



State of California - Department of Fish and Wildlife  
**2021 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

POSTED 5/25/21 THROUGH 6/30/21

RECEIPT NUMBER  
 04 — 05/25/2021 — 061

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>Feather River Recreation and Park District</b>	LEAD AGENCY EMAIL	DATE <b>05/25/2021</b>
COUNTY/STATE AGENCY OF FILING <b>Butte</b>	DOCUMENT NUMBER	

PROJECT TITLE  
**Feather River Nature Trail Improvements**

PROJECT APPLICANT NAME <i>Feather River Recreation and Park District</i>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(530) 533-2011</b>
PROJECT APPLICANT ADDRESS <b>1875 Feather River Blvd</b>	CITY <b>Oroville</b>	STATE <b>CA</b>
		ZIP CODE <b>95965</b>

PROJECT APPLICANT (Check appropriate box)

Local Public Agency     School District     Other Special District     State Agency     Private Entity

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,445.25 \$ \_\_\_\_\_ 0.00
- Mitigated/Negative Declaration (MND)(ND) \$2,480.25 \$ \_\_\_\_\_ 0.00
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,171.25 \$ \_\_\_\_\_ 0.00

- Exempt from fee
  - Notice of Exemption (attach)
  - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ \_\_\_\_\_ 0.00
- County documentary handling fee \$ \_\_\_\_\_ 50.00
- Other \$ \_\_\_\_\_

PAYMENT METHOD:

- Cash     Credit     Check     Other    **TOTAL RECEIVED \$ \_\_\_\_\_ 50.00**

SIGNATURE <b>X</b> <i>C. Peterson</i>	AGENCY OF FILING PRINTED NAME AND TITLE <b>C. Peterson Butte County Deputy-Clerk Recorder, Sr.</b>
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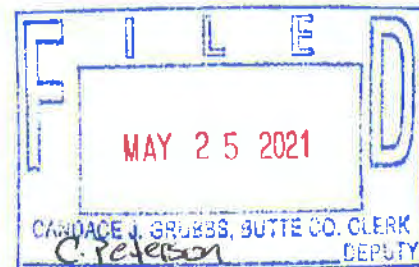


## NOTICE OF EXEMPTION

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

**County Clerk**  
County of Butte  
25 County Center Drive  
Oroville, CA 95965

**From:** Feather River Recreation and Park District  
1875 Feather River Blvd.  
Oroville, Ca 95965  
(530) 533-2011



**Project Title:** Feather River Nature Trail Improvements

**Project Location - Specific:** Refer to Figure 1: Location Map.

The project is located on the east end of the historic downtown of the City of Oroville, in Butte County, CA. The existing trail extends from the eastern terminus of Arlin-Rhine Memorial Drive, east to the parking lot at Old Ferry Road, adjacent to the Feather River. **Section:** 8 T19N R4E, **Latitude/Longitude:** 39°31'00.87N 121°33'00.12W

**Project Location - City:** Oroville

**Project Location - County:** Butte

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

The project will consist of minor grading and reconstruction of the approximately 1,000-foot nature trail that extends from the eastern terminus of Arlin-Rhine Memorial Drive to the parking lot at Old Ferry Road. The Nature Trail is a day-use facility which is free of charge. These improvements will provide better accessibility, decrease trail erosion, and improve safety. Much of the project area has been disturbed and consists of several aggressive invasive plant species. Annual ground cover is dominated by introduced and invasive grass species, resulting in a lack of suitable habitat for many of the special-status plant species listed by USFWS, CDFW, and CNPS.

A small number of elderberry sprouts are present in three areas along the trail. One cluster of Elderberry stems is directly adjacent to the trail, the second and third cluster being off the trail approximately 35 to 50 feet to the southeast. Two Elderberry clusters lack stems greater than one inch in diameter and therefore do not qualify as suitable habitat for Valley Elderberry Longhorn Beetle (VELB). Of the 10-15 shoots on the third plant, one measured approximately 1 1/16" in diameter. The quality and character of this cluster is nonetheless the same as the others, and does represent suitable habitat. Because the plants are not considered suitable habitat for VELB, There is no evidence that the project will have a significant impact on VELB.

Environmentally sensitive area (ESA) fencing will be erected around the elderberry shrubs in order to protect them from harm and generally support future biotic conditions which might be conducive to VELB.

Additionally, sheets of plywood will be erected just beyond the dripline of the elderberry shrubs to protect them from airborne dust and provide a buffer from project activities. Signage designating the shrub as a sensitive resource will be erected. A qualified biologist will inspect the integrity of the plywood protective structure to ensure it is constructed properly and effectively. The biologist will also conduct an educational program for all project personnel prior to the initiation of construction activities. The program will include information on the protected species and habitats found in the project area, requirements of federal and state laws pertaining to the species, and identification of the measures implemented to conserve the species and habitats within the project area.

