PLANNING COMMISSION

Memorandum

CITY of CHICO

Date: 11/18/2026

Files: SP 21-01, GPA 22-05, RZ 22-03, CA 22-03, DA 23-02

TO: Planning Commission

FROM: Mike Sawley, Principal Planner (879-6812; mike.sawley@chicoca.gov)

RE: Barber Yard Specific Plan – Response to Additional Comments Received

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ADDITIONAL PUBLIC COMMENTS RECEIVED

Additional public comments have been received for the project, as listed below. Under CEQA Guidelines section 15088(a), the City is not required to respond to comments received after the close of the public comment period; however, the City provides the following responses in the interest of transparency. The purpose of this memorandum is to provide brief staff responses to the more-substantive issues raised in the additional comments, which are appended to this memo. The comment letters are as follows:

1. Aqua Terra Aeris Law Group (ATA) letter, 11/13/2026
2. Nelson letter, 11/5/2026

RESPONSE TO COMMENTS RECEIVED 11/05/2026 THRU 11/15/2026

ATA letter, 11/13/2026

General Comment Letter Summary: Concerns regarding EIR analysis of transportation and circulation, noise, hazardous materials, and agricultural resources. Focuses primarily on transportation operations and bicycle/pedestrian safety, the adequacy of the vehicle miles traveled (VMT) analysis, potential noise impacts, hazardous materials remediation and oversight, and agricultural resource impacts associated with the proposed off-site detention basin. Requests further evaluation of those issues before project approval.

ATA Comment A (subsections 1-8), Biker and Pedestrian Safety Impacts: Refers to Caltrans's comments regarding traffic volumes, operational performance, and queuing at intersections including W. 9th Street/Main Street, W. 9th Street/Oroville Avenue, W. 8th Street/Oroville Avenue, East 20th Street/Park Avenue, and the SR-99/Skyway interchange. Claims that ATA's letter on the Draft EIR completed Caltrans's comments by supplying specific safety concerns regarding the intersections mentioned by Caltrans. Provides exhibits showing citywide crash data for bicyclists and pedestrians, and screenshots showing smaller areas within the southern half of the City. Claims the crash

data provided demonstrates that the EIR analysis of bicyclist and pedestrian safety impacts generated by the project are inadequate.

Staff Response: The Draft EIR contains a comprehensive transportation analysis evaluating vehicle miles traveled (VMT), bicycle facilities, pedestrian facilities, transit service, roadway safety, emergency access, and cumulative transportation conditions. The comments largely disagree with the conclusions reached by the City's transportation consultants. CEQA does not require unanimity among experts or agencies. Rather, the relevant question is whether substantial evidence supports the City's conclusions that transportation impacts from the proposed project will be less than significant.

The Final EIR directly responded to Caltrans's comments and provided additional discussion regarding trip distribution, circulation patterns, and project operations. The Final EIR Response to CALTRANS-3 provides specific justification for evaluating traffic safety concerns based on queuing on freeway exit/off ramps, so that relevant analysis was included in the Final EIR, consistent with published Caltrans guidance for traffic safety evaluation. The cited Caltrans letter does not emphasize pedestrian and bicyclist safety concerns in connection with requests for additional vehicle queuing and intersection operation information, the added emphasis on pedestrian and bicyclist safety is introduced with ATA's comments.

Several of the intersections emphasized by ATA are located well beyond the immediate vicinity of the project and are separated from the project by multiple roadway segments and intervening intersections. Because project traffic disperses throughout the well-connected City roadway network, only a portion of project-generated trips would travel through any one of these more-distant intersections. Existing operational and safety concerns at those facilities are therefore influenced primarily by regional traffic conditions rather than by project traffic. A project's incremental contribution to cumulative traffic effects on streets outside the project's vicinity are addressed through the City's Capital Improvement Program under which each new land use pays a "fair share" contribution of Development Impact Fees toward citywide projects that improve roadway conditions for all users.

Regarding existing collision history and traffic safety, the transportation analysis in the EIR distinguishes between existing safety conditions and project-caused impacts. Existing collision history, traffic congestion, and roadway deficiencies are baseline conditions. The Draft EIR evaluated transportation safety under Impact TRANS-5 and concluded that roadway improvements associated with the project would be designed in accordance with City standards, Caltrans requirements, the California Manual on Uniform Traffic Control Devices, American Association of State Highway and Transportation Officials guidance, and Fire Department access standards.

Regarding the identification of truck hauling routes during construction, ATA again appropriates Caltrans's requests for information to serve its concerns with pedestrian and bicyclist safety. Caltrans concludes the referenced comment by stating "Caltrans recommends that the applicant work with the City of Chico if E 20th Street or E Park Avenue will be utilized during the construction phase." Truck routes will be determined on a case-by-case basis as needed for each phase of on-site development, considering all the applicable factors important for those decisions, include pedestrian and bicyclist safety. The applicant is pursuing the ability to use private UPRR facilities adjacent to the west side of the project site to transport soil that must be taken off-site. While the City cannot require soil export by rail, successful implementation of this option by the applicant would reduce the number of truck trips on City roadways.

Regarding trip generation, updated Figure 3 of Appendix J is provided on page 573 of 584 of the Final EIR. Updated Figure 3 shows that, of the 30% of trips assigned to E Park Avenue, 22% turn onto southbound SR99 and 8% proceed straight onto Skyway.

Regarding the adequacy of MM TRANS-2 and MM TRANS-3, refer to Final EIR response to comments ATA-4, ATA-5, ATA-6, ATA-9, *FIDELI-VILLASENOR-5, HERMAN-4, HERMAN-5, SEGALLA-8 and SHUEY 1-1*.

Following circulation of the Final EIR on 9/18/2026 containing the City's responses to Caltrans's comments on the Draft EIR, Caltrans responded on 9/23/2026 expressing gratitude for being included in the process and noting that the agency has "no comments at this time" (see Planning Commission Report, Attachment F, page 263).

ATA Comment B: Contends that the Draft EIR inadequately analyzes operational noise from stationary sources by focusing on Lmax standards instead of Leq standards, specifically regarding mechanical ventilation equipment, parking lot activity, loading/unloading operations, and sports field activity. The commenter requests that the EIR be revised to analyze operational noise using the applicable Leq standards and identify additional mitigation if necessary. The commenter also requests establishment of a community hotline or complaint-response process for noise-related concerns.

Staff Response: The comment incorrectly states that operational stationary-source noise was evaluated solely against Lmax thresholds. As discussed in the Draft EIR and demonstrated in the detailed calculations provided in Appendix H, both Lmax and Leq noise levels were calculated for representative stationary noise sources, including truck loading/unloading activities, parking lot activities, mechanical ventilation equipment, and sport field activities. The referenced 50-60 dBA Leq value for mechanical ventilation equipment represents source noise at the equipment, not the resulting noise level at a sensitive receptor. Appendix H shows that modeled noise from mechanical ventilation equipment would attenuate to approximately 35 dBA Leq at the nearest off-site residential receptor and 42 dBA Leq at the nearest on-site residential receptor, which are below the

City's applicable operational noise standards. In addition, Mitigation Measure NOI-2b requires future project-specific acoustical studies to demonstrate compliance with the City's nighttime standards of 65 dBA Lmax and 50 dBA Leq for stationary noise sources. Therefore, the Draft EIR adequately evaluates operational noise impacts and identifies mitigation to ensure future development complies with applicable City noise standards.

With respect to requests for a community hotline, CEQA requires mitigation for significant environmental impacts but does not require establishment of a complaint hotline where impacts have been determined to be less than significant. Noise complaints may be directed to the City through its normal code enforcement and public works reporting procedures. Therefore, the comment does not identify a significant impact not already analyzed in the Draft EIR, and no revision to the Draft EIR is required.

ATA Comment C (Emergency Evacuation): The commenter contends that the EIR inadequately evaluates emergency evacuation impacts associated with wildfire and other hazards. The commenter argues that the City's conclusion that wildfire impacts would be less than significant because the Project is not located within a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone (VHFHSZ) does not adequately account for regional wildfire risks demonstrated by the Camp Fire and Park Fire. The commenter cites *League to Save Lake Tahoe v. County of Placer* and asserts that the EIR should include a detailed evacuation analysis evaluating Project effects on evacuation timing and roadway capacity during emergency events. The commenter further argues that the EIR fails to adequately consider evacuation complications associated with the nearby Kinder Morgan Liquids Terminal and PG&E substation, which the commenter characterizes as potential sources of hazardous conditions that could affect evacuation routes.

Staff Response: The comment does not identify a deficiency in the EIR's analysis. As discussed in the EIR, the BYSP site is not located within a State Responsibility Area or a mapped Very High Fire Hazard Severity Zone and therefore does not meet the criteria requiring detailed wildfire impact analysis under CEQA. The commenter primarily relies on regional wildfire events that occurred outside the project site and does not provide substantial evidence demonstrating that project implementation would substantially impair an adopted emergency response plan or emergency evacuation plan. Unlike the project considered in *League to Save Lake Tahoe v. County of Placer* (2022), the BYSP is located within an urbanized area served by an interconnected roadway network and is not situated within a high wildfire hazard area where evacuation constraints associated with wildfire exposure were a central issue.

The EIR and responses to comments also explain that project occupants would not be dependent on routes adjacent to the Kinder Morgan Liquids Terminal or PG&E facility for evacuation. The commenter provides no substantial evidence demonstrating that potential incidents at those facilities would prevent emergency evacuation from the project site or create a project-related significant environmental impact. CEQA requires analysis

of impacts caused by the project and does not require speculation regarding unrelated emergency scenarios absent substantial evidence demonstrating a reasonably foreseeable project impact. Therefore, the EIR adequately addresses emergency access and evacuation, and no additional analysis is required.

ATA Comment D (Agricultural Impacts): The commenter contends that the EIR's agricultural impact analysis and use of the California Agricultural Land Evaluation and Assessment (LESA) Model are inadequate because the EIR allegedly does not clearly document the zone-of-influence methodology used in the LESA analysis. The commenter further argues that the LESA analysis improperly focuses on the off-site stormwater infrastructure area rather than the entire project and therefore may not accurately evaluate surrounding agricultural resources, indirect land-use conflicts, and agricultural conversion pressures. The commenter also references comments submitted by LAFCo regarding the off-site detention basin area and requests that the EIR revise and document the LESA methodology, recalculate applicable scores, and further evaluate agricultural impacts.

Staff Response: The comment reiterates concerns previously raised regarding the scope and methodology of the LESA analysis. As explained in the EIR and responses to comments, the LESA evaluation was prepared consistent with applicable California LESA methodology and focused on lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Further explanation regarding these specific claims about the LESA methodology is provided in responses to “Wilson email 9/6/2026,” in the Planning Commission staff report (see Attachment G, page 349-350). The Zone of Influence is an area within the 0.25-mile boundary used for the off-site development area.

Appendix B describes the surrounding land uses within that area, totaling approximately 481.4 acres, and presents the resulting LESA inputs and scores. The EIR explains that the Barber Yard Specific Plan area itself is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and that the LESA analysis was applied to the agricultural lands potentially affected by the off-site stormwater detention improvements which encompass 7.1 acres in the off-site improvement area. Including the 133-acre BYSP site in the LESA evaluation would have undermined the purpose of the analysis, which is to assess potential effects on agricultural resources. The BYSP site is a previously developed brownfield area mapped as "Other Land;" it is not agricultural land, and it lacks characteristics that contribute to agricultural viability, such as agricultural water availability. Because the site is substantially larger than the affected agricultural areas, its inclusion would disproportionately influence the LESA scoring and expand the analysis into the City's urbanized environment, where agricultural uses and protected resource lands are less common, resulting in a less meaningful assessment of agricultural resource impacts.

The commenter speculates that a different zone-of-influence boundary could result in different scoring outcomes but provides no analysis demonstrating that the LESA conclusions would materially change or that the EIR understates any significant agricultural impact. Similarly, assertions regarding indirect growth pressure, parcel fragmentation, and agricultural land-use conflicts are distinct from the LESA score itself, and are speculative and unsupported by substantial evidence. Moreover, the EIR addresses agricultural compatibility and cumulative impacts in its agricultural analysis.

LAFCo asserts in its 9/18/2026 letter that the EIR's analysis of agricultural land conversion is inadequate regarding the provision of municipal services on the off-site stormwater basin parcel and LAFCo's Greenline policies. LAFCo's letter does not dispute the detailed the methodology or results of the LESA modeling contained in Appendix B of the Draft EIR. In light of the LAFCo letter, the Planning Commission staff report identifies an on-site stormwater basin option, which the EIR analyzed as Alternative 3.

This ATA comment does not identify new information or substantial evidence requiring revision of the EIR's agricultural resource analysis.

ATA Comment II (Adequacy of Alternatives Analysis) The commenter contends that the EIR fails to adequately evaluate a reasonable alternative that would eliminate or substantially reduce the recreational components of the Project. The commenter argues that existing parks and recreational facilities already serve the community and that removal of the proposed sports fields and recreational amenities could reduce noise, traffic, bicycle safety, and pedestrian safety impacts. The commenter asserts that the EIR dismisses this suggestion without sufficient analysis and therefore does not adequately evaluate a reasonable range of alternatives.

Staff Response: See Response to VLAMIS-12 in the Final EIR, page 3-303. The EIR's alternatives analysis satisfies CEQA's requirement to evaluate a reasonable range of potentially feasible alternatives capable of attaining most of the project's basic objectives while avoiding or substantially lessening significant environmental impacts. CEQA does not require analysis of every conceivable alternative suggested during the public review process. Rather, the alternatives analysis is governed by a rule of reason and need consider only a reasonable range of potentially feasible alternatives capable of attaining most of the project's basic objectives while avoiding or substantially lessening significant environmental effects. (CEQA Guidelines, § 15126.6, subds. (a), (c); In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143; City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401.) An alternative that would defeat the underlying purpose of a project need not be analyzed in detail merely because it would alter or eliminate a component of the proposed project.

The EIR identifies the project's underlying purpose as creating a mixed-use neighborhood that includes recreational and entertainment amenities. Those amenities also support

interrelated objectives: creating a distinct sense of place and central Social Hub for the broader community, extending the Barber Neighborhood, and promoting walkability and a mix of uses. Removing or substantially curtailing recreation would therefore undermine the project's core purpose and several of its objectives—not merely reduce an incidental feature. The commenter has not demonstrated that eliminating the recreational facilities would better meet the project's objectives or reduce significant impacts beyond the alternatives already analyzed in the EIR.

As explained in the responses to comments, recreational amenities are an integral component of the project, borne out of early public input during the plan inception process which identified a lack of recreational amenities in the Barber Neighborhood. The proposed recreational amenities also support project objectives related to providing a complete mixed-use neighborhood with housing, employment, open space, and community-serving facilities. While "removing some of the large recreational projects" may reduce some traffic as suggested by Vlamis, eliminating, or significantly reducing, the recreational facilities would undermine the underlying purpose of the project, which is to create a complete, walkable mixed-use neighborhood anchored by recreational and community-serving amenities that address the documented lack of recreation in the Barber Neighborhood. Accordingly, the EIR provides a legally adequate range of alternatives, and no additional alternatives analysis is required.

Nelson letter, 11/05/2026

Comment Summary: Concerns regarding hazardous materials remediation, public health, stormwater management, flooding, traffic, air quality, agricultural land conversion, and the timing of project approvals.

Staff Response: Staff has reviewed the comments and concludes that the issues identified are either addressed in the Final EIR, addressed through adopted mitigation measures, or concern future discretionary approvals that are not required for certification of the EIR.

The Final EIR and Planning Commission staff report acknowledge uncertainty regarding future approvals associated with the proposed off-site detention basin and expressly identify an alternative implementation pathway utilizing an on-site stormwater retention/detention basin. Under the on-site basin option, the project would proceed with a reduced residential density.

Because the EIR analyzed on-site detention with reduced residential density as Alternative 3, the EIR provides decision-makers with sufficient information to evaluate the project regardless of the outcome of future County and LAFCo actions.

The EIR relies upon Phase I and Phase II Environmental Site Assessments, prior remediation activities, supplemental investigations, and agency consultation. Mitigation

Measure HAZ-1 requires preparation and implementation of a DTSC-approved Soils and Debris Management Plan (SDMP) prior to grading and development activities. The measure establishes requirements for additional investigation, remediation, contaminated soil handling, groundwater management, and DTSC oversight. Accordingly, the EIR concludes that hazardous materials impacts can be reduced to a less-than-significant level, prior to any on-site development, through implementation of the required mitigation and regulatory oversight program.

The comment also mentions the ongoing PCP groundwater monitoring at the former Louisiana-Pacific facility and the potential overlap between construction and occupancy. The EIR expressly accounts for PCP groundwater, and the Phase II ESA's decision not to re-investigate it does not mean the EIR treated it as absent or irrelevant. The EIR identifies ongoing on-site PCP monitoring as a recognized environmental condition and explains that the Phase II did not reassess it because long-term monitoring and remediation were already underway. The EIR also describes the land-use restriction prohibiting groundwater use without DTSC approval and the recommendation for continued groundwater sampling.Regarding the Draft EIR's reporting of prior site clean up activities, and DTSC's concurrence with the environmental firm conducting the monitoring work, the EIR references its primary source for the information as follows: *VESTRA. 2018. Draft Five-Year Review 2013 through 2017 Chico Remanufacturing Facility) Formerly Diamonds Match Company Plant). January 2018.* Page 3 of the Five-Year review states "it was determined that the initial soil removal actions completed in 1992 reduced the levels of contamination to near background risk levels." The historical information was not provided in the EIR to downplay the significance of former industrial uses; it was intended to provide facts about prior site cleanup activities and what actions led to their conclusion.

To the commenter's overarching concern regarding continuing exposure to hazardous conditions, more recent environmental investigations conducted for the BYSP project demonstrate that soils onsite do, in fact, still exceed screening levels for heightened concentrations of arsenic and lead, particularly in the former burn dump areas, and will require additional remediation work under a new SDMP approved by DTSC.

The EIR's hazardous materials analysis and mitigation do not depend on methods used in the early 1990's. Follow-up investigation and remediation under the SDMP will be conducted using current methods and technology, subject to DTSC review and approval.

Additionally, the cited air-quality footnote addresses a different issue: potential exposure to diesel particulate matter when future residents occupy completed portions of the site while construction continues elsewhere. The EIR includes a conceptual health-risk analysis for that overlap and concludes that impacts would be below applicable thresholds with the identified controls.

ATA
AQUA TERRA AERIS
LAW GROUP

8 RIO VISTA AVE.
OAKLAND, CA 94611

KENYA S. ROTHSTEIN
ATTORNEY AT LAW

T: 818-648-4015
ksr@atalawgroup.com

November 13, 2026

Via First Class Mail

Attn: Principal Planner Mike Sawley
The City of Chico Planning Division
PO Box 3420
Chico, CA 95927
mike.sawley@chicoca.gov

RE: The Neighbors' Comment Letter Regarding the Final EIR for the Barber Yard Specific Plan Project

Dear Mike Sawley,

We submit this comment letter on behalf of the Neighbors of the Barber Yard Specific Plan Project (the "Project"), regarding the Project's Final EIR and in anticipation of the City of Chico Planning Commission's hearing on November 19, 2026.

The Final EIR does not adequately consider the Project's traffic, noise, wildfire emergency and evacuation, and agricultural impacts. In this letter, the Neighbors support and elaborate on several comments to the Draft EIR that the Final EIR fails to adequately respond to: the Neighbors' Draft EIR Letter (re: traffic, noise, wildfire emergency and evacuation); Caltrans' Draft EIR Letter (re: traffic and biker and pedestrian safety); Tyler Wilson's Letter (re: agricultural impacts); and Barbara Vlamis' Draft EIR Letter (re: alternatives).

The Neighbors request the Planning Commission recommend to the City Council that the project not be approved until the EIR analyzes the significant impacts and effective mitigation measures or avoidance alternatives further described in this letter.

I. The Draft EIR Fails to Adequately Analyze Impacts and Consider Effective Mitigation Measures Regarding Traffic, Noise, Wildfire Emergency and Evacuation, and Agriculture.

The EIR must describe feasible mitigation measures that can minimize the Project's significant environmental effects. (Pub. Res. Code §§ 21002.1(b), 21061, 21100(b)(3); CEQA Guidelines §§ 15121(a), 15126.4; *Environmental Council of Sacramento v City of Sacramento* (2006) 142 Cal.App.4th 1018, 1039.) The agency must adopt any feasible mitigation measures identified in the EIR that would mitigate or avoid the project's significant environmental impacts. (Pub. Res. Code §§ 21002.1(b); 21081(a)(1); CEQA Guidelines §§ 15021(a)(2), 15091(a)(1); see *King &*

Gardiner Farms, LLC v County of Kern (2020) 45 Cal.App.5th 814, 852.) Consistent with its obligations under CEQA, the EIR must consider the impacts to biker and pedestrian safety, noise, wildfire emergency and evacuation, and agriculture.

A. The EIR Does Not Adequately Address Biker and Pedestrian Safety Impacts

The EIR must, but does not, adequately address biker and pedestrian safety impacts. Based on data and their firsthand experience in the area, the Neighbors agree with the analysis in Caltrans' Draft EIR Letter, which states, "the development's location and the anticipated increase in traffic could create traffic congestion, safety hazards, and impact the highway's operations." (*See* Caltrans Draft EIR Letter at pg. 2.) Caltrans Draft EIR Letter requests further analysis at specific streets and intersections:

> Please provide a queuing analysis for study intersection 2, 3, 19, 20, W 9th Street (SR 32)/Oroville Avenue, and W 9th Street/ Main Street. Please discuss any potential safety concerns caused by higher levels of queuing that result from this project, and any related mitigation.
>
> Please add W 9th Street (SR 32)/Oroville Avenue, W 8th Street (SR 32)/Oroville Avenue, and W 9th Street/ Main Street as study intersections and evaluate existing conditions, existing plus project conditions, cumulative no project conditions, cumulative plus project conditions, and include queuing analyses for these intersections.
>
> For Figure 3: Project Trip Distribution, the project trip distribution is not clear. The distribution in and out of the project area equals 100%, which is expected. This figure shows that once traffic leaves the project 30% of the traffic is assigned to E Park Ave to and from the Skyway interchange. That is a significant amount of traffic assigned to this interchange and therefore should be included in the analysis. It is unclear how that 30% will be distributed upon reaching the interchange.
>
> Please provide clarification of the anticipated truck volumes during construction, and provide information on truck routes during construction. Note that E 20th Street and E Park Avenue are City Surface Transportation Assistance Act (STAA) routes, according to the "City of Chico – Local STAA Truck Route" map. Caltrans recommends that the applicant work with the City of Chico if E 20th Street or E Park Avenue will be utilized during the construction phase.

(Caltrans Draft EIR Letter at pg. 2.)

Caltrans is the state agency tasked with "[i]mproving lives and communities through transportation"— "managing more than 50,000 miles of California's highway and freeway lanes, provid[ing] inter-city rail services, permit[ing] more than 400 public-use airports and special-use hospital heliports, [] work[ing] with local agencies." (Caltrans, About Caltrans, https://dot.ca.gov/about-caltrans (last visited Sept. 25, 2026).) Caltrans runs programs to carry out its mission: Aeronautics, Highway Transportation, Mass Transportation, Transportation

Planning, Administration and the Equipment Service Center. (*Id*.) Given Caltrans' specialized expertise in transportation matters, the City of Chico should give appropriate consideration to Caltrans' concerns and undertake the additional analysis it requested. Instead, the Final EIR's Response to Comments dismissively states that Caltrans did not identify any specific safety concerns. (Final EIR at 3-7, pdf pg. 19.) However, in the Neighbors' Draft EIR Letter (Neighbors Draft EIR Letter at pgs. 2-4), the Neighbors provided specific safety concerns at the intersections Caltrans' identified above, and others. In the following subsections, the Neighbors elaborate on biker and pedestrian safety concerns.

1. Transportation Injury Mapping System Data Demonstrates a History of Traffic Safety Concerns.

UC Berkeley SafeTREC provides the Transportation Injury Mapping System ("TIMS"), which shows an overview of traffic safety crashes in California using the Statewide Integrated Traffic Records System ("SWITRS"). (Transportation Injury Mapping System (TIMS), *Safe Transportation Research and Education Center*, *University of California, Berkeley*. 2026.) The Neighbors conducted searches on TIMs that demonstrate a history of traffic safety concerns in Chico—especially at the intersections identified. (**Exhibit 1** [summaries of all crashes in the City of Chico over the last ten years (2016 to 2026)]; **Exhibit 2** [summaries of all bike and pedestrian crashes in the City of Chico over the last ten years (2016 to 2026)]; **Exhibit 3** [charts depicting bicyclist fatalities and injuries in the City of Chio over the last nine years (2016 to 2025)]; **Exhibit 4** [charts depicting pedestrian fatalities and injuries in the City of Chico over the last nine years (2016 to 2025)]; **Exhibit 5** [charts depicting all fatal and injury crashes in the City of Chico over the last nine years (2016 to 2025)]; **Exhibit 6** [chart depicting average bike victims over the last ten years (2016 to 2026) by zip code with 95928 being the second highest and where the Project is located]; **Exhibit 7** [chart depicting average pedestrian victims over the last ten years (2016 to 2026) by zip code with 95928 being the second highest and where the Project is located]; **Exhibit 8** [chart depicting the average of all fatal and injury crashes over the last ten years (2016 to 2026) by zip code with 95928 being the highest and where the Project is located]; **Exhibit 9** [chart comparing the fatalities and injuries over the last ten years (2016 to 2026) across the state, Butte County, and the city of Chico, which shows that the city of Chico is close to and often exceeds the share of victims statewide]; **Exhibit 10** [screenshots of TIMS SWITRS GIS Map demonstrating a concentration of crashes between 2016 to 2026 at the intersections CalTrans identified as requiring further analysis in the EIR due to safety concerns].) The crash summaries at Exhibits 1 through 10 to this letter support the need for the EIR to have a thorough analysis of the impacts and mitigation measures at the intersections CalTrans identified.

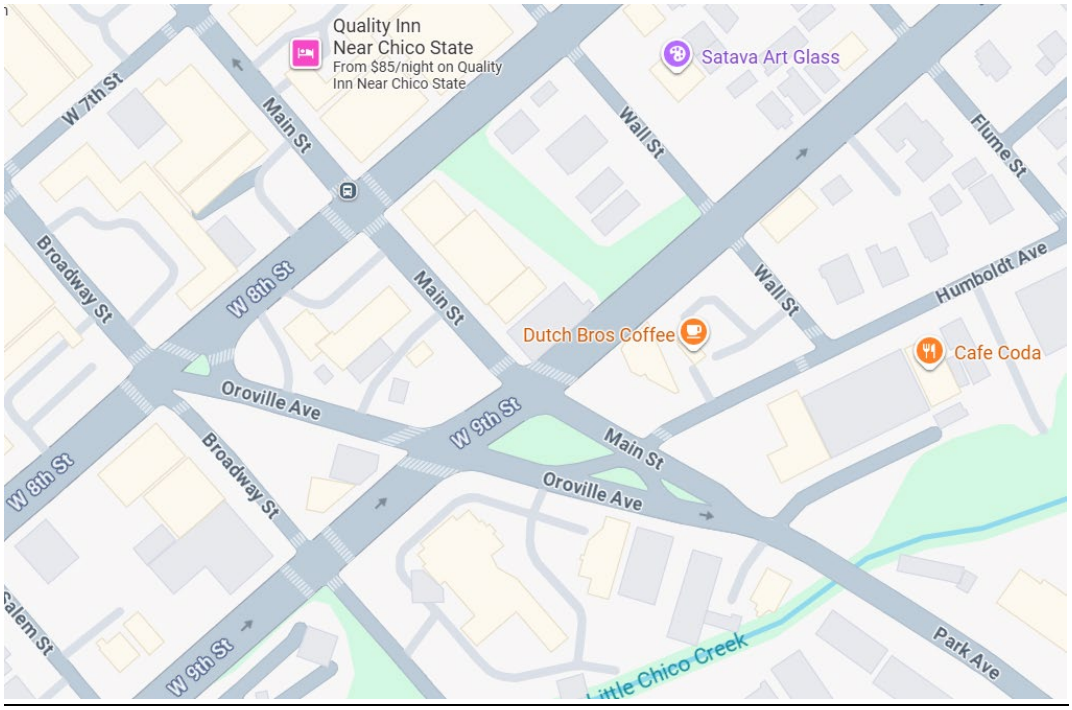
Moreover, this data, aligns with the Neighbors' firsthand experience. As explained in the Neighbors Draft EIR Letter, traffic speeding, stop sign running, and aggressive road behaviors are already threats to the Neighbors, other residents, pedestrians, pets, and wildlife in this area and at the intersections Caltrans identified. (Neighbors Draft EIR Letter at pg. 3 [citing the Southwest Chico Neighborhood Improvement Plan].) Recently one of the Neighbor's pets was killed because of dangerous driving. Unfortunately, there is a long history of cats and dogs being hit and killed by cars in the neighborhood due to dangerous driving. It is also common for commercial trucks to go through the Neighborhood to avoid traffic and congestion on other roads—creating further safety risk as big trucks are driving through neighborhood streets. Notably, the City's limited and discontinuous bicycle infrastructure makes these roads dangerous for bikers trying to navigate without consistent designated bike paths. (**Exhibit 11** [City of Chico

bike path map[1]]. The Neighbors are concerned the Project will cumulate and exacerbate the existing threats and risks already posed to residents, bikers, pedestrians, pets, and wildlife, with the additional people coming in to and leaving the Project site during construction and operation.

2. Biker and Pedestrian Safety Concerns at West 9th Street and Oroville Ave. / West 9th Street and Main Street

As depicted in the screenshot from Google Maps below, 9th Street intersects with Oroville Ave and Main Street, which connect/turn into Park Ave.

Google Maps 1



The areas where 9th Street intersects with Oroville Ave. and with Main Street are a major safety concern for bikers and pedestrians due to significant traffic and congestion in this area. At one point, the community created a memorial on the larger island between Oroville Ave. and with Main Street honoring those injured at this intersection.

Making this area riskier for bikers and pedestrians is the fact that there are numerous one-way streets in this area: Broadway Street is a one-way street going south; Main Street is a one-way street going north; 8th Street is a one-way street going west; Oroville Ave is a one-way street going south; and 9th Street is a one-way street going east. Based on the Neighbors' experiences, when biking and walking in this area, it is dangerous as there are limited bike and pedestrian paths as well as a high volume of vehicular traffic. Notably, queuing and traffic congestion make

[1] , *ArcGIS Online*, https://chico.maps.arcgis.com/apps/instant/basic/index.html?appid=9eff098233ea481997ecbc6174cce544 (last visited Nov. 9, 2026)

this intersection more dangerous due to blocked visibility, turning conflicts, and encroachment on biker and pedestrian routes—forcing them to maneuver through stopped or improperly positioned vehicles and/or delay crossing streets due to safety concerns.

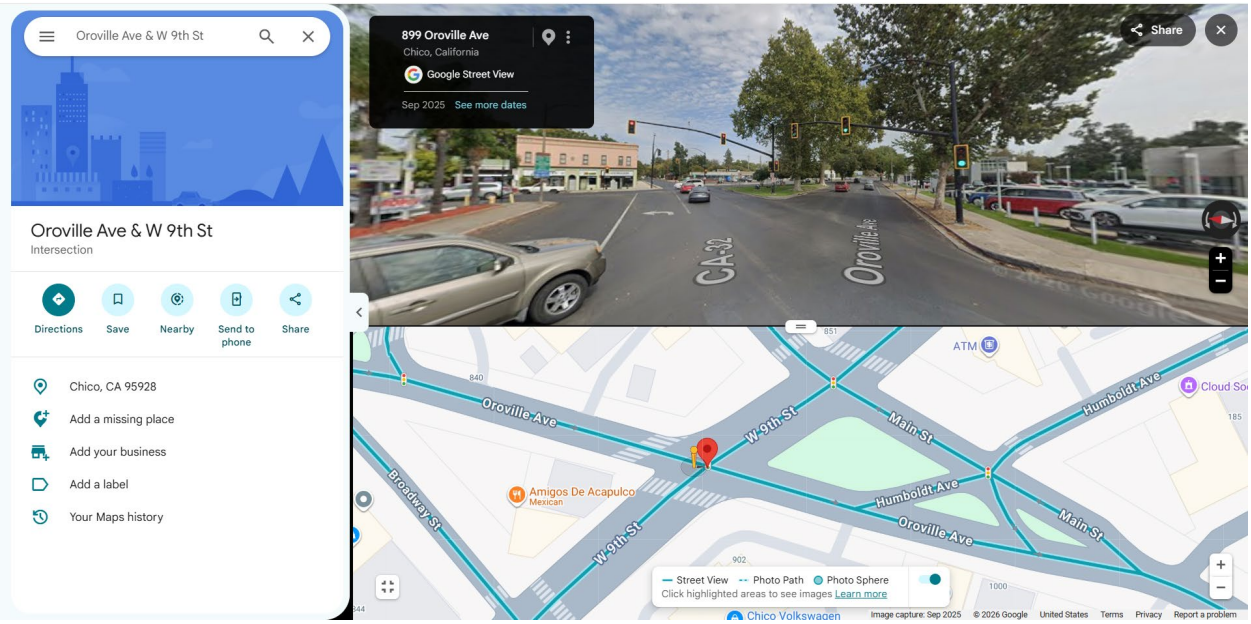
Below is a screenshot from the TIMS SWITRS GIS Map that demonstrates a concentration of crashes at this intersection since 2016. (*See* Exhibit 10 pg. 2)

TIMS SWITRS GIS Map 1



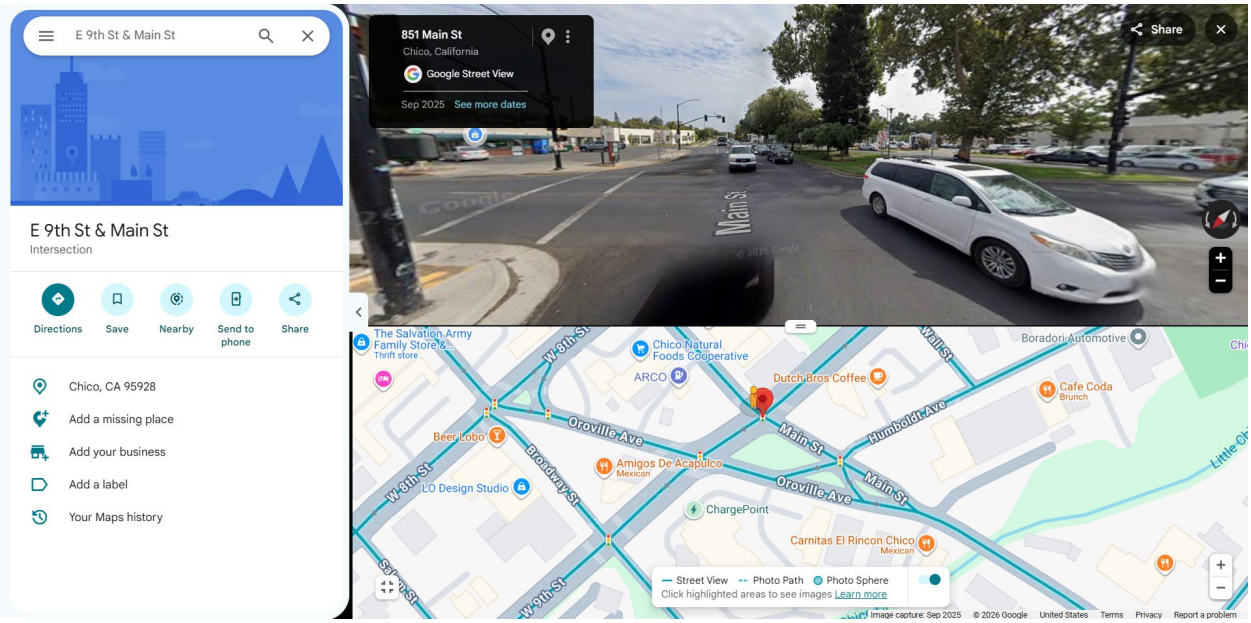
Below are Google Maps screenshots depicting the safety concerns described above. Google Maps 2, below, is a screenshot from Google Maps showing the intersection at 9th Street and Oroville Ave.

