

## 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 – Washburn Bue Park Improvements**

**Project Location:**

The proposed project is located within the unincorporated community of Burney in Shasta County in Section 20, Township 35N, Range 3E, of the U.S. Geological Survey's (USGS) Burney 7.5-minute quadrangle, as shown in Figure 1. Improvements would occur at the Washburn Bue Park, which is located between Washburn Avenue and Park Avenue, west of Missouri Way. The site is also known as Shasta County Assessor's Parcel Number 028-320-014.

**City:** Burney (unincorporated)

**County:** Shasta

**Description of Nature, Purpose, and Beneficiaries of Project:**

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

- Installation of a joint-use baseball field and soccer field at the existing baseball field in the eastern area of the park.
- Installation of a new gazebo with a stage and covered eating area.
- Installation of roof-top solar panels on the gazebo.
- Installation of a new monument sign and Veteran's Memorial area in the northeastern-most area of the park adjacent to Washburn Avenue and Missouri Way.
- Installation of a paved walking path in the western areas of the park.
- Replacement of existing fencing.
- Installation of new lighting; conversion of existing field lights to LED lights.
- Relocation of the park entrance from Washburn Avenue to Park Avenue.
- Removal of the existing baseball field west of the existing paved access road and installation of the following:
  - Paved parking lot with covered parking area.
  - Picnic tables and covered picnic area.
  - Roof-top solar panels on the covered parking and picnic structures.
  - Multi-use concrete court for tennis, pickleball, basketball, etc.
  - Dog park (northwestern area of the park).
  - Playground (southwestern area of 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 4, §15304 (Minor Alterations to Land)

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 4 includes minor public or private alterations in the condition of land, including grading on land with a slope of less than ten percent that does not involve the removal of healthy, mature, scenic trees. 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, grading on land with less than ten percent slope, 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 Washburn Bue Park Improvements

Attachment A: Documentation in Support of a Categorical Exemption

Path: N:\companyfiles\01-Jobs\Active\032-73 PACE - Burney Water District - Parks Improvements\3-Project GIS\3-Map Documents\Washburn Bue Park\Figure 1 Project Location and Vicinity 022421.mxd