Migratory birds are protected in varying degrees under California Fish and Game code, Section 3503.5, and the Migratory Bird Treaty Act (MBTA). The vegetation surrounding the project area provides suitable nesting and foraging habitat for many of these species.

Vegetation removal or ground disturbance in areas where nests of birds protected by the MBTA (16 USC §703) and the CFGC (§3503) potentially occur, should be conducted between September 1 and February 28 (i.e. the non-breeding season). If vegetation removal or ground disturbance must occur during the breeding season (i.e. March 1 to August 31) then a qualified biologist shall:



- Conduct a survey for raptors and all other birds protected by the MBTA and map all nests located within 250 feet of construction areas. The survey should be conducted no more than two weeks prior to the start of construction.
- Develop buffer zones around active nests that are sufficient in size to ensure impacts to nesting species are avoided. Construction activities shall be prohibited within the buffer zones until the young have fledged or the nest fails, as determined by a qualified biologist.

**Name of Public Agency Approving Project:** Feather River Recreation and Park District

**Name of Person or Agency Carrying Out Project:** Feather River Recreation and Park District

**Exempt Status:**

- 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 (type and section number); Categorical (public Resources Code Section 21080(b)(9), 21084); Section 15301 – Existing Facilities; Section 15302- Replacement or Reconstruction; and Section 15304- Minor Alterations to Land.

Statutory Exemption (state code number): \_\_\_\_\_

**Reason why project is exempt:**

The project consists of the rehabilitation of a deteriorated facility to improve public safety along an existing trail. The replacement would be located on the same site and will have the same purpose and capacity as the facility replaced. No significant effect on the environment has been determined because the project is at the same site and will have the same purpose and capacity as the existing trail.