Google Maps 2



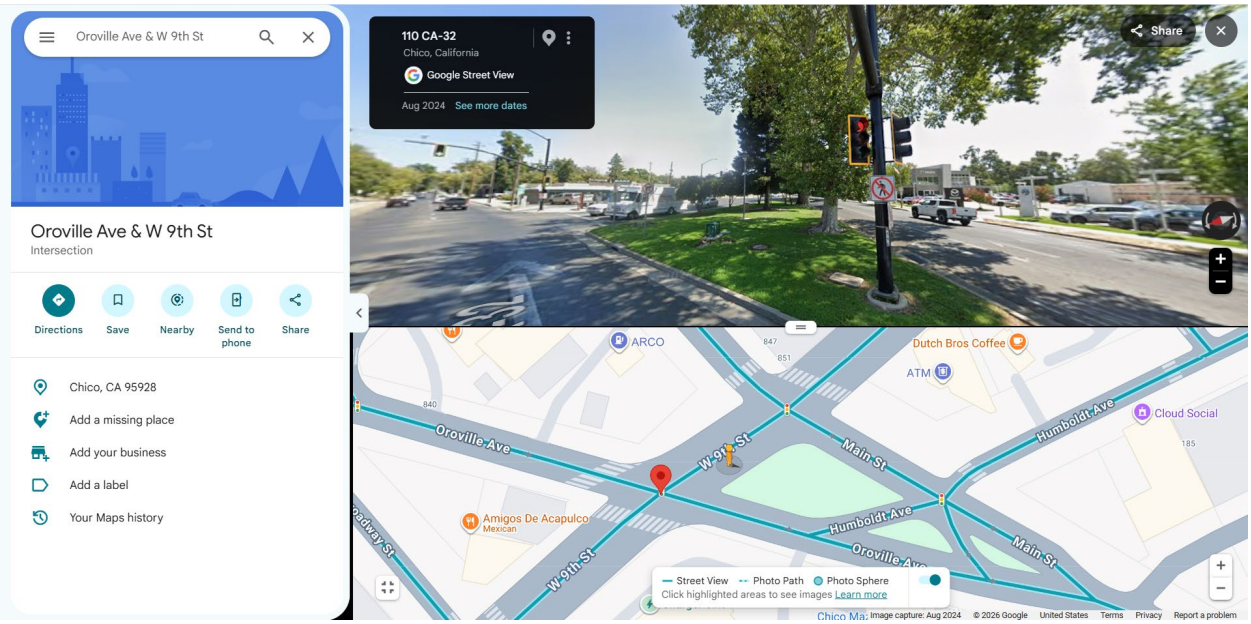
Below is a screenshot from Google Maps showing the intersection at West 9th Street and Main Street.

Google Maps 3



Below is a screenshot from Google Maps depicting the perspective on West 9th Street where it intersects with Main Street (on the left) and Oroville Ave (on the right) right before they turn into Park Ave. The biggest island between Main Street and Oroville Ave. is seen below.

Google Maps 4

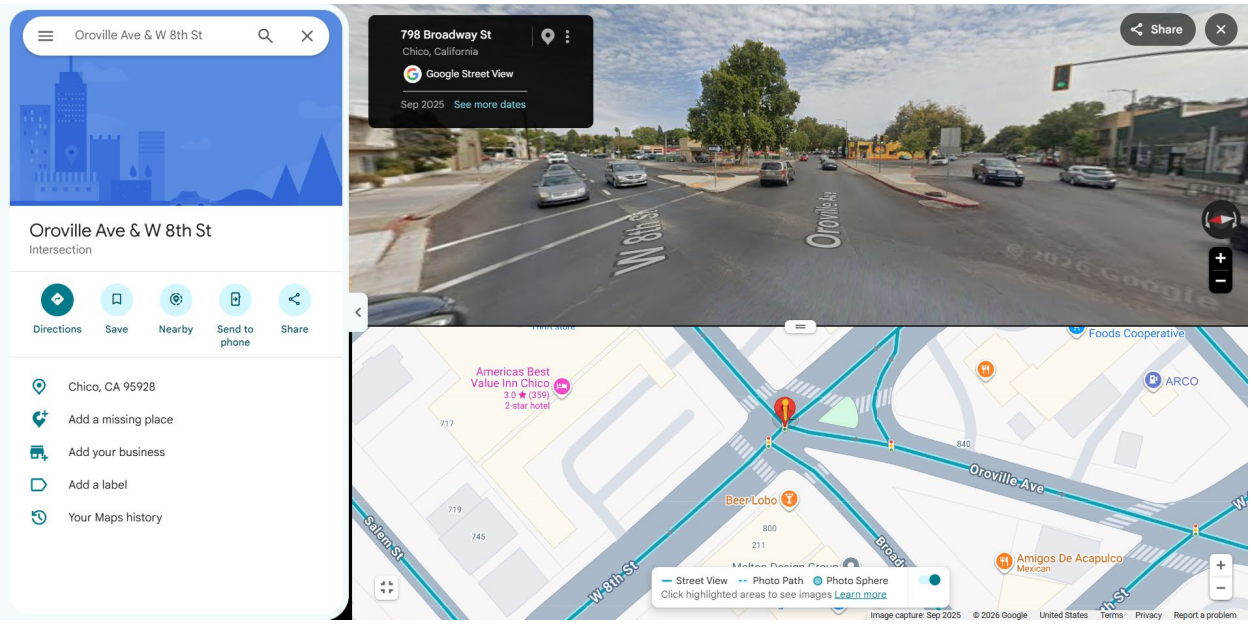


3. <u>Biker and Pedestrian Safety Concerns at West 8th Street (SR 32) and Oroville Avenue</u>

The area where West 8th Street intersects with Oroville Ave. is also a major safety concern for those Neighbors who are bicyclists and pedestrians because of the high volume of traffic and congestion in this area. (*See*, *supra*, TIMS SWITRS GIS Map 1; Exhibit 10 pg. 2.) 8th Street is a block from 9th Street and the same one-way streets intersect with 8th Street as those detailed in the previous section. Hereto, there are limited bike and pedestrian paths. (See **Exhibit 11**.) Bikers and pedestrians experience the same dangers posed by queuing as explained in the previous section.

Below is a screenshot from Google Maps depicting the perspective on West 8th Street where it intersects with Oroville Ave. and Broadway.

Google Maps 5



4. <u>Biker and Pedestrian Safety Concerns at East 20th Street and Park Avenue</u>

East 20th Street and Park Ave are streets with high volumes of traffic. When biking and walking, the Neighbors experience the same dangers posed by queuing as explained in the previous sections.

Below is a screenshot from the TIMS SWITRS GIS Map that demonstrates a concentration of crashes at this intersection and along East 20th Street to Fair Street since 2016. (See **Exhibit 10** at pg. 3)

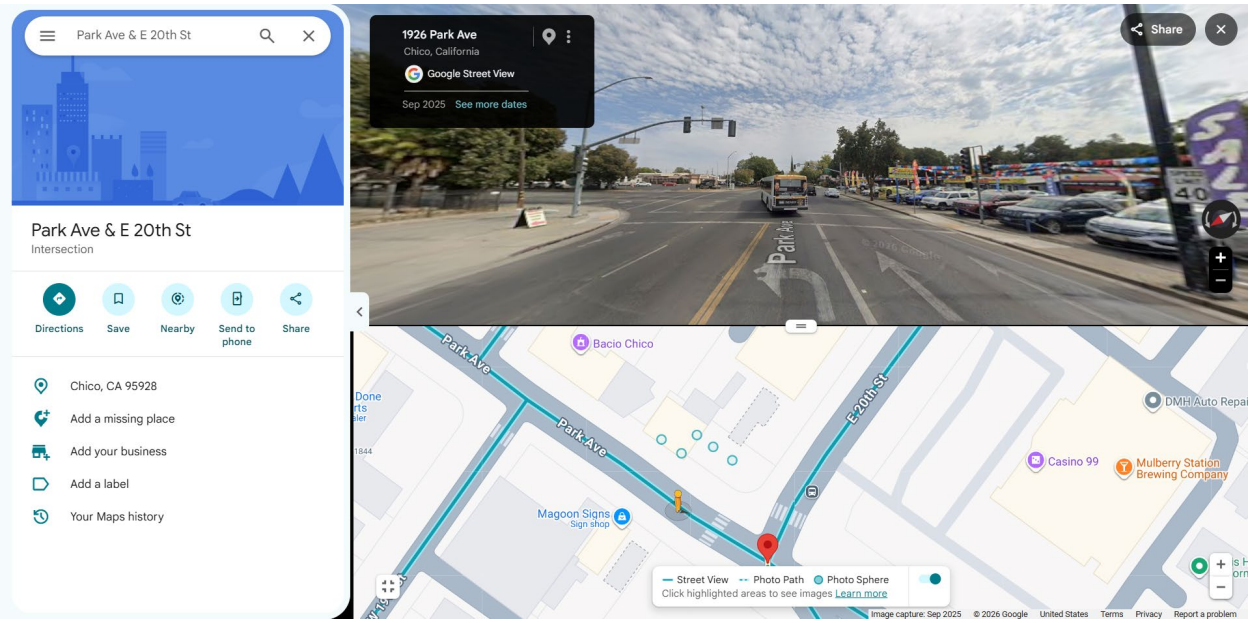
TIMS SWITRS GIS Map 2



Moreover, as Caltrans' Draft EIR Letter explained, East 20th Street is a City Surface Transportation Assistance Act (STAA) route. (Caltrans Draft EIR Letter at pg. 2.) As such, Caltrans recommended further analysis on this street especially as it relates to the construction phase. (*Id*.) East 20th Street and Park Ave. are already dangerous for bikers and pedestrians due to heavy vehicular traffic, a three-way intersection, and limited space for bikers turning onto the respective streets. (*See* Exhibit 11.) Adding construction trucks and activities from the Project exacerbates the biker and pedestrian safety risks. Yet, in the Response to Caltrans comments, the Final EIR does not address or analyze whether the streets will be used during construction and instead states, "[t]ruck routes would be determined on a case-by-case basis as needed for each on-site development." (Final EIR at 3-8, pdf pg. 20].) This is a failure to consider the Project's potentially significant effects.

Below is a screenshot from Google Maps depicting the perspective on Park Ave where it intersects with East 20th Street.

Google Maps 6



5. Biker and Pedestrian Safety Concerns at East Park Avenue and Midway

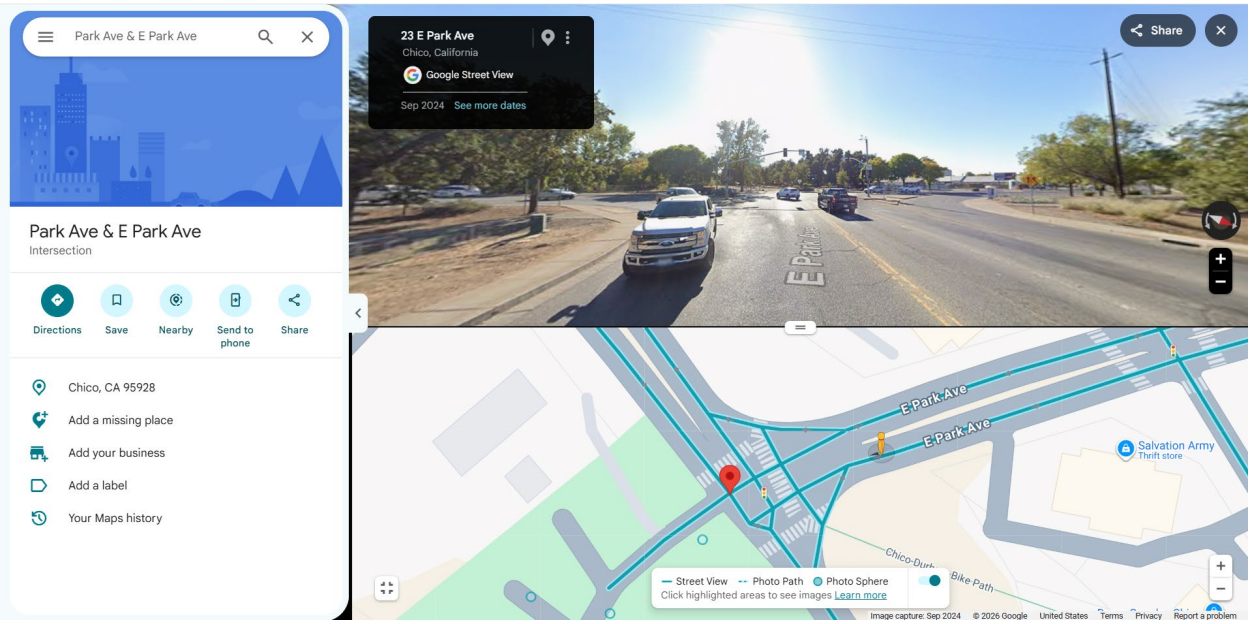
East Park Ave. and Midway, individually and where they intersect, already have safety concerns, which will be exacerbated by increased traffic and congestion. Below is a screenshot from the TIMS SWITRS GIS Map that demonstrates a concentration of crashes at this intersection since 2016. (*See* Exhibit 10 at pg. 4)

TIMS SWITRS GIS Map 3



Bikers and pedestrians experience the same dangers posed by queuing as explained in the previous sections. There are minimal bike lanes and pedestrian paths on these streets (See **Exhibit 11**.). Along East Park Avenue and Midway, the bike paths start and stop at various points—creating dangerous roads for bikers. (*Id*.) Below is a screenshot from Google Maps looking west depicting the perspective on East Park Avenue where it intersects with Midway.

Google Maps 7

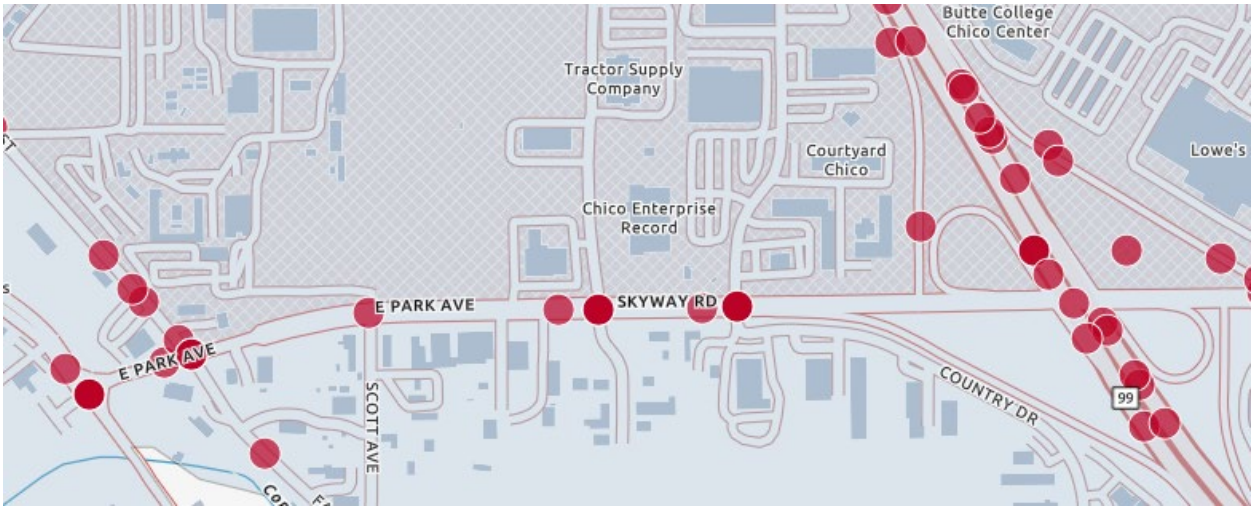


6. <u>Biker and Pedestrian Safety Concerns at East Park Ave to and from the Skyway Interchange</u>

Caltrans' Draft EIR letter explains that the Project distributes 30% of the traffic to East Park Ave to and from the Skyway interchange. Caltrans further notes that this "is a significant amount of traffic assigned to this interchange and therefore should be included in the analysis. It is unclear how that 30% will be distributed upon reaching the interchange." (Caltrans Draft EIR Letter at pg. 2.) The Responses to Comments asserts that, "Appendix J has been modified to provide additional clarification for trip distribution at the SR99/Skyway interchange in Figure 3, see Section 4, Errata." (Final EIR at 3-8, pdf pg. 20.) However, after searching Appendix J as listed on https://ceqanet.lci.ca.gov/2023030641/3, Figure 3 still distributes 30% of the traffic to E Park Ave to and from the Skyway interchange. This area already poses a safety risk to bikers and pedestrians and with the increase in traffic, it will only be worse.

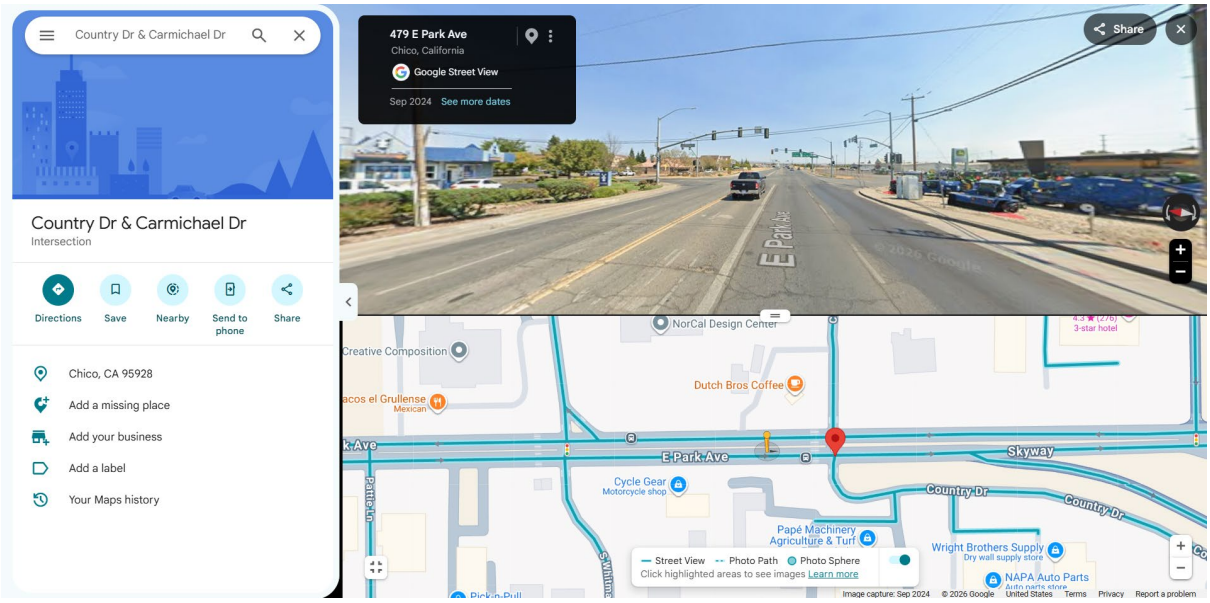
Below is a screenshot from the TIMS SWITRS GIS Map that demonstrates a concentration of crashes at and near this intersection since 2016. (See **Exhibit 10** at pg. 5)

TIMS SWITRS GIS Map 4



Below is a screenshot from Google Maps looking east depicting the perspective on East Park Avenue by the Skyway interchange.

Google Maps 8



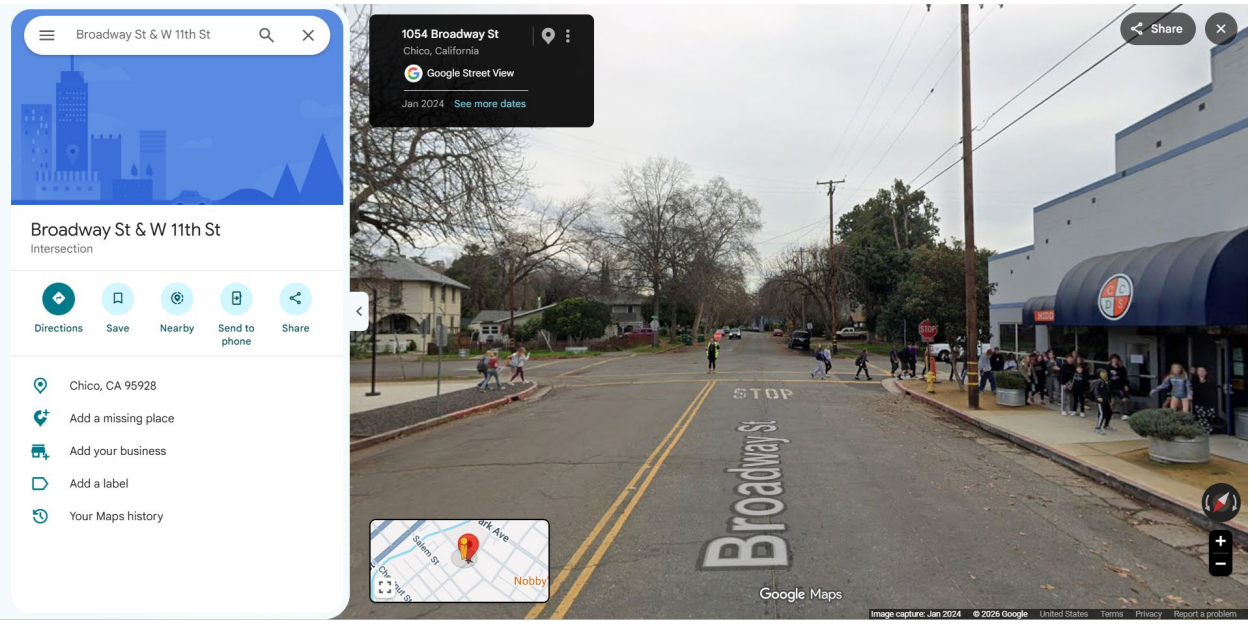
Bikers and pedestrians experience the same dangers posed by queuing as explained in the previous sections. The EIR must, but does not, analyze the risks to biker and pedestrian safety.

7. Biker and Pedestrian Safety Concerns at 11th Street and Broadway Street

Moreover, 11th Street and Broadway Street also pose grave safety concerns for bikers and pedestrians. The EIR does not mention this area. Notably Chico Country Day School is at this intersection. Children have to cross the street multiple times every day around Broadway Street at 11th Street. There are also traffic impacts with people dropping off and picking up children near this intersection and many adjacent intersections and streets as well (Salem and 11th street; Oakdale and 11th; Park Ave and 11th; and further down on Broadway). There are no bike paths. (See **Exhibit 11**; Google Maps 9.) Here, there is a bottleneck of traffic. This area is a sensitive receptor for biker and pedestrian safety.

Below is a screenshot from Google Maps looking south showing the safety concerns at 11th Street and Broadway Street.

Google Maps 9



8. The EIR's Mitigation Measures Addressing Biker and Pedestrian Safety are Insufficient.

The Final EIR's traffic mitigations measures are inadequate to ensure biker and pedestrian safety. It is not enough for the Final EIR to only identify bike and pedestrian paths. Paths, alone, are not sufficient to mitigate the traffic impacts on biker and pedestrian safety.

The Neighbors identified numerous traffic calming measures that would address biker and pedestrian safety, which are included below. (Neighbor's Draft EIR Comment Letter at pg. 4.)

During Construction	During Operation
• Narrowing or removing lanes • Providing detours • Using construction signs • using raised medians • Using curb extensions • Using a phased construction schedule • Using erosion controls	• Bollards to prevent cars • Traffic mini-circles to slow traffic but keep it moving • Keeping streets narrow • Lane narrowing • Medians • Bridges • Chicanes • Raised crosswalks • Improve signalization timing or consider roundabouts at Park Avenue

The Final EIR, should, but does not, acknowledge these traffic congestion and driver behavior implications on biker and pedestrian safety during operation or construction. Instead of considering specific mitigation measures, the Final EIR continues to impermissibly defer analysis. Regarding Impact Trans-2, the Final EIR references goals and policies in the Chico Bicycle Plan 2019 Update ("Bicycle Plan") and General Plan, but fails to analyze and show exactly how the mitigation measures are consistent with the General Plan and Bicycle Plan. (Final EIR at 3-55 to 3-56, pdf pgs. 67-68.) Similarly, Regarding Impact Trans-3, the Final EIR does not describe how the pedestrian paths will meet the policies in the General Plan Circulation Element. The Final EIR should analyze specific mitigation measures now as well as the costs (and how the costs will be met) and not defer analysis. (*Id*.)

B. <u>The EIR Does Not Adequately Address Noise Impacts during Project Operation.</u>

The Neighbors are concerned about the Project's operational noise impacts and the noise threshold the EIR applies. The Draft EIR references the General Plan's thresholds for *new stationary sources*, which prohibit average noise levels above 55 dBA Leq during daytime hours and above 50 dBA Leq during nighttime hours. (Draft EIR at pg. 3.12-27, pdf pg. 599.) The new stationary sources identified for the Project include mechanical ventilation systems, parking lot activity, truck loading/unloading activity, and sport fields activity (Draft EIR at 3.12-28, pdf pg. 600.) However, the EIR does not analyze the new stationary sources against the average noise levels (55 dBA Leq during daytime hours and above 50 dBA Leq during nighttime hours). The EIR describes the mechanical ventilation equipment "as having operational noise levels up 50 dBA to 60 dBA Leq"—which can exceed the threshold if it reaches 60 DBA Leq. But does not provide further analysis or mitigation measures. Moreover, the EIR does not analyze the dBA Leq for the other new stationary sources.

The EIR only analyzes these new stationary sources against the following thresholds: 75 dBA Lmax during daytime hours (7:00 a.m. and 10:00 p.m.) and 65 dBA Lmax during nighttime hours (10:00 p.m. and 7:00 a.m.), as measured at the outdoor activity area of the nearest receptor. (Draft EIR at pg. 3.12-27, 29, pdf pg. 599, 601.) Leq and Lmax are distinct measurements: the Leq measurement reflects the average sound level and the Lmax measurement reflects the highest sound level. The EIR's analysis of potential noise impacts of new stationary sources should also analyze against the Leq measurement (55 dBA Leq / 50 dBA Leq). The EIR should

be revised to analyze the operational noise impacts against the average threshold for new stationary sources (55 dBA Leq / 50 dBA Leq).

Moreover, the Neighbors reiterate their request that a reliable hotline service be established for those in the community to call appropriate City staff if the noise levels and other hazards become too severe, and/or mitigation measures are not implemented. The hotline should have a standard and prompt response time for investigating complaints and working with the developer to improve construction operations. If no hotline is in place, the Neighbors request clarification on who to call with noise complaints (i.e., local authorities?).

C. The EIR Does Not Adequately Address Evacuation Impacts.

Wildfires are a prominent hazard in California. Comprehensive and effective evacuation planning is important. Cities must ensure there are adequate evacuation procedures in place to safely evacuate residents and visitors especially in light of new development Projects in communities already vulnerable to wildfires and environmental disasters. The City of Chico is no exception.

For example, the 2018 Paradise Fire—bearing down within just a few miles from Chico—left the residents of Chico scrambling to figure out a safety plan as the fire closed in on East Chico and was coming up Highway 99. The Paradise Fire was close to burning Chico to the ground. East Chico had to evacuate. Not long after, there was the 2024 Park Fire that started in Bidwell Park burning approximately 429,603 acres across Butte and Tehama Counties. As the fire continued to spread, residents anxiously watched its progress and waited to see whether evacuation orders would be issued and whether they would need to seek safety elsewhere. By the grace of the wind direction, the fire did not burn Chico to the ground.

These fires show the need for an adequate and effective wildfire evacuation plan. Yet, the Response to Comments entirely disregards the reality of fire risk in the Project area and asserts, "the proposed project is not located in a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone (VHFHSZ) and is therefore not at an increased risk of wildfire and impacts would be less than significant." (Final EIR at 3-62, pdf pg. 74.) In turn, the EIR has a limited analysis and ultimately determines no mitigation measures are required. (Draft EIR at ES-41, pdf pg. 61.) This is not sufficient. Past fire events (i.e., 2018 Paradise Fire and 2024 Park Fire) demonstrate how wind plays a critical role in influencing the rate, direction, and intensity of fire spread—whether or not the fire is located in an SRA or VHFHSZ zone. As such adequate evacuation plans and adequate analysis of evacuation impacts in the EIR are essential. Here, the Draft EIR should have "conducted an evacuation analysis that 'modeled how long it would take for the…development to evacuate in the event of a wildfire…Conservatively assuming that all of the project's residences would be occupied and evacuated . . . ." (*League to Save Lake Tahoe v. County of Placer* (2022) 75 Cal.App.5th 63, 135 [emphasis added].) Yet, there is no such analysis in the Draft EIR. The EIR needs to evaluate and consider the severity of wildfires in the area and the impact on the community.

To the extent the Draft EIR is tiering from another EIR or document, it still has to relay the findings of that document. (Neighbor's Draft EIR Comment at pg. 8; Draft EIR at 4-4 to 4-5, pdf pgs. 766-767.) Here, the Draft EIR needs to disclose the project effects and specifically identify each plan/policy and explain any consistencies and inconsistencies, which, simply saying it

complies with a plan, fails to do. (*Ebbets Pass Forest Watch v. Department of Forestry & Fire Protection* (2008) 43 Cal.4th 936, 956.)

Moreover, as expressed in its Draft EIR Letter, the Neighbors are extremely concerned with the EIR's failure to discuss the impact of the Kinder Morgan Liquids Terminal and the PG&E substation impact on evacuation routes. (Neighbors' Draft EIR Letter at pgs. 7-9.) Both of these facilities are highly flammable and can contribute to the intensity and the spread of wildfires or cause fires themselves. The impacts of such should be discussed as part of the emergency response plans. Yet, the Final EIR's Response to Comments asserts:

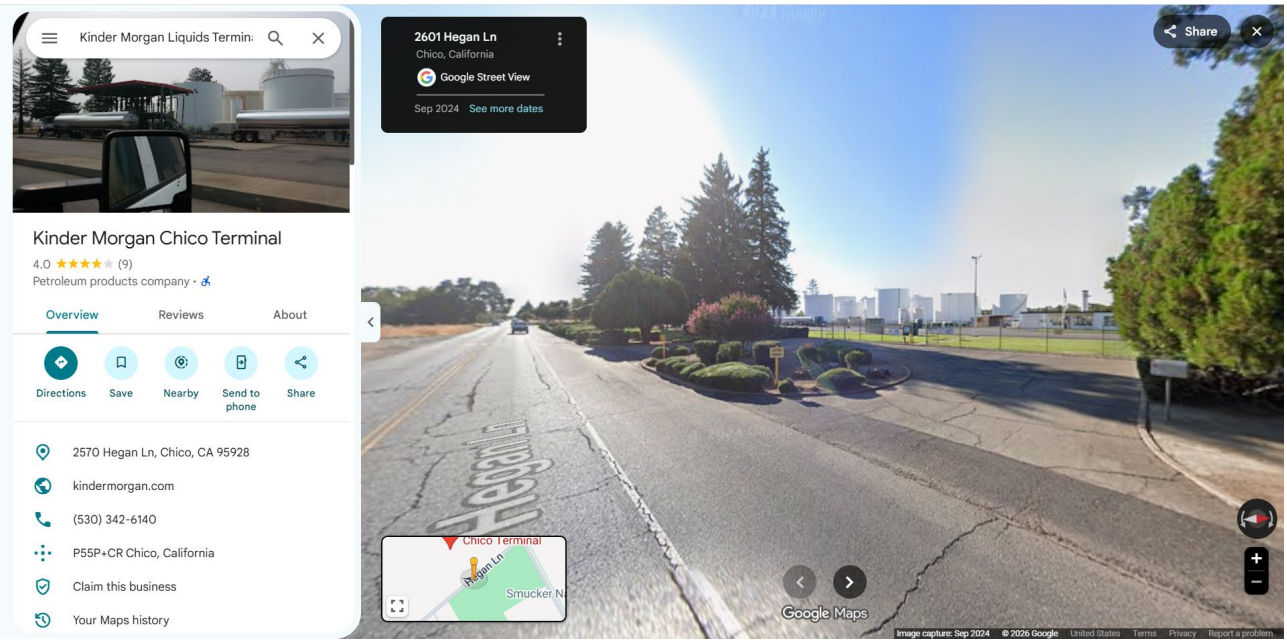
> The Kinder Morgan Liquids Terminal and PG&E are located near the intersection of Midway and Hegan Lane. Project occupants are not required to bypass or otherwise encounter the Kinder Morgan Liquids Terminal or the PG&E facility to access the aforementioned evacuation routes. Should hazardous conditions occur at these facilities, closure of the adjacent portions of Midway and Hegan Lane would not block emergency evacuation from the project site. As such, there are no potentially significant impacts related to evacuation routes in this regard.

(Final EIR at 3-62, pdf pg. 74.) What this response fails to recognize is that people evacuating from the Skyway and Barber neighborhoods will still be within a few feet to a mile of these facilities and will be trying to evacuate near a facility that could potentially explode. For context, the PG&E substation is two blocks from East Park Ave and Park Ave, which are already congested roads (see, *supra*, Google Maps 1, 4, 6, 7, and 8).

Notably, some people live across the street from Kinder Morgan Liquids Terminal off Hegan Lane in the Skyway neighborhood. The people living in this area will be trying to evacuate on Hegan Lane—an already constrained two lane road. Then local residents will have to evacuate through additional constrained and highly impacted streets to get to the freeway (i.e., East Park Avenue, Midway,16th, 18th, and 20th Streets). The EIR needs to consider and fully analyze the evacuation impacts from the Project.

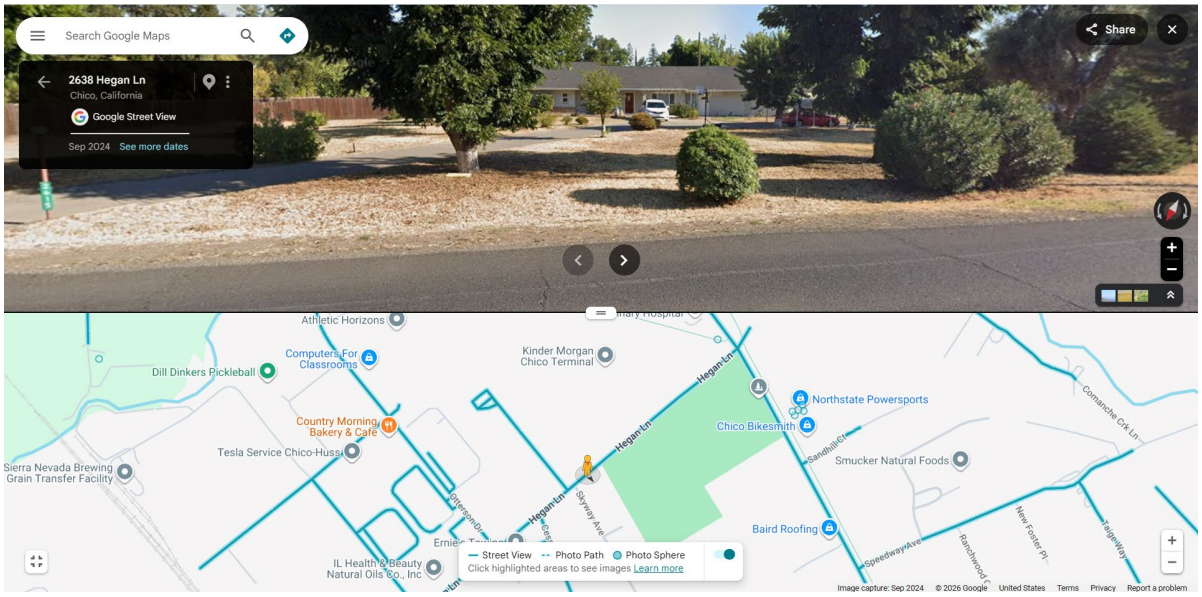
Below is a screenshot looking west of the 2-lane road on Hegan Lane in which Kinder Morgan Liquids Terminal is located.

Google Maps 10



Moreover, people live across the street from Kinder Morgan Liquids Terminal. Below is a screenshot from Google Maps depicting a home across the street from Kinder Morgan Liquids Terminal.

Google Maps 11



For the Response to Comments to assert, "there are no potentially significant impacts related to evacuation routes in this regard" belittles the severity of what could happen if/when there is a fire or hazardous release. (Final EIR at 3-62, pdf pg. 74.) As both of these facilities are highly flammable, create an evacuation demand, and can contribute to the intensity and the spread of wildfires, the impacts of such should be discussed as part of the emergency response plans.

For years, Chico has been a city that others can lean on. It's been a safe hub for people evacuating from environmental tragedies and instrumental in its own and neighboring cities resilience to environmental disasters. For example, in 2017, when the Oroville dam was severely eroded, it triggered the emergency evacuation of more than 180,000 residents. An influx of people sought safety in Chico at the fairgrounds, which is near Park and East Park Avenues on Fair Street. The Chico fairgrounds are also used as a staging place for emergency services and personnel during emergencies. In 2018, during the Paradise Camp Fire, many people fled to Chico for safety. The March 2022 Multi-Jurisdictional Hazard Mitigation Plan for the county of Monterey analyzes the impacts of the Paradise Fire on Chico:

> In 2019, the City of Chico estimated more than $500 million in impacts associated with sudden growth and pressure on local infrastructure. The impacts of the Camp Fire have substantially changed the dynamics of growth in the region, with some communities, like the City of Chico, experiencing more than a decade worth of growth in one year.

