
NEVADA COUNTY

HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION

MITIGATION MONITORING AND REPORTING PROGRAM

SCH No. 2009072070



Prepared for:

**County of Nevada
Community Development Agency
Planning Department
950 Maidu Avenue
Nevada City, California 95959
Contact: Tyler Barrington, Principal Planner**

Prepared by:

RBF CONSULTING
4540 DUCKHORN DRIVE, SUITE 202
SACRAMENTO, CA 95834-2597

MAY 2015

This Page Intentionally Left Blank

TABLE OF CONTENTS

Introduction 1

Mitigation Monitoring and Reporting Program 1

Mitigation Monitoring and Reporting Program Table 3

This Page Intentionally Left Blank

INTRODUCTION

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Nevada County Housing Element Rezone Implementation Program project. This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” An MMRP is required for the proposed project because the Environmental Impact Report (EIR) has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the EIR. All revisions to mitigation measures that were necessary as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in the Draft EIR as well as any measures that were revised as part of the Final EIR.

Nevada County will be the primary agency, but not the only agency, responsible for implementing the mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County’s role is exclusively to monitor the implementation of the measures. In those cases, the project applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken verbatim from the Draft EIR, as well as any measures which were revised as part of the Final EIR, in the same order that they appear in the Draft EIR.
- **Monitoring Responsibility:** Identifies the department within the County, project applicant, or consultant responsible for mitigation monitoring.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.

MITIGATION MONITORING AND REPORTING PROGRAM

- Compliance Verification Responsibility: Identifies the department of the County or other State agency responsible for verifying compliance with the mitigation.

MITIGATION MONITORING AND REPORTING PROGRAM TABLE

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Land Use and Planning				
MM 4.2-1	The County of Nevada shall develop a policy agreement with the City of Grass Valley regarding exchange density calculations between the jurisdictions. The purpose of this agreement is to obtain parity among the jurisdictions regarding the provision of urban high density residential housing to satisfy state mandated housing requirements and other housing or density needs as appropriate. The County shall develop this agreement and submit to the City prior to the issuance of development permits for this first project site.	County of Nevada	Prior to the issuance of development permits for project sites located within the Grass Valley Sphere of Influence.	
Aesthetics				
MM 4.3-1	The following mitigation measure applies to all sites. Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be approved by the County or City Engineer prior to the commencement of construction of each phase of the project.	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to the commencement of construction of each phase of the project.	
MM 4.3-3	The following mitigation measure applies to all sites. Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation request for Sites 1-9), the project shall require design review approval by the Planning	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County	Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Commission to ensure landscaping, lighting, parking, layout and building design are compatible with the surrounding development, natural resources, and/or historic features within the project area. However, since the density of development is determined at the time the site is rezoned to add the RH Combining District, design review will not include a review of the density of the project. The density shall be based on the State mandated 16 units minimum per acre but will allow for a maximum of 20 units per acre on sites within the Grass Valley Sphere of Influence.</p> <p>All future developments associated with the proposed project would be required to follow the specific design principles and standards that respect the goals, objectives, and policies of the Nevada County General Plan and the City of Grass Valley 2020 General Plan, as well as any area plan design guidelines that each site may be located within. Such design guidelines will ensure each development is providing a balance between development and the natural environment.</p>	of Nevada for Sites 10-18.	request for Sites 1-9).	
MM 4.3-4	<p>The following mitigation measure applies to all sites. For all future projects in the in the proposed project area, all potentially reflective building materials and surfaces shall be painted or otherwise treated to minimize reflectivity, except as necessary to achieve desired green building objectives. All glass used on external building walls shall be low-reflectivity.</p>	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to approval of a development proposal for a property within the RH Combining District (or as part of the annexation request for Sites 1-9).	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Biological Resources				
MM 4.4-1a	<p>The following mitigation measure applies to Sites 2, 3, 7 through 13, 17, and 18.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 2, 3, 7, 8 and 9):</p> <p>Designate wetland and riparian habitat areas an Environmentally Sensitive Area (ESA) consistent with the ESA exhibits shown in Section 3.0 of this EIR on all Site Plans, grading plans, or any permit authorizing construction for a property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a management plan consistent with Nevada County Land Use and Development Code Section L-II 4.3.17, is approved by the County Planning Department. For projects located within the Grass Valley SOI, a Wetland and Riparian Mitigation Monitoring Program shall be approved by the City Planning Department. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.4.4-1b - During ground disturbance activities associated with the Grass Valley sites, the construction contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing NOA (Section 93105 and 93106 of Title 17 of the California Code of Regulations). These ATCMs regulate construction, grading, quarrying, and</p>	<p>For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-13, 17, and 18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	surface mining operations, as well as surfacing applications.			
MM 4.4-1b	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>i) Conduct focused special status plant surveys within and adjacent to (within 100 feet, where appropriate) the proposed impact area, which will include impacts from project construction (temporary construction zone and staging areas) or by post-construction fuel management. Surveys shall be conducted during the appropriate time of year to determine the presence of special-status plant species that have been identified as potentially occurring on the project site. Surveys shall be conducted in accordance with the Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFG 2000). Field surveys shall be scheduled to coincide with known flowering periods (for the specific species) and/or during periods of physiological development that are necessary to identify the plant species of concern. According to the known blooming periods, surveys would need to be conducted in May or June and again in July or</p>	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>August; however, unusual weather may affect blooming periods so reference sites should be checked.</p> <p>It is important for the required plant survey to be scheduled in time to allow for salvage and transplantation, if required, prior to initiation of project grading. Specifically, if construction is to be initiated during or prior to September in any year, the survey will need to be completed during the previous calendar year in order to satisfy the mitigation measure requirements. Project approval conditions should include language that alerts project proponents to this circumstance to avoid costly construction delays.</p> <p>The survey report, including a description of methods, map of area surveyed, results, and a complete list of all plant taxa found during the survey, shall be provided to County staff prior to initiation of any grading or equipment operation. If no occurrences of special-status species are found, no further mitigation is required.</p> <p>ii) If any federally or State-listed, CNPS Rare Plant Rank 1 or 2 plant species are found within or adjacent to (within 100 feet) the proposed impact area during the surveys, the CDFW (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants), as applicable, shall be notified regarding the status and location of the plant and the necessary approval and/or permits obtained. These plant species shall be avoided to</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>the extent feasible. Avoidance measures shall include fencing of the population(s) before construction, exclusion of project activities from the fenced-off areas (no ingress of personnel or equipment), and construction monitoring by a qualified biologist. Avoidance areas shall be identified on project plans. If these plants cannot be avoided completely, the following mitigation measures shall be applied:</p> <ul style="list-style-type: none"> • Before the approval of grading plans or any groundbreaking activity within the project site, the project developer shall submit a mitigation plan concurrently to the CDFW (in the case of state-only listed plants) and/or USFWS (in the case of federally listed plants) for review and comment, and the developer may consult with these entities before approval of the plan. The plan shall include mitigation measures for the population(s) to be directly affected. Possible mitigation for the population(s) that would be removed during construction of the project includes implementation of a program to transplant, salvage, cultivate, or re-establish the species at suitable sites. The mitigation ratio for directly impacted plant species shall be at a minimum ratio of 2:1. The actual level of mitigation may vary depending on the sensitivity of the species (its rarity or endangerment status), its prevalence in the area, and the current state of knowledge 			