**Lead Agency**

**Contact:** Shawn Rohrbacker, General Manager      **Phone:** (530)533-2011

**If filed by applicant:**

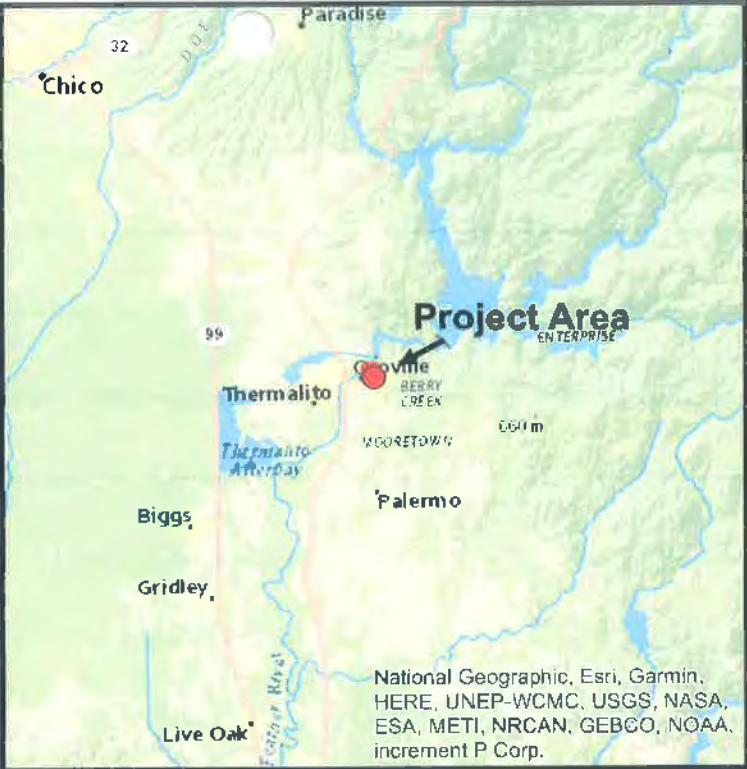
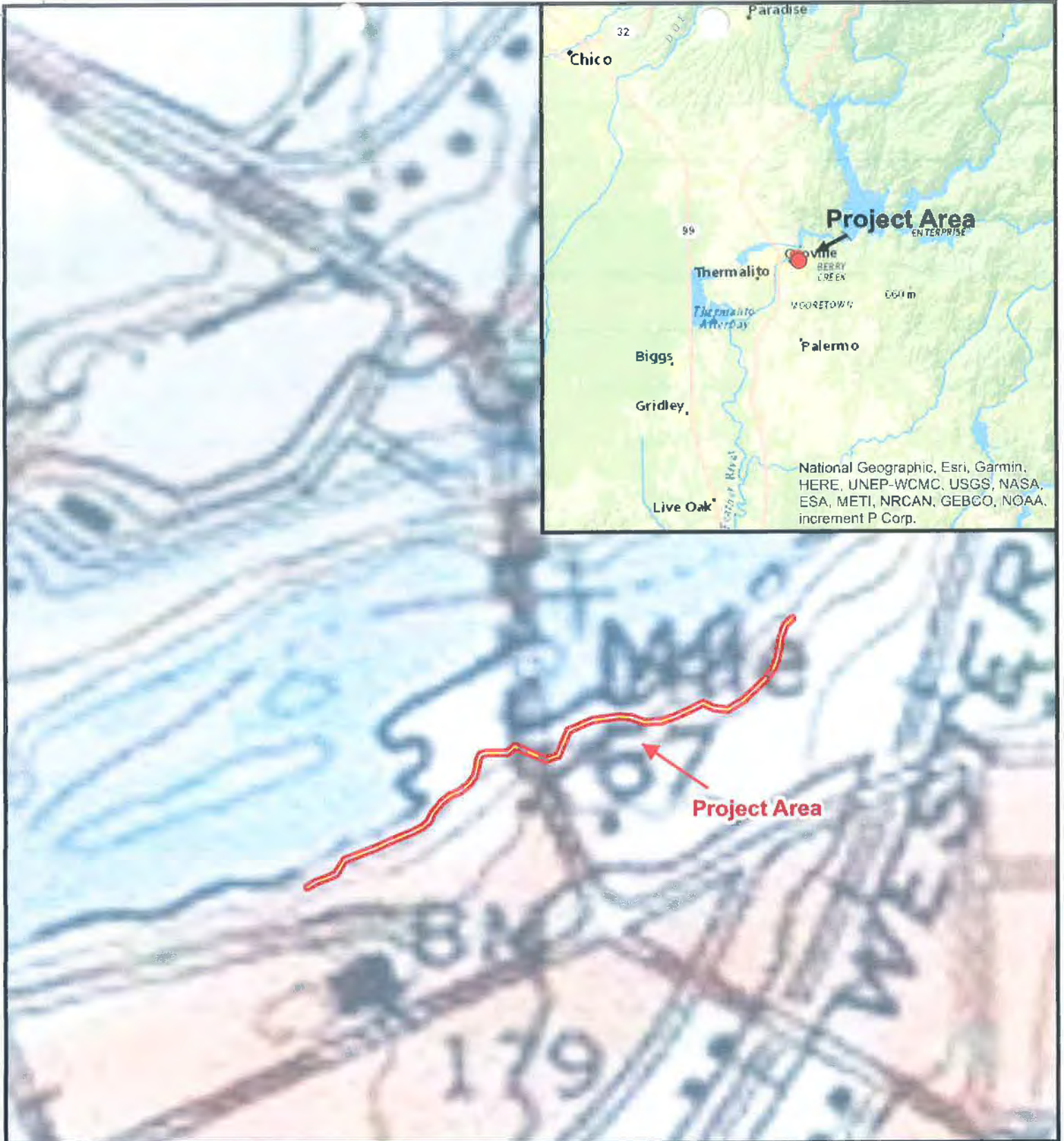
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature:       Title: General Manager      Date: 5/24/2021

- Signed by Lead Agency
- Signed by Applicant

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





**Project Area**

**Legend**

- Project Area
- Trail



Imagery Source: USGS Topo  
 Inset Imagery: National Geographic

Within Section 5  
 Township 19N, Range 04E,  
 Butte County, CA  
 OROVILLE USGS 7.5' Quad

\* All Parcel and boundary linework depicted are for general reference only and do not represent legal survey boundaries.

Map Date:  
5 March 2021

Drawn By:  
CJW & BSA

NSE Project #  
13-312

**Figure 1: Location Map**

Feather River Recreation and Parks District:  
Oroville Nature Trail




111 MISSION RANCH BLVD., SUITE 100 CHICO, CA 95926  
 PHONE: (530) 893-1600 - www.NorthStarEng.com - © NorthStar








**Legend**

 Project Area

 Trail



1 inch = 128 ft (printed at 8.5 x 11)

Imagery Source:  
USGS Topo  
Inset Imagery:  
National Geographic



Within Section 30  
Township 22N, Range 02E,  
Butte County, CA  
CHICO USGS 7.5' Quad

**Project Ariel View Map**

**Feather River Recreation and Parks District:  
Oroville Nature Trail - Butte County, CA**



**NORTHSTAR**  
... Designing Solutions

\* All Parcel and boundary linework depicted are for general reference only and do not represent legal survey boundaries.

Map Date:  
4 May 2021

Drawn By:  
BSA

NSE Project #  
13-312

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