



CAPITAL PROJECT
SERVICES DEPARTMENT

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May 22, 2009

Josephine Guardino
Friends of Bidwell Park
PO Box 3036
Chico, CA 95927

SUBJECT: RESPONSE TO COMMENTS REGARDING THE PARAGLIDING DRAFT
INITIAL STUDY / PROPOSED NEGATIVE DECLARATION

Dear Ms. Guardino:

Thank you for submitting comments regarding the Draft Initial Study / Proposed Negative Declaration (IS/ND) prepared for the Amendment to Chico Municipal Code § 12R.04.250 (Paragliding in Upper Bidwell Park). Following are responses designed to address the questions and comments presented in your letter:

Section I.B Project Location

See attached map for more precise launch and landing site locations, expressed in latitude / longitude, with minutes and seconds.

Section I.H. Project Description

Comment 1: Launch and landing sites are approximately 30 feet wide to accommodate the laying out of the wing by 20 feet long to accommodate the average 10 steps necessary for take-off.

Proposed Monkey Face Launch – The proposed Monkey Face Launch is a rock outcrop east of Monkey Face (approximately midway between the Monkey Face Overlook and the high voltage transmission lines to the east).

Proposed Julian Launch – The proposed Julian Launch is a commonly utilized vista point that can be accessed via two points along the North Rim Trail. The site is quite visible on most aerial photos as a V-shaped clearing that overlooks the Day Camp and Bear Hole below.

Proposed Rattlesnake Launch – The proposed Rattlesnake Launch is a popular vista point approximately 140 feet from the North Rim Trail, and like the Julian Launch site, is identifiable on most aerial photos.

Comment 2: PG & E submitted no restrictions during the public review and comment period of the IS / ND regarding the location of the launch or landing sites or the proximity to the transmission lines. Neither the launch nor landing sites are located within the

easement established for the transmission lines. Paragliders will be avoiding the transmission lines as a matter of their own personal safety and training. Further, while in flight, pilots are subject to compliance with all FAA requirements, which includes the requirement to avoid all structures, such as transmission lines.

Comment 3: The comments are accurate in that there are no trails identified at the proposed launch sites. However, the proposed launch sites are existing clearings that are currently used by park visitors as resting places and vista points. New trails will not be created as the launch sites are already cleared and routinely accessed. Additionally, the proposed launch sites are not located in areas that are identified as a *Proposed Trails Closure* in the BPMMP Trails Plan.

Section IV.C. Biological Resources

Comment 1: To synthesize and acknowledge all known and documented information regarding species of special status, the IS/ND cites the occurrence data presented in the latest edition of the California Natural Diversity Database. Additionally, the IS/ND incorporates other Bidwell Park species accounts, such as the General Plan MEA, Best Practices Technical Manual, BPMMP/EIR and the *Survey for Threatened and Endangered Botanical Species for City of Chico's Upper Bidwell Park, Butte County CA* (Stuart, K.G., 2002). Inclusion of these citations in the IS/ND does not assert that cliff-nesting raptors do not exist in the area or the potential for their existence in the future, nor is it inappropriate or misleading.

The absence of documented occurrences of cliff nesting raptors near the proposed launch sites is not presented in the Initial Study as a primary contributor to the proposed less than significant determination. Rather, the Initial Study¹ states:

Access to the launch sites and egress from the landing areas would mirror current hiking activities within Upper Bidwell Park. While airborne, there would be no "footprint" generated by participants.

Thus, the proposed activities would occur along existing trails and clearings and the nature of the paragliding activity does not impact nesting raptors any differently than other recreational activities (i.e. hiking, mountain biking, etc.) that are already permitted in the park.

The Initial Study¹ goes on to state:

The actions are consistent with plans and policies related to recreational activities that are acceptable within the city's OSI zoning district. The majority of the proposed activities would generate potential impacts that are comparable to existing recreational uses that were analyzed in the BPMMP Final EIR. The potential for special-status plants to occur within the proposed launch sites and landing areas was identified as a potential impact that was not evaluated in the BPMMP Final EIR. As such, protocol-level surveys were conducted within

¹ Section IV.C (Biological Resources) pg. 14

these areas in order to analyze the proposed project's potential to generate impacts to these species.

Cliff nesting raptors would not occur within the proposed launch sites because the proposed launch sites are rock outcrops along the North Rim Trail. The proposed sites are visible in aerial photos, as they are currently popular vista points visited by hikers, rock climbers, mountain bikers, et cetera. The Friends of Bidwell Park (FOBP) comment letter states:

Without surveys the City cannot make the assertion the project will not impact nesting raptor species...

Relative to the potential to impact nesting birds, the proposed *less than significant* determination is not rooted in the absence of documented occurrences, as indicated in the FOBP letter. The nature and spatial distribution of the proposed activities would not result in potential impacts that are discrete from those potentially generated by current uses. Raptor surveys are not required prior to mountain biking, rock climbing or hiking activities within the proposed project site. The proposed activity will not add to the intensity of those uses already permitted and anticipated in the Park.

Comment 2: The area surveyed at the proposed launch sites measured 50 feet by 50 feet (see attached map for precise launch and landing sites, expressed in latitude / longitude, with minutes and seconds). Three 50 foot by 50 foot areas were surveyed at each of the two proposed landing areas. The surveyed areas at the proposed Bear Hole landing are south of Upper Park Road, on the east and west sides of the Bear Hole parking lot. The surveyed areas at the proposed Monkey Face landing site at Horseshoe Lake are just north of Parking Lot E, east of the Lake and west of the Trailhead (Maidu, Middle, Upper, et al).

For a detailed list of species observed, see the attached list titled "Plant Species Observed within the Paragliding Survey Areas 5/6/08".

Section IV.J Open Space / Recreation

As part of the permitting process, paragliders are required to avoid flying over or around horses.

Thank you for your interest in the project. If you have any further questions, please feel free to contact me by phone at (530) 879-6903 or via e-mail at tbettenc@ci.chico.ca.us.

Sincerely,

Tracy R. Bettencourt, AICP
Senior Planner
Capital Project Services