

MITIGATED NEGATIVE DECLARATION

**Use Permit UP-2-07 and Parcel Map PM-4-07
State Clearinghouse No. _____**

SUBJECT

Use Permit Application UP-2-07 and Parcel Map Application PM-4-07, by Lewis-Pipgras Real Estate Partners.

PROJECT DESCRIPTION

The project proponent proposes construction of a 92,200-square-foot retail shopping center, consisting of a 60,000-square-foot grocery store and 6 retail-pad buildings; 2 of them include drive-through service, consisting of an additional 32,200 square feet. The project site is a single parcel approximately 10 acres in size, located at the northwest corner of Shasta View Drive and Rancho Road. A parcel map application is proposed to divide the property into 7 commercial parcels, with each building on a separate lot.

ENVIRONMENTAL SETTING

The shopping-center site is currently vacant and is generally level, with an elevation of 510 feet above mean sea level. The site has a vegetation community of blue-oak/foothill-pine woodland and annual grassland. The eastern portion of the site is heavily treed and is dominated by foothill pine, interior live oak, blue oak, and California black oak. Single-family residential development is located to the west and across Shasta View Drive to the east. Vacant land is located directly north of the shopping-center site, while large-lot, rural single-family home sites characterize the area south of Rancho Road.

FINDINGS AND DETERMINATION

The City of Redding conducted an Initial Study (attached), which determined that the proposed project could have significant environmental effects. Subsequent revisions in the project proposal create the specific mitigation measures identified below. The project, as revised and as agreed to by the applicant, avoids or mitigates the potentially significant environmental effects identified, and the preparation of an environmental impact report will not be required. There is no substantial evidence, in light of the whole record before the City, that the project as revised may have a significant effect on the environment. If there are substantial changes that alter the character or impacts of the proposed project, another environmental impact determination will be necessary.

The project includes measures to mitigate potentially significant impacts of Traffic/Circulation, Biological Resources, and Noise.

Prior to approval of the project, the lead agency may conclude, at a public hearing, that certain mitigation measures identified in the Mitigated Negative Declaration are infeasible or undesirable. In accordance with CEQA Section 15074.1, the lead agency may delete those mitigation measures and substitute other measures which it determines are equivalent or more effective. The lead agency would adopt written findings that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it, in itself, would not cause any potentially significant effect on the environment.

- 1. Based on the whole record (including the Initial Study and any supporting documentation) and the mitigation measures incorporated into the project, the City of Redding has determined that there is no substantial evidence that the project will have a significant effect on the environment.**
- 2. The Mitigated Negative Declaration, with its supporting documentation, reflects the independent judgment and analysis of the lead agency, which is the City of Redding.**

DOCUMENTATION

The attached Initial Study documents the reasons to support the above determination.

MITIGATION MEASURES

Traffic and Circulation

- Churn Creek Road/Victor Avenue/Rancho Road.* Prior to issuance of a grading permit, establishment of a benefit district, community services district, or equal or similar funding mechanism shall be formed to ensure the construction of the first phase of the ultimate improvements at the Churn Creek Road/Victor Avenue/Rancho Road intersection, generally realigning the intersections and constructing a 1-lane roundabout as defined in the Intersection Project Alternative Report prepared by Omni-Means, dated January 31, 2006. The project applicant, owner, or successor in interest shall participate in this funding mechanism at a level equivalent to the project's pro-rata share of the cost of improvements as identified in the Traffic Impact Analysis prepared by Kimley-Horn and Associates, Inc., dated September 5, 2008.
- Rancho Road and Shasta View Drive.* Signalization of the intersection.

Biological Resources

- Prior to issuance of a City grading permit that may impact or cause the loss of jurisdictional waters of the U.S., and associated impacts to vernal pool fairy shrimp and tadpole shrimp as identified in the Nationwide Permit 39 Preconstruction Notification prepared by Northstate Resources, Inc., and dated July 31, 2006, the developer shall secure all required permits and authorization from the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Game. All terms and conditions of the required permits and authorizations, including compensatory mitigation shall be met; said permits shall be placed on file with the City Planning Division.

4. Prior to grading permit issuance or vegetation disturbance between March 1 and August 31, in areas where suitable nesting habitat exists for migratory birds, a qualified biologist shall complete a bird-nest search (preconstruction survey) of all suitable trees of sufficient size to support a nest and of the fields where there is a potential for ground nesting. The survey should be conducted no more than 30 days from the onset of construction. If an active nest is found within 300 feet of a construction area, the applicant shall consult with a qualified biologist to determine appropriate measures to avoid disturbance of the nest(s) during any activities with the potential to disturb active nest(s). The biologist shall consult with the City Planning Division to confirm appropriate measures to avoid disturbance prior to clearing/grading activities.

Noise

5. Construction of an 8-foot-high, solid-masonry block wall along the west property line as identified in the Environmental Noise Assessment prepared by j. c. brennan and associates, Inc.
6. Construction of a 4-foot-high, solid-masonry block wall along the drive-through lane of Building G, wrapping around the speaker location as identified in the Environmental Noise Assessment prepared by j. c. brennan and associates, Inc.
7. Delivery-truck movements and activities shall not occur on-site between the hours of 10 p.m. and 7 a.m. Any delivery trucks parked on-site shall have motors turned off, and refrigerator units on the trucks shall be turned off between the hours of 10 p.m. and 7 a.m.
8. Forklift operations; pallet loading or unloading; and/or the opening, closing, or other handling of boxes, crates, containers, building materials, or other similar materials shall not occur outdoors between the hours of 10 p.m. and 7 a.m. in order to avoid noise disturbances across residential property lines.
9. Operation of parking lot cleaning equipment shall be in compliance with Section 18.40.100(E) of the City's Zoning Ordinance in regard to exterior noise standards for commercial uses, and operations shall not occur within 100 feet of the east and north sides of the site between the hours of 10 p.m. and 7 a.m., in order to avoid noise disturbances across residential property lines to the east and north.
10. Operation of the trash compactors shall not occur between the hours of 10 p.m. and 7 a.m., in order to avoid noise disturbances across residential property lines.

PUBLIC REVIEW DISTRIBUTION

Draft copies or notice of this Mitigated Negative Declaration were distributed to:

- State Clearinghouse
- Shasta County Clerk
- Butte Environmental Council
- Defenders of Wildlife
- California Native Plant Society
- Caltrans District 2

- U.S. Army Corp of Engineers
- California Department of Fish and Game
- California Regional Quality Control Board
- All property owners within 300 feet of the property boundary and expanded boundary

PUBLIC REVIEW

- (✓) Draft document referred for comments May 20, 2009.
- () No comments were received during the public review period.
- () Comments were received but did not address the draft Mitigated Negative Declaration findings or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Mitigated Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public review period. The letters and responses follow (see Response to Comments, attached).

Copies of the Mitigated Negative Declaration, the Initial Study, documentation materials, and the Mitigation Monitoring Program may be obtained at the Planning Division of the Development Services Department, City of Redding, 777 Cypress Avenue, Redding, CA 96001. Contact Associate Planner Linda Burke at (530) 225-4027.

May 19, 2009

 Date of Draft Report

 Douglas DeMallie, Planning Manager

 Date of Final Report

DD:amf
 Envirdoc09\MND-UP0207-PM0407.wpd

- Attachments:
- A. Location map
 - B. Initial Study
 - C. Mitigation Monitoring Program
 - D. Comments and Response to Comments (if any)