A true and correct copy of the 2022 Multi-Jurisdictional Hazard Mitigation Plan for the county of Monterey is attached hereto as **Exhibit 12.** (*Id*. at 12-9, pdf pg. 249].) The prevalence of wildfires in and around Chico and the weather patterns that fuel them require vigilance and caution as Chico considers expanding its human population. No amount of economic development is worth placing existing residents in an exodus crisis like the one Chico's neighbors in Paradise experienced during the Camp Fire. There is time to evaluate and plan for emergency evacuations here. The Project's EIR must do so.

D. <u>The EIR Does Not Adequately Address Agricultural Impacts</u>

The EIR determines the conversion of agricultural lands is considered less than significant. (Draft EIR at ES-7, pdf pg, 27.) However, in reaching this determination, the EIRs analysis is flawed and inadequate.

First, as Wilson's Draft EIR Letter points out, the EIR does not clearly identify "the smallest rectangle that will completely contain the project site" as required by Step 2 of defining a Project's zone of influence pursuant to the California Agricultural Land Evaluation and Site Assessment ("LESA") Model Instruction Manual. (Final EIR at pdf pg. 333-336; **Exhibit 13** [LESA Model Instruction Manual] at pg 23, pdf pg 28].) The Final EIR's response to this comment does not address the comment at all and instead asserts in a conclusory manner that the "LESA model appropriately identified the relevant Zone of Influence." (Final EIR at pdf pg. 336.) Precession is important here because the Surrounding Agricultural Land score is based off the precise boundary used to establish the Zone of Influence. A corrected boundary could lead to evaluation of a materially different area and could affect both the numerator and denominator used in the scoring, which in turn could drastically change the EIR's impact analysis.

Second, the analysis in the Draft EIR's LESA Model Findings is limited to the Off-site Stormwater Infrastructure Permanent and Temporary Impact Area. (Draft EIR, Appendix B.) And the Final EIR confirms the LESA analysis did indeed only include the Off-site Stormwater Infrastructure. (Final EIR at pdf pg. 335-336.) In response to Wilson's Draft EIR Letter raising this as inadequate, the Final EIR asserts "[t]he BYSP Area, outside of the off-site stormwater detention basin and alignment options, is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance." (Final EIR at pdf pg. 335.) Such a statement is flawed and fails to consider that if the complete project is not evaluated, the resulting Zone of Influence will not accurately represent or analyze the surrounding agricultural setting potentially affected by the project as a whole. By limiting analysis to the off-site infrastructure footprint, the analysis fails to consider the broader impacts between the 1,250-unit mixed-use development and surrounding agricultural lands. For example, the limitation could obscure potential development pressure, land-use incompatibilities, parcel fragmentation, access constraints, drainage effects, and other indirect pressures that may contribute to future agricultural conversion.

Notably, on September 18, 2026, the Local Agency Formation Commission ("LAFCO") submitted a letter to the Planning Commission asserting that the parcel is mapped as Prime Farmland and explaining how the "[t]he County's informal zoning determination is questionable and inadequate to support a finding that the construction of the basin is consistent with the Greenline Policy." (*See* **Exhibit 14**.) The Neighbors support LAFCO's analysis and conclusions and urge the EIR to be revised to address LAFCO's concerns: "[w]hether the City must get LAFCO approval to operate the drainage basin outside its boundaries. The Final EIR also fails to address conversion of prime agricultural land beyond the Greenline to the provision of urban services." (*Id*. at pdf pg. 6.)

It is clear the EIR does not adequately analyze the agricultural impacts of the Project, and the Neighbors request the EIR provide a revised and reproducible Zone of Influence analysis that:

1. Clearly defines the project boundary used for the LESA analysis and reconciles it with the project description;
2. Shows the rectangle used to enclose that boundary;
3. Shows and dimensions the required 0.25-mile extension;
4. Identifies the agricultural and protected-resource acreage polygons within the resulting Zone of Influence;
5. Explains how the project area and partially intersected properties were treated; and
6. Recalculates the Surrounding Agricultural Land and Protected Resource Land scores using that corrected and fully documented area.

II. The EIR Does Not Adequately Analyze Reasonable Alternatives

The Final EIR fails to adequately consider the project alternatives. Pursuant to Cal. Code Regs. tit. 14, § 15126.6 (d) "[t]he EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project." The EIR "must explain in meaningful detail… a range of alternatives to the proposed project." (*Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal. 3d 376, 406, 253.)

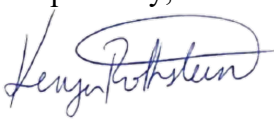
In Barbara Vlamis Draft EIR Letter, she suggests an alternative that would entail removing the large recreational aspects from the Project. (Vlamis Draft EIR Letter.) There are already

numerous softball and soccer fields in the community. Bidwell Park, close to the Project site, is one of the largest municipal parks in the nation. The EIR should analyze an alternative that does not include developing new recreational spaces. Notably, not including the recreational activities in the Project could potentially minimize the noise and transportation impacts (including biker and pedestrian safety) by minimizing new and additional traffic to and from new recreational facilities. Such an alternative should consider enhancing and improving the recreational infrastructure that already exists. Instead, the Final EIR responds to Ms. Vlamis' suggested alternative by saying, "this alternative would reduce the benefits of providing adequate recreational space for additional residents in the City." (Final EIR at 3-304, pdf pg. 316.) This is nothing more than conclusory without sufficient analysis.

III. Conclusion

The Neighbors request the Planning Commission recommend to the City Council that the EIR should be revised with the effects reconsidered, and effective mitigation measures or avoidance alternatives imposed.

Respectfully,



Kenya S. Rothstein
AQUA TERRA AERIS LAW GROUP

Exhibit 1

TIMS SWITRS Crash Summary & Map

November 9, 2026

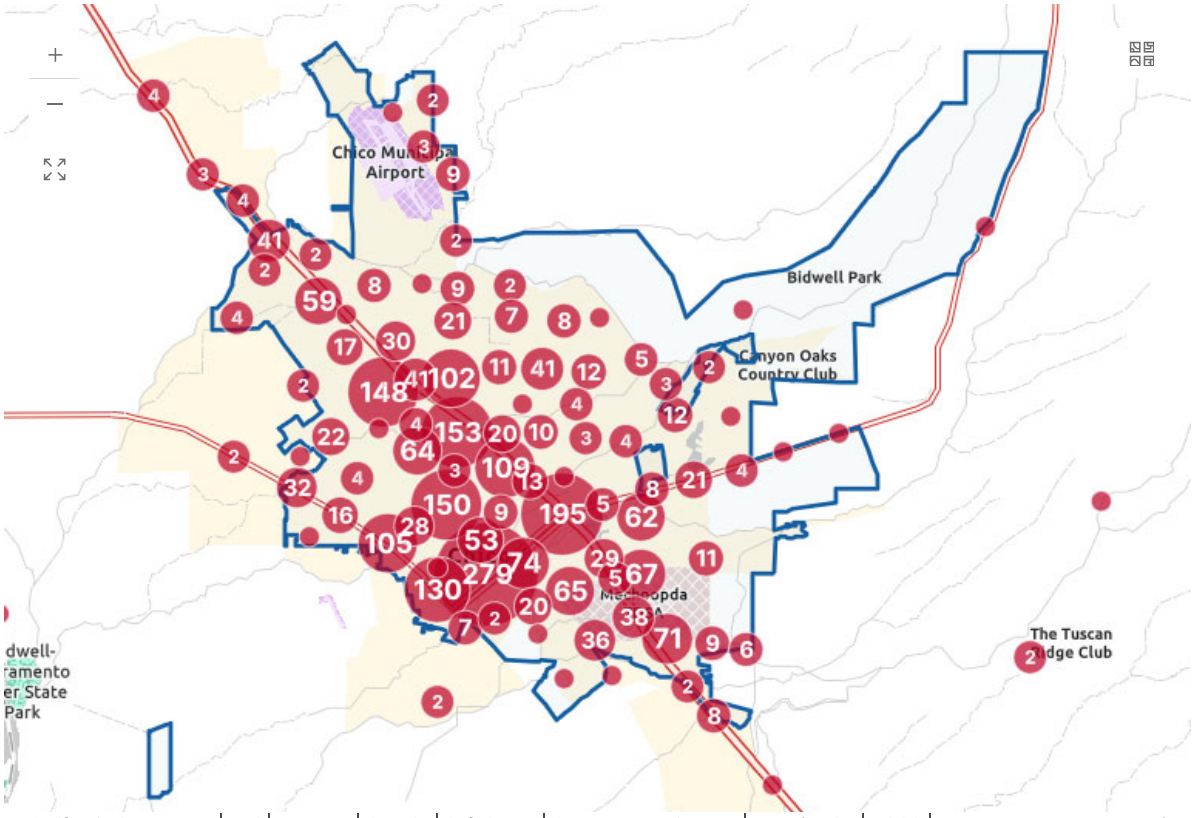
access to California crash data, the Statewide Integrated Traffic Records System (SWITRS), that has been geo-coded by SafeTREC to make it easy to map crashes.

Date & Location

Date	01/01/2016 - 06/30/2026
County	Butte
City	Chico

Result

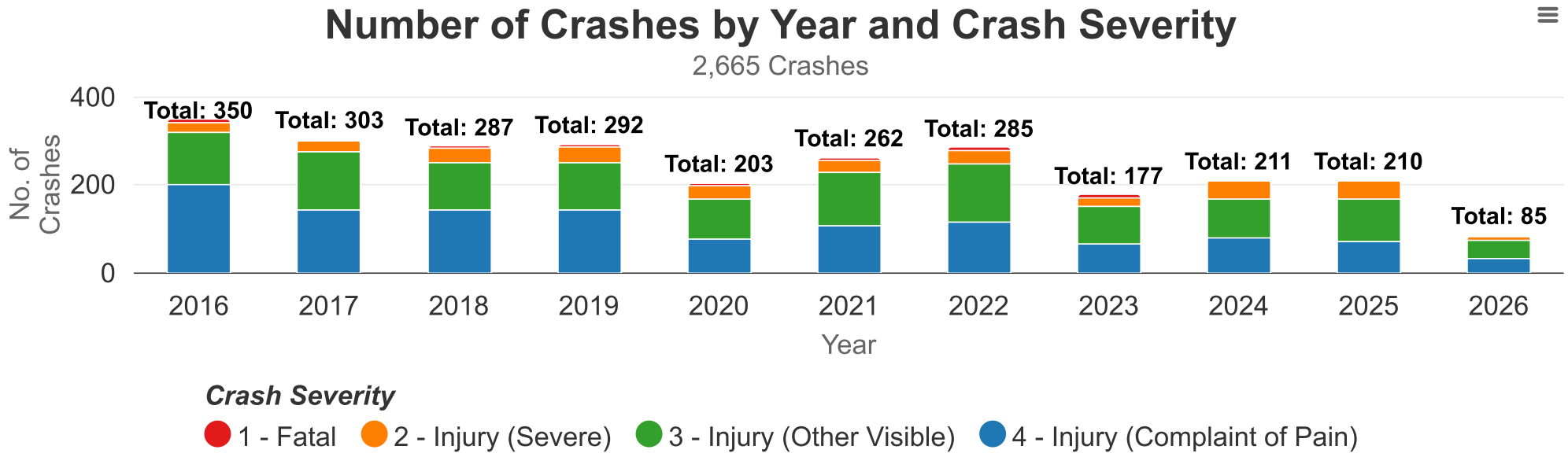
Total Crashes	2,665
Total Victims	64 Killed & 3,387 Injured
State Highway	762 (28.6%)
Ped Involved	304 (11.4%)
Bike Involved	334 (12.5%)
Motorcycle Involved	213 (8%)

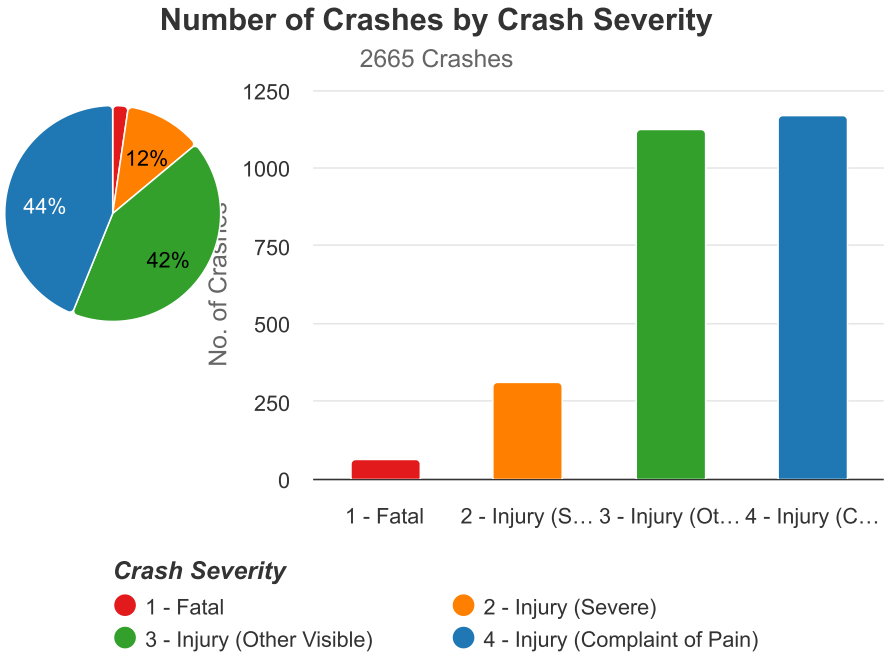


2,630 of 2,665 (98.7%) crashes are geocoded and mapped.

Crash Summary

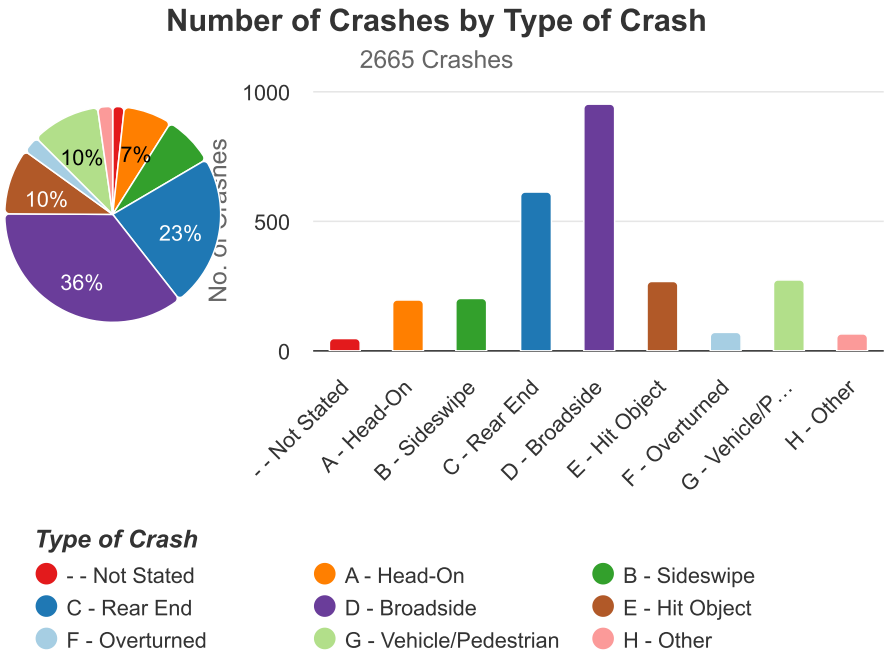
By Year





Crash Severity	Count	%
1 - Fatal	62	2.33%
2 - Injury (Severe)	310	11.63%
3 - Injury (Other Visible)	1124	42.18%
4 - Injury (Complaint of Pain)	1169	43.86%

By Crash Type

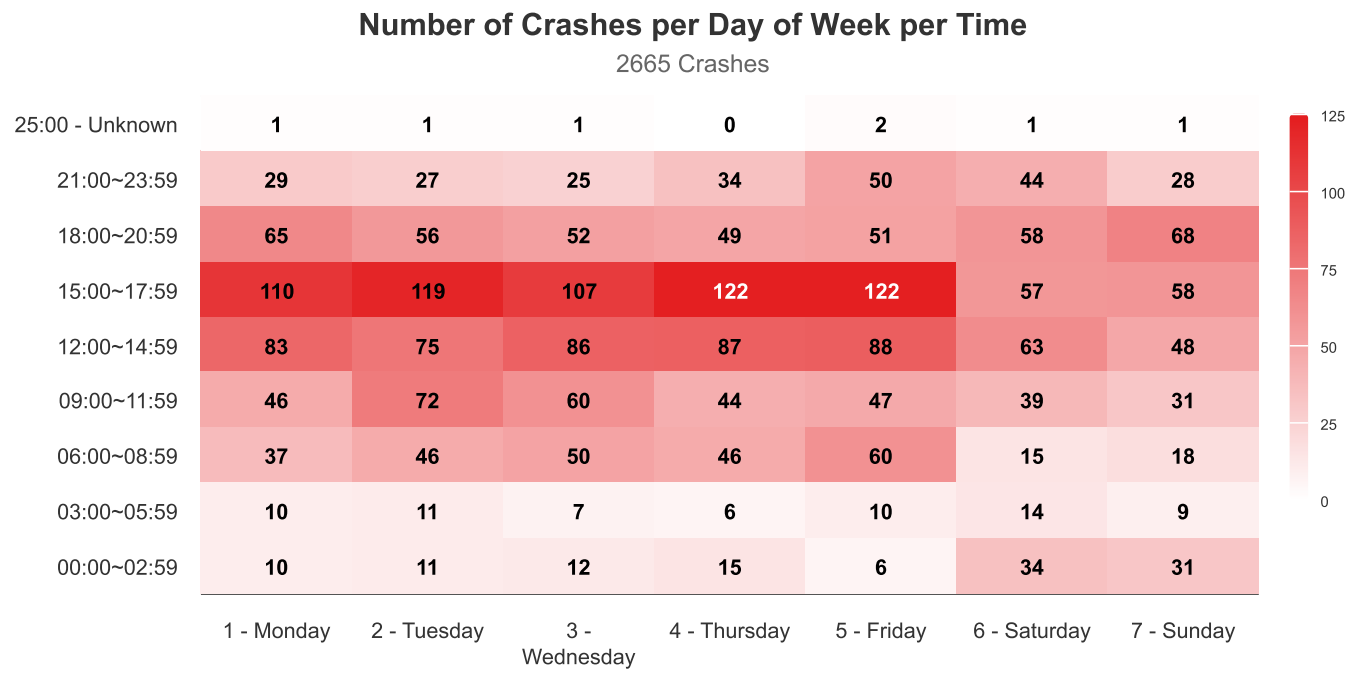


Type of Crash	Count	%
- - Not Stated	46	1.73%
A - Head-On	193	7.24%
B - Sideswipe	202	7.58%
C - Rear End	610	22.89%
D - Broadside	950	35.65%
E - Hit Object	263	9.87%
F - Overturned	68	2.55%
G - Vehicle/Pedestrian	273	10.24%
H - Other	60	2.25%

TIMS SWITRS Crash Summary & Map

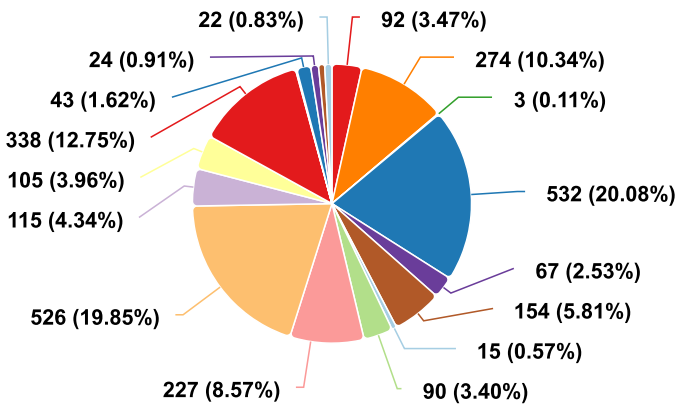
November 9, 2026

By Day of Week and Time



Number of Crashes by PCF Violation

2650 Crashes



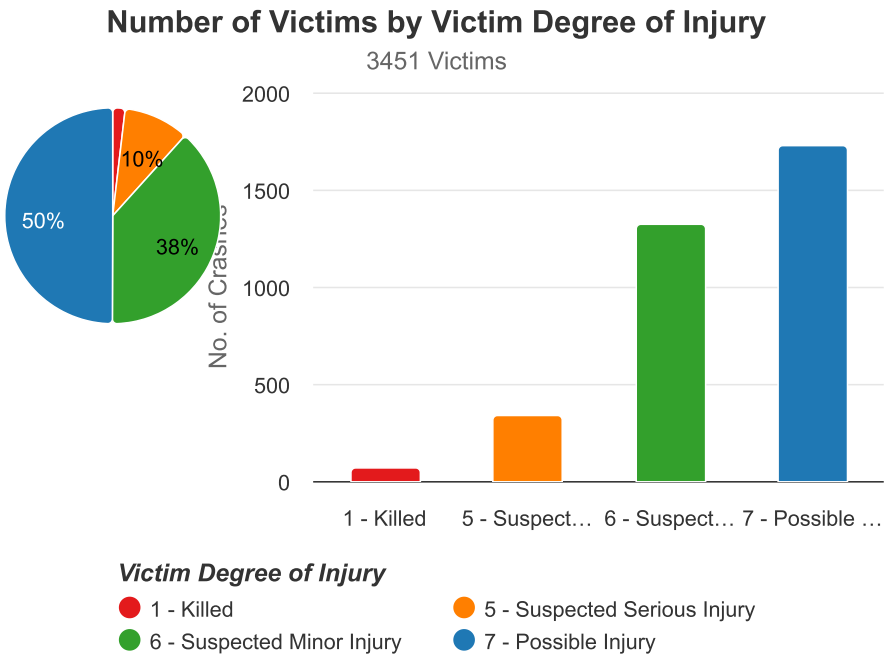
PCF Violation

- 00 - Unknown
- 01 - Driving or Bicycling Under the Influence of Alcohol or Drug
- 02 - Impeding Traffic
- 03 - Unsafe Speed
- 04 - Following Too Closely
- 05 - Wrong Side of Road
- 06 - Improper Passing
- 07 - Unsafe Lane Change
- 08 - Improper Turning
- 09 - Automobile Right of Way
- 10 - Pedestrian Right of Way
- 11 - Pedestrian Violation
- 12 - Traffic Signals and Signs
- 14 - Lights
- 16 - Other Equipment
- 17 - Other Hazardous Violation
- 18 - Other Than Driver (or Pedestrian)

1/2

Victim Summary

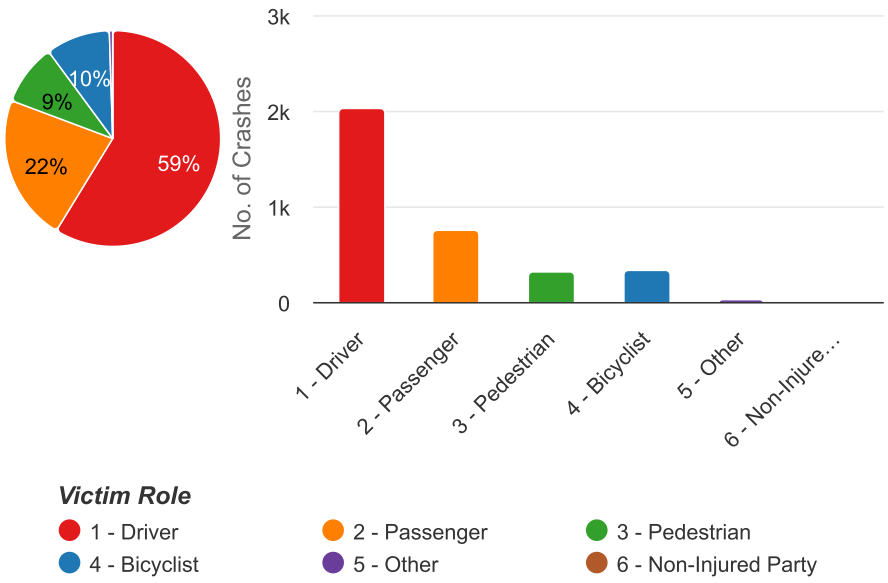
By Victim Degree of Injury



Victim Degree of Injury	Count	%
1 - Killed	64	1.85%
5 - Suspected Serious Injury	339	9.82%
6 - Suspected Minor Injury	1324	38.37%
7 - Possible Injury	1724	49.96%

Number of Victims by Victim Role

3451 Victims

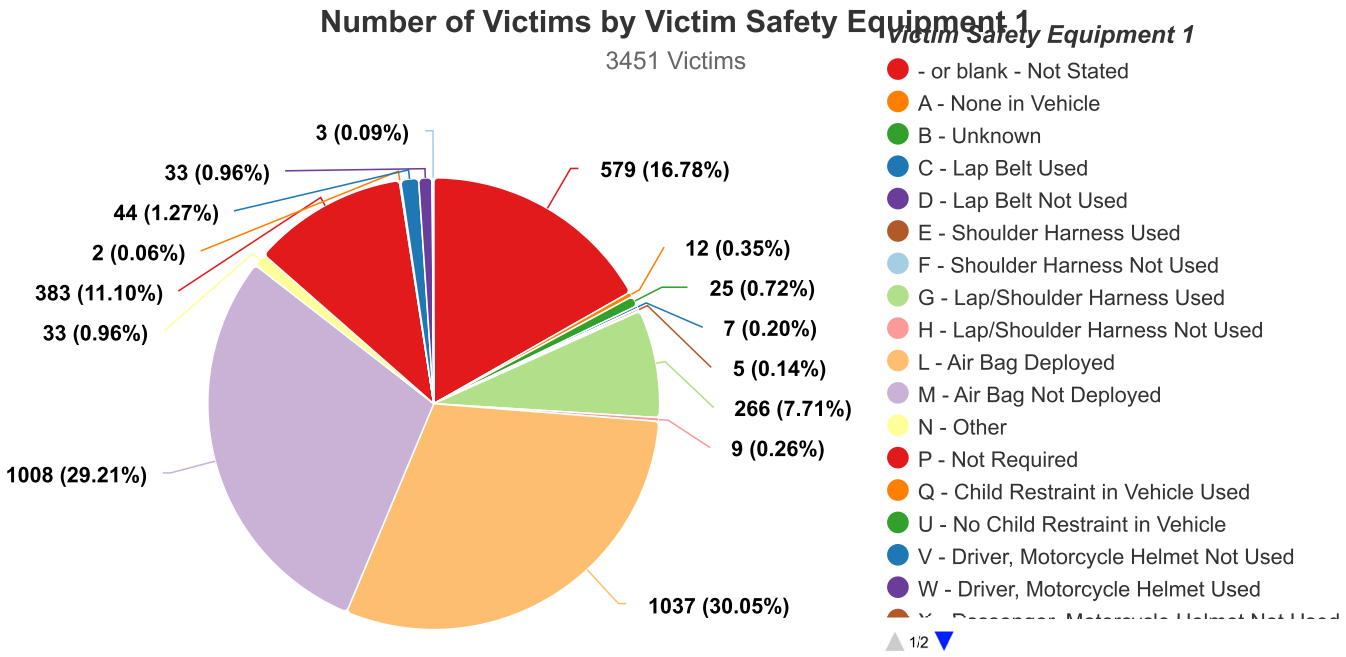


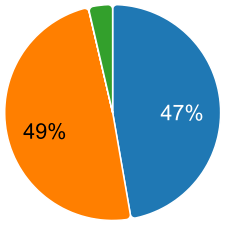
Victim Role	Count	%
1 - Driver	2027	58.74%
2 - Passenger	758	21.96%
3 - Pedestrian	317	9.19%
4 - Bicyclist	332	9.62%
5 - Other	17	0.49%
6 - Non-Injured Party	0	0.00%

TIMS SWITRS Crash Summary & Map

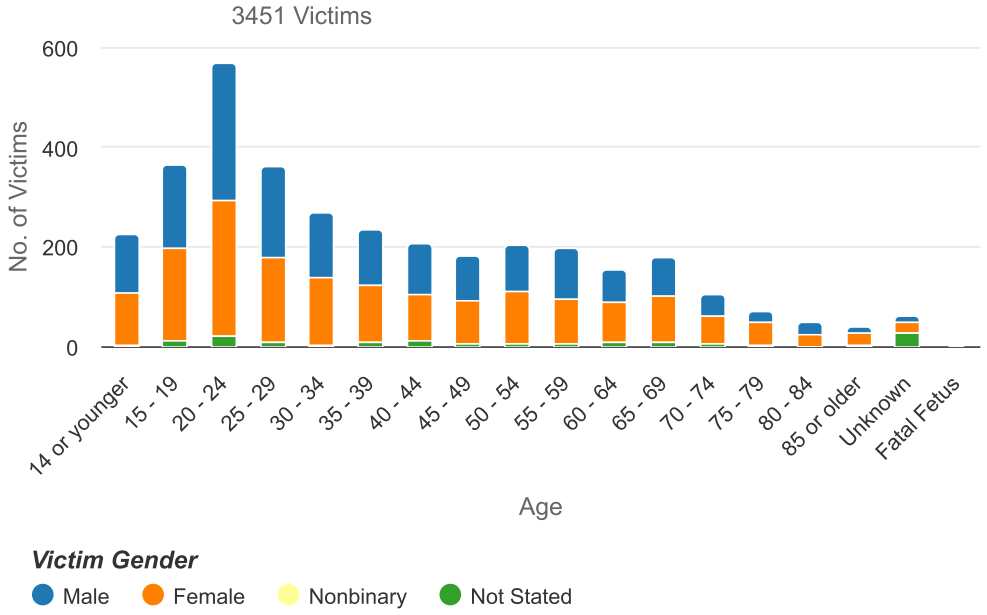
November 9, 2026

By Victim Safety Equipment 1





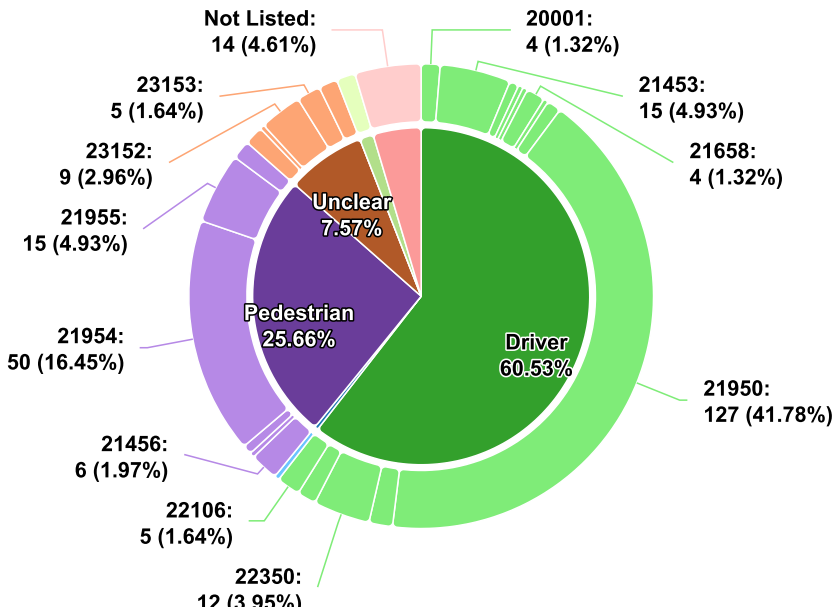
Number of Victims by Victim Gender and Age



Ped Crash Summary

Number of Crashes by Type of Violation

304 Crashes



Party Violation Classification

- Bicyclists
- Driver
- Other
- Pedestrian
- Unclear
- Unknown
- Others
- Not Listed

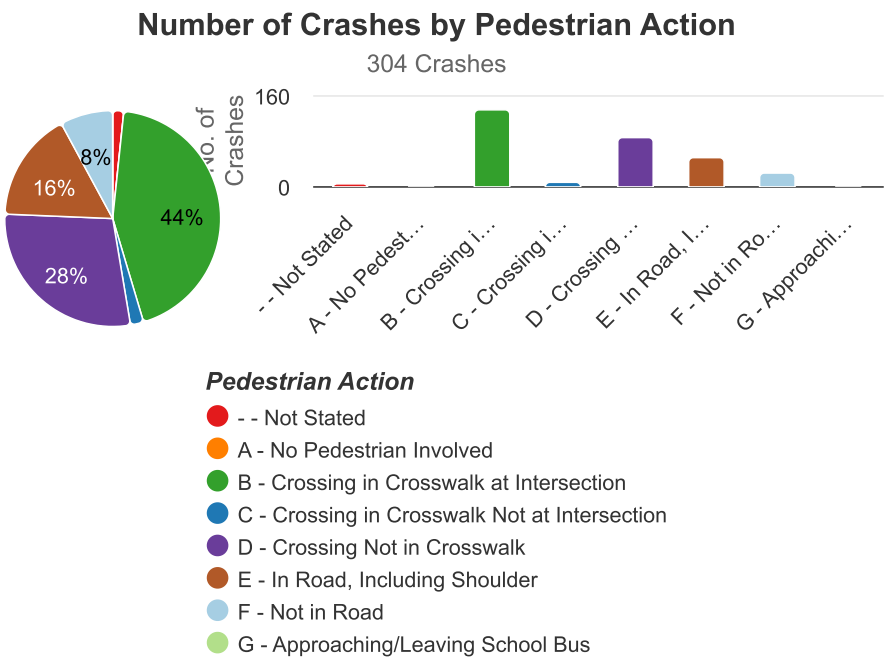
Party Violation Classification	Type of Violation	Description	Count	%
Driver	21950	Driver failure to yield right-of-way to pedestrians at a marked or unmarked crosswalk	127	41.78%
Pedestrian	21954	Pedestrian failure to yield right-of-way to vehicles when crossing outside of a marked or unmarked crosswalk	50	16.45%
Driver	21453	Failure to stop at a limit line or crosswalk at a red light Failure to yield right-of-way to pedestrian when turning on a red light	15	4.93%
Pedestrian	21955	Pedestrian failure to cross at crosswalks between adjacent traffic signal controlled intersections	15	4.93%
Not Listed	Not Listed	Violation code was not included in the crash	14	4.61%
Driver	22350	Speeding on the highway / Driving at a dangerously high speed given highway conditions like weather, visibility, traffic, and highway measurements, or driving at a speed that endangers people or property	12	3.95%
Unclear	23152	Driving under the influence of alcohol (BAC 0.08+) or drugs	9	2.96%
Pedestrian	21456	Pedestrian failure to yield right-of-way at traffic signal / Failure of pedestrian to yield right-of-way to vehicles already in intersection Failure to obey crosswalk symbols or finish crossing before "countdown" ends	6	1.97%
Driver	21952	Driver failure to yield right-of-way to pedestrians on sidewalks	5	1.64%
Driver	22106	Unsafe starting or backing of a vehicle on a highway	5	1.64%
Unclear	23153	Driving under the influence of alcohol or drugs, resulting in injury to another person	5	1.64%
Driver	20001	Failure to stop in a collision resulting in injury or death (commonly known as hit-and-run)	4	1.32%
Driver	21658	Failure to drive vehicle in single lane	4	1.32%
Driver	22450	Driver failure to stop at a stop sign before a limit line (a crosswalk or intersection entrance). Failure to stop at limit line before railroad	4	1.32%
Pedestrian	21956	Pedestrian failure to walk close to the edge of the roadway when there is no sidewalk present / Pedestrian failure to walk on the left-hand edge of the roadway when outside of a business or resident district, unless crossing is not possible	4	1.32%
Unclear	22107	Unsafe turning or moving right or left on a roadway Turning without signaling	4	1.32%
Unclear	21650	Failure to drive/ride on right half of the roadway (with some exceptions)	4	1.32%
Others	Others	21235 (1) 21543 (1) 21980 (1) 22950 (1)	4	1.32%
Driver	21804	Driver failure to yield right-of-way when entering/crossing a highway	3	0.99%
Driver	21461	Driver failure to obey regulatory sign or signal	2	0.66%
Pedestrian	21953	Pedestrian failure to yield to vehicles when crossing a roadway without using a pedestrian tunnel or overhead pedestrian crossing when one exists	2	0.66%

