



MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM CITY OF CHICO PLANNING DIVISION

Based upon the analysis and findings contained within the attached Initial Study, a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program is proposed by the City of Chico Planning Division for the following project:

PROJECT NAME AND NUMBER: Thorntree Grading and Mini Storage (ER 19-01)

APPLICANT NAME: Don Brown
2865 Cactus Avenue
Chico, Ca 95973

PROJECT LOCATION: Southerly side of Thorntree Drive, approximately 700 feet easterly of Cohasset Road, within the City of Chico city limits, APN 016-200-122

PROJECT DESCRIPTION: The proposed project involves grading of an approximate 6.9-acre area to facilitate the future development of the site with a personal storage facility (mini storage). The grading will involve a cut volume of approximately 1,017 cubic yards with a fill volume of approximately 8,550 cubic yards of material across the site. The types of equipment used for the project may include, but are not limited to, a grader, dumb haul trucks, backhoe, excavator, and work trucks. An upland flow conveyance ditch will be constructed along the eastern, southern, and a portion of the western boundaries of the property. The conveyance ditch will be approximately 10-feet wide and the base approximately 2-feet deep. The bottom of the bio-retention basin will contain a subsurface drainage/storage layer consisting of gravel overlain with a layer of soil. Native grasses will be planted along the slope of the basin to prevent erosion. The basin will also include an outfall weir near its southern intersection with the upland flow ditch.

The project will maintain a distance of 15-feet away from the tow of the existing Sycamore Creek Federal Setback Levee. With the addition of the 10-foot width for the upland flow conveyance ditch the distance grading will maintain from the setback levee is 25-feet. The project is approximately 110 feet away from the top of bank of Sycamore Creek and approximately 165 feet from the centerline of Sycamore Creek.

The proposed grading is to facilitate the future development of the site with a personal storage facility (mini storage). The project involves approximately 68,800 square feet of building footprint, including five storage buildings and one office building. Access to the site would be provided by a private driveway from Thorntree Drive. Other site improvements include landscaping, parking areas and new lighting, such as pole-mounted box lights and building mounted pack-lights. Full Site Design and Architectural Review in compliance with Chico Municipal Code (CMC) section 19.18 will be required at a future date, at which time detailed plans will be reviewed and conditioned as necessary to ensure adherence to all applicable CMC development requirements.

FINIDING: As supported by the attached Initial Study there is no substantial evidence, in light of the whole record before the agency, that the project will have a significant effect on the environment if the following mitigation measures are adopted and implemented for the project:

MITIGATION D.2 (Biological Resources): The project will incorporate the avoidance and minimization measures (AMMs), standard best management practices (BMPs) and other notification requirements identified in applicable permits into project plans and specifications and/or contract documents. Incorporation of these requirements will protect sensitive natural resources and water quality from project impacts and ensure that the project will not jeopardize the continued existence of special-status species.

MITIGATION MONITORING D.2: Planning and Engineering staff will require all standard BMPs and AMMs to be incorporated into project plans prior to issuance of any grading permit for the project.

Implementation of the above mitigation measure and monitoring will avoid potential conflicts with the nesting raptors, owls or migratory birds to a level that is considered **less than significant with mitigation incorporated**.

MITIGATION Q.1. (Tribal Monitor): The applicant's contractor shall, at no fiscal cost to the applicant or applicant's contractor, provide for the presence of a Mechoopda Indian Tribal Monitor during all earth moving and ground disturbing activities. The applicant shall provide the contractor's contact information for the purpose of providing direct information to the Tribal Monitor regarding project scheduling and safety protocol, as well as project scope, location of construction areas, and nature of work to be performed. The determination to be present for any, some, or all construction activities shall be at the discretion of the Tribal Monitor.

MITIGATION Q.2. (Inadvertent Discovery): If during ground disturbing activities, any potentially prehistoric, protohistoric, and/or historic cultural resources are encountered, the supervising contractor shall cease all work within 10 feet of the find (100 feet for human remains) and notify the City. A professional archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and being familiar with the archaeological record of Butte County, shall be retained to evaluate the significance of the find. City staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. If human remains are uncovered, the project team shall notify the Butte County Coroner pursuant to Section 7050.5 of California's Health and Safety Code. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the City, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the City to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.

If paleontological resources are encountered during Project subsurface construction, all ground-disturbing activities within 10 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery.

MITIGATION MONITORING Q.1 and Q.2: Planning staff will verify that the above wording is included on construction plans. Should tribal cultural resources be encountered, the supervising contractor shall be responsible for reporting any such findings to Planning staff, and contacting a professional archaeologist, in consultation with Planning staff, to evaluate the find.

Implementation of the above mitigation measure and monitoring will avoid potential conflicts with the inadvertent discovery of Tribal Cultural and Cultural Resources on the site and will reduce potential impacts to a level that is considered **less than significant with mitigation incorporated**.

PROJECT APPLICANTS INCORPORATION OF MITIGATION INTO THE PROPOSED PROJECT:

I have reviewed the Initial Study for The Gonzales Grading Plan (ER 18-01), and the mitigation measures identified herein. I hereby modify the project on file with the City of Chico to include and incorporate all mitigation set forth in this document.

Authorized Signature, Project Applicant

Don Brown

Prepared by: _____

Shannon Costa, Associate Planner
Community Development Department

_____ Date

Adopted via: _____