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>about overall population trends and threats to its survival. Alternatively, replacement credits may be purchased by the project developer at an approved mitigation bank should such credits be available.</p> <ul style="list-style-type: none"> • Transplantation of existing special-status plants could be undertaken to move the plant(s) to a suitable habitat location, either within the project site or at an off-site preserve to be protected in perpetuity. The off-site preserve shall include similar soil, climate, and associated plant species as are currently present at the project site. This location will be protected in perpetuity under a conservation easement and managed appropriately to ensure the transplantation is a success. Please note, however, that for some species transplantation may not be a successful or effective method for conservation, as requirements for some species are highly specialized and not clearly understood. Thus, transplantation shall only be used where success can be assured. Avoidance shall be required for special-status plant species that cannot be transplanted, salvaged or cultivated. • If on-site preservation is determined to be feasible, a conservation easement shall be placed over project open space areas to preserve the mitigation areas in perpetuity. 			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
MM 4.4-1c	<p>The following mitigation measure applies to all sites. Appropriate Permits: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the project developer has obtained all permits and authorizations required by federal, state, regional and local jurisdictions to proceed with their development proposals. These could include incidental take permits that set forth specific measures to minimize, avoid, or fully mitigate impacts to listed species. This should also include, for sites with mapped ESAs, a demonstration of how the development footprint will avoid all ESAs on the project site. Measures could also include limiting operating periods such as prohibiting grading during the wet season (October to May), requiring 100 foot buffers to disturbance and fencing for sensitive areas, design revisions, and species relocation by soil salvage, seed collection, or other means approved by the agencies with jurisdiction. Prior to development of any individual site, additional species could be listed or designated as special-status, and the future developers of the Housing Element Rezone Implementation Program project sites shall comply with any new requirements of the USFWS or CDFW for such species, as may be imposed through subsequent consultation, if necessary.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>MM 4.4-2a</p>	<p>The following mitigation measure applies to Sites 2 through 18:</p> <p><i>Valley Elderberry Long Beetle</i></p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 3-9):</p> <p>Conduct surveys for the elderberry shrub VELB host plant prior to site disturbance within riparian or wetland areas depicted in the ESA figures in Section 3.0: Project Description. Prior to development, any elderberry shrubs measuring 1.0 inch or greater in diameter shall be mapped and clearly marked in the field. At all times during development of the project, developers shall comply with the conservation guidelines set forth in USFWS’s Conservation Guidelines for the Valley Elderberry Longhorn Beetle (July 9, 1999), which guidelines generally require a buffer of 100 feet around each elderberry shrub with stems measuring 1.0 inch or greater in diameter at ground level. If encroachments into the ESA are required, consultation with USFWS shall be required as contemplated by USFWS 1999 Guidelines.</p> <p>Mitigation for impacts on VELB habitat shall be determined via consultation with USFWS pursuant to Section 7, Section 10, or USFWS 1999 Guidelines, as applicable, and may include onsite mitigation planting or the purchase of mitigation credits from an</p>	<p>For Sites 2-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>approved conservation bank. To avoid adverse effects on VELB, Mitigation Measures 4.4-1a, and 4.4-1c shall be implemented to ensure avoidance of elderberry shrubs and appropriate protection for this species. If necessary, agency-approved mitigation developed through the permitting process would establish the appropriate and required mitigation for impacts to this species. Note: If VELB is de-listed by the USFWS or if there is any change in the listing status of this species, the USFWS guidance in effect at the time of site development shall be followed for impacts to VELB and elderberry shrubs. Additionally, if development does not occur within 5 years on any of the proposed project sites, additional surveys would be required upon development to reassess the location of the elderberry shrub VELB.</p>			
MM 4.4-2b	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Conduct Pre-construction Surveys for Nesting Birds. The future developers within the RH Combining District shall avoid disturbance to active nests within or near disturbance areas. To avoid take of any active raptor nest or disturbance of other protected native birds, to the extent feasible, site disturbance shall be avoided from March 1 through August 31, which</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>coincides with the typical nesting season for most common bird species in the region.</p> <p>If construction, grading or other project-related activities will occur during the typical nesting season, a pre-construction nesting survey shall be conducted by a qualified wildlife biologist to determine if any raptors or protected native birds are nesting in or in the immediate vicinity of vegetation that will be removed. The survey shall be conducted within 15 days prior to the start of work from March through May (since there is higher potential for birds to initiate nesting during this period), and within 30 days prior to the start of work from June through August. If active nests are found in the work area, the biologist shall determine an appropriately sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by the biologist, and if necessary, in consultation with the CDFW (and USFWS as appropriate). Buffer widths shall be determined based on the nesting species and its sensitivity to disturbance. The no-work buffer zone shall be delineated by highly visible temporary construction fencing.</p> <p>Monitoring of nest activity by a qualified biologist may be required if the project-related construction activity has potential to adversely affect the nest or nesting behavior of the bird. No project-related construction activity shall commence within the no-work buffer area until a qualified biologist confirms</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	that the nest is no longer active.			
MM 4.4-2c	<p>The following mitigation measure applies to all sites:</p> <p>Protect Special-Status Wildlife Species: Where construction of future development projects within RH Combining District would occur within or near known or potential habitat for special-status species, as defined the following measures shall be implemented:</p> <p>Employ Approved Biological Monitors: Prior to commencement of grading for any phase of the project or portion thereof, a project biologist should be designated as an environmental monitor. The qualified biologist should be approved by the County and shall be present at clearing and grubbing stage or as mandated through the regulatory permitting process. Qualified biologists shall be responsible for pre-construction surveys, staking sensitive resources, onsite monitoring, documentation of violations and compliance, coordination with contract compliance inspectors, and post-construction documentation.</p> <p>Foothill Yellow-legged Frog. Suitable breeding, aestivation, and dispersal habitat for the foothill yellow-legged frog is present along perennial waterways within several of the proposed rezone sites. If disturbance would occur within 100 feet of known or potential habitat for foothill yellow-legged frog (i.e., perennial streams), pre-construction surveys shall be conducted to determine if this species is present in the disturbance area. If surveys determine that foothill yellow-legged frogs are</p>	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to commencement of grading for any ground disturbing activities (e.g., grading, clearing, excavation).	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>present, a determination shall be made in consultation with CDFW as to whether or not construction would adversely impact this species and what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, or other measures approved by CDFW.