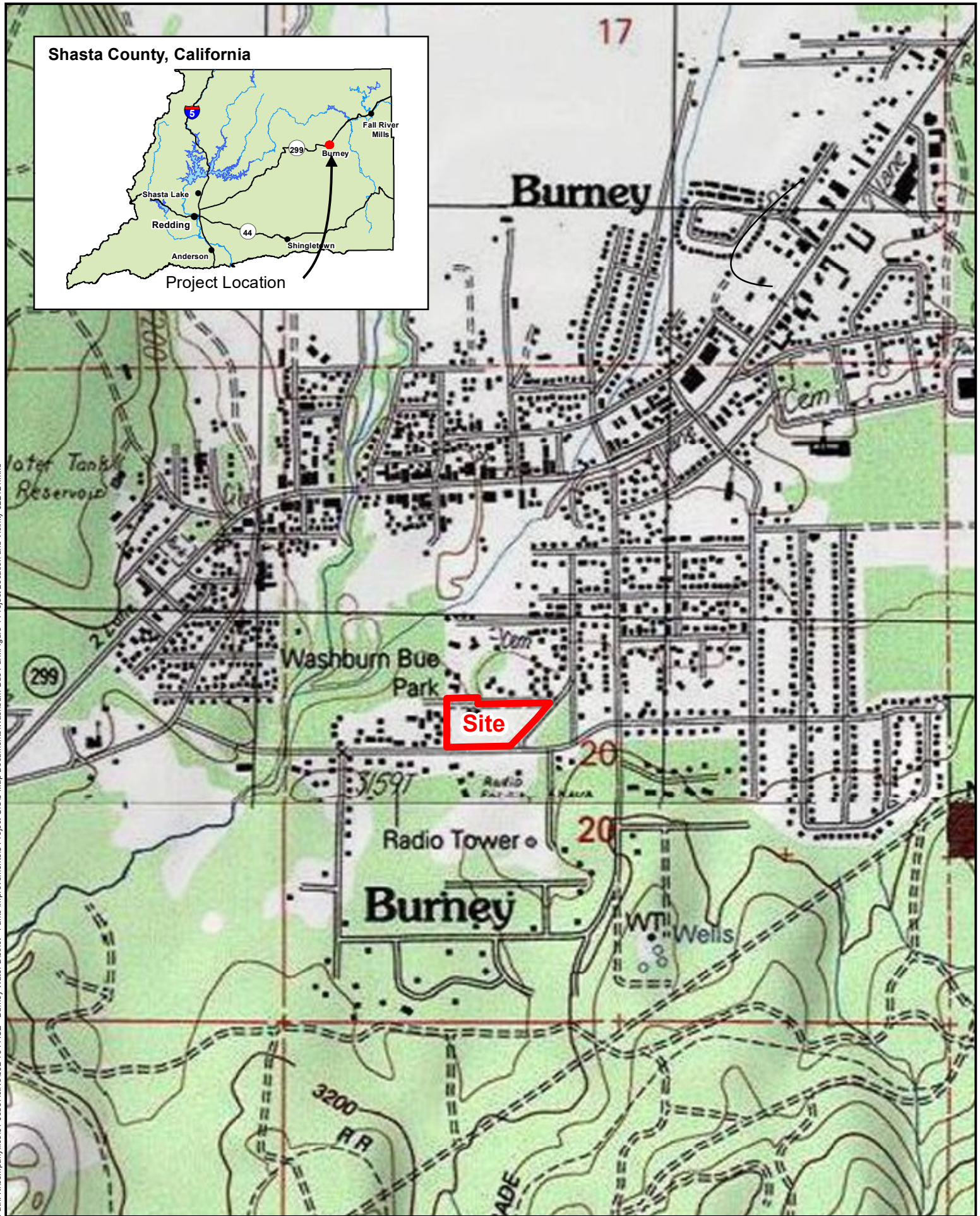
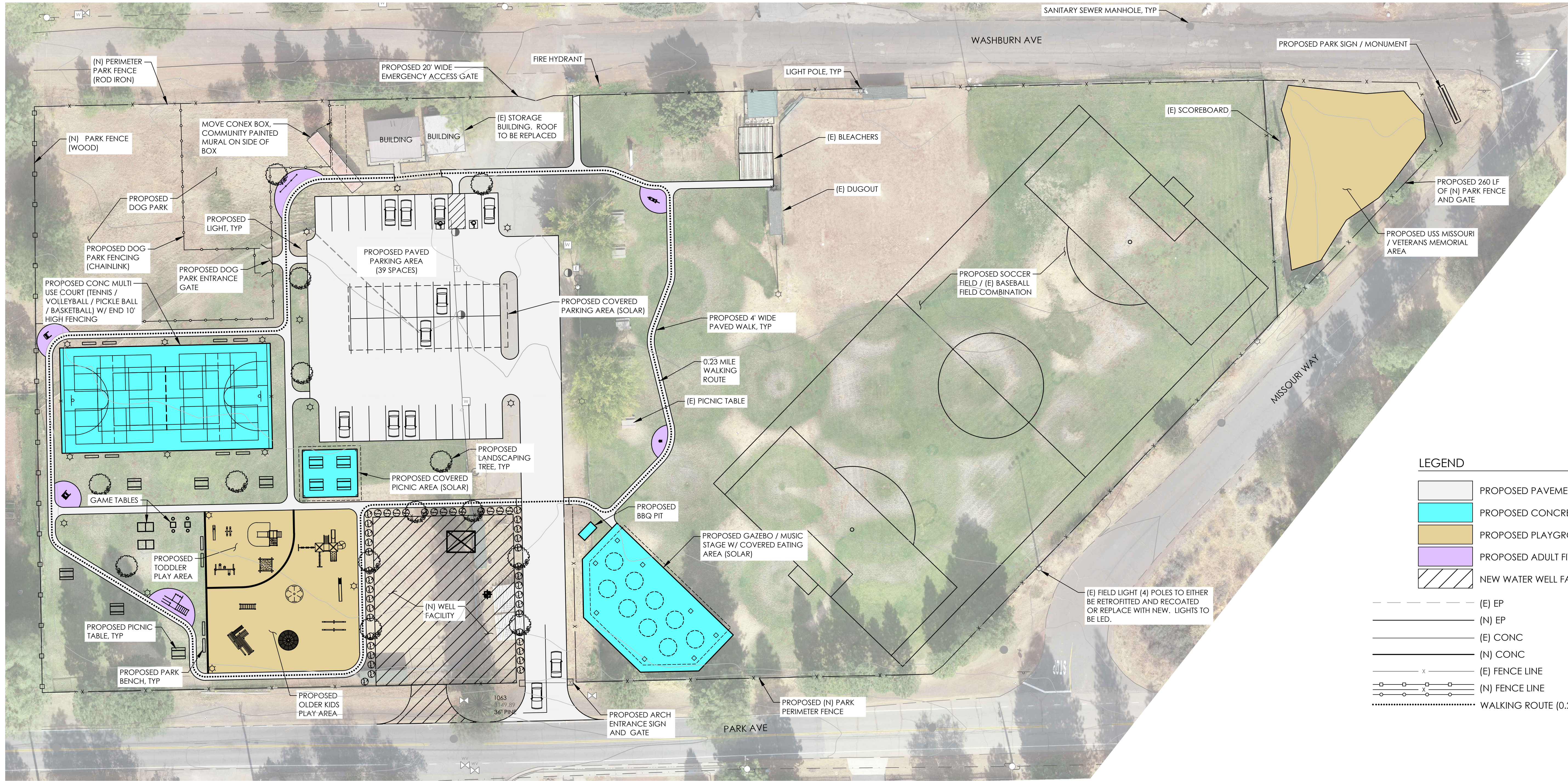
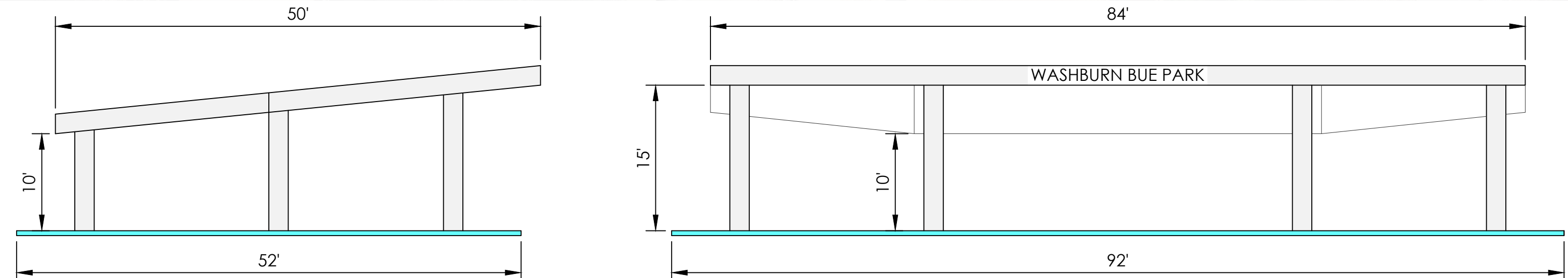


