



Date: June 18, 2021

MEMORANDUM for the Record

To: Matt Thompson
City Engineer
City of Oroville

Subject: City of Oroville State Route 162 Pedestrian/Bicycle Disabled Mobility and Safety Improvements Project (ATPCML 5142[036], EA 4H360) – California Environmental Quality Act Memo

The City of Oroville proposes to improve multimodal transportation and safety along State Route 162 (SR-162) and Oroville Dam Boulevard with the construction of class II bike lanes, new sidewalks, and other pedestrian and bicycle facilities (Project) in the City of Oroville. The purpose of the Project is to improve multimodal connectivity with the City and provide improved safety and active transportation connections along the corridor with the construction of Class II bike lanes, curb gutters and sidewalks, high visibility crosswalks, streetlights, and a new multiuse path connecting to River Bend Park.

The Project is subject to the California Environmental Quality Act (CEQA; Public Resources Code 21000–21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387). The Project is anticipated to be categorically exempt from CEQA under Section 15301 of the State CEQA Guidelines. The following memo provides documentation to assist with preparing the Notice of Exemption (NOE) for the Project.

A NOE must be filed within 5 days of project approval. Per GPA’s scope of work, GPA will file the signed NOE with the State Clearinghouse. It is assumed the City will file the signed NOE with Butte County and pay the filing fee. Filing an NOE starts a 35-day statute of limitations period on legal challenges to the City’s decision that the Project is exempt from CEQA. If an NOE is not filed, a 180-day statute of limitations will apply.

The Project includes Federal funding and is therefore subject to the National Environmental Policy Act (NEPA; 42 United States Code [USC] 4321–4347) and its implementing regulations (40 Code of Federal Regulations [CFR] Parts 1500–1508). The Project is anticipated to be categorically excluded under 23 CFR 771.117(c)(3). California Department of Transportation (Caltrans) assumed Federal Highway Administration’s NEPA responsibilities pursuant to 23 USC 326 for these types of proposed activities. Caltrans is the lead agency for NEPA and will be preparing a NEPA Categorical Exclusion for the Project.

1. PROJECT DESCRIPTION

The majority of the proposed Project is located on SR-162 for approximately 2.8 miles between the Feather River Bridge at State Route (SR-70) and Foothills Boulevard (See **Exhibit 1**, Regional Location Map, and **Exhibit 2**, Project Location Map). Additional segments of the Project include Oroville Dam Boulevard E for approximately 1 mile, Feather River Boulevard for approximately 0.35 miles, Lower Wyandotte Road for approximately 400 feet, and a crosswalk on Lincoln Street. The City of Oroville is committed to improving multimodal connectivity within the City and the Project proposes to construct class 2 bike lanes, curb gutters and sidewalks, high visibility crosswalks, streetlights, and a new multiuse path connecting to Riverbend Park. The main purpose of the Project is to provide improved safety and active transportation connections along the corridor.

Sidewalks

Within the limits of the Project, sidewalks would be constructed where there is currently no sidewalk present. This sidewalk gap closure would provide a continuous American with Disabilities Act (ADA) path along the SR-162 corridor and improve pedestrian mobility overall. Where there is no sidewalk present, the existing road would be sawcut and excavated out to the depth of the curb gutter and sidewalk. This sidewalk would conform to existing sidewalk and new curb ramps would be constructed as needed. Physical limitations within the Project, such as existing sign/utility poles within sidewalk alignments, would be treated by widening sidewalks around conflicts to ensure ADA compliance.

The construction of the new sidewalks would also include potential driveway modifications along the SR-162 corridor. Vehicles are currently allowed to exist SR-162 at undefined locations to visit business. This creates a dangerous situation for both bicyclists and pedestrians. New sidewalk construction would formalize driveways and increase predictability of movements by vehicles, bicyclists, and pedestrians at these conflict points.

Bike Lanes

Continuous on-street bike lanes would be constructed along both sides of the streets within the Project limits. Bike lanes would be designed in accordance with American Association of State Highway and Transportation Officials and California Department of Transportation (Caltrans) guidelines. Where space is adequate, buffered bike lanes would be implemented in order to increase safety to bicyclists on the corridor. This additional gap between cars and bicyclists also encourages ridership and alternate forms of transportation along the corridor.