</p> <p>Western Pond Turtle. Potential basking, foraging, and dispersal habitat for the western pond turtle is present along perennial waterways within some of the RH Combining District. Where disturbance would occur within 200 feet of potential habitat for western pond turtle (i.e., near perennial streams), pre-construction surveys shall be conducted to determine whether the proposed disturbance would adversely affect this species. This determination shall be made by a qualified biologist based on the suitability of the affected habitat for this species and/or the presence or absence of this species in the affected area as determined by surveys of suitable habitat. If pond turtles are observed, a determination shall be made in consultation with CDFW as to whether or not construction will adversely impact this species and what measures shall be implemented. Measures could include limited operating periods, BMPs to avoid habitat impacts, disturbance exclusion zones, relocation, or other measures approved by CDFW.</p> <p>Other Special-Status Wildlife Species. Prior to approval of a Site Plan, grading plan, or any permit</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>authorizing construction for a property within the RH Combining District, the project developer shall demonstrate, to the satisfaction of the Director of the County Planning Department, that the site has been assessed for habitat suitability for special-status species of wildlife and that appropriate surveys have been carried out, as necessary, and according to the protocol of State or federal agencies with jurisdiction over the special-status species under review. Should any special-status species be identified, the developer shall retain a qualified biologist to develop and oversee implementation of a management plan. Depending on the species identified, appropriate measures could include avoidance, impact minimization, relocation or other measures and must incorporate measures to satisfy regulatory requirements of agencies with jurisdiction over the species at issue (Mitigation Measure 4.4-1b). Where onsite avoidance is feasible, barrier fencing, stakes, flagging or other measures shall be implemented prior to site disturbance to ensure impacts are avoided.</p>			
MM 4.4-3a	<p>The following mitigation measure applies to Sites 2, 3, 7, 8 within the Grass Valley SOI.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the Grass Valley Planning Department:</p> <p>Develop and implement a Wetland and Riparian</p>	<p>For Sites 2, 3, 7, 8, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Mitigation Monitoring Program that provides measures that avoid, minimize, and compensate for damages and/or losses of wetland and riparian vegetation resulting from the future development proposals by completing the following:</p> <ul style="list-style-type: none"> • Avoidance of wetlands and riparian areas through project design. • Maximum avoidance of wetlands and riparian areas by including fencing and using appropriate buffer zones during construction activities. Unless otherwise required through consultation with state and federal agencies, the minimum development-free setback from the top of creek bank for linear water features shall be 50 feet. For non-linear wetlands or Waters of the U.S., the minimum development-free setback shall be 25 feet. Development-free shall mean building construction and grading. • Provide measures for creek enhancement and added habitat value. • If wetlands cannot be avoided, a minimum 1:1 replacement ratio to compensate for lost extent and functioning of wetland areas. • Supervision and verification of the implementation of adopted measures, including provisions for an onsite Environmental Monitor (a qualified biologist approved by the City, USFWS and CDFW) during construction activities. <p>Unavoidable direct impacts on wetland vegetation</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>types during construction of future development projects on Sites 2, 3, 7, and 8 shall require consultation with the appropriate jurisdiction (USACE and RWQCB) and would require a permit from these agencies. Potential impacts shall be mitigated by restoration of the affected area to pre-construction conditions, offsite compensatory mitigation, or purchase of credits in a mitigation bank, in accordance with permits issued by the ACOE, RWQCB and CDFW.</p>			
<p>MM 4.4-3b</p>	<p>The following mitigation measures apply to Sites 10 – 13, and 17:</p> <p>Where potential wetland impacts are involved, the following mitigation measure would apply.</p> <p>A formal wetland delineation shall be conducted for areas that will be permanently or temporarily impacted by the proposed project including driveway improvements where access to the site would otherwise be prohibited. If jurisdictional waters cannot be avoided, the project developer shall apply for a CWA Section 404 permit from the USACE and a Section 401 permit from the RWQCB. These permits shall be obtained prior to issuance of grading permits and implementation of the proposed project.</p> <p>The project developer shall ensure that the project will result in no net loss of waters of the U.S. by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA Section 404/401 permits. Mitigation must also be</p>	<p>County of Nevada</p>	<p>Prior to issuance of grading permits and/or commencement of construction activities.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>consistent with any permitting requirements of the CDFW Section 1602 Streambed Alteration Agreement.</p> <p>Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This last type of compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The project proponent/permit applicant retains responsibility for the implementation and success of the mitigation project. Written documentation of compliance with this mitigation measure shall be provided to the County prior to construction and grading activities for the proposed project.</p>			
MM 4.4-5	<p>The following mitigation measure applies to Sites 13 through 18:</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within</p>	County of Nevada	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>the RH Combining District, the project developer shall prepare an oak woodland Management Plan (Management Plan) as required under the Nevada County Tree Preservation and Protection Ordinance. The Management Plan shall specify measures to mitigate for the loss of oak woodland habitat values as a result of site development to ensure no net loss of oak woodland habitat. Measures could include preservation of onsite oak woodlands in a conservation easement, purchase and preservation of offsite oak woodlands, on or offsite enhancement of degraded oak woodlands, or by paying in-lieu fees into a County-approved fund used to purchase and preserve comparable oak woodland communities in the region.</p> <p>The Management Plan shall also include measures to protect trees during construction and following site development. Measures could include specifications for protective fencing and construction buffers, project design modifications, woodland maintenance prescriptions for fuel reduction, forest health, and habitat improvements, and specifications for appropriate uses of the woodland area following site development. The plan shall identify financial responsibility and funding sources for all measures.</p>		within the RH Combining District.	
Air Quality				
MM 4.5-1a	The following mitigation measure applies to all sites. Prior to the issuance of grading permits, all construction contracts shall include dust control	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not	Prior to the issuance of grading permits.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>mitigation requirements. All improvement plans shall require the following:</p> <ul style="list-style-type: none"> • All construction activities shall be subject to the requirements of the NSAQMD’s Regulation 2, Rule 226 regarding dust control. • Alternatives to open burning of vegetative material on the project site shall be used unless deemed infeasible by the NSAQMD. Suitable alternatives are chipping, mulching, or conversion to biomass fuel. • Contractors shall be responsible for ensuring that adequate dust control measures are implemented in a timely manner during all phases of project development and construction. • All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or violation of an ambient air standard. Watering shall occur at least twice daily, with complete site coverage, preferably in the mid-morning and after work is completed each day. • All areas (including unpaved roads) with vehicle traffic shall be watered or have a dust palliative applied as necessary for stabilization of dust emissions. • All onsite vehicle traffic shall be limited to a speed of 15 mph on unpaved roads. • All land clearing, grading, earth moving or 	<p>annexed. County of Nevada for Sites 10-18.</p>		