Party Violation Classification	Type of Violation	Description	Count	%
Driver	21800	Failure to yield right-of-way at intersection, including failure to yield to vehicles already in the intersection, on a continuing highway, or on their right side in an intersection, or safely when an intersection is controlled	1	0.33%
Driver	21801	Driver failure to yield right-of-way when making a left turn or U-turn	1	0.33%
Driver	21663	Driving on the sidewalk (unless entering or leaving property)	1	0.33%
Other	21701	Interfering with the driver in a way that affects the driver's control of the vehicle	1	0.33%
Pedestrian	21966	Pedestrian presence in a bicycle path or lane when there is an adjacent adequate pedestrian facility	1	0.33%
Unclear	24250	A vehicle should have lighting equipment as required for the vehicle during darkness	1	0.33%

TIMS SWITRS Crash Summary & Map

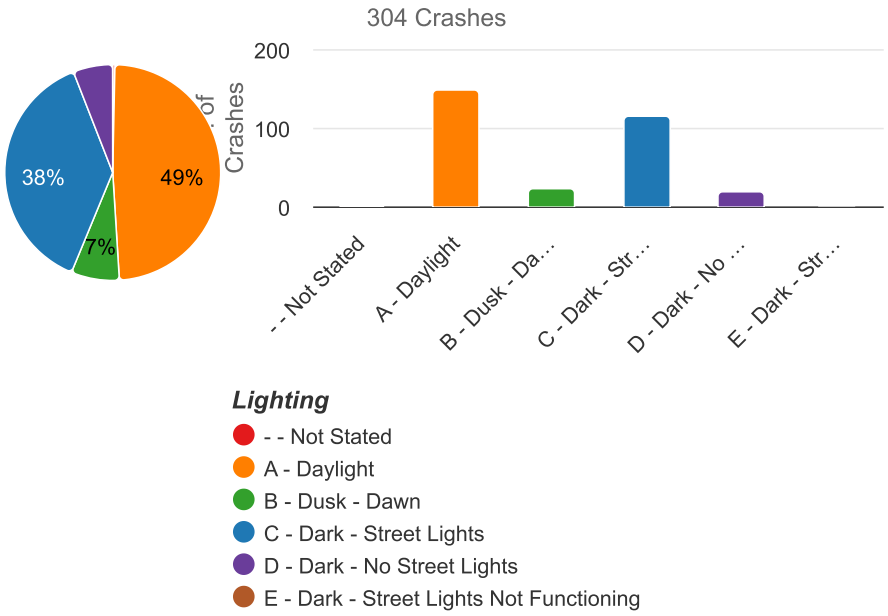
November 9, 2026

By Pedestrian Action



Pedestrian Action	Count	%
- - Not Stated	5	1.64%
A - No Pedestrian Involved	0	0.00%
B - Crossing in Crosswalk at Intersection	133	43.75%
C - Crossing in Crosswalk Not at Intersection	6	1.97%
D - Crossing Not in Crosswalk	86	28.29%
E - In Road, Including Shoulder	50	16.45%
F - Not in Road	24	7.89%
G - Approaching/Leaving School Bus	0	0.00%

Number of Crashes by Lighting

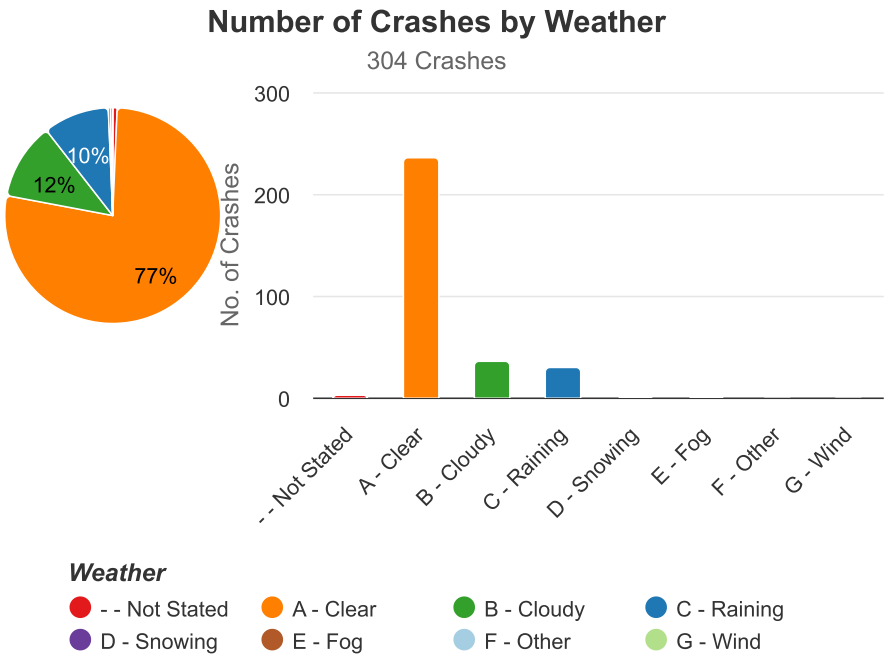


Lighting	Count	%
- - Not Stated	1	0.33%
A - Daylight	148	48.68%
B - Dusk - Dawn	22	7.24%
C - Dark - Street Lights	115	37.83%
D - Dark - No Street Lights	18	5.92%
E - Dark - Street Lights Not Functioning	0	0.00%

TIMS SWITRS Crash Summary & Map

November 9, 2026

By Weather



Weather	Count	%
- - Not Stated	2	0.66%
A - Clear	235	77.30%
B - Cloudy	35	11.51%
C - Raining	30	9.87%
D - Snowing	1	0.33%
E - Fog	1	0.33%
F - Other	0	0.00%
G - Wind	0	0.00%

Exhibit 2

TIMS SWITRS Crash Summary & Map

November 7, 2026

access to California crash data, the Statewide Integrated Traffic Records System (SWITRS), that has been geo-coded by SafeTREC to make it easy to map crashes.

Date & Location

Date

01/01/2016 - 06/30/2026

County Butte

City Chico

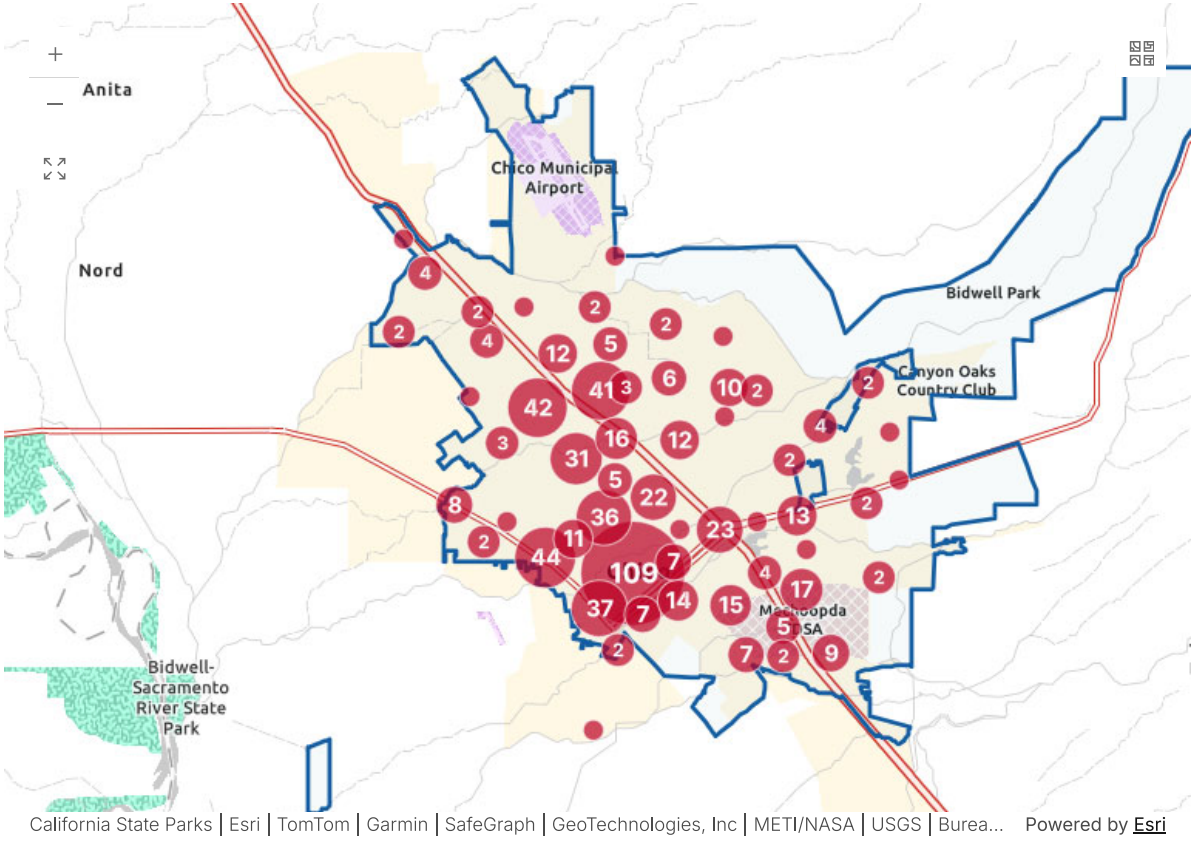
Filters

Bicycle Crash Yes

Pedestrian Crash Yes

Result

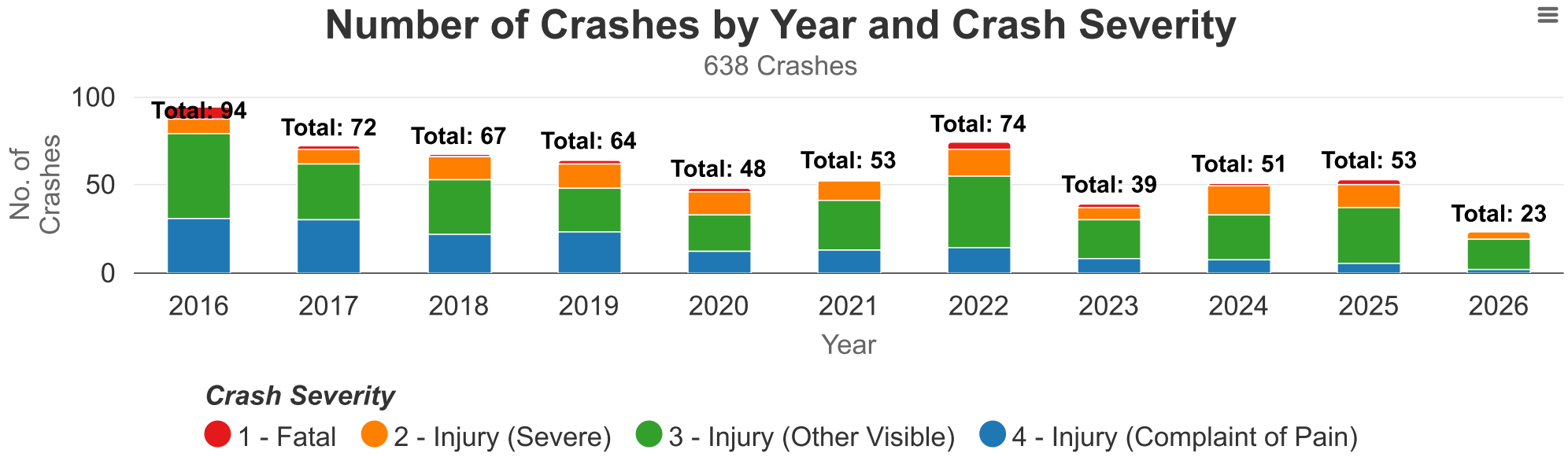
Total Crashes	638
Total Victims	26 Killed & 635 Injured
State Highway	80 (12.5%)
Ped Involved	304 (47.6%)
Bike Involved	334 (52.4%)
Motorcycle Involved	7 (1.1%)

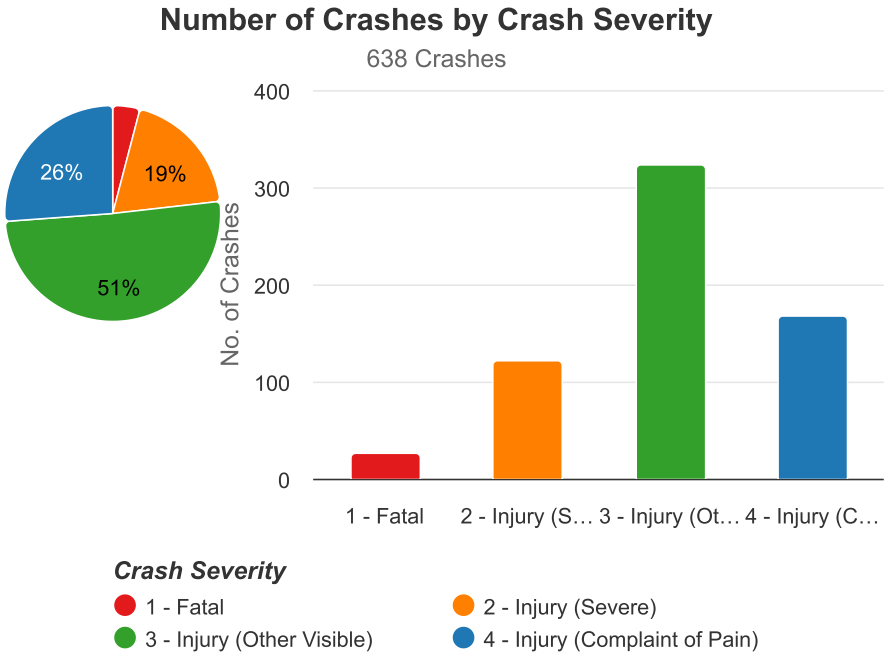


625 of 638 (98%) crashes are geocoded and mapped.

Crash Summary

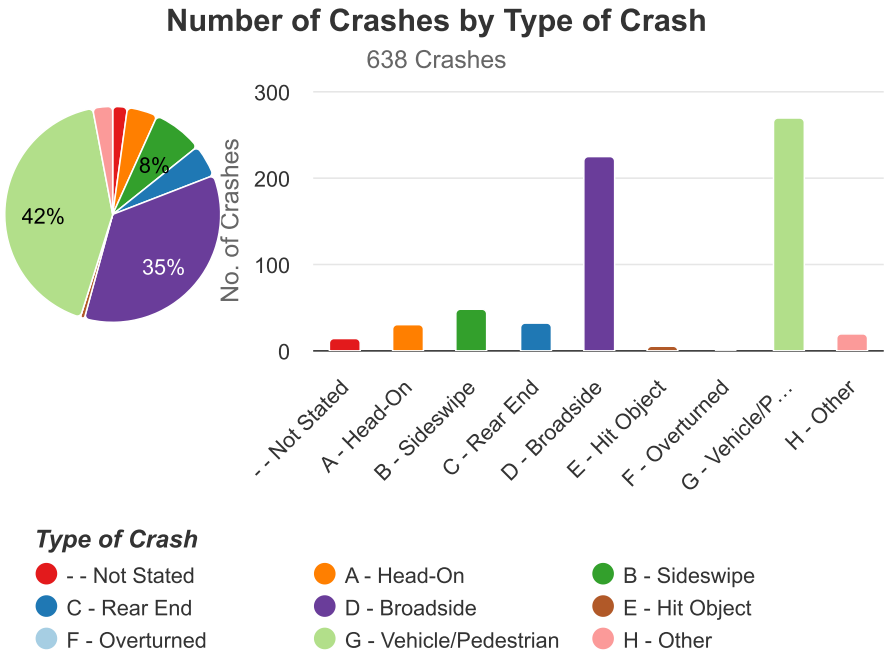
By Year





Crash Severity	Count	%
1 - Fatal	26	4.08%
2 - Injury (Severe)	122	19.12%
3 - Injury (Other Visible)	323	50.63%
4 - Injury (Complaint of Pain)	167	26.18%

By Crash Type

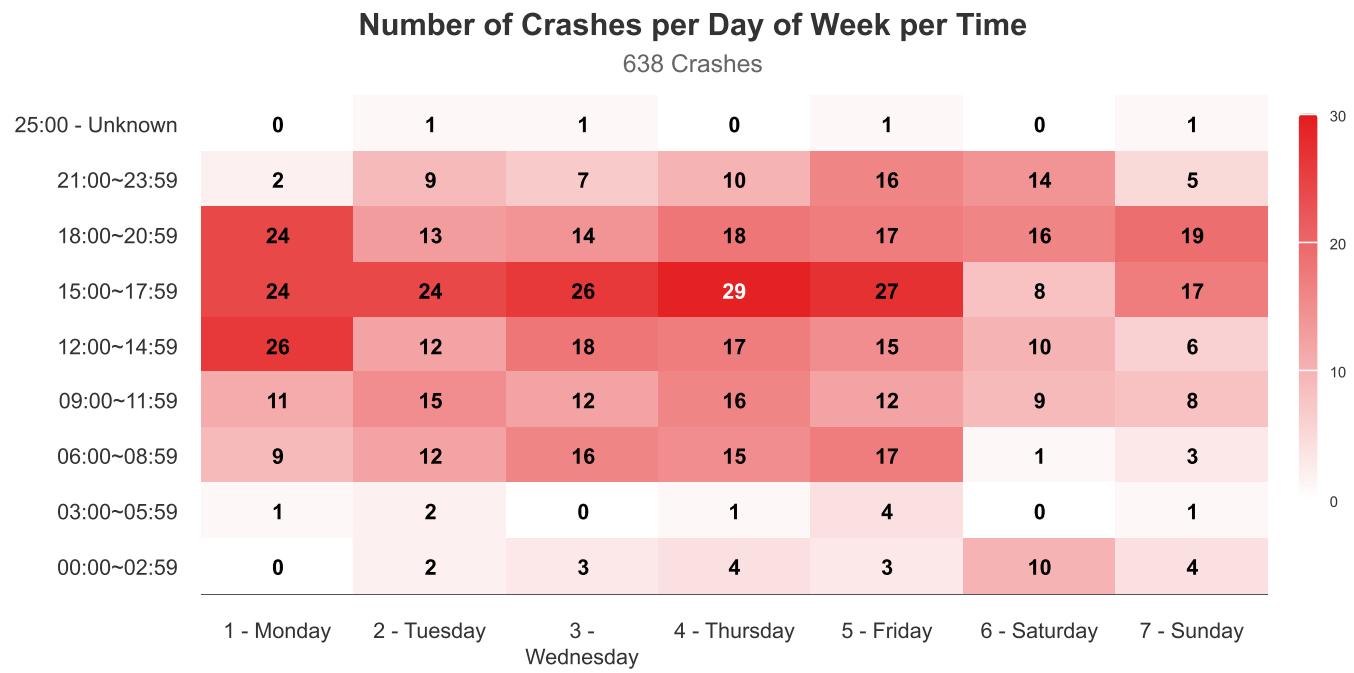


Type of Crash	Count	%
- - Not Stated	14	2.19%
A - Head-On	29	4.55%
B - Sideswipe	48	7.52%
C - Rear End	31	4.86%
D - Broadside	224	35.11%
E - Hit Object	4	0.63%
F - Overturned	0	0.00%
G - Vehicle/Pedestrian	269	42.16%
H - Other	19	2.98%

TIMS SWITRS Crash Summary & Map

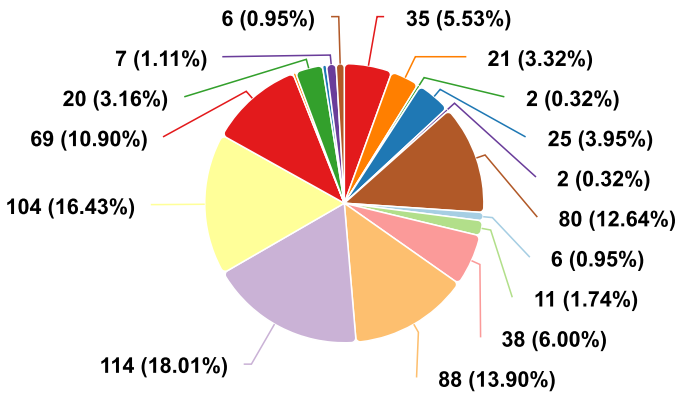
November 7, 2026

By Day of Week and Time



Number of Crashes by PCF Violation

633 Crashes

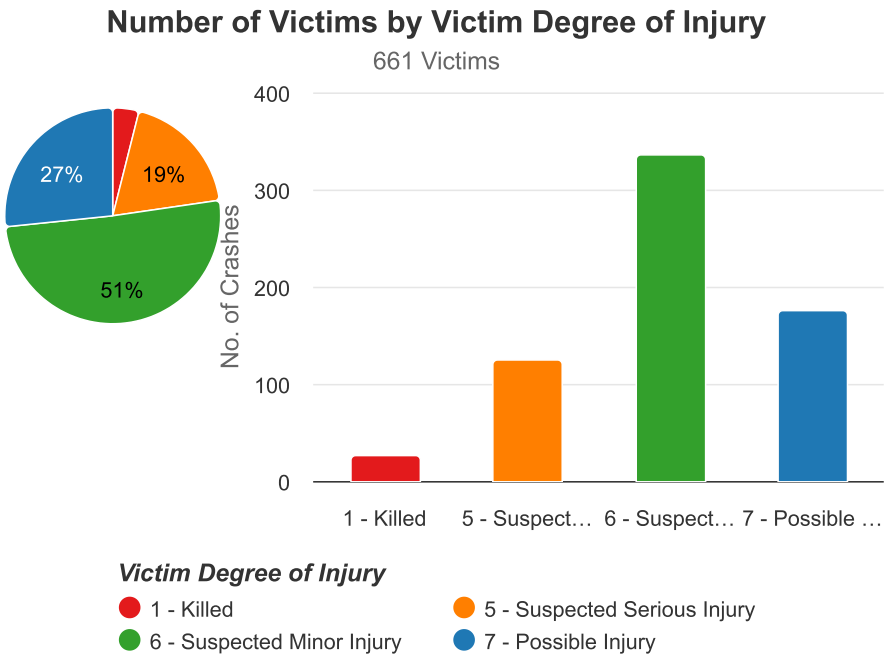


PCF Violation

- 00 - Unknown
- 01 - Driving or Bicycling Under the Influence of Alcohol or Drug
- 02 - Impeding Traffic
- 03 - Unsafe Speed
- 04 - Following Too Closely
- 05 - Wrong Side of Road
- 06 - Improper Passing
- 07 - Unsafe Lane Change
- 08 - Improper Turning
- 09 - Automobile Right of Way
- 10 - Pedestrian Right of Way
- 11 - Pedestrian Violation
- 12 - Traffic Signals and Signs
- 14 - Lights
- 17 - Other Hazardous Violation
- 18 - Other Than Driver (or Pedestrian)
- 21 - Unsafe Starting or Backing
- 22 - Other Improper Driving

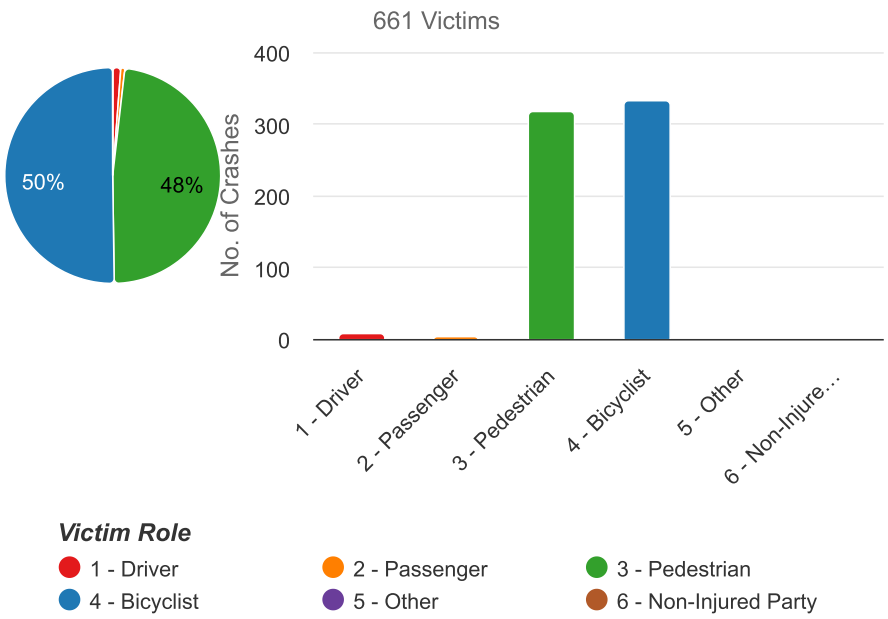
Victim Summary

By Victim Degree of Injury



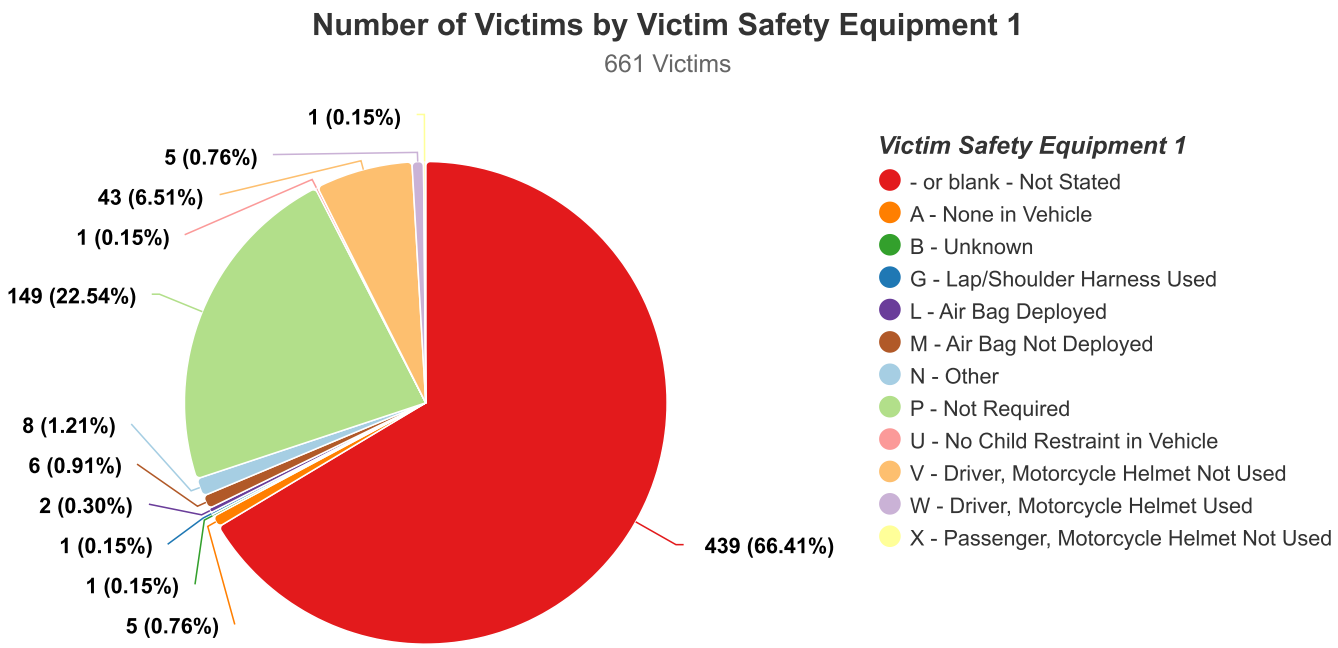
Victim Degree of Injury	Count	%
1 - Killed	26	3.93%
5 - Suspected Serious Injury	124	18.76%
6 - Suspected Minor Injury	335	50.68%
7 - Possible Injury	176	26.63%

Number of Victims by Victim Role

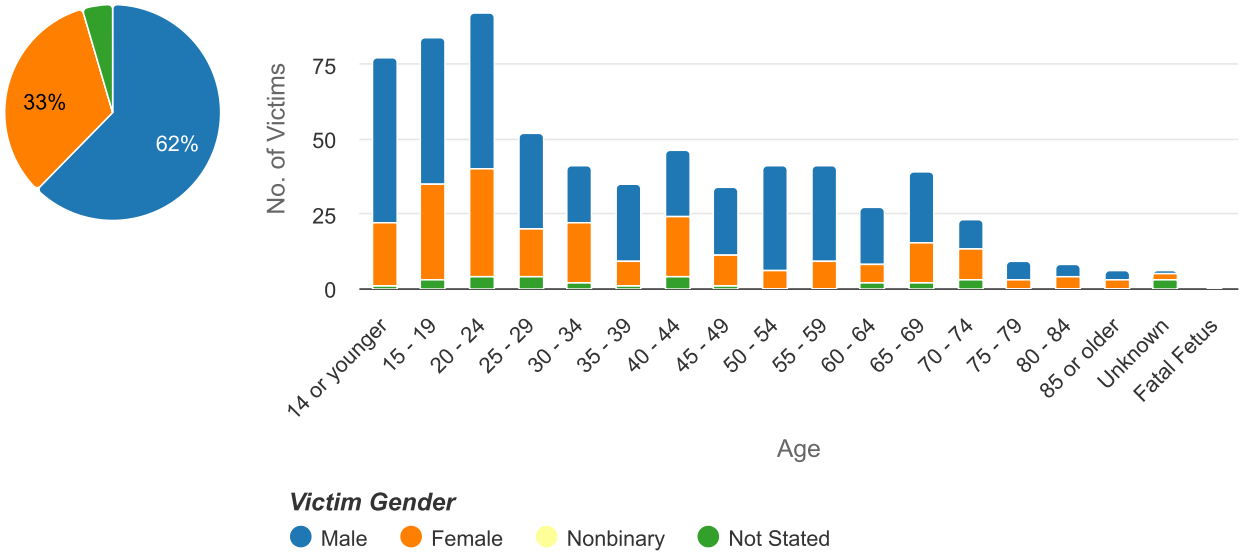


Victim Role	Count	%
1 - Driver	8	1.21%
2 - Passenger	4	0.61%
3 - Pedestrian	317	47.96%
4 - Bicyclist	332	50.23%
5 - Other	0	0.00%
6 - Non-Injured Party	0	0.00%

By Victim Safety Equipment 1



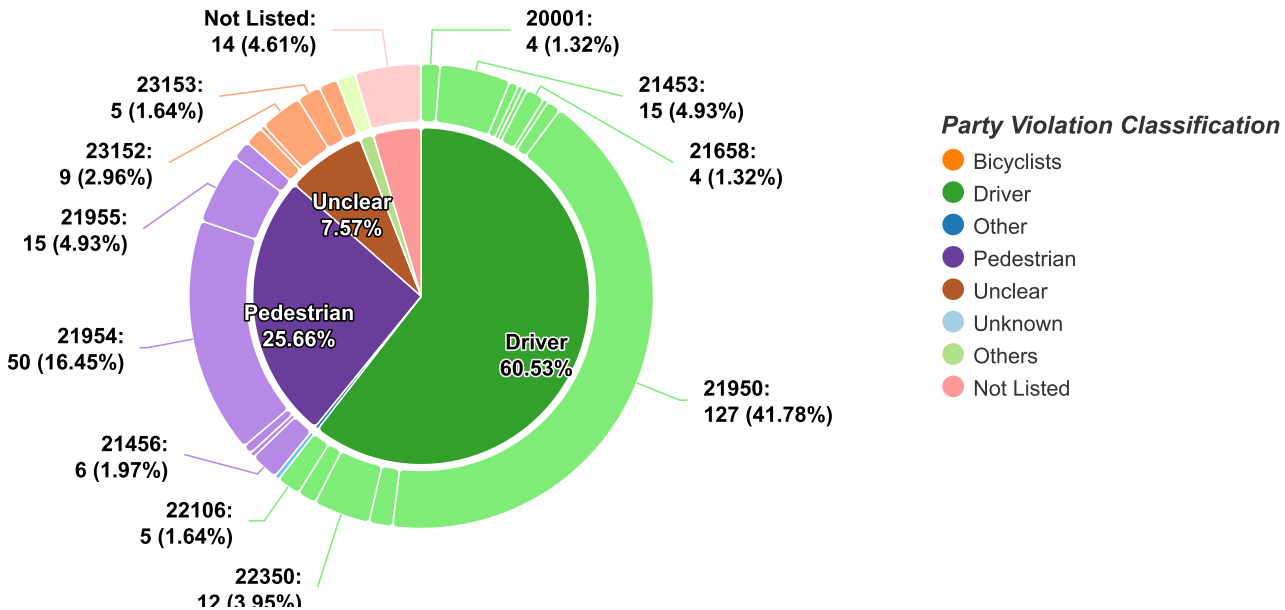
Number of Victims by Victim Gender and Age



Ped Crash Summary

Number of Crashes by Type of Violation

304 Crashes



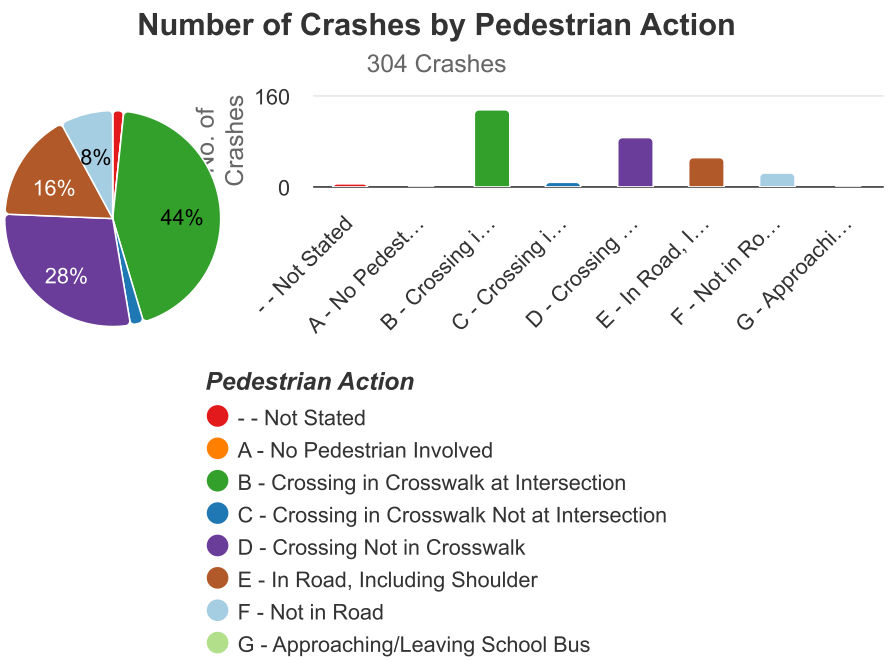
Party Violation Classification	Type of Violation	Description	Count	%
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Pedestrian	21954	Pedestrian failure to yield right-of-way to vehicles when crossing outside of a marked or unmarked crosswalk	50	16.45%
Driver	21453	Failure to stop at a limit line or crosswalk at a red light Failure to yield right-of-way to pedestrian when turning on a red light	15	4.93%
Pedestrian	21955	Pedestrian failure to cross at crosswalks between adjacent traffic signal controlled intersections	15	4.93%
Not Listed	Not Listed	Violation code was not included in the crash	14	4.61%
Driver	22350	Speeding on the highway / Driving at a dangerously high speed given highway conditions like weather, visibility, traffic, and highway measurements, or driving at a speed that endangers people or property	12	3.95%
Unclear	23152	Driving under the influence of alcohol (BAC 0.08+) or drugs	9	2.96%
Pedestrian	21456	Pedestrian failure to yield right-of-way at traffic signal / Failure of pedestrian to yield right-of-way to vehicles already in intersection Failure to obey crosswalk symbols or finish crossing before "countdown" ends	6	1.97%
Driver	21952	Driver failure to yield right-of-way to pedestrians on sidewalks	5	1.64%
Driver	22106	Unsafe starting or backing of a vehicle on a highway	5	1.64%
Unclear	23153	Driving under the influence of alcohol or drugs, resulting in injury to another person	5	1.64%
Driver	20001	Failure to stop in a collision resulting in injury or death (commonly known as hit-and-run)	4	1.32%
Driver	21658	Failure to drive vehicle in single lane	4	1.32%
Driver	22450	Driver failure to stop at a stop sign before a limit line (a crosswalk or intersection entrance). Failure to stop at limit line before railroad	4	1.32%
Pedestrian	21956	Pedestrian failure to walk close to the edge of the roadway when there is no sidewalk present / Pedestrian failure to walk on the left-hand edge of the roadway when outside of a business or resident district, unless crossing is not possible	4	1.32%
Unclear	22107	Unsafe turning or moving right or left on a roadway Turning without signaling	4	1.32%
Unclear	21650	Failure to drive/ride on right half of the roadway (with some exceptions)	4	1.32%
Others	Others	21235 (1) 21543 (1) 21980 (1) 22950 (1)	4	1.32%
Driver	21804	Driver failure to yield right-of-way when entering/crossing a highway	3	0.99%
Driver	21461	Driver failure to obey regulatory sign or signal	2	0.66%
Pedestrian	21953	Pedestrian failure to yield to vehicles when crossing a roadway without using a pedestrian tunnel or overhead pedestrian crossing when one exists	2	0.66%