Multiuse Path Connection to Riverbend Park

Improving corridor connectivity would also include construction of a new multiuse path at SR-162 and State Route (SR-70). This new multiuse path would connect to the existing sidewalk east of the Feather River Bridge and connect to the existing Riverbend Park paths underneath the bridge. This new access to the park bridges the gap in pedestrian and bicycle connection to the southern end of the park and complies with the local community plan. This new path would be constructed on the west corners at the southbound SR-70 on/offramps and follow the embankment

slopes down to tie existing Riverbend Park paths. The existing fence would be replaced and gates would be installed along the multiuse path. The gate would be closed during park closure hours.

Street/Pedestrian Lighting and Pedestrian Hybrid Beacon

Street and Pedestrian lighting would be included as necessary to enhance pedestrian, bicycle, and motor vehicle safety. A new Pedestrian Hybrid Beacon would also be installed at the intersection of SR-162 and Spencer Avenue.

Medians

Medians would be constructed at the intersection of SR-162 and Spencer Avenue. These medians would channelize vehicles on Spencer Avenue, to only allow right-in and right-out movements. This would also include the construction of a pedestrian refuge island within the SR-162 cross section.

Utilities

The City would work with local utility owners to relocate poles, as necessary, to provide ADA compliance in sidewalks. The underground facilities may be relocated, if needed, would need to be adjusted to grade if they are within the sidewalk alignment.

Drainage Improvements

With the addition of new sidewalk, rain runoff would now be channelized within curb and gutters that were not previously captured. This new collection of water would be carried within the new curb and gutter and outlet into newly constructed drainage inlets. These new inlets would tie into Caltrans' existing drainage system.

Right of Way

Record research would be performed to located recorded maps including, right of way maps, records of survey, corner records, and other official maps of record necessary to determine the right of way within the Project area. These right of way lines, as shown on record maps, would be used to determine if there are any impacts to right of way.

An initial investigation has shown that right of way acquisitions would be required to construct this Project. There are 15 parcels that would require sliver acquisitions adjacent to SR-162 in order to place the new sidewalk (See City of Oroville, 2021a). The City would work with property owners to compensate for land and damages (if any). All required right of way would be acquired before construction of the Project. Permit to Enter letters would be collected for sidewalk and driveway constructions where right of way acquisitions are not required.

2. CALIFORNIA ENVIRONMENTAL QUALITY ACT

CEQA Lead Agency: City of Oroville

Contact Person: Matt Thompson

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Categorical Exemption: Section 15301, Existing Facilities

Reasons why project is exempt: The Project would be categorically exempt from CEQA pursuant to Section 15301, Existing Facilities, of the State CEQA Guidelines. Section 15301 (Class 1) exemptions consist 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. The Project would add class II bicycle lanes and transit improvements such as sidewalks, gutters, and two multiuse paths.

The Project would not meet the exceptions outlined in Section 15300.2 of the State CEQA Guidelines, as follows:

(a) Location: The Project is not located within a designated, mapped, or officially adopted sensitive area.

(b) Cumulative Impact: The Project would comply with all applicable rules and regulations and would include standard avoidance and minimization measures to reduce potential impacts. Significant and unavoidable impacts related to any resource area are not anticipated (see Response [c], [e], and [f] below for additional information). Other past, present, and reasonably foreseeable future projects would be expected to comply with all local, state, and federal rules and regulations, as well as develop avoidance, minimization, and mitigation measures to reduce potential impacts to less than significant levels. Therefore, cumulative impacts are not anticipated.

(c) Significant Effect: The CEQA Guidelines Appendix G Checklist was used to determine whether impacts would be significant. The Project would not result in any significant impacts to the environment and no mitigation measures would be required.

The Project is located in a semi-urban area that does not contain agricultural, forestry, or mineral resources. The Project is also not located on lands classified within a very high fire hazard severity zone (Office of the State Fire Marshall, 2021). The Project would also not alter landforms, nor create unstable slopes, and would not exacerbate any existing geologic hazards. In addition, the Project is not anticipated to be growth inducing. Although the Project would require restriping and replacing parking spaces, the Project is not anticipated to result in any displacements or relocations of people or businesses.

The Project is not anticipated to impact agricultural and forestry, energy, geology and soils, mineral resources, population and housing, public services, or wildfire. The remaining environmental factors are discussed below. Subsections (e) and (f) discuss impacts to hazardous materials and cultural resources (archaeological and built environment), respectively.