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>excavation activities shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour. Temporary traffic control shall be provided during all phases of the construction to improve traffic flow as deemed appropriate by the County and/or applicable local agencies.</p> <ul style="list-style-type: none"> • Construction activities shall be scheduled to direct construction traffic flow to off-peak hours as much as possible. • All inactive portions of the construction site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, apply nontoxic soil stabilizers (according to manufacturer’s specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with County standards. Acceptable materials that may be used for chemical soil stabilization include petroleum resins, asphaltic emulsions, acrylics, and adhesives, which do not violate Regional Water Quality Control Board or California Air Resources Board standards. • Track-out devices (e.g., gravel pads, wheel shakers, etc.) or wheel washers shall be installed where project vehicles and/or equipment enter and/or exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip, as necessary to prevent visible dust emissions from adhering dirt or 			

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>deposition on roadways.</p> <ul style="list-style-type: none"> • All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance. • Ground cover shall be re-established onsite through seeding and watering in accordance with the local grading ordinance. • All mobile and stationary equipment shall be properly maintained. • The County shall require projects to utilize best management practices and the use of construction equipment that meets applicable non-road diesel fuel emission standards. 			
MM 4.5-1b	<p>The following mitigation measure applies to all sites. The following measures shall be implemented by the contractor to reduce ROG emissions resulting from application of architectural coatings:</p> <ul style="list-style-type: none"> • Use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent; • Use required coatings and solvents with a low ROG content VOC pursuant to the limits in the U.S. EPA National Architectural Coating Rule (40 CFR Part 59); and • Use pre-painted construction materials. 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>During project building construction activities.</p>	
MM 4.5-1c	<p>The following mitigation measure applies to all sites. During ground disturbance activities associated with the Grass Valley candidate sites, the construction</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not</p>	<p>During project grading and construction activities.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing Naturally Occurring Asbestos (NOA) (Section 93105 and 93106 of Title 17 of the California Code of Regulations). These ATCMs regulate construction, grading, quarrying, and surface mining operations, as well as surfacing applications. It should be noted that this mitigation measure applies to the candidate sites within the Grass Valley sphere of influence. NOA is not anticipated to occur within the candidate sites in Penn Valley or Lake of the Pines.</p>	<p>annexed. County of Nevada for Sites 10-18.</p>		
<p>MM 4.5-2a</p>	<p>The following mitigation measure applies to all sites. Prior to the approval of any site plans, the Planning Director or City of Grass Valley Planning Director for Sites 1-9 shall confirm that all project plans incorporate the suggested mitigation measures for mobile source emissions identified in the NSAQMD Draft Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects (Draft Guidelines). These measures include the following:</p> <ul style="list-style-type: none"> • Streets shall be designed to maximize pedestrian access to transit stops. • Provide for onsite road and offsite bus turnouts, passenger benches, and shelters as demand and service routes warrant subject to review and approval by local transportation planning agencies. • Larger projects may be required to contribute a proportionate share to the development and/or 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to the approval of any site plans.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc.</p> <ul style="list-style-type: none"> • Provide for pedestrian access between bus service and major transportation points within the project, where feasible. • Contribute to traffic-flow improvements (i.e., right-of-way, capital improvements, etc.) that reduce emissions and are not considered as substantially growth inducing. • Larger projects may be required to provide for, contribute to, or dedicate land for the provision of offsite bicycle trails linking the project to designated bicycle commuting routes in accordance with an adopted citywide or countrywide bikeway plan. 			
MM 4.5-2b	<p>The following mitigation measure applies to all sites. Only natural gas/liquefied petroleum gas (LPG) fireplaces or stoves shall be permitted within the candidate sites. EPA Phase II-certified wood-burning fireplaces or stoves may be used if natural gas/LPG fireplaces or stoves are considered infeasible based on consultation with the County and NSAQMD. Conventional open-hearth fireplaces shall not be permitted.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>During the Building Permit Review Process.</p>	
Greenhouse Gas				
MM 4.6-1	<p>Prior to the issuance of a building permit for a development within the RH Combining District, the project developer shall to the satisfaction of the</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County</p>	<p>Prior to issuance of a building permit.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Director of the County Planning Department (or City of Grass Valley Planning Department of Sites 1-9):</p> <p>Demonstrate that the proposed development has satisfied CALGreen Building Code Tier 1 standards (Title 24, Part 11). The CALGreen standards for residential development are located in Appendix A4 of the Green Building Standards and are intended to provide developers with specific options to construct energy efficient buildings. The more energy efficient the building design and construction, the fewer greenhouse gas emissions from the building over its lifetime. These standards include specific requirements in order to demonstrate that the project has an energy budget no greater than 85 percent of what is allowed by Title 24, Part 6 energy budget. The budget is calculated based on Compliance Software designed by Energy Commission. Appendix A4 of the CALGreen Building Code includes a range of voluntary measures that the developer may select in order to meet reduce the overall energy budget of the development. Such measures include water efficient appliances for indoor water use (Section A4.303), efficient irrigation systems for outdoor water use (Section A4.304), using material sources that are made of recycled content or from rapidly renewable sources (Section A4.405), and energy efficient heating and cooling systems Section A4.207). Implementation of the measures would reduce greenhouse gas emissions from the project.</p>	<p>of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Cultural Resources				
MM 4.7-1	<p>The following mitigation measure pertains to Sites 2, 3, 7-9, 11 and 13.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Establish areas with potentially significant cultural resources as Environmentally Sensitive Areas consistent with the mapped areas in Figures 3-15 through 3-24 of this EIR. Prior to construction, all potential prehistoric and historic resources shall be designated as an ESA on project plans and specifications. No construction shall be permitted within the ESAs.</p>	<p>For Sites 2, 3, 7-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 11 and 13.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	
MM 4.7-2	<p>The following mitigation measure applies to all sites.</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified paleontologist that states one of the following:</p> <p>Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>diverted to other areas on the site and the County (or City as applicable) shall be immediately notified. A qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The County (or City as applicable) and the project developer shall consider the recommendations of the qualified paleontologist. The County (or City as applicable), the qualified paleontologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City as applicable), the qualified paleontologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, qualified paleontologist, and the County (or City as applicable), as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p>			
MM 4.7-3	<p>The following mitigation measure applies to all sites. Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall provide, to the satisfaction of the</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9), a letter from a qualified archaeologist that states the following:</p> <p>A. The project developer shall retain a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. If no cultural resources are identified during this phase of ground disturbance, and if determined between the qualified archaeologist and the lead agency, monitoring may be reduced to on-call status. If any prehistoric or historic artifacts or other indications of archaeological resources are found during site grading or once project construction is under way, the on-site monitor shall be empowered to temporarily halt or divert construction in the immediate vicinity of the discovery while it is evaluated for significance, and the County (or City as applicable) shall be immediately notified. Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County and the project developer will consider the recommendations of the qualified archaeologist. The County (or City as applicable), the qualified</p>	<p>Sites 10-18.</p>	<p>within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County, the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency as to the appropriate preservation or mitigation measures.</p> <p>B. Should cultural resources, other than human remains, be discovered during construction activities when an archaeological monitor is not present, project personnel shall halt such activities in the immediate area and notify a qualified archaeologist meeting the Secretary of Interior’s Professional Qualifications Standards in prehistoric or historical archaeology immediately to evaluate the resource(s) encountered and recommend the development of mitigation measures for potentially significant resources consistent with PRC Section 21083.2(i). Construction activities could continue in other areas. The archaeologist shall evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered cultural resources. The County (or City, as applicable) and</p>			