Party Violation Classification	Type of Violation	Description	Count	%
Driver	21800	Failure to yield right-of-way at intersection, including failure to yield to vehicles already in the intersection, on a continuing highway, or on their right side in an intersection, or safely when an intersection is controlled	1	0.33%
Driver	21801	Driver failure to yield right-of-way when making a left turn or U-turn	1	0.33%
Driver	21663	Driving on the sidewalk (unless entering or leaving property)	1	0.33%
Other	21701	Interfering with the driver in a way that affects the driver's control of the vehicle	1	0.33%
Pedestrian	21966	Pedestrian presence in a bicycle path or lane when there is an adjacent adequate pedestrian facility	1	0.33%
Unclear	24250	A vehicle should have lighting equipment as required for the vehicle during darkness	1	0.33%

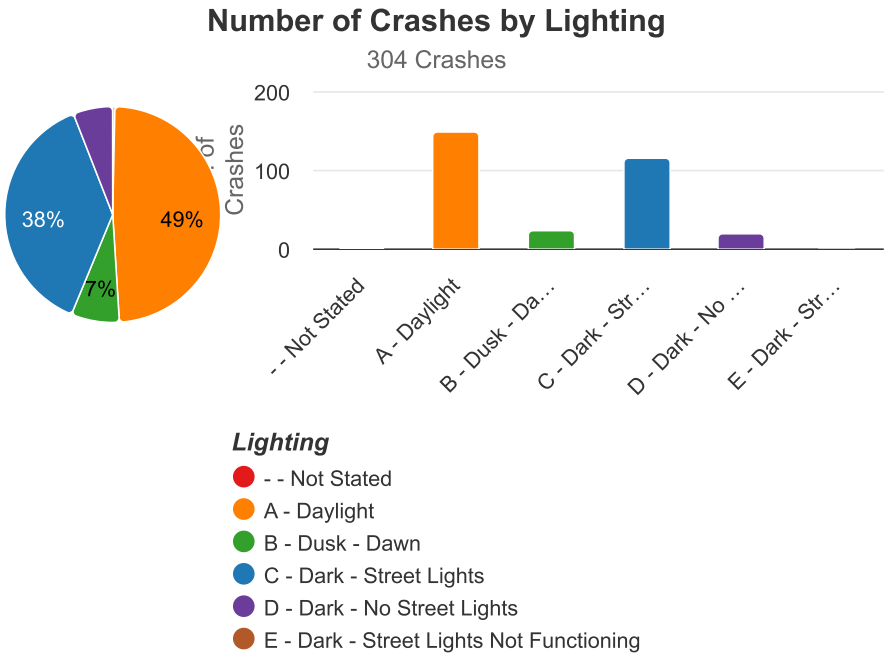
TIMS SWITRS Crash Summary & Map

November 7, 2026

By Pedestrian Action



Pedestrian Action	Count	%
- - Not Stated	5	1.64%
A - No Pedestrian Involved	0	0.00%
B - Crossing in Crosswalk at Intersection	133	43.75%
C - Crossing in Crosswalk Not at Intersection	6	1.97%
D - Crossing Not in Crosswalk	86	28.29%
E - In Road, Including Shoulder	50	16.45%
F - Not in Road	24	7.89%
G - Approaching/Leaving School Bus	0	0.00%

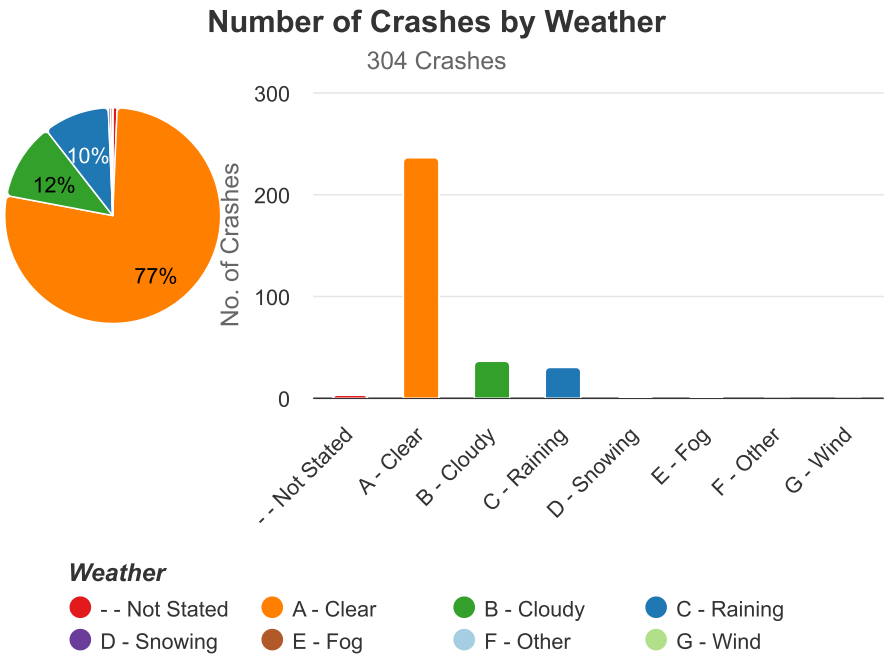


Lighting	Count	%
- - Not Stated	1	0.33%
A - Daylight	148	48.68%
B - Dusk - Dawn	22	7.24%
C - Dark - Street Lights	115	37.83%
D - Dark - No Street Lights	18	5.92%
E - Dark - Street Lights Not Functioning	0	0.00%

TIMS SWITRS Crash Summary & Map

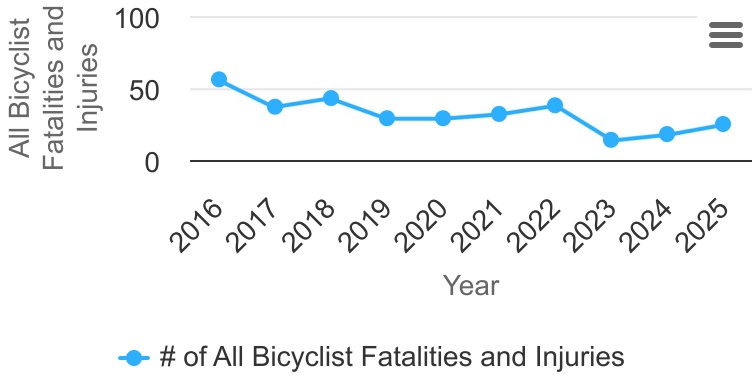
November 7, 2026

By Weather



Weather	Count	%
- - Not Stated	2	0.66%
A - Clear	235	77.30%
B - Cloudy	35	11.51%
C - Raining	30	9.87%
D - Snowing	1	0.33%
E - Fog	1	0.33%
F - Other	0	0.00%
G - Wind	0	0.00%

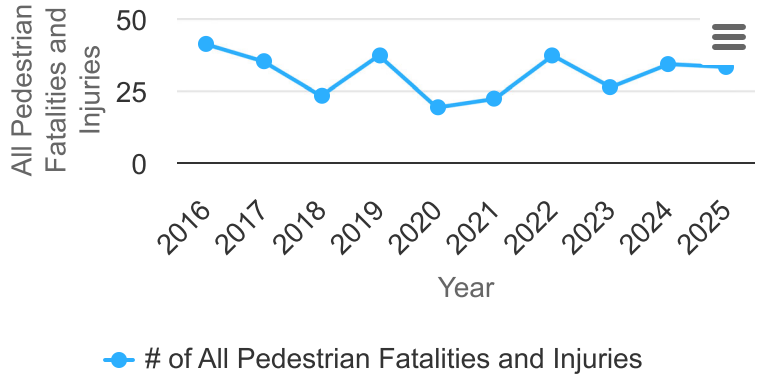
Exhibit 3


All Bicyclist Fatalities and Injuries
100
50
0
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
Year
# of All Bicyclist Fatalities and Injuries

All-Bicyclist-Fatalities-and-Injuries-City of Chico (2016 to 2025)

City	County	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Average
CHICO	BUTTE	56	37	43	29	29	32	38	14	18	25	32.1

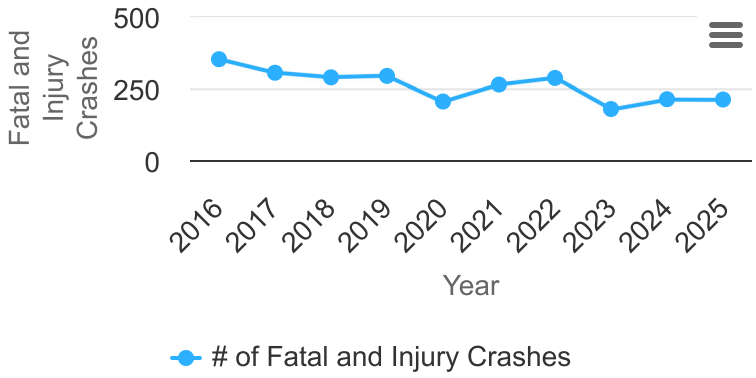
Exhibit 4


All Pedestrian Fatalities and Injuries
50
25
0
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
Year
# of All Pedestrian Fatalities and Injuries

All-Pedestrian-Fatalities-and-Injuries-City of Chico (2016 to 2025)

City	County	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Average
CHICO	BUTTE	41	35	23	37	19	22	37	26	34	33	30.7

Exhibit 5


Fatal and Injury Crashes
500
250
0
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
Year
# of Fatal and Injury Crashes

All-Fatalities-and-Injuries-Crashes-City of Chico (2016 to 2025)

City	County	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Average
CHICO	BUTTE	350	303	287	292	203	262	285	177	211	210	258

Exhibit 6

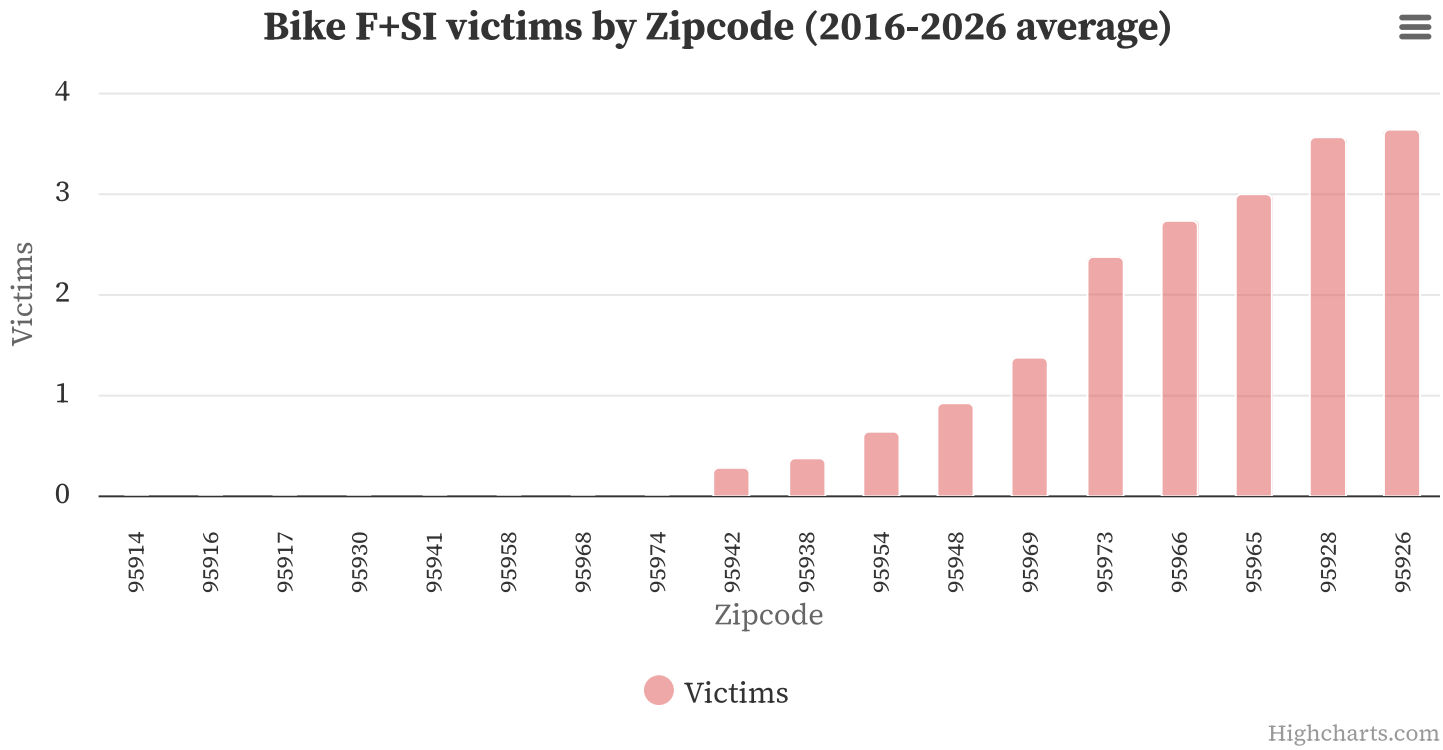

Bike F+SI victims by Zipcode (2016-2026 average)
Victims
4
3
2
1
0
95914
95916
95917
95930
95941
95958
95968
95974
95942
95938
95954
95948
95969
95973
95966
95965
95928
95926
Zipcode
Victims
Highcharts.com

Exhibit 7

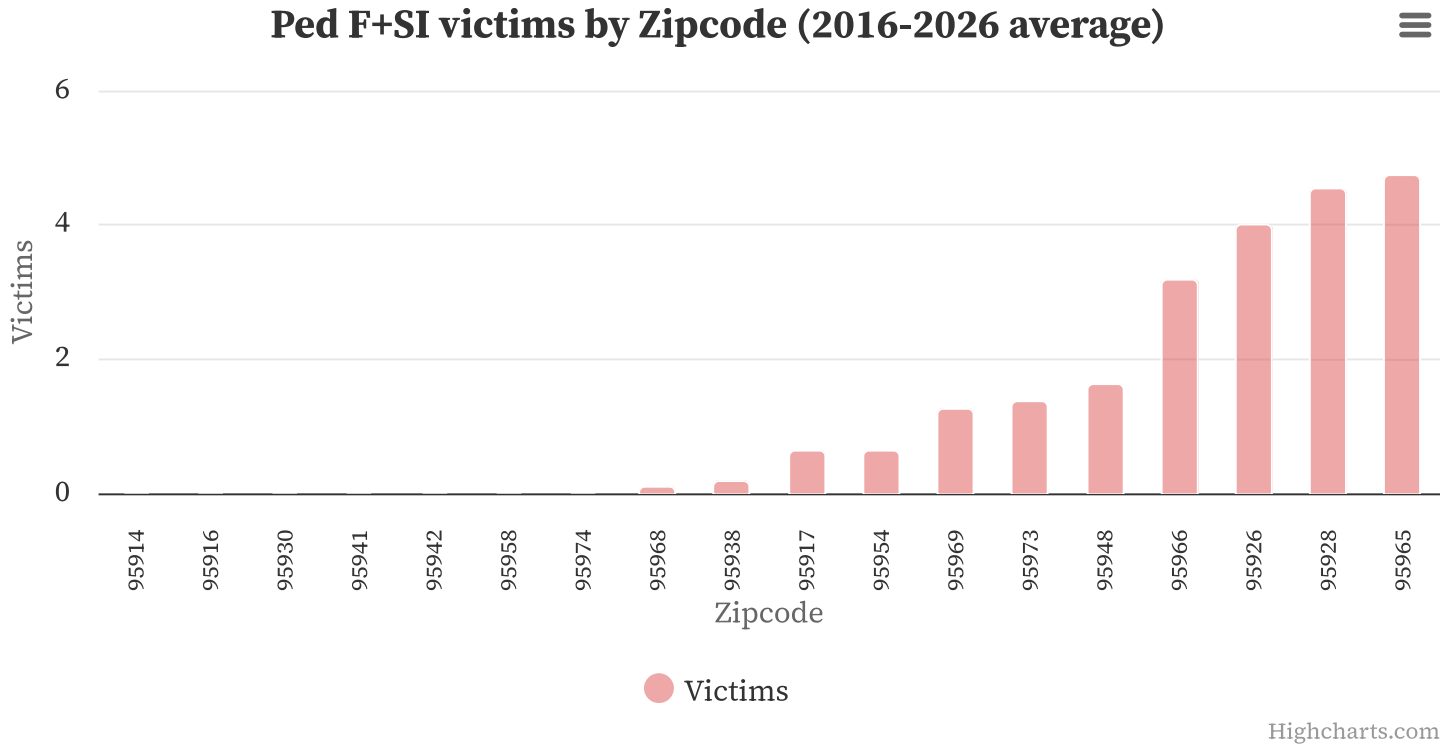

Ped F+SI victims by Zipcode (2016-2026 average)
6
4
2
0
Victims
95914
95916
95930
95941
95942
95958
95974
95968
95938
95917
95954
95969
95973
95948
95966
95926
95928
95965
Zipcode
Victims
Highcharts.com

Exhibit 8

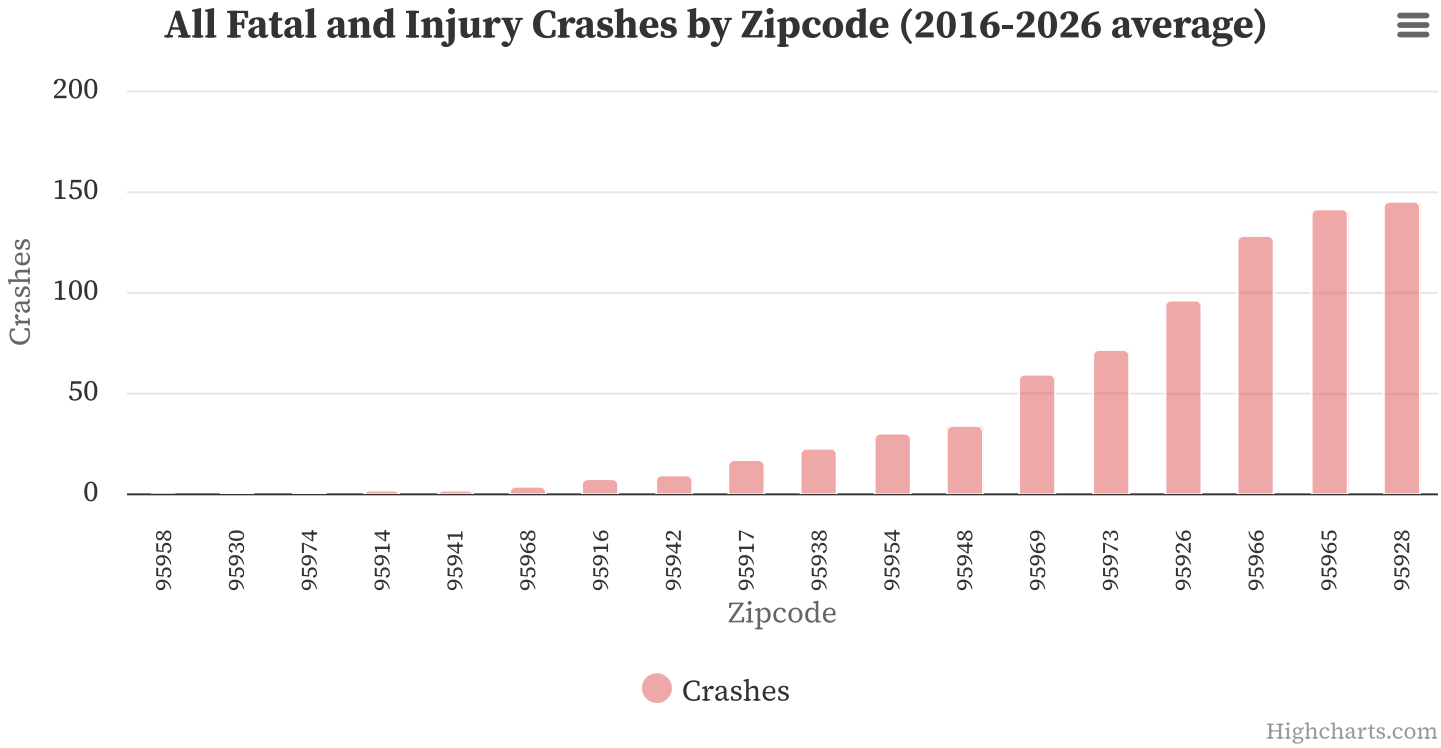

All Fatal and Injury Crashes by Zipcode (2016-2026 average)
200
150
100
50
0
Crashes
95958
95930
95974
95914
95941
95968
95916
95942
95917
95938
95954
95948
95969
95973
95926
95966
95965
95928
Zipcode
Crashes
Highcharts.com

Exhibit 9

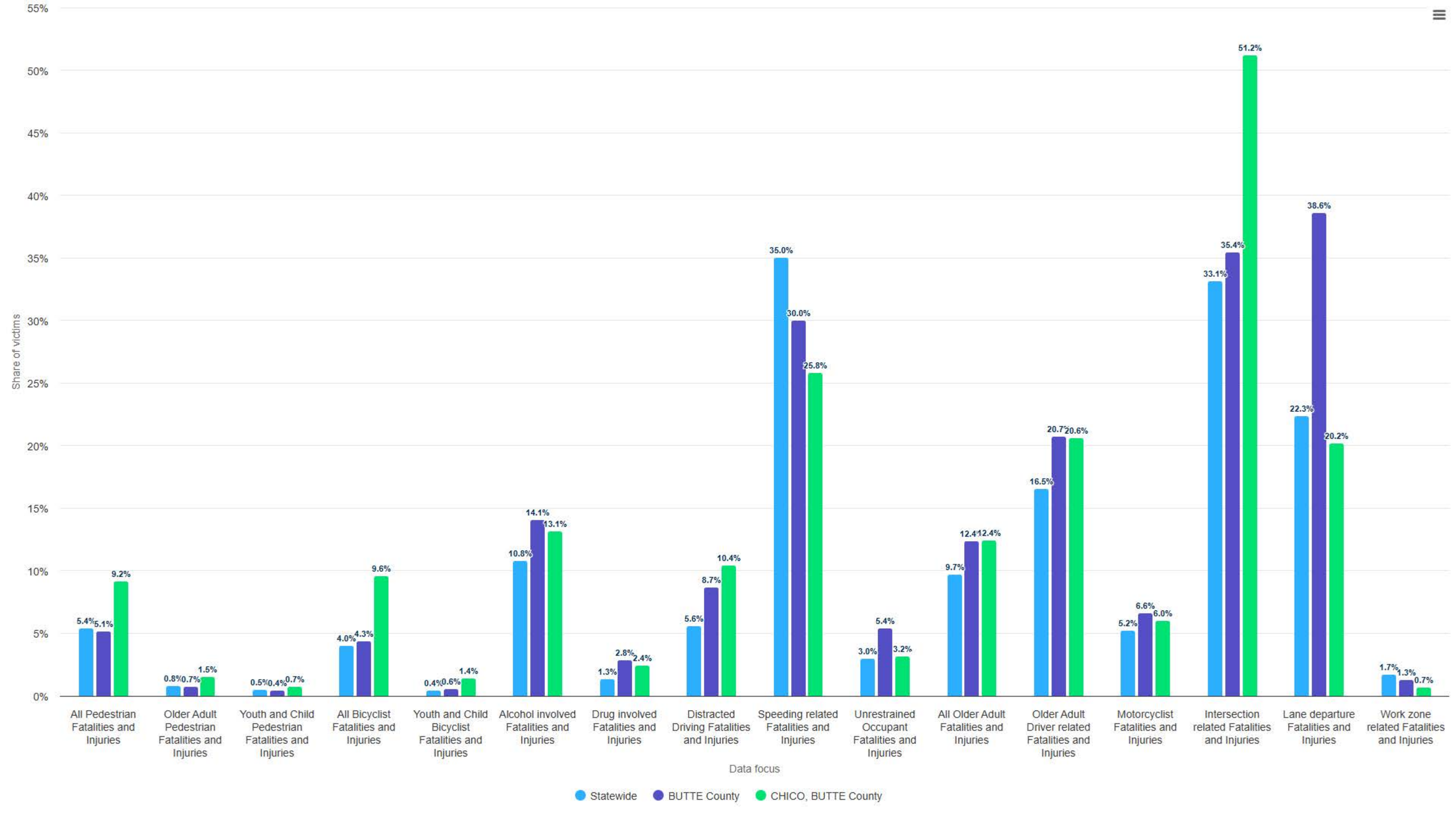
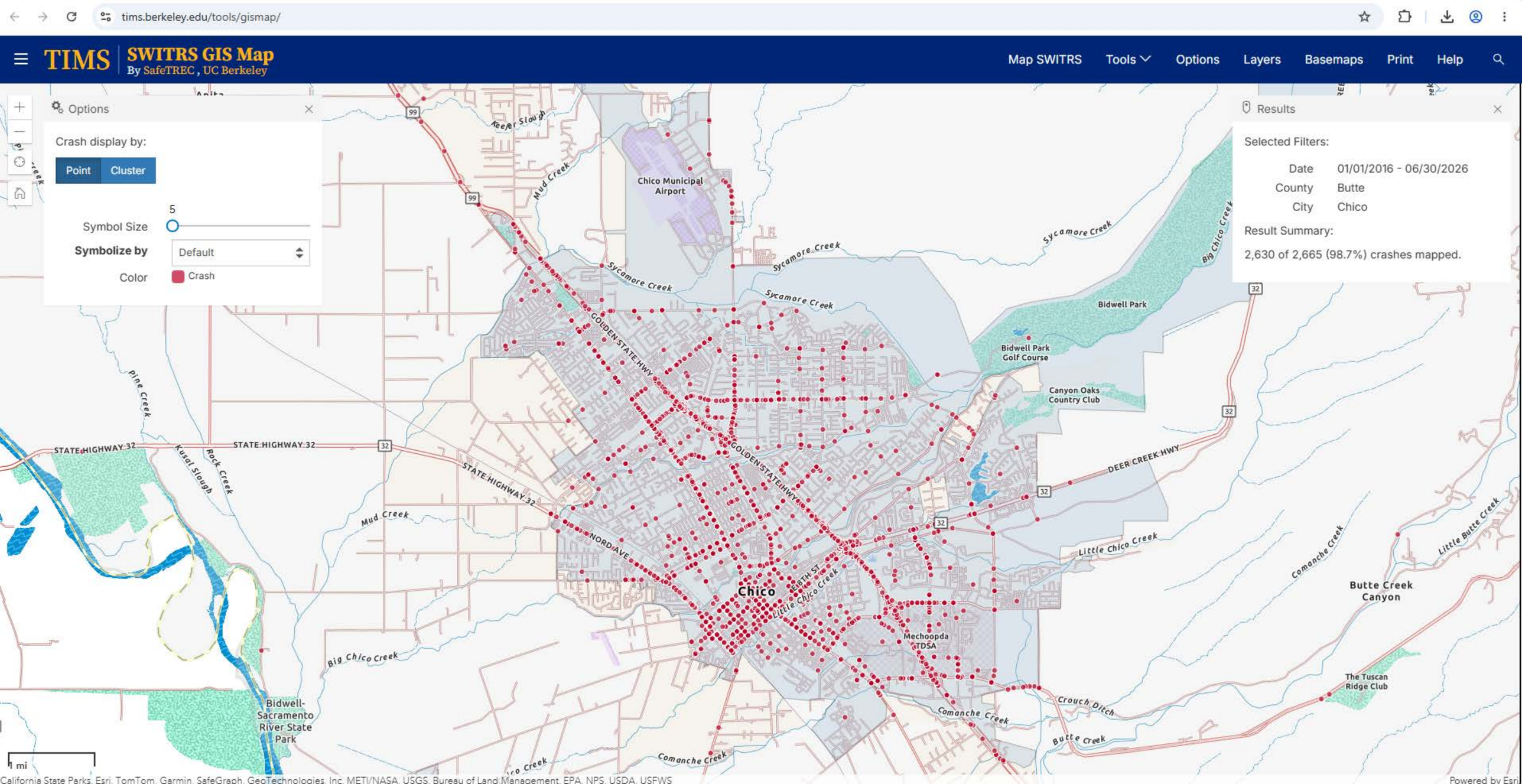
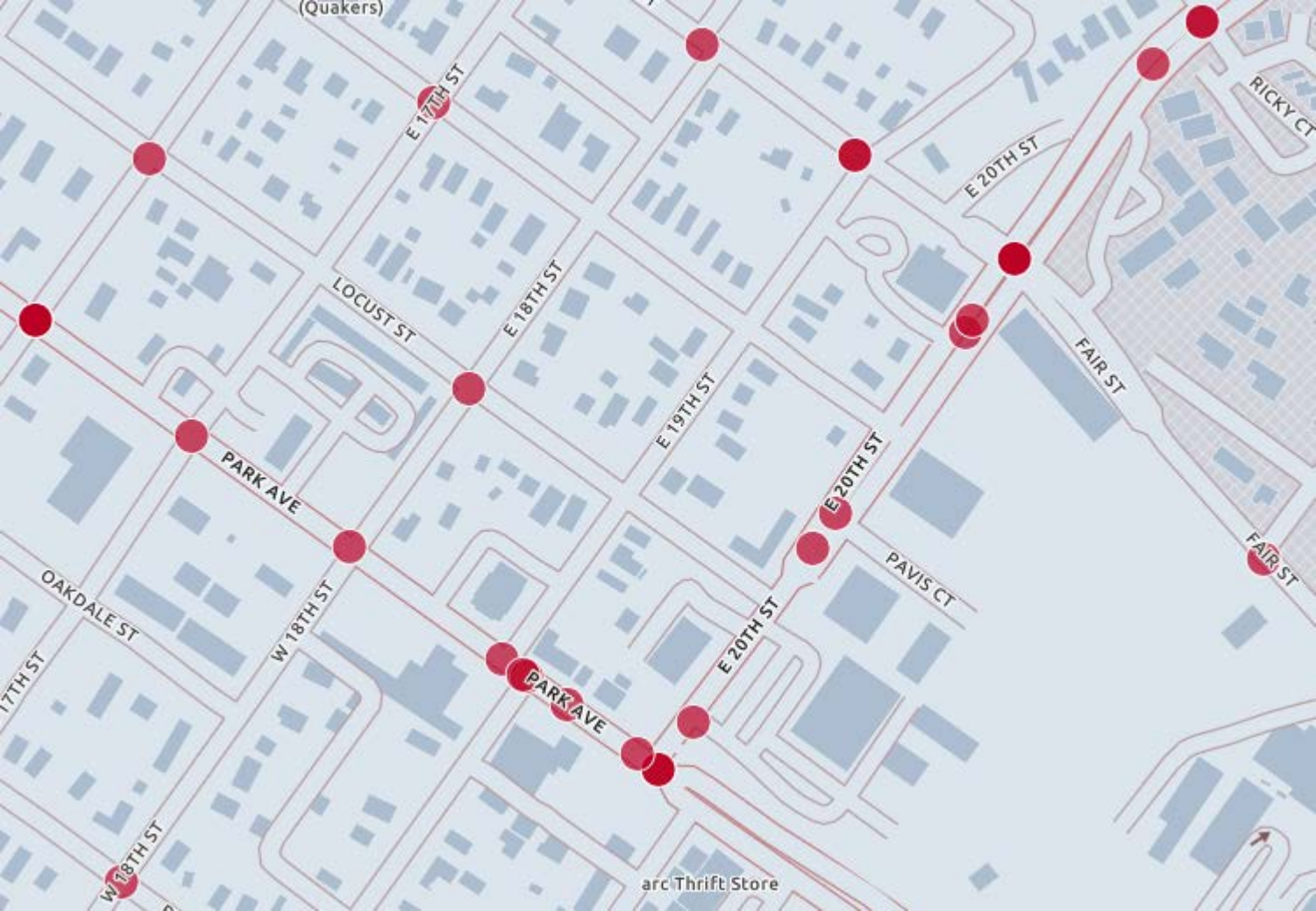
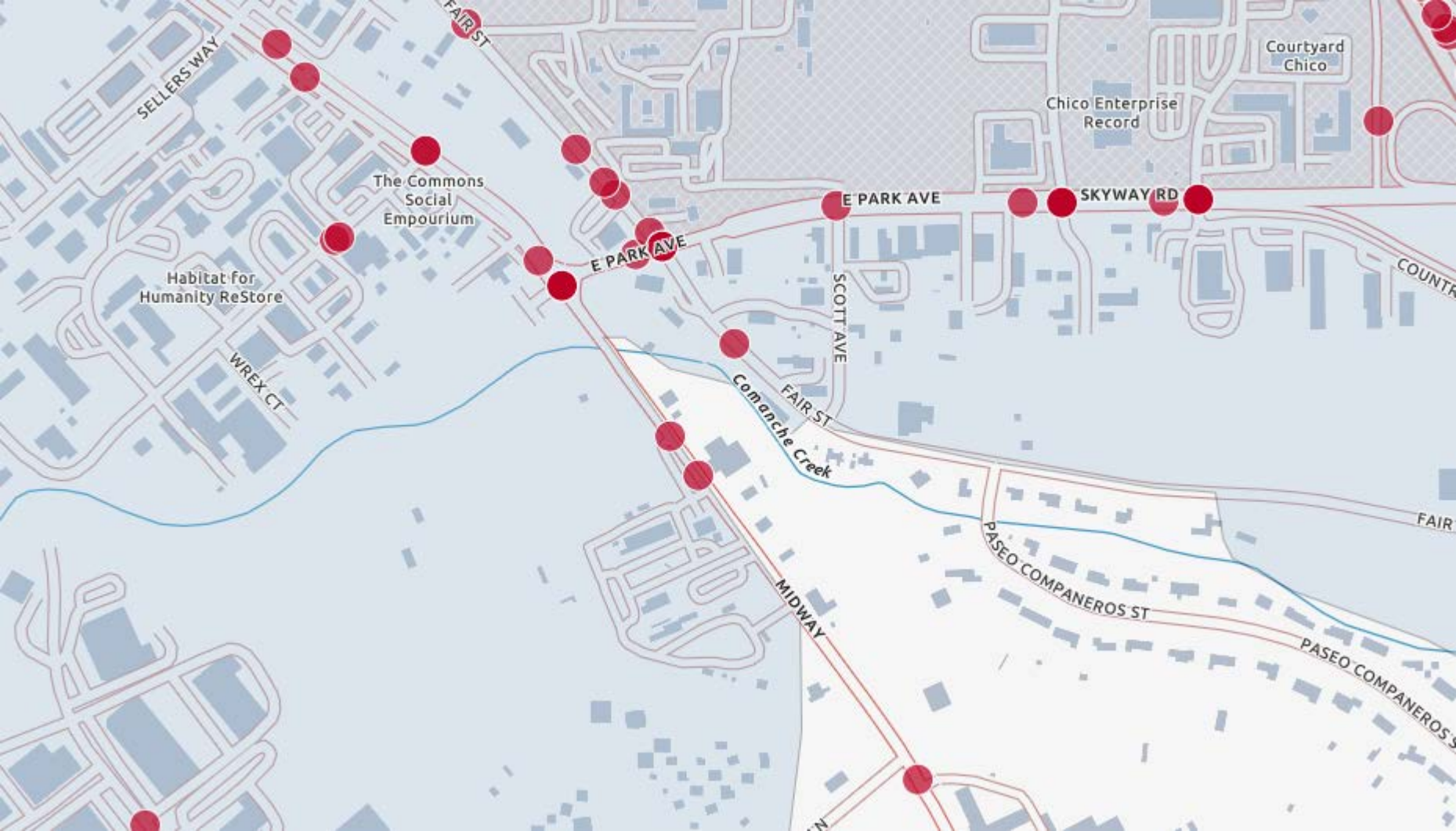