Aesthetics: The Project would not be anticipated to damage a scenic vista or substantially damage scenic resources. The Project is not located within or visible from a state scenic highway. The Project would not conflict with applicable zoning or other regulations governing scenic quality. In addition, the Project would not result in a new source of substantial light or glare. Therefore, no significant impacts related to aesthetics would occur.

Air Quality/Greenhouse Gases: An Air Quality and Greenhouse Gas Memo was prepared for the Project (AMBIENT Air Quality & Noise Consulting, 2021a). The Project would not increase capacity of any road and would not substantially change travel demands or traffic patterns. Therefore, the Project would not be anticipated to result in an increase in operational air quality or greenhouse gas emissions. Construction activities would potentially result in air quality and greenhouse gas emissions. A Traffic Management Plan would be developed and implemented per the 2018 Caltrans Standard Specifications and must comply with the California Manual on Uniform Traffic Control Devices, Part 6, "Temporary Traffic Control." The Project would also implement the measures identified in the Air Quality Memo, which would further reduce air quality emissions resulting from construction activities. Therefore, no significant impacts related to air quality would occur.

Biological Resources: Caltrans prepared a Natural Environment Study No Effect Memo for the Project (California Department of Transportation, 2021). According to the California Department of Fish and Wildlife California Natural Diversity Database, National Marine Fisheries Service, and the United States Fish and Wildlife Service Official Species List, there is potential for multiple federally threatened or endangered species to be in the Project area based on geographical distribution. However, the area is nearly void of naturally occurring vegetation or other natural resources. In addition, jurisdictional waters and wetland would be avoided. Therefore, no significant impacts related to biological resources would occur. The Project would be required to comply with Caltrans Standard Specification 14-6.03B, Bird Protection.

Land Use & Planning: A Community Impact Assessment (CIA) Memo was prepared for the Project, which assessed impacts on land use and planning (City of Oroville, 2021a). The Project would be located primarily along existing roads and would not be anticipated to physically divide a community. In addition, the Project would be consistent with existing and proposed land uses and would not alter existing land uses in the City or within the Project area. The Project is consistent with the City's General Plan (City of Oroville, 2015). The City would implement the avoidance and minimization measures identified in the CIA Memo and no significant impacts related to land use and planning would be anticipated to occur.

Noise & Vibration: The construction of bike lanes and sidewalks would not be anticipated to affect operational traffic noise. A Construction Noise Technical Memo was prepared for the Project (AMBIENT Air Quality & Noise Consulting, 2021b). The nearest noise sensitive receptors are residences along the Project area (along Olive Highway and from Oroville Quincy Highway to Orange Avenue). Noise from construction activities would be short-term and would be required to comply with Caltrans Standard Specifications Section 14-8.02 and the City of Oroville Municipal Code, Chapter 9.20 Noise. Therefore, no significant impacts related to noise would occur.

Water Quality & Hydrology: A Water Quality Memo was prepared for this Project (City of Oroville, 2021b). Temporary construction impacts could result in changes to the aquatic environment through contamination of stormwater and removal of vegetation. Construction Best Management Practices (BMPs), such as silt fencing, fiber rolls, stormwater sampling, would be implemented as part of the Project to prevent erosion and contamination of receiving drainages and waterbodies. Therefore, temporary changes to water quality would be minimize or avoidance with adherence to BMPs. With the addition of new curb gutters and sidewalks and improvements to drainage, long term operational impacts would be beneficial. Therefore, no significant impacts related to water quality would occur.

The proposed multiuse trails in Riverbend Park are located within the 100-year floodplain. A Location Hydraulic Study and Summary Floodplain Encroachment Report were prepared for the multiuse trails (Avila & Associates, 2021). The Project would not result in any adverse hydraulic impacts since the proposed trail connections are located within the ineffective flow area created by the SR-162 bridge. No increase in the water surface elevation for the 100-year event is expected and the Assessment Level Risk is low. Therefore, no significant impacts related to hydraulics or hydrology would occur.

The Feather River is a designated floodway that has been adopted by the Central Valley Flood Protection Board (CVFPB), without a federal levee. Encroachments within 300 feet of a designated floodway require a CVFPB Encroachment Permit. The City would obtain a CVFPB Encroachment Permit for the multiuse trails prior to construction.