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>the project developer will consider the recommendations of the qualified archaeologist. The County (or City, as applicable), the qualified archaeologist, and the project developer shall consult and agree upon implementation of a measure or measures that the County (or City, as applicable), the qualified archaeologist, and the project developer deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project developer, the qualified project archaeologist, and the lead agency, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p> <p>Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, PRC Section 5097.98 and California Code of Regulations (CCR) Section 15064.5(e), all work must stop in the immediate vicinity of the find and the Nevada County Coroner must be notified. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Sections 15064.5(d) and (e) shall be followed.</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
Geology and Soils				
MM 4.8-1	The following mitigation measure applies to all sites: Prior to issuance of grading permits for development projects (or as part of the annexation request for sites 1-9) within the proposed project sites, a design-level investigation should be performed to ensure the findings of the Preliminary Geotechnical Engineering Report for Housing Element Rezone, Nevada County, California have been incorporated in the project design.	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to issuance of grading permits for development projects (or as part of the annexation request for sites 1-9) within the proposed project sites.	
MM 4.8-3	The following mitigation measure applies to Site 18: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department: Establish areas with slopes greater than 30% as Environmentally Sensitive Areas. Prior to construction, slopes greater than 30% shall be designated as an Environmentally Sensitive Area (ESA) on all Site Plans, grading plans, or any plan authorizing construction for a property within the RH Combining District. No construction shall be permitted within the ESAs, unless as part of a mitigation plan approved by the County. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.	County of Nevada	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.	
Hazards and Hazardous Materials				