55%
50%
45%
40%
35%
30%
25%
20%
15%
10%
5%
0%
Share of victims
5.4%
5.1%
9.2%
0.8%
0.7%
1.5%
0.5%
0.4%
0.7%
4.0%
4.3%
9.6%
0.4%
0.6%
1.4%
10.8%
14.1%
13.1%
1.3%
2.8%
2.4%
5.6%
8.7%
10.4%
35.0%
30.0%
25.8%
3.0%
5.4%
3.2%
9.7%
12.4%
12.4%
16.5%
20.7%
20.6%
5.2%
6.6%
6.0%
33.1%
35.4%
51.2%
22.3%
38.6%
20.2%
1.7%
1.3%
0.7%
All Pedestrian Fatalities and Injuries
Older Adult Pedestrian Fatalities and Injuries
Youth and Child Pedestrian Fatalities and Injuries
All Bicyclist Fatalities and Injuries
Youth and Child Bicyclist Fatalities and Injuries
Alcohol involved Fatalities and Injuries
Drug involved Fatalities and Injuries
Distracted Driving Fatalities and Injuries
Speeding related Fatalities and Injuries
Unrestrained Occupant Fatalities and Injuries
All Older Adult Fatalities and Injuries
Older Adult Driver related Fatalities and Injuries
Motorcyclist Fatalities and Injuries
Intersection related Fatalities and Injuries
Lane departure Fatalities and Injuries
Work zone related Fatalities and Injuries
Data focus
Statewide
BUTTE County
CHICO, BUTTE County

Exhibit 10


tims.berkeley.edu/tools/gismap/
TIMS
SWITRS GIS Map
By SafeTREC , UC Berkeley
Map SWITRS
Tools
Options
Layers
Basemaps
Print
Help
Options
Crash display by:
Point
Cluster
Symbol Size
5
Symbolize by
Default
Color
Crash
Results
Selected Filters:
Date 01/01/2016 - 06/30/2026
County Butte
City Chico
Result Summary:
2,630 of 2,665 (98.7%) crashes mapped.
Chico
Chico Municipal Airport
Bidwell Park
Bidwell Park Golf Course
Canyon Oaks Country Club
Mechoopda TDSA
Butte Creek Canyon
The Tuscan Ridge Club
Bidwell-Sacramento River State Park
Mud Creek
Sycamore Creek
Big Chico Creek
Little Chico Creek
Comanche Creek
Little Butte Creek
Crouch Ditch
Butte Creek
Pine Creek
Rock Creek
Kusal Slough
Keefer Slough
GOLDEN STATE HWY
STATE HIGHWAY 32
DEER CREEK HWY
NORD AVE
8TH ST
1 mi
California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, USFWS
Powered by Esri


Heritage Inn Express Chico
BROADWAY ST
Juice Unwind Caribbean Barbeque
OROVILLE AVE
E 9TH ST
W 9TH ST
Dutch Bros Coffee
Little Chico Creek


(Quakers)
E 17TH ST
LOCUST ST
E 18TH ST
E 19TH ST
E 20TH ST
RICKY CT
FAIR ST
PARK AVE
OAKDALE ST
W 18TH ST
PAVIS CT
arc Thrift Store


SELLERS WAY
FAIR ST
The Commons Social Empourium
Habitat for Humanity ReStore
WREX CT
E PARK AVE
Courtyard Chico
Chico Enterprise Record
SKYWAY RD
SCOTT AVE
Comanche Creek
FAIR ST
MIDWAY
PASEO COMPANEROS ST
PASEO COMPANEROS ST


Butte College
Chico Center
Tractor Supply
Company
Courtyard
Chico
Lowe's
Chico Enterprise
Record
E PARK AVE
SKYWAY RD
E PARK AVE
SCOTT AVE
COUNTRY DR
99

Exhibit 11

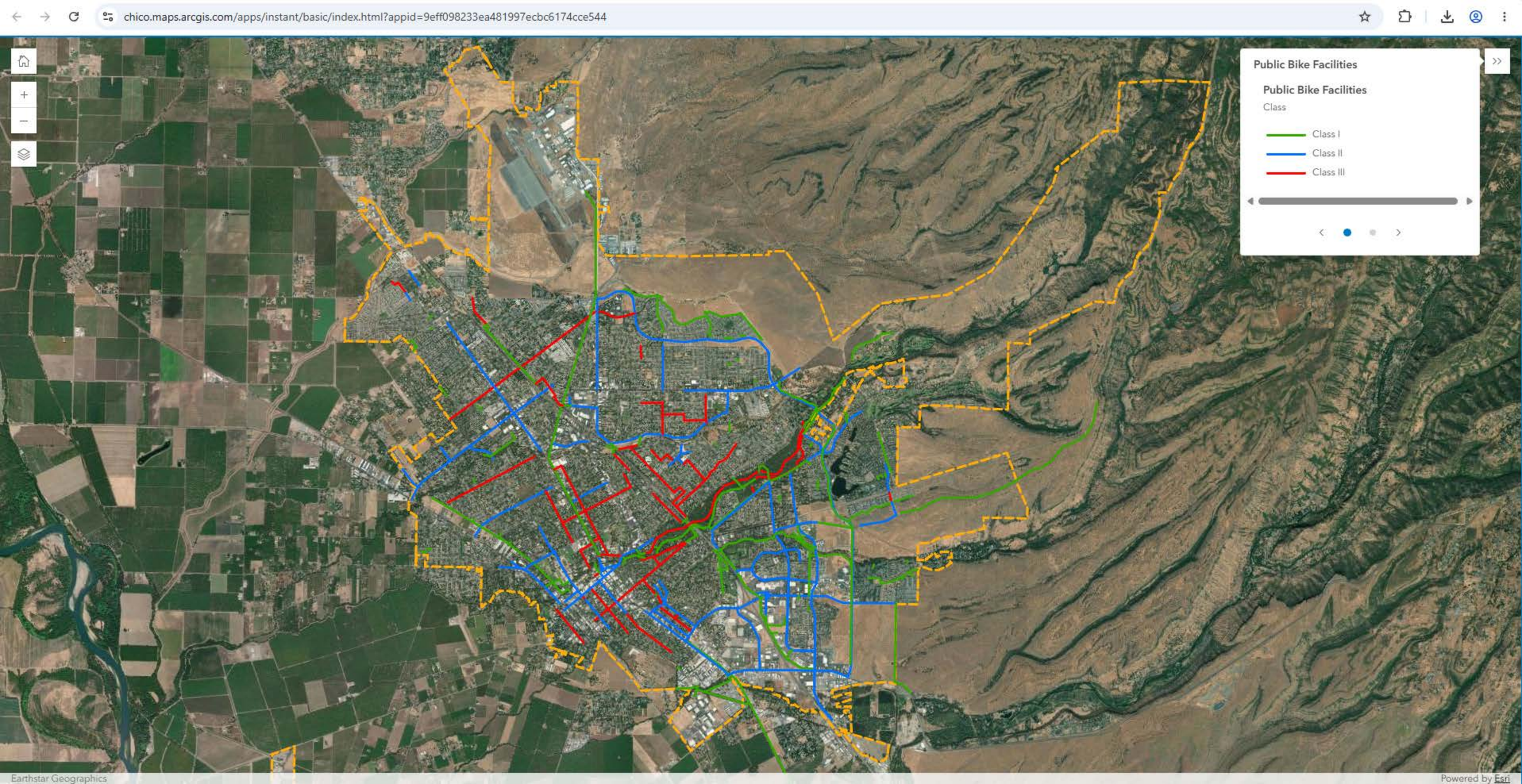

chico.maps.arcgis.com/apps/instant/basic/index.html?appid=9eff098233ea481997ecbc6174cce544
Public Bike Facilities
Public Bike Facilities
Class
Class I
Class II
Class III
Earthstar Geographics
Powered by Esri

Exhibit 12

COUNTY OF MONTEREY

MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN



VOLUME 1

March 2022

Carmel-by-the-Sea
Del Rey Oaks
Gonzales
Greenfield
King City
Marina
Monterey
Pacific Grove
Salinas
Sand City
Seaside
Soledad
Carmel Area Wastewater District
Monterey County Water Resources Agency
Monterey One Water
Monterey Regional Waste Management District
Moss Landing Harbor District

Retreat from Hazard Impacted Areas

One of the most pressing concerns relates to the growth in climate-induced migration. In 2017, 68.5 million people were forcibly displaced, more than at any point in human history. While it is difficult to estimate, approximately one-third of these (22.5 million to 24 million people) were forced to move by "sudden onset" weather events, such as flooding, wildfires, and intensified storms.[37] While the remaining two-thirds of displacements are the results of other crises, it is becoming apparent that climate change is contributing to so-called slow onset events such as desertification, sea-level rise, ocean acidification, air pollution, rain pattern shifts and loss of biodiversity. Put simply, climate change will cause population movements by making certain parts of the world much less viable places to live; by causing food and water supplies to become more unreliable and increasing the frequency and severity of floods and storms. Migration is possibly the most direct adaptation strategy to climate change. As climate change continues with tremendous changes in local living conditions, populations in communities with worsening conditions consider moving to better places, provided the costs of migration are affordable. Additionally, sudden climatic changes or natural disasters might lead, in the absence of alternatives, to migration choices which are forced rather than the result of a well-planned process.

Evidence of sudden disaster-induced displacement can be found after catastrophic Camp Fire in 2018. The wildfire destroyed over 18,000 structures and led to the temporary displacement of approximately 56,000 residents and the longer-term displacement of over 20,000 residents. The majority of long-term displaced residents fled the Town of Paradise, where nearly 95% of the community's structures were damaged and destroyed. The sudden influx of people across the region for an extended period of time put a strain on the resources of municipalities surrounding the burn scar. In 2019, the City of Chico estimated more than $500 million in impacts associated with sudden growth and pressure on local infrastructure. The impacts of the Camp Fire have substantially changed the dynamics of growth in the region, with some communities, like the City of Chico, experiencing more than a decade worth of growth in one year. Meanwhile, the Town of Paradise experienced a population loss of about 83% from 2018 to 2019 and Butte County saw a loss of more than 10,000 residents between 2019 and 2020. It will likely take at least two decades for the Town of Paradise to approach its former population, but the level of losses means the community will never be made whole. Many former residents of both Paradise and Butte County are likely to never return. Understanding how many of these residents may return in the future will require more extensive research and outreach, but interviews and surveys conducted as part of the Town of Paradise Recovery Plan revealed between that about 25% and 35% were looking to return in the future.[38]

[37] The climate crisis, migration, and refugees. John Podesta, The Brookings Institute (July 25, 2019).
[38] The Impacts of Camp Fire Disaster on Housing Market Conditions and Housing Opportunities in the Tri-County Region. Peloton Research + Economics (September 1, 2020)

Exhibit 13

CALIFORNIA AGRICULTURAL

LAND EVALUATION AND SITE ASSESSMENT MODEL

Instruction Manual



For further information, please contact:

California Department of Conservation
Office of Land Conservation
801 K Street, MS 13-71
Sacramento, CA 95814-3528
(916) 324-0850
FAX (916) 327-3430

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CALIFORNIA AGRICULTURAL

LAND EVALUATION AND SITE ASSESSMENT MODEL

Instruction Manual
1997

Department of Conservation
Office of Land Conservation

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EXECUTIVE SUMMARY

Land Evaluation and Site Assessment (LESA) is a term used to define an approach for rating the relative quality of land resources based upon specific measurable features. The formulation of a California Agricultural LESA Model is the result of Senate Bill 850 (Chapter 812 /1993), which charges the Resources Agency, in consultation with the Governor's Office of Planning and Research, with developing an amendment to Appendix G of the California Environmental Quality Act (CEQA) Guidelines concerning agricultural lands. Such an amendment is intended "to provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code Section 21095).

The California Agricultural LESA Model is composed of six different factors. Two Land Evaluation factors are based upon measures of soil resource quality. Four Site Assessment factors provide measures of a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, each of these factors is separately rated on a 100 point scale. The factors are then weighted relative to one another and combined, resulting in a single numeric score for a given project, with a maximum attainable score of 100 points. It is this project score that becomes the basis for making a determination of a project's potential significance, based upon a range of established scoring thresholds. This Manual provides detailed instructions on how to utilize the California LESA Model, and includes worksheets for applying the Model to specific projects.

INTRODUCTION

Defining the LESA System

The Land Evaluation and Site Assessment (LESA) system is a point-based approach that is generally used for rating the relative value of agricultural land resources. In basic terms, a given LESA model is created by defining and measuring two separate sets of factors. The first set, Land Evaluation, includes factors that measure the inherent soil-based qualities of land as they relate to agricultural suitability. The second set, Site Assessment, includes factors that are intended to measure social, economic, and geographic attributes that also contribute to the overall value of agricultural land. While this dual rating approach is common to all LESA models, the individual land evaluation and site assessment factors that are ultimately utilized and measured can vary considerably, and can be selected to meet the local or regional needs and conditions for which a LESA model is being designed to address. In short, the LESA methodology lends itself well to adaptation and customization in individual states and localities. Considerable additional information on LESA may be found in *A Decade with LESA - the Evolution of Land Evaluation and Site Assessment* (8).

Background on LESA Nationwide

In 1981, the federal Natural Resources Conservation Service (NRCS), known then as the Soil Conservation Service, released a new system that was designed to provide objective ratings of the agricultural suitability of land compared to demands for nonagricultural uses of lands. The system became known as Land Evaluation and Site Assessment, or LESA. Soon after it was designed, LESA was adopted as a procedural tool at the federal level for identifying and addressing the potential adverse effects of federal programs (e.g., funding of highway construction) on farmland protection. The Farmland Protection Policy Act of 1981 (5) spells out requirements to ensure that federal programs, to the extent practical, are compatible with state, local, and private programs and policies to protect farmland, and calls for the use of LESA to aid in this analysis. Typically, staff of the NRCS is involved in performing LESA scoring analyses of individual projects that involve other agencies of the federal government.

Since its inception, the LESA approach has received substantial attention from state and local governments as well. Nationwide, over two hundred jurisdictions have developed local LESA methodologies (7). One of the attractive features of the LESA approach is that it is well suited to being modified to reflect regional and local conditions. Typical local applications of LESA include assisting in decision making concerning the sitting of projects, changes in zoning, and spheres of influence determinations. LESA is

also increasingly being utilized for farmland protection programs, such as the identification of priority areas to concentrate conservation easement acquisition efforts.

Because of the inherent flexibility in LESA model design, there is a broad array of factors that a given LESA model can utilize. Some LESA models require the measurement of as many as twenty different factors. Over the past 15 years, the body of knowledge concerning LESA model development and application has begun to indicate that LESA models utilizing only several basic factors can capture much of the variability associated with the determination of the relative value of agricultural lands. In fact, LESA models with many factors are increasingly viewed as having redundancies, with different factors essentially measuring the same features, or being highly correlated with one another. Additional information on the evolution and development of the LESA approach is provided in, A *Decade with LESA -The Evolution of Land Evaluation and Site Assessment* (8).

Development of the California Agricultural LESA Model

In 1990 the Department of Conservation commissioned a study to investigate land use decisions that affect the conversion of agricultural lands in California. The study, conducted by Jones and Stokes Associates, Inc., was prepared in response to concerns about agricultural land conversion identified in the *California Soil Conservation Plan* (1) (developed by the ad hoc Soil Conservation Advisory Committee serving the Department of Conservation in 1987). Among these concerns was the belief that there was inadequate information available concerning the socioeconomic and environmental implications of farmland conversions, and that the adequacy of current farmland conversion impact analysis under the California Environmental Quality Act (CEQA) was not fully known. The findings of this study are included in the publication, *The Impacts of Farmland Conversion in California* (2).

Currently, neither CEQA nor the State CEQA Guidelines contains procedures or specific guidance concerning how agencies should address farmland conversion impacts of projects. The only specific mention of agricultural issues is contained in Appendix G of the State CEQA Guidelines, which states that a project will normally have a significant effect on the environment if it will “convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land”.

Among the conclusions contained in *The Impacts of Farmland Conversion in California* study was that the lack of guidance in how lead agencies should address the significance of farmland conversion impacts resulted in many instances of no impact analysis at all. A survey of environmental documents sent to the Governor's Office of Planning and Research (OPR) between 1986 and 1988 was performed. The survey

showed that among projects that affected at least 100 acres of land and for which agriculture was a project issue, nearly 30 percent received Negative Declarations, and therefore did not did not receive the environmental impact analysis that would be provided by an Environmental Impact Report (EIR).

Of those projects involving the conversion of agricultural lands and being the subject of an EIR, the study found a broad range of approaches and levels of detail in describing the environmental setting, performing an impact analysis, and providing alternative mitigation measures. The only agricultural impacts found to be significant in the EIRs were those involving the direct removal of prime agricultural lands from production by the project itself. The focus on prime farmland conversion in the projects surveyed was deemed to be related to the narrow direction provided in Appendix G of the State CEQA Guidelines.

The formulation of a California LESA Model is the result of Senate Bill 850 (Chapter 812 /1993), which charges the Resources Agency, in consultation with the Governor's Office of Planning and Research, to develop an amendment to Appendix G of the California Environmental Quality Act (CEQA) Guidelines. Such an amendment is intended "to provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code Section 21095). This legislation authorizes the Department of Conservation to develop a California LESA Model, which can in turn be adopted as the required amendment to Appendix G of the CEQA Guidelines.

Presentation of the California LESA Model

The California LESA Model is presented in this Manual in the following sections:

Section I. provides a listing of the information and tools that will typically be needed to develop LESA scores for individual projects.

Section II. provides step-by-step instructions for scoring each of the six Land Evaluation and Site Assessment factors that are utilized in the Model, with an explanation of the rationale for the use of each factor.

Section III. defines the assignment of weights to each of the factors relative to one another, and the creation of a final LESA score for a given project.

Section IV. assigns scoring thresholds to final LESA scores for the purpose of determining the significance of a given project under CEQA where the conversion of agricultural lands is a project issue.

Additionally:

Appendix A. provides an abridged set of step-by-step LESA scoring instructions that can be used and reproduced for scoring individual projects.

Appendix B. demonstrates the application of the California LESA Model to the scoring of a hypothetical project.

The California Agricultural LESA Model

Section I. Required Resources and Information

The California Land Evaluation and Site Assessment (LESA) Model requires the use and interpretation of basic land resource information concerning a given project. A series of measurements and calculations is also necessary to obtain a LESA score. Listed below are the materials and tools that will generally be needed to make these determinations.

Land Evaluation and Site Assessment calculations will require:

1. A calculator or other means of tabulating numbers

2. An accurately scaled map of the project area, such as a parcel map

3. A means for making acreage determinations of irregularly shaped map units. Options include, from least to most technical:

    - A transparent grid-square or dot-planimeter method of aerial measurement

    - A hand operated electronic planimeter

    - The automatic planimetry capabilities of a Geographic Information System (GIS)

4. A modern soil survey, generally produced by the USDA Natural Resources Conservation Service, which delineates the soil-mapping units for a given project. [Note: If modern soil survey information is not available for a given area of study, it may be necessary to draw upon the services of a professional soil scientist to perform a specific project survey].

5. Maps that depict land uses for parcels including and surrounding the project site, such as the Department of Conservation's Important Farmland Map series, the Department of Water Resources Land Use map series, or other appropriate information.

6. Maps or information that indicate the location of parcels including and surrounding the project site that are within agricultural preserves, are under public ownership, have conservation easements, or have other forms of long term commitments that are considered compatible with the agricultural use of a given project site.

Section II. Defining and Scoring the California Land Evaluation and Site Assessment Model Factors

This section provides detailed step-by-step instructions for the measurement and scoring of each of the Land Evaluation and Site Assessment factors that are utilized in the California Agricultural LESA Model, and is intended to serve as an introduction to the process of utilizing the Model. Once users are familiar with the Model, a more streamlined set of instructions and scoring sheets is available in Appendix A. In addition, the scoring of a hypothetical project is presented using these scoring sheets in Appendix B.

Scoring of Land Evaluation Factors

The California LESA Model includes two Land Evaluation factors that are separately rated:

1. The Land Capability Classification Rating
2. The Storie Index Rating

The information needed to make these ratings is typically available from soil surveys that have been conducted by the federal Natural Resources Conservation Service (formerly known as the Soil Conservation Service). Consultation should be made with NRCS staff (field offices exist in most counties) to assure that valid and current soil resource information is available for the project site. Copies of soil surveys are available at local field offices of the NRCS, and may also be available through libraries, city and county planning departments, the Cooperative Extension, and other sources. In addition, a Certified Professional Soil Scientist (CPSS) may also be consulted to obtain appropriate soil resource information for the project site. A directory of CPSS registered soil consultants is available through the Professional Soil Scientists Association of California, P.O. Box 3213, Yuba City, CA 95992-3213; phone: (916) 671-4276.

1) The USDA Land Capability Classification (LCC) - The LCC indicates the suitability of soils for most kinds of crops. Groupings are made according to the limitations of the soils when used to grow crops, and the risk of damage to soils when they are used in agriculture. Soils are rated from Class I to Class VIII, with soils having the fewest limitations receive the highest rating (Class I). Specific subclasses are also utilized to further characterize soils. An expanded explanation of the LCC is included in most soil surveys.

2) The Storie Index - The Storie Index provides a numeric rating (based upon a 100 point scale) of the relative degree of suitability or value of a given soil for intensive agriculture. The rating is based upon soil characteristics only. Four factors that represent the inherent characteristics and qualities of the soil are

considered in the index rating. The factors are: profile characteristics, texture of the surface layer, slope, and other factors (e.g., drainage, salinity).

In some situations, only the USDA Land Capability Classification information may be currently available from a given published soil survey. However, Storie Index ratings can readily be calculated from information contained in soil surveys by qualified soil scientists. Users are encouraged to seek assistance from NRCS staff or Certified Professional Soil Scientists to derive Storie Index information for the soils as well. If, however, limitations of time or resources restrict the derivation of Storie Index ratings for the soils within a region, it may be possible to adapt the Land Evaluation by relying solely upon the LCC rating. Under this scenario the LCC rating would account for 50 percent of the overall LESA factor weighting.

Identifying a Project's Soils

In order to rate the Land Capability Classification and Storie Index factors, the evaluator must identify the soils that exist on a given project site and determine their relative proportions. A **Land Evaluation Worksheet** (Table 1A.) is used to tabulate these figures, based upon the following:

Step 1.
Locate the project on the appropriate map sheet in the Soil Survey.

Step 2.
Photocopy the map sheet and clearly delineate the project boundaries on the map, paying close attention to the map scale.

Step 3.
Identify all of the soil mapping units existing in the project site (each mapping unit will have a different map unit symbol) and enter the each mapping unit symbol in **Column A** of the **Land Evaluation Worksheet** (Table 1A).

Step 4.
Calculate the acreage of each soil mapping unit present within the project site using any of the means identified in **Section 1**, **Required Resources and Information**, and enter this information in **Column B**.

Step 5.

Divide the acres of each soil mapping unit by the total project acreage to determine the proportion of each unit that comprises the project, and enter this information in Column C.

1. Land Evaluation - The Land Capability Classification Rating

Step 1.
In the Guide to Mapping Units typically found within soil surveys, identify the Land Capability Classification (LCC) designation (e.g., IV-e) for each mapping unit that has been identified in the project and enter these designations in **Column D** of the **Land Evaluation Worksheet** (Table 1A.).

Step 2.
From Table 2., **The Numeric Conversion of Land Capability Classification Units**, obtain a numeric score for each mapping unit, and enter these scores in **Column E**.

Step 3.
Multiply the proportion of each soil mapping unit (**Column C**) by the LCC points for each mapping unit (**Column E**) and enter the resulting scores in **Column F**.

Step 4.
Sum the LCC scores in **Column F** to obtain a single LCC Score for the project. Enter this LCC Score in **Line 1** of the **Final LESA Worksheet** (Table 8)

Table 2. Numeric Conversion of Land Capability Classification Units

Land Capability Classification	LCC Point Rating
I	100
IIe	90
IIs,w	80
IIIe	70
IIIs,w	60
IVe	50
IVs,w	40
V	30
VI	20
VII	10
VIII	0

Table 1A.
Land Evaluation Worksheet

Land Capability Classification (LCC) and Storie Index Scores

A	B	C	D	E	F	G	H
Soil Map Unit	Project Acres	Proportion of Project Area	LCC	LCC Rating	LCC Score	Storie Index	Storie Index Score
Totals		(Must Sum to 1.0)		***LCC Total***		***Storie Index Total***	

Table 1B.
Site Assessment Worksheet 1.

Project Size Score

	I	J	K
	LCC Class I - II	LCC Class III	LCC Class IV - VIII
Total Acres			
Project Size Scores			

Highest Project Size Score |

2. Land Evaluation - The Storie Index Rating Score

Step 1.
From the appropriate soil survey or other sources of information identified in Appendix C, determine the Storie Index Rating (the Storie Index Rating is already based upon a 100 point scale) for each mapping unit and enter these values in **Column G** of the **Land Evaluation Worksheet** (Table 1A.).

Step 2.
Multiply the proportion of each soil mapping unit found within the project (**Column C**) by the Storie Index Rating (**Column G**), and enter these scores in **Column H**.

Step 3.
Sum the Storie Index Rating scores in **Column H** to obtain a single Storie Index Rating score for the project. Enter this Storie Index Rating Score in **Line 2** of the **Final LESA Worksheet** (Table 8)

Scoring of Site Assessment Factors

The California LESA Model includes four Site Assessment factors that are separately rated:

1. **The Project Size Rating**
2. **The Water Resources Availability Rating**
3. **The Surrounding Agricultural Land Rating**
4. **The Surrounding Protected Resource Land Rating**

1. Site Assessment - The Project Size Rating

The Project Size Rating relies upon acreage figures that were tabulated under the Land Capability Classification Rating in Table 1A. The Project Size rating is based upon identifying acreage figures for three separate groupings of soil classes within the project site, and then determining which grouping generates the highest Project Size Score.

Step 1.
Using information tabulated in **Columns B** and **D** of the **Land Evaluation Worksheet** (Table 1A), enter acreage figures in **Site Assessment Worksheet 1. - Project Size** (Table 1B) using either **Column I, J,** or **K** for each of the soil mapping units in a given project.

Step 2.
Sum the entries in **Column I** to determine the total acreage of Class I and II soils on the project site.

Sum the entries in **Column J** to determine the total acreage of Class III soils on the project site.

Sum the entries in **Column K** to determine the total acreage of Class IV and lower rated soils on the project site.

Step 3.
For each of the three columns, apply the appropriate scoring plan provided in Table 3, **Project Size Scoring**, and enter the **Project Size Score** for each grouping in the **Site Assessment Worksheet 1. - Project Size** (Table 1B). Determine which column generates the highest score. The highest score becomes the overall **Project Size Score**. Enter this number in **Line 3** of the **Final LESA Scoresheet** (Table 8).

Table 3. Project Size Scoring

LCC Class I or II soils		LCC Class III soils		LCC Class IV or lower	
Acres	***Score***	***Acres***	***Score***	***Acres***	***Score***
80 or above	100	160 or above	100	320 or above	100
60-79	90	120-159	90	240-319	80
40-59	80	80-119	80	160-239	60
20-39	50	60-79	70	100-159	40
10-19	30	40-59	60	40-99	20
fewer than 10	0	20-39	30	fewer than 40	0
		10-19	10		
		fewer than 10	0		

Explanation of the Project Size Factor

The Project Size factor in the California Agricultural LESA Model was developed in cooperation with Nichols-Berman, a consulting firm under contract with the Department of Conservation. A thorough discussion of the development of this rating is presented by Nichols-Berman in a report to the Department entitled, *Statewide LESA Methodologies Report - Project Size and Water Resource Availability Factors* (3).

The inclusion of the measure of a project's size in the California Agricultural LESA Models is a recognition of the role that farm size plays in the viability of commercial agricultural operations. In general, larger farming operations can provide greater flexibility in farm management and marketing decisions. Certain economies of scale for equipment and infrastructure can also be more favorable for larger operations. In addition, larger operations tend to have greater impacts upon the local economy through direct employment, as well as impacts upon support industries (e.g., fertilizers, farm equipment, and shipping) and food processing industries.

While the size of a given farming operation may in many cases serve as a direct indicator of the overall economic viability of the operation, The California Agricultural LESA Model does not specifically consider the issue of economic viability. The variables of economic viability for a specific farm include such factors as the financial management and farming skills of the operator, as well as the debt load and interest rates being paid by an individual operator, which are issues that cannot readily be included in a statewide LESA model.

In terms of agricultural productivity, the size of a farming operation can be considered not just from its total acreage, but the acreage of different quality lands that comprise the operation. Lands with higher quality soils lend themselves to greater management and cropping flexibility and have the potential to provide a greater economic return per unit acre. For a given project, instead of relying upon a single acreage figure in the Project Size rating, the project is divided into three acreage groupings based upon the Land Capability Classification ratings that were previously determined in the Land Evaluation analysis. Under the Project Size rating, relatively fewer acres of high quality soils are required to achieve a maximum Project Size score. Alternatively, a maximum score on lesser quality soils could also be derived, provided there is a sufficiently large acreage present. Acreage figures utilized in scoring are the synthesis of interviews that were conducted statewide for growers of a broad range of crops. In the interviews growers were queried as to what acreage they felt would be necessary in order for a given parcel to be considered attractive for them to farm.

The USDA LCC continues to be the most widely available source of information on land quality. Project Size under this definition is readily measurable, and utilizes much of the same information needed to score a given project under the Land Evaluation component of the methodology. This approach also complements the LE determination, which, while addressing soil quality, does not account for the total acreage of soils of given qualities within a project.

This approach allows for an accounting of the significance of high quality agricultural land as well as lesser quality agricultural lands, which by virtue of their large area can be considered significant agricultural resources. In this way, no single acreage figure for a specific class of soils (e.g., soils defined as “prime”) is necessary.

2. Site Assessment - The Water Resources Availability Rating

The Water Resources Availability Rating is based upon identifying the various water sources that may supply a given property, and then determining whether different restrictions in supply are likely to take place in years that are characterized as being periods of drought and non-drought. **Site Assessment Worksheet 2. - Water Resources Availability Worksheet** (Table 4) is used to tabulate the score.

Step 1.
Identify the different water resource types that are used to supply the proposed project site (for example, irrigation district water, ground water, and riparian water are considered to be three different types of water resources). Where there is only one water source identified for the proposed project, skip to Step 4.

Step 2.
Divide the proposed project site into portions, with the boundaries of each portion being defined by the irrigation water source(s) supplying it. A site that is fully served by a single source of water will have a single portion, encompassing the entire site. A site that is fully served by two or more sources that are consistently merged together to serve a crop's needs would also have a single portion. (e.g., a portion of the proposed project may receive both irrigation district and groundwater). If the project site includes land that has no irrigation supply, consider this acreage as a separate portion as well. Enter the water resource portions of the project in **Column B** of Table 4, **Site Assessment Worksheet 2. - Water Resources Availability**.

[As an example, a hypothetical project site is determined to have four separate water supply portions:

Portion 1 is served by irrigation district water only;
Portion 2 is served by ground water only;
Portion 3 is served by *both* irrigation district water and ground water;
Portion 4 is not irrigated at all.**]**

Step 3.
Calculate the proportion of the total project area that is represented by each water resource portion, and enter these figures in **Column C** of **Site Assessment Worksheet 2. - Water Resources Availability**, verifying that the sum of the proportions equals 1.0.

Table 4. Site Assessment Worksheet 2. - Water Resources Availability

A	B	C	D	E
Project Portion	Water Source	Proportion of Project Area	Water Availability Score	Weighted Availability Score (C x D)
1				
2				
3				
4				
5				
6				
		(Must Sum to 1.0)	***Total Water Resource Score***	

Step 4.

For each water resource supply portion of the project site, determine whether irrigated and dryland agriculture is *feasible*, and if any *physical* or *economic restrictions* exist, during both *drought* and *non-drought* years. These italicized terms are defined below:

- A *physical restriction* is an occasional or regular interruption or reduction in a water supply, or a shortened irrigation season, that forces a change in agricultural practices -- such as planting a crop that uses less water, or leaving land fallow. (This could be from cutbacks in supply by irrigation and water districts, or by ground or surface water becoming depleted or unusable. Poor water quality can also result in a physical restriction -- for example by requiring the planting of salt-tolerant plants, or by effectively reducing the amount of available water.)

- An *economic restriction* is a rise in the cost of water to a level that forces a reduction in consumption. (This could be from surcharge increases from water suppliers as they pass along the cost of finding new water supplies, the extra cost of pumping more ground water to make up for losses in surface water supplies, or the extra energy costs of pumping the same amount of ground water from deeper within an aquifer.)

- Irrigated agricultural production is *feasible* when:

  1) There is an existing irrigation system on the project site that can serve the portion of the project identified in Step 2;

  2) *Physical* and/or *economic restrictions* are not severe enough to halt production; and

  3) It is possible to achieve a viable economic return on crops though irrigated production.

(A major question that should be considered is, if there is an irrigated crop that can be grown within the region, can it actually be grown on the project site? Depending upon the jurisdiction, some typical crops that have a large water demand may not be feasible to grow on the project site, while others that require less water are feasible. Information to aid in making this determination can be obtained from county agricultural commissioners, the UC Cooperative Extension, irrigation districts, and other sources.)

- *Dryland production* is *feasible* when rainfall is adequate to allow an economically viable return on a nonirrigated crop.

- A *drought year* is a year that lies within a defined drought period, as defined by the Department of Water Resources or by a local water agency. Many regions of the state are by their arid nature dependent upon imports of water to support irrigated agriculture. These regions shall not be considered under periods of drought unless a condition of drought is declared for the regions that typically would be providing water exports.

Step 5.
Each of the project's water resource supply portions identified in **Step 2** is scored separately. Water Resources Availability scoring is performed by identifying the appropriate condition that applies to each portion of the project, as identified in Table 5., **Water Resource Availability Scoring**. Using Table 5, identify the option that best describes the water resource availability for that portion and its corresponding water resource score. Option 1 defines the condition of no restrictions on water resource availability and is followed progressively with increasing restrictions to Option 14, the most severe condition, where neither irrigated nor dryland production is considered feasible. Enter each score into **Column D** of Table 4.

Step 6.
For each portion of the project site, determine the section's weighted score by multiplying the portion's score (**Column D**), by its proportion of the project area (**Column C**), and enter these scores in **Column E**, the weighted Water Availability Score. Sum the **Column E** scores to obtain the total Water Resource Availability Score, and enter this figure in **Line 4** of the **Final LESA Score Sheet** (Table 8).

Table 5. Water Resource Availability Scoring

Option	Non-Drought Years			Drought Years			WATER RESOURCE SCORE
	RESTRICTIONS			RESTRICTIONS			
	Irrigated Production Feasible?	Physical Restrictions ?	Economic Restrictions ?	Irrigated Production Feasible?	Physical Restrictions ?	Economic Restrictions ?	
1	YES	NO	NO	YES	NO	NO	100
2	YES	NO	NO	YES	NO	YES	95
3	YES	NO	YES	YES	NO	YES	90
4	YES	NO	NO	YES	YES	NO	85
5	YES	NO	NO	YES	YES	YES	80
6	YES	YES	NO	YES	YES	NO	75
7	YES	YES	YES	YES	YES	YES	65
8	YES	NO	NO	NO	-- --	-- --	50
9	YES	NO	YES	NO	-- --	-- --	45
10	YES	YES	NO	NO	-- --	-- --	35
11	YES	YES	YES	NO	-- --	-- --	30
12	Irrigated production not feasible, but rainfall adequate for dryland production in both drought and non-drought years						25
13	Irrigated production not feasible, but rainfall adequate for dryland production in non-drought years (but not in drought years)						20
14	Neither irrigated nor dryland production feasible						0

Explanation of the Water Resource Availability Rating

The Water Resource Availability factor in the California Agricultural LESA Model was developed in cooperation with Nichols-Berman, a consulting firm under contract with the Department of Conservation. A thorough discussion of the development of this rating is presented by Nichols-Berman in a report to the Department entitled, *Statewide LESA Methodologies Report - Project Size and Water Resource Availability Factors* (3). During the development of this factor it became apparent that certain conditions unique to California would need to be represented in this system.

First, it was decided to classify water reliability based upon the *effects* on agricultural production (such as being forced to change to lower-value crops, putting in groundwater pumps, or cutting back on the acreage farmed) rather than the actual *type* of limitation (such as a limitation on the quantity, frequency, or duration of water delivery). LESA systems have traditionally focused on the latter. However, it was found that the many types of limitations are too varied in California to adequately represent in the LESA system. In the Statewide LESA system, these effects are referred to as *restrictions*.

Second, the factor had to include an interrelation with cost. The historical shortages and unreliability of California water use has led to the establishment of various interconnected and dual systems. Probably more than any other state, reliability is related with cost -- a more reliable water supply can sometimes be obtained, but at a greater cost. Therefore, *restrictions* were classified into two major categories -- *physical* and *economic*. These are separated because, generally, a physical restriction is more severe than an economic restriction and this should be reflected in the LESA system.