Recreation: The Project would include a temporary staging area and construction of multiuse trails on the Riverbend Park. These trails would ultimately benefit the park. In addition, all temporary construction areas would be required to be improved to a condition that is as good or better than that of existing conditions. It is not anticipated that these multiuse trails would result in a physical degradation of the Project area or have an adverse physical effect on the environment. Therefore, no significant impacts related to recreation would occur.

Transportation: The purpose of the Project is to provide improved safety and active transportation connections along the corridor. The Project is not anticipated to conflict with a program, plan, policy, ordinance, or policy addressing the circulation system. Therefore, no significant impacts related to transportation would occur. A Traffic Management Plan would be developed and implemented per the 2018 Caltrans Standard Specifications during construction.

Utilities: The proposed Project may require relocating existing utilities and installing new utility connections. A Dig-Alert would be filed to verify the location of all underground utilities prior to the start of any construction activity. In addition, existing utility service providers would be contacted prior to any ground-disturbing activities to minimize disruptions in service. The Project Sponsor would coordinate with all affected utility owners and operators prior to and during construction activities. Therefore, no significant impacts related to utilities and service systems would occur.

(d) Scenic Highways: The Project area is not located within or visible from a state scenic highway.

(e) Hazardous Waste Sites: A Phase I Initial Site Assessment (ISA) was prepared for the Project to identify recognized soil or groundwater contamination and hazardous material issues that may affect the Project (Crawford & Associates, 2021). Record searches were conducted and a site reconnaissance was performed in July 2020 in support of this ISA.

The ISA did not identify any site compiled pursuant to Section 65962.5 of the Government Code, which would be affected by the Project. The ISA identified two recognized environmental conditions, including the release of a small volume of non-polychlorinated biphenyls (PCB) mineral oil in 2008, and raw sewage from the sanitary sewer in 2014. The ISA determined that it is unlikely that lingering effects from either of these releases would adversely impact the Project.

The ISA also identified 16 facilities with recognized environmental conditions or historic recognized environmental conditions. However, according to the ISA, none of these facilities appear likely to have impacted shallow soils to the depths and locations anticipated to be encountered by the Project. In addition, a reconnaissance of the Project site did not identify conditions indicating the presence of any additional recognized environmental condition that might impact the Project.

The Project would be required to comply with all applicable rules and regulations regarding the transportation, use, and disposal of any hazardous material. Therefore, the Project is not anticipated to create a significant hazard to the public or the environment through the routine transportation, use, or disposal of hazardous materials. The City would implement the applicable measures and recommendations identified in the ISA for the following material.

Asbestos Containing Material: The ISA determined that the Project plans do not include the demolition of potential asbestos containing structures or flatwork. Therefore, no action with respect to asbestos was deemed warranted unless Project implementation requires demolition of concrete facilities. Should the Project potentially require the demolition of potential asbestos containing material, a Certified Asbestos Consultant would conduct an asbestos survey prior to demolition. Written notification to the Air Quality Management District would also be required if demolition or renovation operations is required on any structures at least 10 days prior to conducting the work, regardless of the presence or absence of asbestos in bridge material.

Aerially Deposited Lead: As part of the ISA effort, soil samples were collected where property would be acquired to evaluate concentrations of aerially deposited lead. Reported lead concentrations did not exceed the hazardous waste threshold, and the ISA does not recommend additional lead surveys. Disposal characterization of excavated soil within the Project corridor should include analysis for lead.

Lead Based Paint: Transportation structures have the potential to contain lead at concentrations that may require abatement or special handling. A Certified Lead Inspector/Assessor must collect and analyze samples from painted surfaces when the likelihood of flaking, peeling, or paint dust exists. If lead is identified at concentrations above threshold limits, painted surfaces must be disposed of in accordance with Caltrans

2018 Standard Specification Section 14-11.13, Disturbance of Existing Paint Systems on Bridges, and Caltrans 2018 Standard Special Provision 14-11.13. The presence, or likely presence, of lead in the Project site requires preparation of a Lead Compliance Plan (Caltrans 2018 Standard Specifications Section 7-1.02K[6][j][ii], Lead Compliance Plan, and Caltrans 2018 Standard Special Provision 7-1.02K[6][j][iii]), and a Health and Safety Plan for workers in accordance with Cal OSHA Title 8, Section 1532.1.