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
MM 4.9-4	<p>The following mitigation measure applies to Sites 3 through 9.</p> <p>All future development in the proposed project proposed within Safety Areas, as designated by the Nevada County Airpark Airport Land Use Compatibility Plan (ALUCP), shall comply with all policies pertaining to safety hazards (including density standards) set forth in the ALUCP on a project-by-project basis, and the recordation of an Avigation Easement.</p>	<p>For Sites 3-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	
Hydrology and Water Quality				
MM 4.10-1a	<p>The following mitigation measure applies to Sites 10 and 13:</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department:</p> <ul style="list-style-type: none"> Establish all floodplains as Environmentally Sensitive Areas (ESAs) in compliance with the ESA maps in Chapter 3.0. The placement of structures on sites 10 and 13 must avoid the floodplain ESA. Should development within the floodplain ESA be required, then the developer shall obtain a discretionary use permit for any development within the floodplain and a ministerial management plan for any development within the floodplain 100 foot setback. Prior to construction or vegetation removal, the floodplain ESA shall be 	<p>County of Nevada</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>designated as an ESA on plans and specifications. All work proposed within the ESA shall not begin until the ESAs are delineated on the ground with orange safety fencing. A biologist shall verify the limits of the ESA fencing on the ground prior to construction. The ESA fences shall remain in place for the entire duration of construction. No earthmoving activities, vehicles, heavy equipment, lay-down areas, or other construction shall be permitted within the ESAs unless as part of a mitigation plan approved by the appropriate permitting agencies. The boundaries of the ESAs shall be clearly shown on all final plans and specifications.</p>			
MM 4.10-1b	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department and Public Works Department for Sites 1-9) prepare a Water Quality Management Plan that implements the following items:</p> <p>Best Management Practices to protect water quality. The contractor shall implement standard Best Management Practices during and after construction. These measures include, but are not limited to:</p> <ul style="list-style-type: none"> a) Construction in or near drainages shall only occur during the dry season. b) Coordination with CDFW, U.S. Army Corps of 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Engineers, and Regional Water Quality Control Board to obtain all required permits and comply with all terms and conditions of the permits.</p> <p>c) At no time shall heavy equipment operate in flowing water or saturated soils.</p> <p>d) Prior to the start of work, install silt-fencing, straw bales, sediment catch basins, straw or coir logs or rolls, or other sediment barriers to keep erodible soils and other pollutants from entering drainages. Retain existing ground cover to further reduce the potential impacts of the project on erosion along the steep bank. Before the first heavy rains and prior to removing the barriers, soil or other sediments or debris that accumulates behind the barriers shall be removed and transported away for disposal.</p> <p>e) Disruption of soils and vegetation near Squirrel Creek (on sites 10 and 13) shall be minimized to limit potential erosion and sedimentation; disturbed areas shall be graded to minimize surface erosion and siltation; bare soils shall be immediately stabilized and re-vegetated. Seeded areas shall be covered with broadcast straw or mulch. If straw is used for mulch or for erosion control, utilize only certified weed free straw to minimize the risk of introduction of noxious weeds, such as yellow star thistle.</p> <p>f) The contractor shall exercise every reasonable precaution to protect nearby water bodies from pollution with fuels, oils, bitumen, calcium</p>			