Third, the factor had to include the effects of the drought cycle in California. During the drought of 1987 to 1992, many agricultural areas of the state experienced water shortages. The impact of these shortages resulted in a number of different actions. Some areas were able to avoid the worst effects of the drought simply by implementing water conservation measures. Other areas were able to obtain additional water supplies, such as by securing water transfers or simply pumping more groundwater, but at an increase in the overall price of water. Other options included shifting crops, replanting to higher value crops to offset the increase in water prices, or leaving land fallow. A project site that experiences restrictions during a drought year should not be scored as high as a similar project site that does not.

The easiest way to make determinations of irrigation feasibility and the potential restrictions of water sources is to investigate the cropping history of the project site. For instance, was the water supply to the project site reduced by the local irrigation district during the last drought? If the site has a ground water supply, do area ground water levels sometimes drop to levels that force markedly higher energy costs to pump the water?

If the history of the project site is unavailable (including when the site has recently installed an irrigation system), look at the history of the general area. However, remember that the project site may have different conditions than the rest of the region. For instance, the project site could have an older water right than others in the region. Although certain areas of the state had severe restrictions on water deliveries during the last drought, some parcels within these areas had very secure deliveries due to more senior water rights. If this was the case in the region of the project site, check the date of water right and compare it with parcels that received their total allotment during the last drought. The local irrigation district should have information on water deliveries.

The scoring of water resource availability for a project site should not just reflect the adequacies of water supply in the past -- it should be a *prediction* of how the water system will perform in the future. For instance, a local jurisdiction might find that the allocation of flows to stream and river systems has been recently increased for environmental reasons, which will decrease the future available surface water supply. In this case, the past history of the site is not an adequate representation of future water supply and water system performance.

3. Site Assessment - The Surrounding Agricultural Land Rating

Determination of the surrounding agricultural land use rating is based upon the identification of a project's "Zone of Influence" (ZOI), which is defined as that land near a given project, both directly adjoining and within a defined distance away, that is likely to influence, and be influenced by, the agricultural land use of the subject project site. The determination of the ZOI is described below, and is illustrated with an example in Figure 1.

Defining a Project's "Zone of Influence"

Step 1.
Locate the proposed project on an appropriate map and outline the area and dimensions of the proposed project site.

Step 2.
Determine the smallest rectangle that will completely contain the project site (Rectangle A).

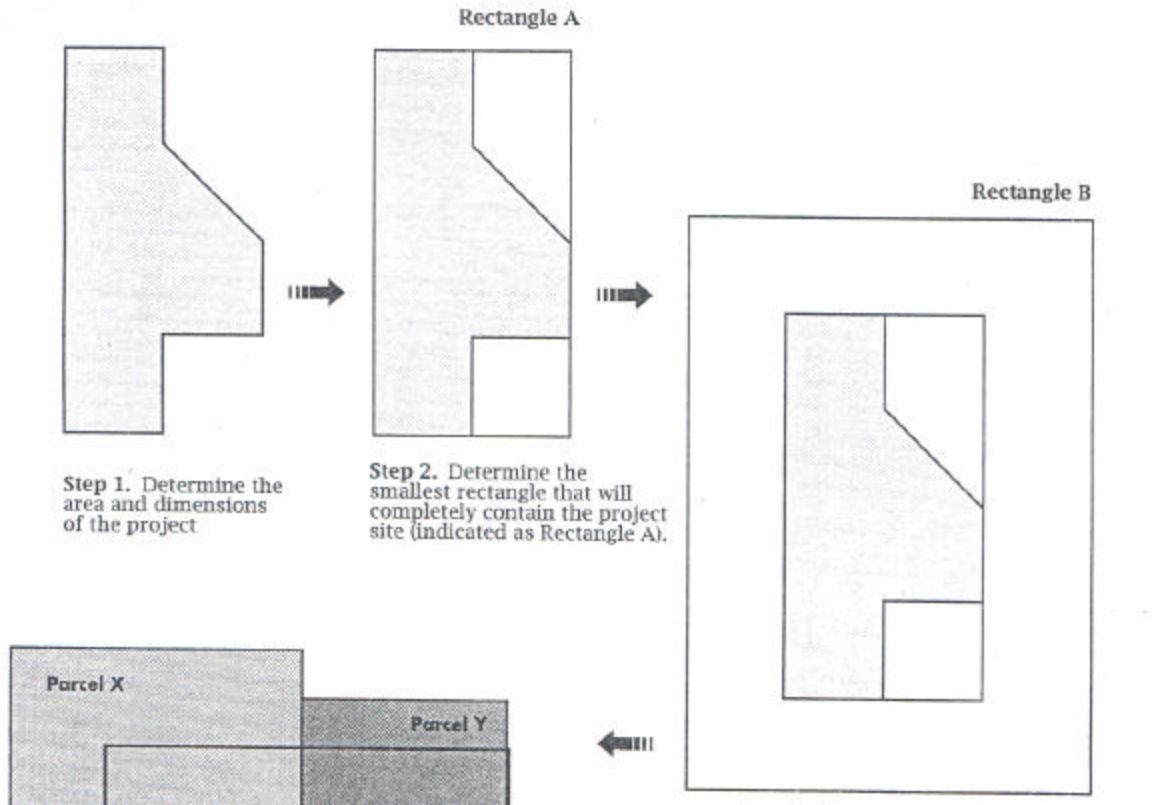
Step 3.
Create a second rectangle (Rectangle B) that extends 0.25 mile (1320 feet) beyond Rectangle A on all sides.

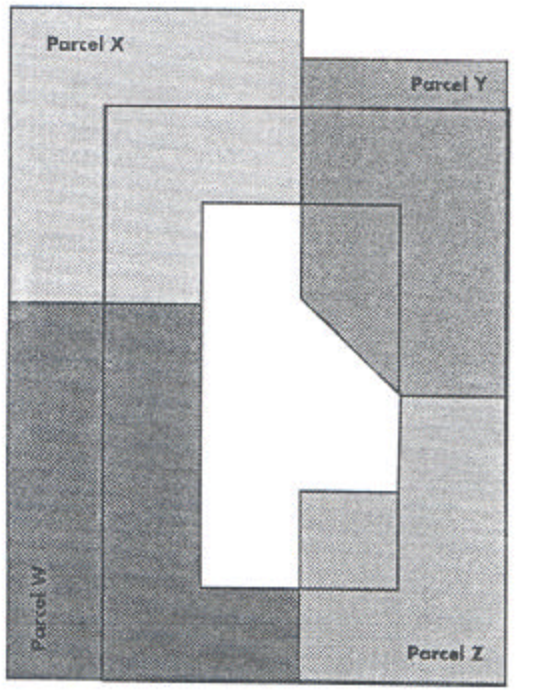
Step 4.
Identify all parcels that are within or are intersected by Rectangle B.

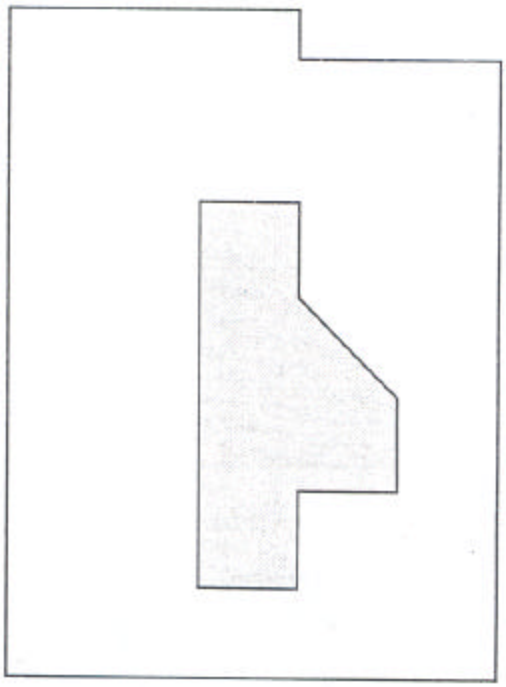
Step 5.
Define the project site's "zone of influence" as the entire area of all parcels identified in Step 4, less the area of the proposed project from Step 1.

[In the illustration provided in Figure 1, Parcels W, X, and Y extend beyond Rectangle B and are therefore included in their entirety in defining the project site's Zone of Influence.**]**

Figure 1: Defining a Project's Zone of Influence







Measuring Surrounding Agricultural Land

Step 1.
Calculate the percentage of the project's Zone of Influence that is currently producing agricultural crops. **[**This figure can be determined using information from the Department of Conservation's Important Farmland Map Series, the Department of Water Resources' Land Use Map Series, locally derived maps, or direct site inspection. For agricultural land that is currently fallowed, a determination must be made concerning whether the land has been fallowed as part of a rotational sequence during normal agricultural operations, or because the land has become formally "committed" to a nonagricultural use. Land that has become formally committed, whether fallow or not, should not generally be included in determining the proportion of the Zone of Influence that is agricultural land. For further information on the definition of Committed Land, refer to the following Explanation of the Surrounding Agricultural Land Rating.**]**

Step 2.
Based on the percentage of agricultural land in the ZOI determined in Step 1, assign a Surrounding Agricultural Land score to the project according to Table 6, and enter this score in **Line 5** of the **Final LESA Scoresheet** (Table 8) .

Table 6. Surrounding Agricultural Land Rating

Percent of Project's Zone of Influence in Agricultural Use	Surrounding Agricultural Land Score
90 - 100%	100 Points
80 - 89	90
75 - 79	80
70 - 74	70
65 - 69	60
60 - 64	50
55 - 59	40
50 - 54	30
45 - 49	20
40 - 44	10
40 <	0

Explanation of the Surrounding Agricultural Land Rating

The Surrounding Agricultural Land Rating is designed to provide a measurement of the level of agricultural land use for lands in close proximity to a subject project. The California Agricultural LESA Model rates the potential significance of the conversion of an agricultural parcel that has a large proportion of surrounding land in agricultural production more highly than one that has a relatively small percentage of surrounding land in agricultural production. The definition of a "Zone of Influence" that accounts for surrounding lands up to a minimum of one quarter mile from the project boundary is the result of several iterations during model development for assessing an area that will generally be a representative sample of surrounding land use. In a simple example, a single one quarter mile square project (160 acres) would have a Zone of Influence that is a minimum of eight times greater (1280 acres) that the parcel itself.

Land within a Zone of Influence that is observed to be fallow will require a case by case determination of whether this land should be considered agricultural land. The Department of Conservation's Important Farmland Maps may be of assistance in making this determination. In addition, land currently in agricultural production may be designated as being "committed" to future nonagricultural development. The Department of Conservation's Farmland Mapping and Monitoring Program has a land use designation of Land Committed to Nonagricultural Use, and is defined as "land that is permanently committed by local elected officials to nonagricultural development by virtue of decisions which cannot be reversed simply by a majority vote of a city council or county board of supervisors. The "committed" land must be so designated in an adopted local general plan, and must also meet the requirements of either (a) or (b) below:

(a). It must have received one of the following final discretionary approvals:

1. Tentative subdivision map (approved per the Subdivision Map Act);
2. Tentative or final parcel map (approved per the Subdivision Map Act);
3. Recorded development agreement (per Government Code §65864);
4. Other decisions by a local government which are analogous to items #1-3 above and which exhibit an element of permanence. Zoning by itself does <u>not</u> qualify as a permanent commitment.

<u>Or</u>

(b) It must be the subject of one of the final fiscal commitments to finance the capital improvements specifically required for future development of the land in question as shown below:

1. Recorded Resolution of Intent to form a district and levy an assessment;
2. Payment of assessment;
3. Sale of bonds;
4. Binding contract, secured by bonds, guaranteeing installation of infrastructure;
5. Other fiscal commitments which are analogous to items #1-4 above and exhibit an element of permanence."

Lead agencies are encouraged to identify Land Committed to Nonagricultural Use within a project's ZOI and make the determination whether this land, while still in agricultural production, be considered nonagricultural land for the purposes of the calculation performed here.

4. Site Assessment - The Surrounding Protected Resource Land Rating

The Surrounding Protected Resource Land Rating is essentially an extension of the Surrounding Agricultural Land Rating, and is scored in a similar manner. Protected resource lands are those lands with long term use restrictions that are compatible with or supportive of agricultural uses of land. Included among them are the following:

- Williamson Act contracted lands
- Publicly owned lands maintained as park, forest, or watershed resources
- Lands with agricultural, wildlife habitat, open space, or other natural resource easements that restrict the conversion of such land to urban or industrial uses.

Instructions for the Surrounding Protected Resource Land Rating

Step 1.
Utilizing the same "Zone of Influence" (ZOI) area calculated for a project under the Surrounding Agricultural Land Rating, calculate the percentage of the ZOI that is Protected Resource Land, as defined above.

Step 2.
Assign a Surrounding Protected Resource Land score to the project according to Table 7, and enter this score on **Line 6** of the **Final LESA Scoresheet** (Table 8).

Table 7. Surrounding Protected Resource Land Rating

Percent of Project's Zone of Influence Defined as Protected	Surrounding Protected Resource Land Score
90 - 100%	100 Points
80 - 89	90
75 - 79	80
70 - 74	70
65 - 69	60
60 - 64	50
55 - 59	40
50 - 54	30
45 - 49	20
40 - 44	10
40 <	0

Section III. Weighting of Factors and Final LESA Scoring

The California LESA Model is weighted so that 50 percent of the total LESA score of a given project is derived from the Land Evaluation factors, and 50 percent from the Site Assessment factors. Individual factor weights are listed below, with the sum of the factor weights required to equal 100 percent.

Land Evaluation Factors

Land Capability Classification	25%
Storie Index Rating	25%
Land Evaluation Subtotal	**50%**

Site Assessment Factors

Project Size	15%
Water Resource Availability	15%
Surrounding Agricultural Lands	15%
Surrounding Protected Resource Lands	5%
Site Assessment Subtotal	**50%**
Total LESA Factor Weighting	**100%**

Each factor is measured separately (each on 100 point scale) and entered in the appropriate line in **Column B** of the **Final LESA Scoresheet** (Table 8). Each factor's score is then multiplied by its respective factor weight, resulting in a weighted factor score in **Column D** as indicated in Table 8. The weighted factor scores are summed, yielding a Total LESA Score (100 points maximum) for a given project, which is entered in **Line 7** of **Column D**.

Table 8. Final LESA Scoresheet

A	B		C		D
Factor Name	Factor Rating (0-100 points)	X	Factor Weighting (Total = 1.00)	=	Weighted Factor Rating
<u>Land Evaluation</u>					
1. Land Capability Classification	<Line 1>_____	X	0.25	=	_____
2. Storie Index Rating	<Line 2>_____	X	0.25	=	_____
<u>Site Assessment</u>					
1. Project Size	<Line 3>_____	X	0.15	=	_____
2. Water Resource Availability	<Line 4>_____	X	0.15	=	_____
3. Surrounding Agricultural Lands	<Line 5>_____	X	0.15	=	_____
4. Protected Resource Lands	<Line 6>_____	X	0.05	=	_____
			Total LESA Score (sum of weighted factor ratings)		<Line 7>_____

Section IV. California Agricultural LESA Scoring Thresholds - Making Determinations of Significance Under CEQA

A single LESA score is generated for a given project after all of the individual Land Evaluation and Site Assessment factors have been scored and weighted as detailed in Sections 2 and 3. Just as with the scoring of individual factors that comprise the California Agricultural LESA Model, final project scoring is based on a scale of 100 points, with a given project being capable of deriving a maximum of 50 points from the Land Evaluation factors and 50 points from the Site Assessment factors.

The California Agricultural LESA Model is designed to make determinations of the potential significance of a project's conversion of agricultural lands during the Initial Study phase of the CEQA review process. Scoring thresholds are based upon both the total LESA score as well as the component LE and SA subscores. In this manner the scoring thresholds are dependent upon the attainment of a minimum score for the LE and SA subscores so that a single threshold is not the result of heavily skewed subscores (i.e., a site with a very high LE score, but a very low SA score, or vice versa). Table 9 presents the California Agricultural LESA scoring thresholds.

Table 9. California LESA Model Scoring Thresholds

Total LESA Score	Scoring Decision
0 to 39 Points	Not Considered Significant
40 to 59 Points	Considered Significant only if LE and SA subscores are each greater than or equal to 20 points
60 to 79 Points	Considered Significant unless either LE or SA subscore is less than 20 points
80 to 100 Points	Considered Significant

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8. Steiner, F., J. Pease, and R. Coughlin, eds. *A Decade with LESA: The Evolution of Land Evaluation and Site Assessment*. Soil and Water Conservation Society. 1994.

Exhibit 14

BUTTE
LOCAL AGENCY FORMATION COMMISSION
1459 Humboldt Road, Suite A, Chico, CA 95928
(530) 552-5820 / www.buttelafco.org

Agenda Item 6.2

EXECUTIVE OFFICER'S REPORT

TO: Local Agency Formation Commission

FROM: Shannon Costa, Executive Officer

SUBJECT: ***Barber Yard Specific Plan, City of Chico: Extension of Municipal Services Outside the City's Jurisdictional Boundary***

DATE: September 22, 2026 for the October 1, 2026 LAFCO Meeting

RECOMMENDATION

Receive the report and provide direction to the Executive Officer and/or legal counsel.

BACKGROUND

The City of Chico is processing the Barber Yard Specific Plan, a mixed-use project on the former Diamond Match Factory site in southwest Chico. The plan proposes up to 1,250 residential units, adaptive reuse of existing buildings, commercial development, and approximately 10 acres of parks on approximately 133 acres within the City limits. The City's Planning Commission will consider a recommendation on October 1, 2026, and the City Council will act on certification of the Final Environmental Impact Report at a later hearing.

The project includes an offsite improvement area for storm drainage on a single parcel in unincorporated Butte County, zoned AG-40. The improvements consist of a stormwater retention and detention basin, a storm drain alignment, an access drive from Estes Road, and an outfall to Comanche Creek. The parcel lies outside the City limits, outside the City's sphere of influence, and on the agricultural side of the Chico Area Greenline. It is mapped as Prime Farmland by the Department of Conservation.

The City does not propose annexation. It relies on Government Code Section 37351, which authorizes a city to acquire property inside or outside its limits for municipal purposes. According to the Specific Plan, the City will own and operate the basin as part of its municipal drainage facilities, with funding provided by a maintenance district specific to the Barber Yard neighborhood.

STAFF ACTION

Staff submitted a comment letter to the City on September 18, 2026 (**Attachment A**). The letter identifies two issues. The first is whether the proposed facilities constitute an extension of municipal services outside the City's jurisdictional boundary and sphere of influence under Government Code Section 56133. The second is the conversion of prime agricultural land beyond

the Greenline to support urban development. The letter also addresses the County's informal zoning classification of the facility and several corrections to the environmental record.

The letter states that staff will bring these concerns before the Commission for its consideration.

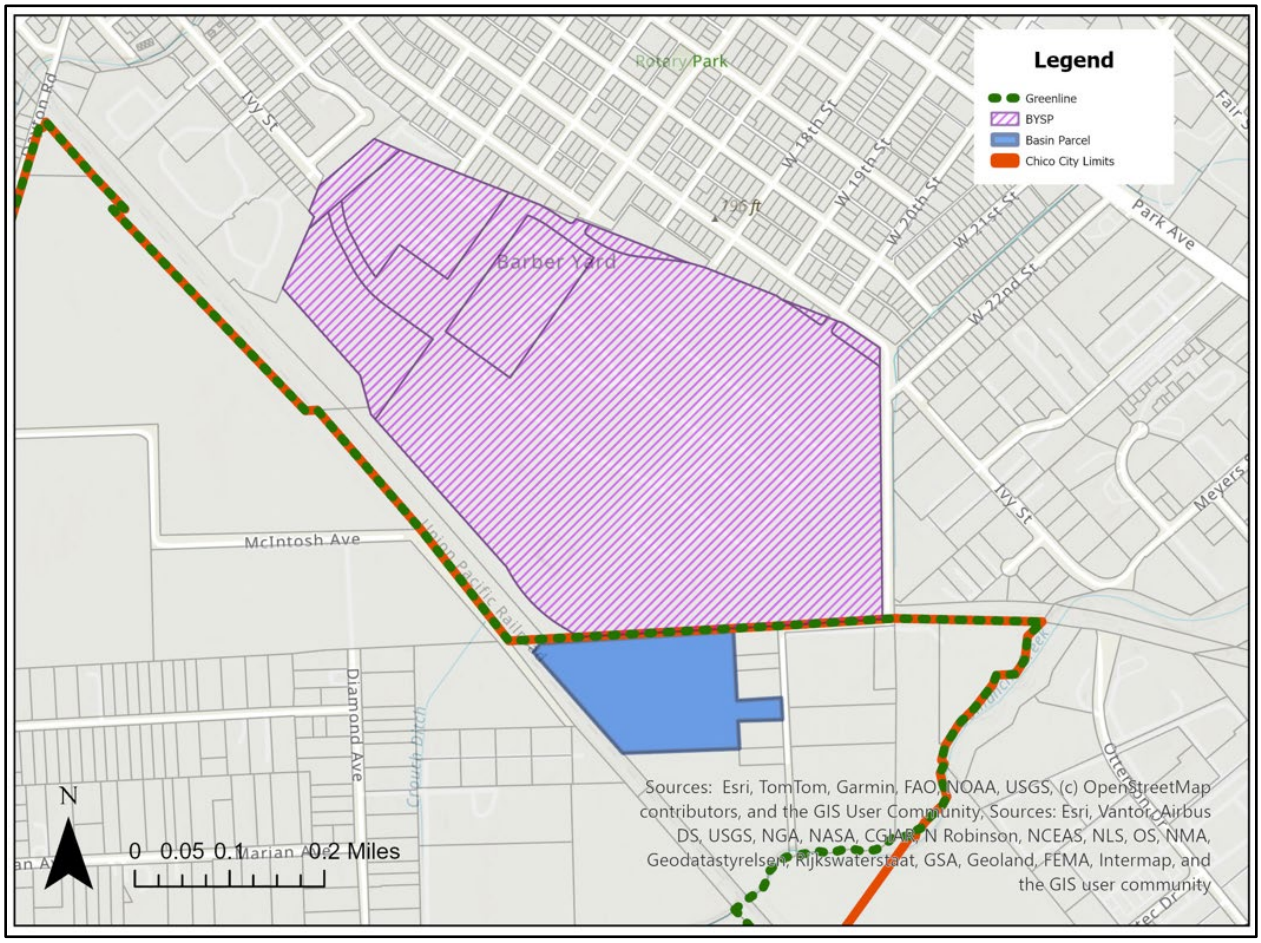


Figure 1 BYSP Location Map

DISCUSSION

Government Code Section 56133 provides that a city may provide new or extended services outside its jurisdictional boundaries only if it first requests and receives written approval from the Commission. The City has not applied to LAFCO, and the statute requires a request before the Commission may act on an extension of services. No application is therefore before the Commission at this time.

The Commission's interests in the matter are established by the Cortese Knox Hertzberg Local Government Reorganization Act and by the Commission's adopted policies. Government Code Section 56377 directs the Commission to guide development away from prime agricultural land, and Government Code Section 56425 requires the Commission to consider present and planned land uses, including agricultural uses, in establishing or amending a sphere of influence. Section

6.5 of the Commission's Policies and Procedures directs that the Commission give substantial consideration to the Greenline Policy and treat agricultural lands west of the Greenline as prime agricultural lands warranting heightened protection. Section 6.6 provides that the Commission will participate in the environmental review of projects that may result in the conversion of prime agricultural land or that may induce the extension of urban services.

Staff seeks the Commission's direction on how to proceed, including the position staff should take in further communications with the City of Chico and Butte County, and whether any further action should be brought back to the Commission.

FISCAL IMPACT

None at this time. Any future application would be subject to the Commission's adopted fee schedule and processed at the applicant's expense.

CEQA

The City of Chico is the lead agency for the Barber Yard Specific Plan and will act on certification of the Final EIR. No Commission action proposed under this item constitutes a project under CEQA. Should an application be filed, the Commission would act as a responsible agency and would consider the City's certified environmental document at that time.

ATTACHMENTS

A. Executive Officer Comment Letter to the City of Chico

BUTTE
LOCAL AGENCY FORMATION COMMISSION
1459 Humboldt Road, Suite A, Chico, CA 95928
(530) 552-5820 / www.buttelafco.org

September 18, 2026

Chair and Members of the Planning Commission
City of Chico
c/o Mike Sawley, Principal Planner
Community Development Department
411 Main Street, Second Floor
Chico, CA 95928

Re: Final Environmental Impact Report, Barber Yard Specific Plan (SP 21-01, GPA 22-05, RZ 22-03, CA 22-03, DA 23-02)

Dear Chair and Commissioners:

The Butte Local Agency Formation Commission staff has reviewed the Final Environmental Impact Report for the Barber Yard Specific Plan. LAFCO appreciates the City's efforts through this project to provide additional housing within its boundaries. Our comments concern the offsite drainage basin proposed on a parcel in unincorporated Butte County across the Greenline, and raise two issues: the extension of municipal services outside the City's jurisdictional boundary and sphere of influence, and the conversion of prime agricultural land on the agricultural side of the Chico Area Greenline to support urban development.

The offsite drainage facilities are an extension of municipal services requiring LAFCO approval.

The parcel proposed for the basin lies outside the City limits and outside the City's sphere of influence. According to Section 6.4.4 of the Specific Plan, after completion and acceptance, the City of Chico will operate the detention and retention basin, with funding provided by a Maintenance District specific to the Barber Yard neighborhood, and Section 6.4.3 describes discharge from the basin to Comanche Creek through a new city outfall.

Storm drainage is a municipal function of the City under Government Code Section 56040, and the construction, operation, and maintenance of the basin is a service established as part of that function under Section 56074. Neither definition depends on how the site is acquired or where the users of the service are located.

Government Code Section 56133 provides that a city may provide new or extended services outside its jurisdictional boundaries only if it first requests and receives written approval from the Commission. A municipal service such as the proposed drainage basin, proposed to be located outside the city boundaries would ordinarily be subject to the provisions of that section. Section 56133 further limits where the Commission may authorize such an extension. Outside the sphere, the Commission may approve an extension only in response to a threat to public health or safety. The basin is proposed outside the City's sphere, and therefore would be subject to this limitation.

EIR Master Response 4 states that the offsite improvement area will proceed through the City's extraterritorial acquisition of the parcel under Government Code Section 37351, without annexation. That section authorizes a city to acquire real property inside or outside its limits for municipal purposes. LAFCO does not question the City's authority to acquire the parcel. Acquisition and the authority to provide a service are separate questions. The Final EIR addresses only the first--the acquisition--not whether the City must get LAFCO approval to operate the drainage basin outside its boundaries. The Final EIR also fails to address conversion of prime agricultural land beyond the Greenline to the provision of urban services. We raise these issues now, so the City may weigh them as the project moves forward.

The Commission's authority to approve an extension at this location is limited.

Section 56133 allows the Commission to authorize an extension of services outside a jurisdictional boundary but within an agency's sphere of influence in anticipation of a later change of organization. As discussed above, that pathway is not available here, as the parcel lies outside the City's sphere. Outside a sphere, the Commission may authorize an extension only in response to an existing or impending threat to the health or safety of the public or the residents of the affected territory. This must be supported by documentation from the applicant of the threat. A facility built to serve a proposed new development does not meet that standard.

The alternative available to the City is an application for an amendment to its sphere of influence to include the parcel, followed by annexation or LAFCO approval of an out of agency extension of services. We encourage the City of Chico to consult with LAFCO early so that the appropriate application will be identified before the city commits to a course of action that is legally impermissible.

The proposal would convert prime agricultural land on the agricultural side of the Greenline.

The Greenline was jointly adopted by the City of Chico and the County of Butte in 1982 and carried forward in the Chico 2030 General Plan and the Butte County General Plan 2030. Section 6.5 of the Commission's Policies and Procedures directs that the Commission give substantial consideration to the Greenline Policy and treat agricultural lands west of the Greenline as prime agricultural lands warranting heightened protection. The Commission's adopted 2018 Sphere of Influence Plan for the City of Chico uses the Greenline as the sphere boundary. The Greenline serves three purposes at once.

It is the City's own growth boundary, it is the County's agricultural protection policy, and it is the limit of the City's planned service area as determined by this Commission.

The parcel is mapped as Prime Farmland by the Department of Conservation. Government Code Section 56377 directs the Commission to guide development away from prime agricultural land and toward land not designated as prime, and Government Code Section 56425 requires the Commission to consider present and planned land uses, including agricultural uses, when establishing or amending a sphere of influence. If this parcel were proposed to be amended into Chico sphere of influence the provisions of Section 6.5 would govern the Commission's review.

The County's informal zoning determination is questionable and inadequate to support a finding that the construction of the basin is consistent with the Greenline Policy

Butte County Development Services has informally determined that the facilities would be allowed in the AG-40 zone as a Utilities, Accessory use, subject to approval of an Administrative Permit. That classification does not appear to be supported by the Zoning Ordinance.

As such, one has to question this determination. Article 42 of the Butte County Zoning Code defines Utilities, Accessory as utility facilities that are accessory to a permitted use and Section 24-156 supplies the meaning of accessory. Subsection (1)(a) provides that an accessory use or structure is permitted only when it is subordinate and incidental to the primary structure or zone to which it is related. Subsection (3) provides that an accessory use or structure shall be located only on the same parcel as the primary structure or zone to which it is related.

The proposed facility satisfies neither requirement. It is not subordinate, because it would occupy substantially the entire parcel and displace agricultural production rather than support it. It is not incidental to the AG-40 zone, because its function, capacity, financing, and operation are determined entirely by urban development in another jurisdiction. And it is not located on the same parcel as the use it serves; the use it serves is not a permitted use in the AG-40 zone at all.

Master Response 4 completely relies on that dubious informal County determination to conclude that the basin is consistent with the agricultural uses the Greenline intended to protect. The County reached no such conclusion. A comment letter identifying a zoning classification is not an entitlement, and no permit has been applied for or issued. Under the Butte County Code, an Administrative Permit is required for an accessory use such as that proposed here. It is only through the issuance of that permit that the County would make an official determination of consistency.

Several responses in the EIR cite the County’s informal allowed use conclusion as if it was conclusive to approve the basin. Furthermore, the EIR completely fails to include issuance of such an Administrative Permit as one of the required agency approvals in the Project Description as required by CEQA Guidelines Section 15124. We recommend that the EIR Project description be amended to include this Administrative Permit, and that the County consult with its legal counsel before issuing any assurance that such a permit could be issued for this proposed “Accessory Use”.

The extraterritorial footprint is stated inconsistently.

Section 1.2.2 of the September 2026 Specific Plan describes an offsite improvement area of approximately 16 acres, while Sections 2.2 and 6.4.3 of the same document describes 13.5 acres. The public hearing notice states 13.5 acres and the Final EIR states approximately 16 acres. The acreage determines the extent of agricultural land affected. If the EIR is to have an accurate and stable project description, the exact acreage of prime farmland needed for the facility and all related improvements such as piping and access roads needs to be determined and disclosed.

Conclusion

LAFCO is not opposed to this project. We are concerned, however, that the decision to locate a part of the project beyond the Greenline into prime agricultural lands creates significant legal and policy concerns that the EIR fails to address. Staff will bring the concerns stated in this letter before the LAFCO Commission at its October 1, 2026 meeting for further Commission consideration. In the meantime, LAFCO staff is submitting this letter in order to get these issues before the Planning Commission at their consideration of the Project and Project EIR.

Please enter this letter into the project record and forward this letter to the City Council in connection with its consideration of the Final EIR. LAFCO staff is available to meet with the City at its convenience to discuss this further.

Sincerely,

Shannon Costa

Executive Officer
Butte Local Agency Formation Commission

cc: City Clerk, City of Chico

1. Nelson

Final EIR Barber Yard Specific Plan Project comments to Chico Planning Commission (11/5/26):

Introduction: I have lived on Estes Rd, kitty-corner to the Diamond Match property for 46 years and have followed the hazardous waste issue through the efforts to clean the site. I live on an organic ag 12 acre farm on some of the best soil in North America. I do not want to see any prime farmland be taken for the Barber Yard Project nor do I want development pressures to lead to annexation of the Estes Triangle.

LAFCO does not meet until Dec. 3, 2026 and their decision about Off site water retention will affect the Barber Yard project Alternative 3. I believe the Planning Commission should delay any decision about the project until after LAFCO input is finalized. Neighbors on Estes Rd., such as myself, already disenfranchised in Chico city decisions and physically isolated, with only one two lane egress from the Estes Triangle, are very much affected by what happens with this Off site water situation and Barber Yard traffic impacts, especially if there is an emergency need to exit.
I believe that the key reason for wanting the Off site water retention is to have clean fill dirt (prime farmland soil) for when excavation and removal will be needed for toxics discovered during the building process. This is not an acceptable reason to threaten the Greenline!

Please do not take premature action for project approval at the 11/19 Planning Commission meeting.

Furthermore, The Draft EIR was 794 pages with 3,102 pages in 12 Appendices and the Final EIR was 584 pages. The Public has not been able to weed through this. Much of the pertinent information is buried in the Appendices of the Draft EIR where even fewer affected people even knew they needed to comb through.

I believe that the real issues of Hazardous Materials from the legacy of Diamond Match is stronger than any slick ideas about Barber Yard and the push for infill development. It demands caution. Public perception is that this is a toxic waste land. Even with a close reading of Appendix G, the Hazards section, it is impossible to know where the contractor left off studying vs mitigating the remaining hazards.
Some of us from the Barber Neighborhood area asked for a Public Meeting before this EIR was completed to ask questions about what remains of the legacy of 100 years of indiscriminate dumping of toxic materials on the Diamond Match/Barber Yard land but were ignored. You can not ask people to have their children and animals play in yards that may be contaminated. This is not just a matter of an agreement between the project developer and the DTSC. This is the public's right to know!

All of us who neighbor this huge project area are worried about how and if City Impact Fees will be adequate and used to remediate the roads, sidewalks, Ivy St. bridge and safety concerns. Our neighborhood is over one hundred years old as it was built out of the housing needs for Diamond Match workers starting in 1910. The infrastructure is old and we believe we have a right to know how the city of Chico intends to provide mitigation measures that avoid or at least reduce the off site impacts.
As someone with lung disease I'm personally concerned about the air quality impacts of this project and want to hear from the city, not just the developer and his contractors, about how the city will not just set policies but monitor and enforce mitigation measures over the years of build out to cause/allow the least harm, especially to sensitive groups.

2. Nelson

We need a Public Meeting prior to Approval of the Final EIR in order for the public to be able to ask questions and voice concerns.

Further comments:

Commenters on a Draft EIR have the responsibility to show either: the Draft ElR's impact analysis **"deprived the public and decision-makers of substantial relevant information about the project's likely adverse impacts"** or that the "**conclusions, determinations, and methodology used to study the impact were not supported by substantial evidence in the record."** P12 The Final EIR discounts all or most of the public's concerns on the basis of this sentence. None of us are experts in CEQA law but many of us are home owners with decades of investment in our home properties and neighborhoods. Our concerns were not answered adequately or at all in the Final EIR, such as concerns about air quality, noise, safety impacts as- truck volumes during construction would depend on the phase of construction being implemented and the type of construction occurring on-site. For example, it is assumed that the demolition of onsite structures would result in 42 haul truck trips a day for 20 days, and the soil excavation and off haul would result in 54 haul trips per day for 30 days. P20 3-8

The asphalt cap. Department of Toxics and Substance Control recommends and requests consideration of the following comments: 1. *Generally*, DTSC concurs with the description of the remediation history within the Draft EIR. 2. The cap is proposed to be used as parking. All uses shall preserve the integrity and physical accessibility of the cap. Notification to DTSC shall be made within ten working days of the discovery of any damage to the cap and the completion of repairs. 3. As the property is redeveloped and likely to have changes in ownership, reasonable right-of-entry shall continue to be provided to DTSC for activities related to the LUC (Land Use Control) and property-wide operation and maintenance of the cap and groundwater remediation system. 4. **While the LUC requirement for a soil management plan is limited to the capped property, DTSC recommends the application of mitigation MM HAZ-1 for the entire property (BYSP), to address potential impacts from soil, groundwater, and soil gas**. As stated in the comments on the NOP (Notice of Preparation,) DTSC recommends regulatory oversight by entering into a voluntary agreement.
Buried in the EIR is this helpful statement that has never been in the literature of the previous clean up before and I want it available for the record- "the 3-inch asphalt cap covers a cell of arsenic-contaminated soils buried 5–9.5 feet deep underneath 22,000 cubic yards of clean soil." A point of concern is that 3 inches is very thin if trucks and SUVs are going to be parking on the cap.