Agricultural Chemicals: Two orchards were identified by historic aerial photography at the northeast and southeast corners of the South Fifth Avenue intersection in 1952 that are gone by 1962. A sidewalk was installed adjacent to the former orchard on the northeast corner of the intersection. This Project would install a sidewalk at the southeast corner. A Site Investigation is recommended to analyze soil from the southeast corner of S. Fifth Avenue intersection to test for the presence of agricultural chemicals (arsenic, organochlorine pesticides, organophosphates) at the location of the former orchard.

Treated Wood Waste: Chemically treated wood would be handled as treated wood waste and disposed of as hazardous waste. In addition, the handling of treated wood waste would be required to comply with Caltrans SSP 14-11.14.

Thermoplastic Striping: Traffic striping may contain heavy metals, including lead and chromium, at concentrations in excess of the hazardous waste thresholds established by the California Code of Regulations, and may produce toxic fumes when heated. If Project plans call for these markings to be removed by planing or grinding, it should either be assumed that hazardous levels of lead are present in the paint, or the paint should be tested for the presence of lead at concentrations above the hazardous waste threshold. If required, Caltrans SSP 84-9.03C would be followed, which would require a lead compliance plan even if lead is present at non-hazardous concentrations. If the painted paving material is removed and recycled without grinding or planing, the painted pavement does not need to be handled as hazardous waste.

Transformers: Polychlorinated biphenyls may be present in products and materials, including electrical transformers, produced prior to 1979. Although no indications of transformer leakage were observed during the reconnaissance, care should be taken when working in the vicinity of transformers. According to the ISA, identification and remediation of old transformers would be the responsibility of the utility owner.

Dredge Trailing: The western portion of SR-162 (between the railroad tracks and Feather River) is constructed through dredge trailing. Although not a recognized environmental condition, it is possible that mercury could be present in soils in this portion of the Project. Project planning would include consideration of potential presence of mercury in dredged material.

Unknown Hazards: Caltrans Unknown Hazards Procedure provided in Appendix G of the ISA would be followed for any discovery of unknown hazardous conditions during construction.

(f) Historical Resources: A rapid record search for historical resources within 0.25 miles of the Project area was conducted in May 2021 of the Northeast Center of the California Historical Resources Information System. According to the records search results, two resources have been previously recorded within the Project boundaries. In addition, one resource was recorded within the 0.25-mile search radius. The Project is located in a region utilized by Konkow populations. Unrecorded prehistoric cultural resources may be located within the Project area.

William Larson, Caltrans District 3 Professional Qualified Staff, conducted a field review of the Project location in June 2021. Caltrans is preparing a screening memo for the Project under Section 106 of the National Historic Preservation Act determining that the Project would not affect historic properties.¹

In accordance with Caltrans Standard Specification 14-2.03A, if archaeological resources are discovered, work would immediately stop within 60 feet of the discovery until an archaeologist can investigate the discovery. If human remains are discovered, work would immediately stop, and the County Coroner would be contacted. As required by Public Resource Code Section 5097.98, the Most Likely Descendant would be contacted upon the discovery of Native American human remains.

3. REFERENCES

- AMBIENT Air Quality & Noise Consulting. (2021a). *Air Quality & Greenhouse Gas Technical Memorandum for the SR-162 Pedestrian/Bicycle Disabled Mobility and Safety Improvements Project in the City of Oroville.*
- AMBIENT Air Quality & Noise Consulting. (2021b). *Construction Noise Technical Memorandum for the SR-162 Pedestrian/Bicycle Disabled Mobility and Safety Improvements Project in the City of Oroville.*
- Avila & Associates. (2021). *Location & Hydraulic Study for the SR-162 Pedestrian/Bicycle Disabled Mobility and Safety Improvements Project in the City of Oroville.*
- California Department of Transportation. (2021). *Natural Environment Study No Effects Memorandum.*
- City of Oroville. (2015). 2030 General Plan. Retrieved from <https://www.cityoforoville.org/services/planning-development-services-department/planning-division/planning-documents>
- City of Oroville. (2021a). *Community Impact Assessment Memorandum for the SR-162 Pedestrian/Bicycle Disabled Mobility and Safety Improvements Project.*
- City of Oroville. (2021b). *Water Quality Memorandum for the SR-162 Pedestrian/Bicycle Disabled Mobility and Safety Improvements Project.*
- City of Oroville. (n.d.). Zoning Information. Retrieved from <https://www.cityoforoville.org/services/community-development-department/planning-division/zoning-information>

¹ W. Larson, Associate Environmental Planner (Archaeology), Caltrans District 3, personal communication, July 17, 2021.