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>chloride and other harmful materials, Construction byproducts and pollutants such as oil, cement, and wash water shall be prevented from discharging into or near these resources and shall be collected and removed from the site. No slash or other natural debris shall be placed in or adjacent to water bodies. All construction debris and associated materials and litter shall be removed from the work site immediately upon completion.</p> <p>g) Provide copies of these BMPs to the Contractors and their workers to assure compliance with mitigation measures during construction.</p>			
MM 4.10-1c	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the Director of the County Public Works Department (for sites 10-18), or City Engineer (for sites 1-9), a project-specific hydrology report to verify expected pre- and post-project stormwater volumes from the proposed development, projected peak storage capacity of detention basins, and percolation characteristics of the soil. The hydrology reports shall confirm that adequate stormwater conveyance and capacity is available in either the region or onsite basins, depending on the chosen option, as well as no net increase in stormwater flow rate to the County's or</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	City's storm drainage system.			
MM 4.10-1d	<p>The following mitigation measure applies to Sites 1-9: Prior to approval of an annexation request for a property within the RH Combining District, the project developer shall submit, to the satisfaction of the City Engineer (for Sites 1-9), a water quality management plan which include measures that filter pollutants from stormwater in order to ensure that discharged water meets applicable City standards, such as:</p> <p>Source Control BMPs</p> <ul style="list-style-type: none"> • Permeable pavers/pavement • Hybrid parking areas/parking groves • Roof runoff controls (i.e., rain barrels) • Efficient irrigation to minimize runoff of excess irrigation water <p>Treatment Control BMPs</p> <ul style="list-style-type: none"> • Vegetated swales within parking lots • Vegetated swales on lots (adjacent to pads) • Bioretention • Hydrodynamic separators/wet vaults • Drain inserts <p>Flow Control BMPs</p> <ul style="list-style-type: none"> • Detention 	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.	Prior to approval of an annexation request for a property within the RH Combining District.	
Noise				
MM 4.11-1a	The following mitigation measure applies to all sites:	For Sites 1-9, City	Prior to issuance of a	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Project developers shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the County or City prior to issuance of a grading or building permit (whichever is issued first) or as part of the annexation request for Sites 1-9. The construction BMPs shall include the following:</p> <ul style="list-style-type: none"> • Ensure that construction equipment is properly muffled according to industry standards and be in good working condition. • Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. • Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. • Use electric air compressors and similar power tools rather than diesel equipment, where feasible. • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. • Construction shall be limited to the hours of 7:00 	<p>of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>grading or building permit (whichever is issued first) or as part of the annexation request for Sites 1-9.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>a.m. and 7:00 p.m. Monday through Saturday. No construction is permitted on Sundays or legal holidays.</p> <ul style="list-style-type: none"> • Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. 			
MM 4.11-1b	<p>The following mitigation measure applies to all sites: Project developers shall require by contract specifications that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible. Contract specifications shall be included in construction documents, which shall be reviewed by the County prior to issuance of a grading permit.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to issuance of a grading permit.</p>	
MM 4.11-2	<p>The following mitigation measure applies to all sites. Future projects shall require by contract specifications that construction staging areas along with the operation of earthmoving equipment would be located as far away from vibration and noise sensitive sites as feasible. Should construction or grading activities take place within 25 feet of an occupied structure, a project specific vibration impact analysis shall be conducted, with appropriate</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to issuance of a grading permit or by the City as part of the annexation request for Sites 1-9.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>recommendations to ensure vibration levels are below the 0.2 inch-per-second PPV significance threshold at sensitive uses. Contract specifications incorporating this measure shall be included in the proposed project construction documents, which shall be reviewed by the County prior to issuance of a grading permit or by the City as part of the annexation request for Sites 1-9.</p>			
Public Services, Utilities, and Service Systems				
MM 4.13-1a	<p>The following mitigation measure applies to all sites: Prior to Building Permit issuance, the project developer shall provide written documentation from the Fire Department ensuring adequate fire response times to the project site. The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to Building Permit issuance of any new development.</p>	
MM 4.13-1b	<p>The following mitigation measure applies to all sites: Construction Plan applications (or as part of the annexation request for Sites 1-9) submitted for all sites shall include a vegetation fuel management plan, which addresses overall fuels management for achieving a reduction in wildland fire intensity, subject to review and approval of the Fire Department. The plan shall also address management of the vegetative fuels in those areas that may be considered environmentally sensitive.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.</p>	