It will be a permanent flaw to this project that will leave an indelible question in the minds of the public to leave historically generated arsenic capped on site in perpetuity when it can be removed to a toxic waste facility. (Historically this cap has not been maintained, see photos of weeds growing up through the cracks in the cap, and it was my communications with DTSC that got their attention to get the asphalt repaired. See documents in the Draft EIR. In other words, can state regulatory agencies always be funded and trusted?)

In regards to that: "p38 **MM HAZ-1** would apply to the entire BYSP project site and a regulatory oversight agreement with DTSC would be established prior to preparing the SDMP (Site Detection and Mitigation Program,) consistent with these recommendations. The SDMP would apply to the entire project site. As indicated in MM HAZ-1, the developer will be required to submit the **SDMP** and all of its components to DTSC for review and approval prior to initiating project site improvements." This excludes any public sharing regarding the extent or location or type of toxics that will be or have been removed from any part of the project area. It excludes home buyers with children and pets from being

able to make informed decisions. This lack of transparency will affect public perception and the market for these homes. Requests for communication and disclosure and public education have not been addressed as I noted earlier.

My comments on the DEIR also were not addressed: P 3.5-20/21 It is my contention that the DEIR showed a lack of objectivity in order to white wash or minimize the historical uses of the Diamond Match land. Cameron Cole noted there are *no adequate longitudinal and latitude addresses on the site and that goes for pinpointing where toxic remediation was done also. All remediation was done by description and vague correlation with maps. This data gap was not addressed and in fact, was denied as not applicable.* P3.9.7 The statement, "The DTSC agrees (with who?) that the BYSP Area is no longer contaminated." demonstrates a lack of objectivity and was proven false by the high lead levels found at the former burn dumps after the comment was made. 3.6-10 The original work by Metcalf and Eddy and CH2MHill was approved by the DTSC in 1994. At that time the chain of command, sampling techniques, characterization of toxins were rudimentary as compared to methodology now employed. There were no computers, the reporting lacked technical information to locate where work had been performed (eg soil sampling grid info was vague about depths, methods, what had become of the soil that was excavated. It appeared that random sampling had scatter shot results.)

Appendix P 34 -DTSC told Cameron Cole that everything was on Ecotracker but there are no documents regarding analytical results of the 1992 remediation and CONFIRMATION TESTING WAS NOT OBTAINED. *Cameron Cole noted the "removal of 10,000 yards of contaminated soil in 1992 and that the clean up included,* ***but was limited to****," a number of known polluted buildings, pits, dumps bunkers...etc. The admission that the clean up was limited is stated but it is still not clear how current sampling can include all areas of the 133 acres with hazardous spikes. Apparently clean up will be one building site at a time.* Is that a reliable plan?

This section indicates what a huge amount of trust is required by the public and future home owners: From the Final EIR*: (Response to ATA-23 Commenter states that* ***since the environmental setting regarding hazards and hazardous materials is not adequately described in the Draft EIR the current mitigation measures are not adequate.*** *The commenter also indicates that because the Draft EIR does not explain or analyze additional cleanup it defers mitigation. Refer to Master Response 3. The* ***Draft EIR estimated that approximately 12,971 cubic yards of contaminated soil would be excavated and hauled off*** *to landfills for disposal, representing a worst- case estimate* ***that includes soil from Dump Areas 1–4 and addition excavation along the historical track spur rights-of-way.*** *Further, MM HAZ-1 requires the development, DTSC approval, and completion of a SDMP related to on-site contamination as appropriate and does not represent deferred mitigation. p77 Commenter states that the mitigation should specify criteria the plan needs to follow and conduct an analysis on how that will be an effective mitigation measure. Response is "Refer to Master Response 3." The commenter does not indicate how the analyses in Impacts HAZ-1, 2, 3 or 4 are deferred. MM HAZ-1 defines the timing, measures, and approval body for the implementation of an SDMP. Details regarding the specific remediation to be performed will be presented in the SDMP that will be completed and approved pursuant to MM HAZ-1 prior to issuing a grading permit for the site and with DTSC approval.)*
reference-*City of Chico—Barber Yard Specific Plan Final EIR Responses to Written Comments FirstCarbon Solutions 3-65 https://adecinnovations.sharepoint.com/sites/PublicationsSite/Shared Documents/Publications/Client (PN-JN)/1723/17230003/EIR/4 - Final EIR/17230003 Sec03-00 Responses to Written Comments.docx*

"Response to BEC-8 The commenters reiterate their request for further site testing, particularly to mitigate hazards associated with hazardous vapors seeping into people's homes from the mismanagement of the toxic soil and water. Refer to Response to BEC-4. Available data indicate that with the exception of one testing location, the project site does not pose any concern with regard to vapor intrusion. As indicated in the Draft EIR Section 3.9, no volatile organic compounds (VOCs) were

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detected at concentrations exceeding residential Environmental Screening Levels (ESLs) and only one result for tetrachloroethylene (PCE) exceeded the Regional Screening Level (RSL). These data indicate that PCE may be present over a limited area at concentrations slightly exceeding RSLs; however, the Phase II ESA concluded that the "significance of this result should be evaluated in the context of specific development plans at this location and in consultation with DTSC, who will approve the final screening value." As such, in coordination with implementation of MM HAZ-1, which requires the creation, approval, and implementation of an SDMP prior to initiating on-site improvements, additional testing and management of soil vapor would occur as required and informed by previous analyses." P86 3-74 Vaporization of these cancer causing agents raises real concerns about the water table, the frequency and triggers for testing and the public's right to know where the areas of concern exist geographically. This isn't simply a discussion between the developer and the DTSC… these are real health concerns, real possible future cancer clusters, real future liability. Remember, testing was by sampling and is not necessarily enough simply because the science was exacting in the places it occurred. **Please ask Cameron Cole directly about the risks of vapor encroachment conditions as this is, I think, the most dangerous potential aspect of this entire project to human health and the subject was not concluded in the Appendix devoted to Hazards, it seemed to be mid-investigational.**
p1023 Field activities "would likely recur throughout the redevelopment process."

The DEIR mentioned on pg. 1016 that Louisiana Pacific, the previous owner of the Diamond Match property, is doing monitoring and has to submit a work plan for PCP groundwater contamination (the fenced and tarped well is at the corner of Normal and 22nd St. on Barber Yard property) but this was "outside of Phase II CEQA." I believe this persistent contamination can't be ignored.

*p 360 Page 3.3-50, Footnote 34 The buildout of **the proposed project could also expose future sensitive receptors within the BYSP Area to substantial pollutant concentrations** due to the overlap of occupancy and construction. Demolition and removal of existing pavement, removal of contaminated soil, development of specified commercial and recreational spaces, and the initial phase of residential development could occur within the first construction year and prior to move-in of the first occupants.*

In a letter to Planner Mike Sawley dated 4/25/23 from a DTSC official it was written that there were restrictions on day care centers, elder care centers, hospital use and even **residential use** under the covenant still on the EviroStor (https://dtsc.ca.gov/your-envirostor/) (There was no errata about this.)
In a letter to Mike Sawley on 5/9/23 a representative of the Regional Water Quality Control Board wrote this: "the EIR needs to consider **short term risks to workers** and long-term risks to residents via inhalation and/or ingestion of contaminated soils." Have the risks been adequately addressed? It is not clear from the EIR process that the health of workers was ever considered.

Air Quality Impacts.
From the Final EIR: "The commenter notes that an **increase from the expected construction fleet size for the project's first year of work may result in a significant impact from criteria air pollutants.**
Reference-City of Chico—Barber Yard Specific Plan Responses to Written Comments Final EIR 3-34
FirstCarbon Solutions https://adecinnovations.sharepoint.com/sites/PublicationsSite/Shared Documents/Publications/Client (PN-JN)/1723/17230003/EIR/4 - Final EIR/17230003 Sec03-00 Responses to Written Comments.docx
..."It is acknowledged that **quadrupling the amount of construction emissions in the first year over EIR estimates would result in a significant impact from criteria air pollutants;** however, the assumptions made in the EIR for construction emissions remain reasonable and valid for the purposes

of estimating air impacts from the proposed project. Therefore, no changes to the EIR are necessary to address this comment." (p 45-46)
The commenter recommends that on-site measures that reduce reactive organic gas (ROG) and nitrogen oxide (NOX) emissions be considered and prioritized over off-site measures or offsets. As shown in Draft EIR Section 3.3, Air Quality, Table 3.3-15, the **proposed project would result in an exceedance in ROG emissions during operatio**n. Project NOx emissions during operation would not exceed the applicable threshold. As explained on Draft EIR Section 3.3, Air Quality, pages 3.3-46 and 3.3-47, *on-site mitigation was considered and determined to be infeasible and unenforceable* (?) because it would require restrictions on the use of consumer products that are available on the marketplace not within the control of any individual project applicant or Lead Agency. Therefore, offsite mitigation (MM AIR-2) is required to reduce potential ROG emission impacts to less than significant. P46.
I would like the Planning Commission to please research and explain this to the public as it makes no sense why our health should be threatened with such a confusing explanation!

Off site water retention

From the Final EIR: "County Development Office regarding the offsite drainage_ **4.09-acre off-site stormwater detention pond** directly south of the Barber Yard Specific Plan Area, on Assessor's Parcel Number (APN) 039-410-025. (Note- other acreage amounts have been put forward elsewhere, "The approximately 133-acre BYSP Area occurs on an under-utilized parcel near downtown Chico and is properly referred to as an infill site. The approximately **16-acre** off-site improvement area is located directly to the south of the BYSP Area.") This property (APN: 039-410-025) is outside of Chico City Limits and within the jurisdictional boundaries of unincorporated Butte County. **This area is proposed to be owned and operated by the City of Chico** as part of their municipal drainage facilities.

As noted to planner Mike Sawley 9/25/26 the city of Chico has done a poor job to this point maintaining storm water ditches on the periphery of its sphere of influence. Are there more staff available now? More money available? It has not been a priority in the +45 years I have lived on the greenway side of the county/city border.

"Note that the commenter fails to recognize that the referenced alternative, On-site Drainage with No Comanche Creek Outfall Alternative, is specifically identified as rejected from further consideration due to its infeasibility related to the **potential for off-site flooding** as a result of the proposed project's stormwater discharge. In accordance with CEQA Guidelines Section 15126.6, an EIR is not required to consider alternatives which are infeasible." P78 The EIR does not explain why onsite storm drainage would lead to off site flooding nor why it is infeasible.

It is also stated that- "Alternative 3 and the On-Site Drainage with No Comanche Creek Outfall **do not adequately meet the project objectives** or are infeasible**.** While the proposed offsite drainage area is outside the Greenline and within Butte County, the proposed stormwater detention basin would be allowed by the County Zoning Ordinance for the AG-40 zone (see BCDS Draft EIR comment letter herein). As such, **this project-related infrastructure would be consistent with the agricultural uses protected by the Greenline**. No other areas within the project would be located outside the Greenline. Please refer to Master Response 5 regarding the off-site drainage area. Please refer to Response to ATA-28 regarding alternatives." How do they consider that the project related infrastructure would be consistent with agricultural uses when it removes currently fallowed land from the possibility of ever being productive farm land again?

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Off project Traffic Impacts

"Commenter states that the Draft EIR ignores the conditions set forth in the Southwest Chico Neighborhood Improvement Plan which describe **traffic speeding, stop sign running, and aggressive road behavior.** The commenter identifies this as an oversight because the Specific Plan covers similar streets to those included in the Southwest Chico Neighborhood Improvement Plan. As indicated in the Specific Plan, the Southwest Chico Neighborhood Improvement Plan was considered during the Specific Plan development. The Specific Plan is consistent with the goals and objectives outlined in the plan. **The commenter does not identify a specific City environmental threshold related to the speeding concerns, nor does the commenter identify how the proposed project would contribute to an adverse impact to the environment related to speeding.** As addressed in the Draft EIR, the proposed project does not contribute to or substantially increase any transportation-related hazards. See e.g., Impact TRANS-5, at pages 3.16-40–3.16-41. Existing conditions within the Barber Neighborhood need only be addressed by the proposed project if there is existing nexus to the project resulting in a significant adverse impact to the physical environment as defined by CEQA. As indicated in Draft EIR Section 3.16, Transportation, the project's potential impacts have been identified and mitigation implemented as required (e.g., MM TRANS-2 and -3 which require off-site contribution to sidewalk and pedestrian features). The comment does not specifically identify which Southwest Chico Neighborhood Improvement Plan guidelines or recommendations the project is purportedly not consistent with; therefore, no further response is warranted." P68 This is the kind of glib, disrespectful and unhelpful comments in the Final EIR that fail to address real concerns that most certainly matter in the development of the project and to the existing neighbors.

pg 69 In Laurel Heights, the court held that "that an EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects. Absent these two circumstances, the future expansion need not be considered in the EIR for the proposed project." Here, the commenter complains about impacts associated with buildout of the Specific Plan. Anticipated impacts associated with buildout of the Specific Plan are addressed throughout the Draft EIR and the commenter fails to explain how buildout under the Specific Plan would "likely change the scope or nature of the initial project" which is the Specific Plan.

I believe there is an important point here from the commenter but the response is so convoluted it is not clear how it addresses the concern.

"Commenter states that the Draft EIR should consider additional operational impacts related to delivery trucks, night life, and traffic related to restaurants, recreational facilities and parks." The Final EIR said they have addressed this but the answers are not discernible. Again, the questioner was just ignored. No citation was given on where the concern was addressed.

P180 "Section 3.16, Transportation, of the Draft EIR, the proposed project would be required to implement **MM TRANS-2 and MM TRANS-3,** which require pedestrian and bicycle facility improvements in off-site areas that serve the project site to ensure safety and to accommodate the expected increase in pedestrian and bicycle traffic. Such mitigation is required to be implemented prior to the City's acceptance of subdivision improvements for the nearest or specified street connection into the project site (as specified) in connection with the relevant specific individual development proposal. As such, **impacts to pedestrian and bicycle safety were found to be less than significant.** No additional analysis is required." This is an illustration of their attitude and the absurdity that "the proposed project's impact on traffic would be less than significant." - T**he commenter argues that**

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traffic impacts were not fully studied and impacts will extend to Mulberry Street and not end at Park Avenue. The commenter also states that the Project EIR did not adequately study the impacts of traffic flow into and out of the BYSP. As discussed in Section 3.16, Transportation, of the Draft EIR, the proposed project's impact on traffic would be less than significant."

Just looking at narrow 14th Street it is clear that bicycle safety would be seriously impacted. It is also obvious and logical that this project will increase gridlock at East Park and Park, 9th St and Park and at the lights at every egress/exit onto Park and 9th St.

Fidelli and Villasenor, Barber Neighborhood commenters- 1. Regional Housing Needs Plan (RHNP) and City's General Plan: Adopted in December 2020, the 6th Cycle RHNP covers an eight-and-a-half-year planning period between December 31, 2021, and June 15, 2030 (pg. 3.13.7). **The City of Chico's total RHNP allocation is 3,488 units.** The City adopted its 2022-2030 Housing Element in 2023. **It is noted in the draft EIR that the BYSP Area population potential of approximately 2,975 residents represents approximately 20.2 percent of the estimated growth for Chico over the next 20 years.** This greatly impacts our neighborhood and needs to be carefully reviewed and designed, and the City of Chico must fully engage as many neighbors as possible in the review process. 2. Infill Compatibility, City General Plan Policy LU-4.2: An infill project will provide access to existing infrastructure within the neighborhood. However, the projected growth significantly impacts the surrounding neighbors and existing old infrastructure, such as streets and sidewalks. To accommodate this large increase in residents, existing and new infrastructure must be constructed to serve existing and proposed new residents.

The Final EIR response to these concerns was dismissive and did not take into account the important statistics the commenters included to demonstrate the extreme impacts that will occur with the project.

As is this non-helpful comment response, "A proposed project's possible impact on property value is an economic issue and is not an environmental issue." p169

Fire Risk and Emergency Exit from the Project

p173 It is noted that the 2022 City's Community Wildfire Protection Plan identified the project site as a "highest priority parcel," as there is a need for maintenance and weed abatement to reduce wildfire potential on this site. Accordingly, the proposed development would reduce the existing high fuel loads on the project site, which would reduce the potential for wildfire spread. Individual project phases would continue to be reviewed and conditioned to ensure adequate buffers from local fuel sources and appropriate evacuation routes during project buildout. (The Barber Yard is overgrown with weeds, shrubs and dead trees currently and the owner has refused to do other than minimal fire maintenance as required by the fire marshall putting the entire surroundings at risk due to accidental and intentional fires. Phasing should not mean that fire risk remains high for years until buildout.)

The risk from a fire/explosion at the Kinder Morgan petroleum tanks at Hegan and Midway have long been discussed by local residents. The Final EIR should have included this in the Errata since it was part of my DEIR public comment because it was omitted in the DEIR and the comment was dismissed in the Final EIR(p 74.) A superficial google search confirms: "If a large tank or pipeline is involved in a major fire, emergency services expand the evacuation zone to 2,640 feet (0.5 miles) or more to account for thermal radiation and vapor spread." The direct distance between Kinder Morgan and the Barber Yard is approximately 0.5miles (16th St.) There was an incident that could have led to a massive explosion on 3/27/2015 for reference.

County residents off of Estes Road have no exit other than Estes Road to Normal Ave. in the event of a fire or explosion as there is railroad line without a crossing bordering 2 sides of the triangle and Comanche Creek on

the other. We have feared a situation with the “tank farm” for years. This risk was not mentioned in the EIR anywhere!

In Conclusion- Alternative 3 Please Support.

Review of the Greenline occurs every 5 years by Butte County. The Estes Triangle has long been sought after by developers. Speculators have bought land and left orchards to fallow. Recent soil testing however shows the soil in this area to be some of the best possible for agriculture. This is prime farmland facing continued development pressure, especially with a large housing development adjacent. The Off site Water Retention Area, despite what the city planner has surmised, will logically increase the threat to agriculture. The prime farmland soil that is dug out for the Offsite Water Retention Area will be used for clean fill dirt in areas where toxic soils are detected. In the case of Alternative 3, with on site water retention, it is easy to assume that the developer is concerned that more toxics would be detected and the removed dirt would require testing and might not be an acceptable fill dirt. This cynical approach to development may not be part of CEQA but Planning Commissioners must be aware of it. The EIR states that On site water retention does not meet the project objectives and this appears to be what is meant, besides maximizing profits by having the maximum number of units included in the plan.

The Barber Yard project exceeds BCAMD thresholds and there is ozone non attainment resulting in Significant Unavoidable Impacts for smog. Alternative 3 does not completely mitigate the air quality concerns but making the project 15 percent smaller (154 housing units) lessens some of the Barber Neighborhood traffic impacts, lessens impacts on local schools and increases protection for rural Estes Rd. It also helps address emergency egress. (see Appendix J, 3-16-41 regarding increased traffic and delays during peak periods.)

Alternative 3 also takes truck traffic pressure off of Butte County poorly maintained Estes Rd. and would not require the City of Chico to purchase acreage from the county.

Thank you for your attention to all the issues I have brought up.
Sincerely, Chris Nelson,
2300 B Estes Rd.
Chico, Ca. 95928

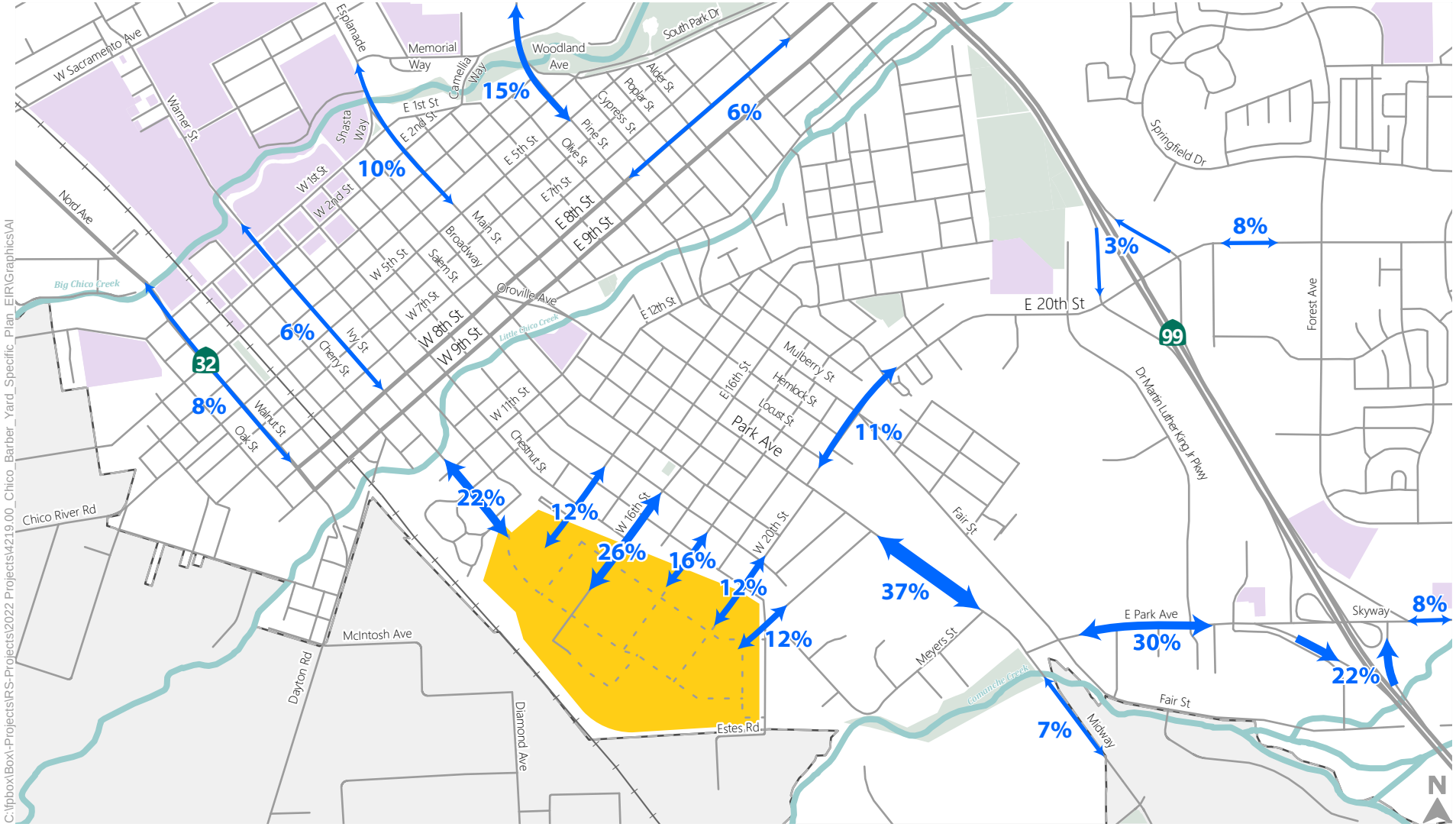
Addendum- Photo. Please note flooding on Normal Avenue between 22nd St and Estes Rd (adjacent and parallel to the project boundary) which takes place every time it rains hard, 2-3 times in a normal rainfall winter, because the ditch, which parallels the road on the other side of this narrow two lane road, can not handle the water volume and regularly overflows completely submerging the road and making it impassible. We need better coordination between the City and the County on the ditches that outflow to Commanche Creek.





Appendix J:
Traffic Supporting Information REVISED

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Project Site

Schools

Parks

Chico City Limits

XX% Project Trip Distribution

Figure 3

Notes: This graphic is provided for illustrative purposes only.
Percentages reflect general trip distribution in the peak hours of travel.
See the Peak Hour Traffic Volumes figures in the Appendix for more detailed information.

Project Trip Distribution

Fehr & Peers

Memo

Date: June 4, 2025

To: City of Chico, Department of Public Works

From: Sonia Anthoine, Fehr & Peers

Subject: DRAFT Supplemental Off-Ramp Vehicle Queuing Analysis for the Barber Yard Specific Plan

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Introduction & Background

This memorandum supplements the previous study "*Transportation Entitlement Review/Non-CEQA Intersection Operations Analysis for the Barber Yard Specific Plan – Updated*" (Fehr & Peers, 2024) with new analysis to address comments from Caltrans during the environmental review process regarding off-ramp vehicle queuing on State Route 99 at the interchange with E. 20th Street. This memorandum documents the methodology, assumptions, and key findings associated with this specialized analysis.

Local Development Review Safety Practitioners Guidance

In its comment letter *Barber Yard Specific Plan Environmental Impact Report (EIR)* (Signed by Gary Arnold, February 14, 2025), Caltrans requested that queuing at the State Route (SR) 99 northbound and southbound off-ramps at E. 20th Street be evaluated.

To maintain consistency with Caltrans practices, Fehr & Peers used Caltrans' *Local Development Review Safety Practitioners Guidance*, which recommends queuing analysis at freeway exit ramps if project traffic is expected to create or exacerbate mainline safety concerns due to spillback or excessive deceleration with the following threshold: "…If the Project adds two or more car lengths to the ramp queue that will extend into the freeway mainline, then the location must be reviewed for traffic safety impacts."

Methodology

Per the Caltrans *Safety Practitioner's Guidance*, "Traffic safety mitigation may be requested if freeway exit ramp queuing does not occur under the existing condition, but project-generated traffic volumes will cause a queue to extend onto the freeway mainline, creating a speed differential of 30 mph or greater." Therefore, Fehr & Peers conducted the following analysis to determine if project-generated trips caused this condition.

Fehr & Peers utilized traffic turning movement volume estimates from the initial *Transportation Entitlement Review* at E. 20th Street & SR 99 SB Ramps (Intersection #19) & E. 20th Street & SR 99 NB Ramps (Intersection #20). The Synchro/SimTraffic 12 software and the methodology published in the *Highway Capacity Manual*, *7th Edition* (2022) was utilized under AM and PM peak hour conditions for the existing (2022), existing plus project, cumulative (2045), and cumulative plus project scenarios. Intersection level of service (LOS) analysis is not included, as the intent of the study is focused on vehicular queuing.

A comprehensive traffic network model was developed, incorporating the study intersections and adjacent signalized intersections on E. 20th Street based on aerial imagery, observations, and additional information provided by City staff. Field observations provided critical validation data for existing traffic behavior patterns, queue lengths, and vehicle arrival characteristics.

Queuing analysis focused on the maximum queue length at freeway off-ramp approaches, representing worst-case conditions. Maximum queue lengths were compared to the actual ramp storage, with particular attention given to whether queues reached the freeway mainline, indicating potential spillback and associated safety concerns.

To account for the stochastic variability inherent in SimTraffic microsimulations, each scenario was simulated 15 times using different random seeds. The overall network delay and volume served were reviewed to assess the consistency of each run. Starting with the first 10 simulations, any outliers (defined as runs with results differing by more than 20% from the group average) were replaced with additional runs until 10 statistically representative simulations remained. These 10 runs were then used to generate queue metrics across the scenarios.

Results

As shown in **Table 1**, vehicle queues at the SR 99 freeway off-ramps at E. 20th Street during both existing peak hours increased with the addition of project trips. Across all off-ramp lanes, the maximum queues under both existing and existing plus project conditions remain well within the available storage lengths at the SR 99 SB Ramps and SR 99 NB Ramps at E. 20th Street.

Table 1. Freeway Off-Ramp Vehicle Queues – Existing vs. Existing Plus Project

Intersection	Off-Ramp Lane	Storage Length	Average Maximum Queue	
			Existing AM (PM)	Existing Plus Project AM (PM)
SR 99 SB Ramps & E. 20th St	SBL	375	160 (275)	150 (275)
	SBLT	1,355	160 (270)	165 (280)
	SBR	1,355	55 (160)	60 (155)
	SBR	400	65 (165)	70 (165)
SR 99 NB Ramps & E. 20th St	NBL	525	35 (50)	40 (45)
	NBLT	1,375	55 (85)	55 (85)
	NBR	535	80 (150)	80 (150)

Note: Storage and queue length are reported in feet. See Appendix for technical calculations.
Source: Fehr & Peers, 2025.

Table 2 shows the vehicle queuing analysis results for the cumulative no project and cumulative plus project conditions AM and PM peak hours. The cumulative year analysis shows increased queue lengths compared to existing conditions. Most off-ramp queues remain within the storage limits or just slightly exceed these limits (in the case of the southbound left off-ramp lane in the cumulative no project PM peak hour, which is accommodated by the taper length of the storage lane).

Table 2. Freeway Off-Ramp Vehicle Queues – Cumulative No Project vs. Cumulative Plus Project

Intersection	Off-Ramp Lane	Storage Length	Average Maximum Queue	
			Cumulative No Project AM (PM)	Cumulative Plus Project AM (PM)
SR 99 SB Ramps & E. 20th St	SBL	375	185 (**380**)	180 (360)
	SBLT	1,355	200 (415)	200 (385)
	SBR	1,355	65 (195)	65 (270)
	SBR	400	70 (210)	70 (270)
SR 99 NB Ramps & E. 20th St	NBL	525	45 (125)	40 (70)
	NBLT	1,375	55 (125)	45 (180)
	NBR	535	115 (440)	135 (460)

Note: Storage and queue length are reported in feet. See Appendix for technical calculations.
Source: Fehr & Peers, 2025.

Results of this analysis indicate that project trips do not cause vehicles to queue to the freeway mainline at the interchange of SR 99 and E. 20th Street in the existing or cumulative years of analysis, and therefore no significant impact to roadway safety due to speed differentials at freeway off ramps at study intersections is attributed to the project.

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	229	204	162	43	68	111	136	158	158	56	66
Average Queue (ft)	106	89	26	6	33	30	63	76	87	18	25
95th Queue (ft)	191	168	87	26	59	78	118	129	139	42	52
Link Distance (ft)	367	367				994	994			658	658
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		1	0								
Queuing Penalty (veh)		0	0								

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	61	83	118	132	127	121	154	34	53	77
Average Queue (ft)	22	41	45	57	58	44	66	7	17	31
95th Queue (ft)	50	70	100	113	102	96	123	27	41	62
Link Distance (ft)			994	994	533	533			1566	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)										
Queuing Penalty (veh)										

Zone Summary

Zone wide Queuing Penalty: 1

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	374	383	175	82	113	188	202	274	272	162	164
Average Queue (ft)	238	215	56	26	55	61	96	161	165	74	95
95th Queue (ft)	373	356	158	62	92	143	177	244	246	134	150
Link Distance (ft)	375	375				983	983			649	649
Upstream Blk Time (%)	0	0									
Queuing Penalty (veh)	1	1									
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		14	0			0		0	0		
Queuing Penalty (veh)		10	1			0		0	0		

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	158	162	185	200	237	496	375	49	83	148
Average Queue (ft)	86	95	94	107	117	135	234	14	28	62
95th Queue (ft)	137	149	164	184	195	324	382	41	62	123
Link Distance (ft)			983	983	537	537			1575	
Upstream Blk Time (%)						0				
Queuing Penalty (veh)						1				
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)		0	0			0	6			
Queuing Penalty (veh)		0	0			1	20			

Zone Summary

Zone wide Queuing Penalty: 35

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	245	215	84	38	78	103	142	152	163	58	70
Average Queue (ft)	116	100	20	6	35	29	67	81	88	19	27
95th Queue (ft)	209	185	59	24	65	76	120	133	141	43	56
Link Distance (ft)	367	367				994	994			658	658
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		2	0								
Queuing Penalty (veh)		1	0								

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	73	86	137	140	141	128	184	38	53	82
Average Queue (ft)	23	44	48	63	64	49	71	8	17	31
95th Queue (ft)	56	72	108	122	115	106	136	29	41	64
Link Distance (ft)			994	994	533	533			1566	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)										
Queuing Penalty (veh)										

Zone Summary

Zone wide Queuing Penalty: 1

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	374	379	175	86	114	191	204	273	280	154	164
Average Queue (ft)	236	214	57	26	56	61	96	160	165	74	95
95th Queue (ft)	372	355	161	63	93	143	178	243	248	135	151
Link Distance (ft)	375	375				983	983			649	649
Upstream Blk Time (%)	0	0									
Queuing Penalty (veh)	1	1									
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		14	0			0		0	0		
Queuing Penalty (veh)		10	1			0		0	0		

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	164	168	182	203	216	487	375	44	84	150
Average Queue (ft)	86	94	93	107	116	133	238	14	28	63
95th Queue (ft)	139	150	164	184	188	318	386	39	62	126
Link Distance (ft)			983	983	537	537			1575	
Upstream Blk Time (%)						0				
Queuing Penalty (veh)						0				
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)		0	0			0	7			
Queuing Penalty (veh)		0	0			1	21			

Zone Summary

Zone wide Queuing Penalty: 37

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	242	216	163	86	113	172	202	183	200	64	68
Average Queue (ft)	123	106	31	26	54	63	103	100	111	21	27
95th Queue (ft)	219	193	96	65	89	140	179	161	171	49	55
Link Distance (ft)	367	367				994	994			658	658
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		2	0			0					
Queuing Penalty (veh)		1	0			0					

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	69	94	147	163	217	197	181	46	55	112
Average Queue (ft)	25	45	65	75	105	85	73	11	18	50
95th Queue (ft)	54	78	128	141	181	162	139	35	44	93
Link Distance (ft)			994	994	533	533			1566	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)							0			
Queuing Penalty (veh)							0			

Zone Summary

Zone wide Queuing Penalty: 1

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	389	386	175	185	203	226	261	379	414	193	210
Average Queue (ft)	290	282	83	92	118	80	109	227	243	97	116
95th Queue (ft)	449	445	202	161	182	189	220	337	358	163	186
Link Distance (ft)	375	375				983	983			649	649
Upstream Blk Time (%)	2	3									
Queuing Penalty (veh)	15	16									
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		23	0	0	0	0		1	2	0	
Queuing Penalty (veh)		20	1	0	1	1		3	6	1	

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	200	230	293	297	398	544	375	123	123	442
Average Queue (ft)	112	123	150	162	180	382	348	28	30	217
95th Queue (ft)	174	192	249	263	307	674	437	85	95	396
Link Distance (ft)			983	983	537	537			1575	
Upstream Blk Time (%)					0	1				
Queuing Penalty (veh)					0	11				
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)	0	0	1			0	27			0
Queuing Penalty (veh)	0	0	2			4	113			0

Zone Summary

Zone wide Queuing Penalty: 193

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	272	249	134	85	110	191	198	181	201	65	72
Average Queue (ft)	135	119	30	26	54	70	107	105	116	22	28
95th Queue (ft)	232	213	82	64	91	156	187	163	177	51	56
Link Distance (ft)	367	367				994	994			658	658
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		3	0			0					
Queuing Penalty (veh)		2	0			0					

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	69	91	164	178	221	207	184	41	45	134
Average Queue (ft)	27	47	66	80	112	101	74	10	15	53
95th Queue (ft)	58	78	136	149	192	188	140	33	37	104
Link Distance (ft)			994	994	533	533			1566	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)			0							
Queuing Penalty (veh)			0							

Zone Summary

Zone wide Queuing Penalty: 2

Intersection: 19: SR-99 SB On Ramp/SR-99 SB Off Ramp & E 20th St

Movement	EB	EB	EB	WB	WB	WB	WB	SB	SB	SB	SB
Directions Served	T	T	R	L	L	T	T	L	LT	R	R
Maximum Queue (ft)	391	395	175	187	226	283	311	362	384	268	271
Average Queue (ft)	303	303	74	96	123	124	154	235	250	123	139
95th Queue (ft)	456	461	187	163	193	248	278	334	356	257	273
Link Distance (ft)	375	375				983	983			649	649
Upstream Blk Time (%)	4	6									
Queuing Penalty (veh)	25	39									
Storage Bay Dist (ft)			150	225	225			320	320		
Storage Blk Time (%)		27	0	0	0	1		1	3	3	
Queuing Penalty (veh)		24	1	0	1	3		3	7	26	

Intersection: 20: SR-99 NB Off Ramp/SR-99 NB On Ramp & E 20th St

Movement	EB	EB	EB	EB	WB	WB	WB	NB	NB	NB
Directions Served	L	L	T	T	T	T	R	L	LT	R
Maximum Queue (ft)	200	215	264	271	454	543	375	72	179	461
Average Queue (ft)	117	130	160	170	199	336	335	27	36	218
95th Queue (ft)	175	193	248	259	335	633	440	64	127	407
Link Distance (ft)			983	983	537	537			1575	
Upstream Blk Time (%)					0	1				
Queuing Penalty (veh)					0	6				
Storage Bay Dist (ft)	240	240					275	535		535
Storage Blk Time (%)	0	0	0			0	21		0	0
Queuing Penalty (veh)	0	1	1			2	105		0	0

Zone Summary

Zone wide Queuing Penalty: 244