Crawford & Associates. (2021). *Final Initial Site Assessment State Route 162 Pedestrian/Bicyclist/Disabled Mobility and Safety Improvements*.

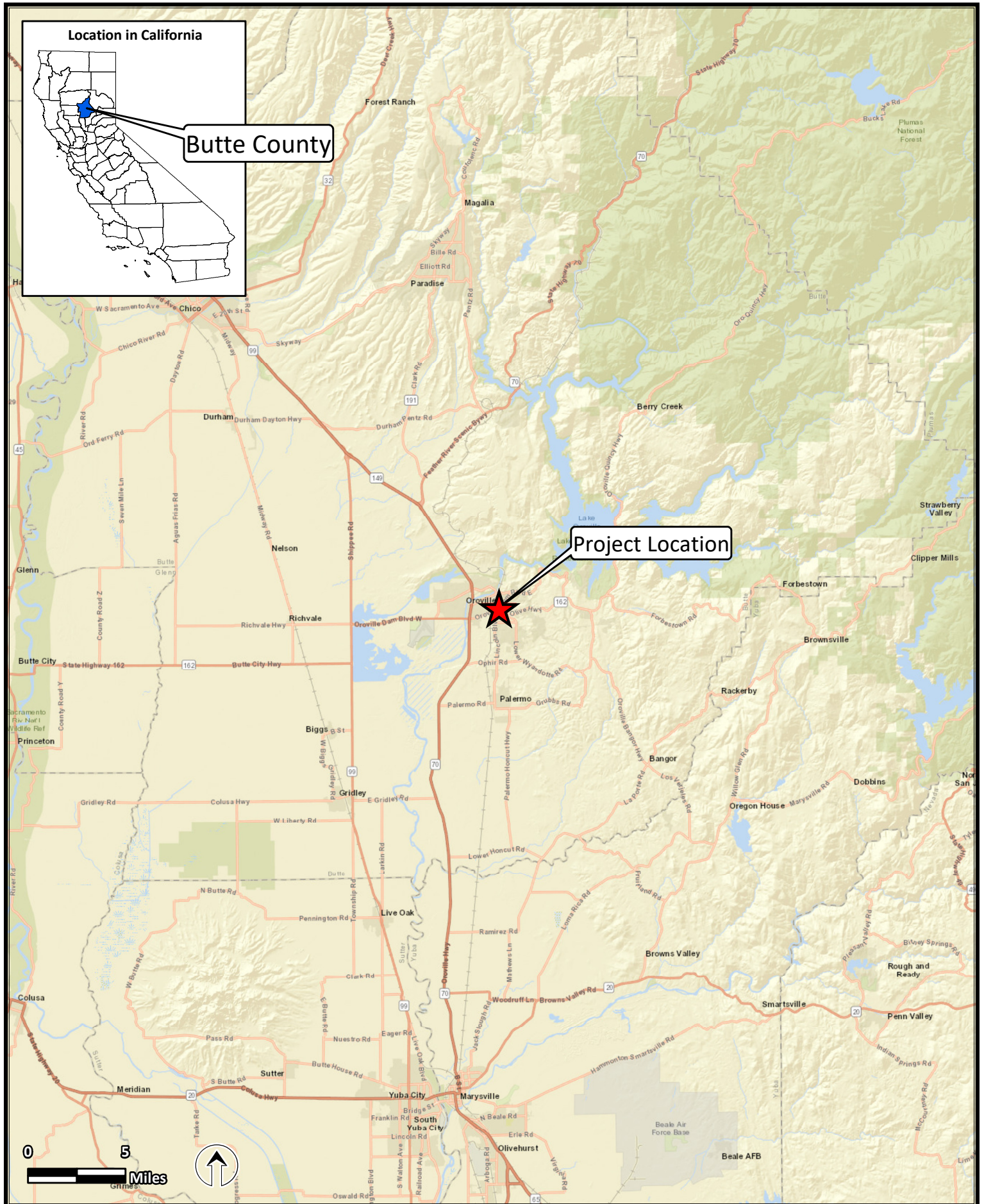
Office of the State Fire Marshall. (2021). *Fire Hazard Severity Zone Maps*. Retrieved June 15, 2021, from <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