Figure 1  
**Project Location and Vicinity**

All depictions are approximate. Not a survey product. 02.24.2021



- LEGEND**
- PROPOSED PAVEMENT
  - PROPOSED CONCRETE AREA
  - PROPOSED PLAYGROUND AREA
  - PROPOSED ADULT FITNESS COURSE
  - NEW WATER WELL FACILITY SITE
  - (E) EP
  - (N) EP
  - (E) CONC
  - (N) CONC
  - (E) FENCE LINE
  - (N) FENCE LINE
  - WALKING ROUTE (0.23 MILES)



CONCEPTUAL WASHBURN BUE PARK - GAZEBO / MUSIC STAGE  
1"=10'

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

SIGNED

DES TJ	CKD	JOB NO.
DRN TJ	DATE 02/24/21	306.41

STATEWIDE PARK DEVELOPMENT & COMMUNITY REVITALIZATION GRANT PROGRAM  
WASHBURN-BUE PARK IMPROVEMENT PLANS - BURNEY, CA

**CONCEPTUAL SITE PLAN  
WASHBURN BUE PARK**

**Figure 2**

**ATTACHMENT A**  
**Documentation in Support of a Categorical Exemption**  
**Burney Water District, Washburn Bue Park**

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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), §15304 (Class 4-Minor Alterations to Land), 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 Washburn Bue Park. Although the District is proposing improvements to two other parks in the community, those parks are not in proximity to Washburn Bue Park. The District is also evaluating a location in the southern area of the park for installation of a groundwater well; however, it is not anticipated that the park improvements would be completed concurrently with the well improvements. Therefore, 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 Washburn Avenue, Park Avenue, and Missouri Way, and to individuals living in the area; the proposed improvements would be visible from these areas. Solid fencing would be installed along the western property line to provide screening of the park from residences immediately west of the park. Proposed improvements would be similar in character to existing uses in the park, and no healthy, mature, scenic trees would be removed. Therefore, the visual change would not be significant.

New lighting would be installed in the new parking lot and adjacent to the multi-use concrete court and playground. 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. Roof-top solar panels would be installed on the gazebo, on parking structures, and on the covered picnic area. Solar panels are designed to absorb light rather than reflect it, which minimizes glare. In addition, due to the relatively small size of the panels, impacts associated with glare are not expected. Given the placement of the panels on rooftops, glare would be more likely to occur above the sightline of homes in the area. 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, and no trees would be removed to accommodate the improvements. Therefore, there would be no impact on agriculture or forest resources.

### **Air Quality/Greenhouse Gas (GHG) Emissions:**

The proposed project would result in the temporary generation of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and other regulated pollutants during construction. ROG and NO<sub>x</sub> emissions would be associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. PM<sub>10</sub> 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 increase in 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 (CNDDB) 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 CNDDB 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 CNDDB 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 plant or 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***

The project does not involve the removal of trees or other potentially suitable nesting habitat for birds.

### **Energy**

Components of the proposed project that would result in energy use include new lighting. Energy use from the lighting would be minimal and not considered wasteful, inefficient, or unnecessary. In addition, the existing field lights would be converted to more energy-efficient LED lighting. Further, roof-top solar panels would be installed on the gazebo, parking structures, and covered picnic area. 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 2.25 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.

The proposed play area, multi-use court, picnic area, and dog park in the western area of the park would generate noise; however, these uses would replace a baseball field, and a solid fence would be installed along the western property line to reduce noise levels at the residences west of the park. The proposed joint-use baseball and soccer field in the eastern area of the park would replace an existing baseball field. Noise could occur if the proposed gazebo is used for special events; however, park hours are limited to daytime hours and the use would be required to comply with Shasta County General Plan noise standards. 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. 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 5.25 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 0.3 miles north 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 is one soil type on the project site: Burney-Arkright complex, 2 to 9 percent slopes. The Burney-Arkright soil dates to the late Pleistocene and is 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 parks improvements, 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 the soil 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:

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**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.

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