall recommend/implement additional measures as necessary, which may include subsequent monitoring by an archaeologist or Native American representative.

DOCUMENTATION:

California Air Resources Control Board. Area Designations Maps—State and National.
<http://www.arb.ca.gov/desig/adm/adm.htm>. Accessed January 2021.

California Department of Conservation, California Geological Survey. Mineral Land Classification Maps.
<http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>. Accessed January 2021.

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- _____. 1997. Special Publication 42, Fault-Rupture Hazard Zones in California. <http://www.lib.berkeley.edu/EART/UONLY/CDMG/north/sp42.pdf>. Accessed January 2021.
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- California Environmental Protection Agency.** 2021. Cortese List Data Resources. <http://www.calepa.ca.gov/sitecleanup/corteselist/>. Accessed January 2021.
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- Federal Emergency Management Agency.** National Flood Hazard Map (Panel 06089C0745G, March 17, 2011). <https://hazardsfema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. Accessed January 2021.
- Meyer, Jack.** 2013. A Geoarchaeological Overview and Assessment of Northeast California: Cultural Resources Inventory of Caltrans District 2 Rural Conventional Highways: Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity Counties, Vols. 1-2. Far Western Anthropological Research Group, Inc. Report on file at Caltrans District 2 Office, Redding.
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- U.S. Department of Agriculture, Natural Resource Conservation Service.** 2020. Web Soil Survey. <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed January 2021.
- U.S. Geological Survey.** 2015. U.S. Quaternary Faults, Interactive Fault Map. <https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>. Accessed January 2021.
- U.S. Fish and Wildlife Service.** 2021. List of Threatened and Endangered Species. <https://ecos.fws.gov/ipac/>. Accessed January 2021.
- _____. 2021. National Wetlands Inventory. <https://www.fws.gov/wetlands/data/mapper.html>. Accessed January 2021.