4. EXHIBITS

Exhibit 1: Regional Location Map

Exhibit 2: Project Location Map

**EXHIBIT 1:
Regional Location Map**

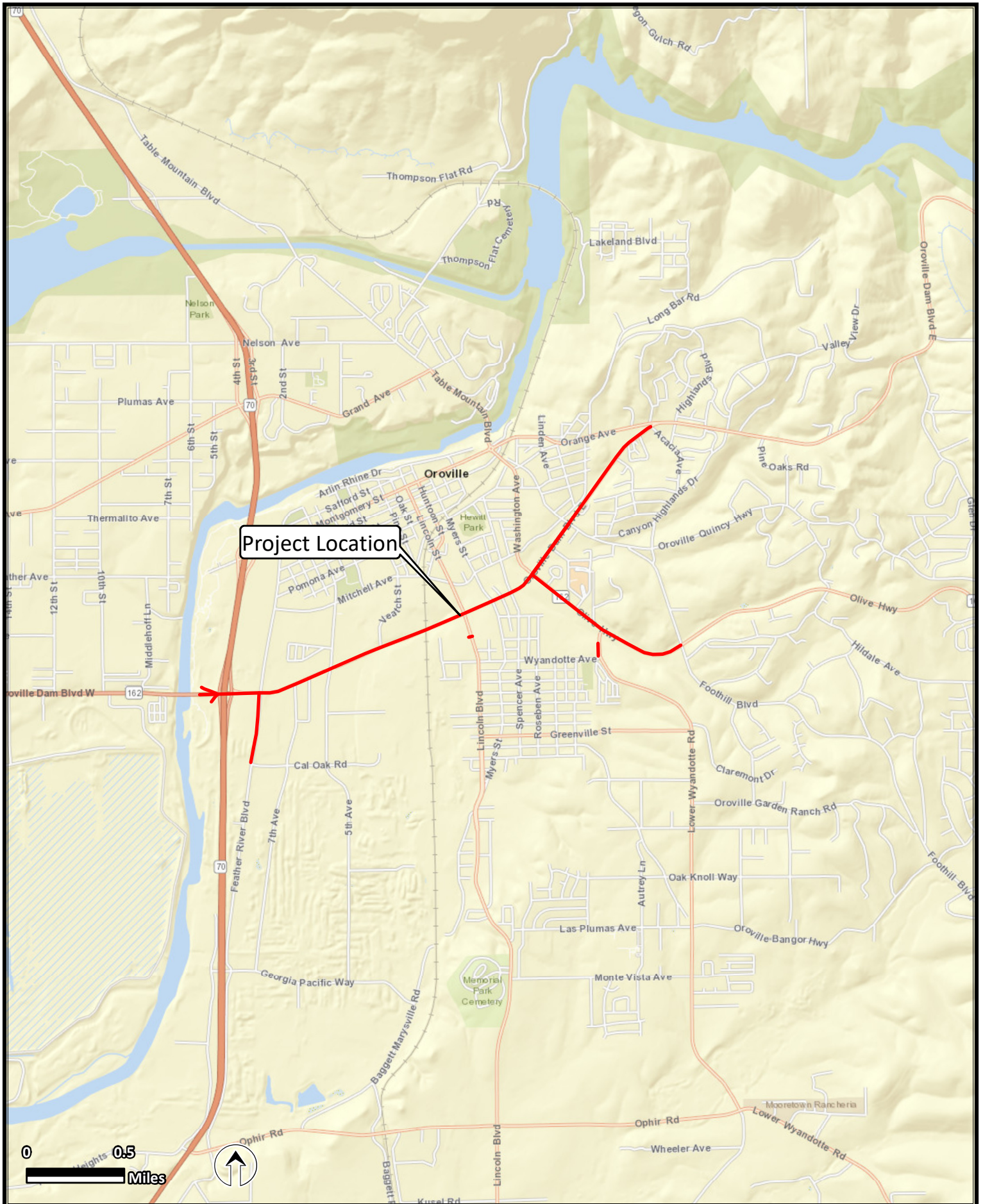


Sources: ESRI 2020.

**FIGURE 1. REGIONAL LOCATION MAP
SR 162 Pedestrian/Bicycle Disabled Mobility
and Safety Improvements Project**



**EXHIBIT 2:
Project Location Map**



Sources: ESRI 2020.

**FIGURE 2. PROJECT LOCATION MAP
SR 162 Pedestrian/Bicycle Disabled Mobility
and Safety Improvements Project**