MM 4.13-1c	<p>The following mitigation measure applies to all sites:</p>	<p>For Sites 1-9, City</p>	<p>Prior to Building Permit</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Prior to Building Permit issuance, the project developer shall provide written documentation from the Police or Sheriff services ensuring adequate police response times. The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</p>	<p>of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>issuance of any new development.</p>	
<p>MM 4.13-2</p>	<p>The following mitigation measure applies all sites:</p> <p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Public Works Director/City Engineer for Sites 1-9):</p> <p>Provide written documentation that adequate sewer capacity and infrastructure is available to serve the project. This can be accomplished by providing project specific design calculations (i.e. Sewer Capacity Study) for the proposed sewer system (including conveyance, collection, and wastewater treatment facilities) to ensure proper sizing of sewer lines, lift stations, and wastewater treatment capacity are adequate for the proposed development. The Sewer Capacity study will document whether existing sewer conveyance, collection, or wastewater treatment plant facilities</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for Sites 1-9) for a property within the RH Combining District.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>have been upgraded to increase capacity and include calculations from a registered civil engineer demonstrating that adequate capacity is available. If adequate sewer capacity of conveyance, collection and wastewater treatment facilities does not exist, the developer will pay for upgrades to account for the additional effluent. The project developer may enter into a reimbursement agreement, if needed, to recuperate fair-share costs associated with other proposed developments nearby.</p>			
MM 4.13-3	<p>The following mitigation measure applies all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Provide the County (or the City for Sites 1 through 9) with an approved set of improvement plans accepted by NID, which include the following:</p> <ul style="list-style-type: none"> • Quantification of anticipated water usage by parcel. • A comprehensive water system design for distribution piping and connection to the existing NID distribution system. 	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	<p>Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<ul style="list-style-type: none"> • Appropriate pipe sizing to accommodate minimum fire flow water pressures (as determined by CAL FIRE, NID, and the HFPD). • Identification of pipe sizing, pipe location, and the location of the tie-in with NID facilities. • Provisions for easement, rights-of-way, and in-fee land to NID for water facilities. 			
Recreation				
MM 4.14-1	<p>The following mitigation measure applies to all sites: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District, the project developer shall to the satisfaction of the Director of the County Planning Department (or City of Grass Valley Planning Department for Sites 1-9):</p> <p>Demonstrate that the proposed development is consistent with the County’s Western Nevada County Non-motorized Recreational Trails Master Plan and pay recreation mitigation fees in an amount established by the County. For projects located within the City of Grass Valley SOI, the developer shall provide for community and regional parks consistent with the City’s Park and Recreation Master Plan or pay an in-lieu fee in an amount established by the City.</p>	For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Prior to approval of a Site Plan, grading plan, or any permit authorizing construction (or as part of the annexation request for sites 1-9) for a property within the RH Combining District.	
Transportation and Traffic				
MM 4.15-2	The following mitigation measure applies to Sites 3	For Sites 3-9, City	Prior to issuance of a	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>through 9:</p> <p>1. If the project would result in more than 63 total PM peak hour trips and more than 10PM peak hour trips at the intersection of Idaho-Maryland Road/Brunswick Road, a supplemental traffic analysis shall be prepared consistent with the City’s Traffic Policy to determine the extend to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:</p> <p>a) Be required to install the improvements (likely a roundabout) at the Idaho-Maryland Road/Brunswick Road intersection; or</p> <p>b) Pay the project’s proportionate share of the Idaho-Maryland Road/Brunswick Road intersection improvements; or</p> <p>c) Construction some associated improvement that would address project impacts at the Idaho-Maryland Road/Brunswick Road intersection; or</p> <p>d) Be required to complete some combination of the above to address project impacts at the Idaho-Maryland Road/Brunswick Road identified in the supplemental traffic study.</p> <p>2. If the project would result in less than 10PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.</p> <p><i>Timing/Implementation: Prior to occupancy of</i></p>	<p>of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>building permit.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p><i>development within the project area.</i></p> <p><i>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</i></p>			
<p>MM 4.15-3</p>	<p>The following mitigation measure applies to Site 2:</p> <p>1. If the project would result in more than 63 total PM peak hour trips and more than 10PM peak hour trips at the intersection of La Barr Meadows Drive/McKnight Way, a supplemental traffic analysis shall be prepared consistent with the City’s Traffic Policy to determine the extend to impacts and appropriate mitigation responsibility shall be assigned as a condition of approval. As a result of the study, the project mitigation would include one of the following:</p> <p>a) Be required to install the improvements (likely a roundabout) at the La Barr Meadows Drive/McKnight Way intersection; or</p> <p>b) Pay the project’s proportionate share of the La Barr Meadows Drive/McKnight Way intersection improvements; or</p> <p>c) Construction some associated improvement that would address project impacts at the La Barr Meadows Drive/McKnight Way intersection; or</p> <p>d) Be required to complete some combination of the above to address project impacts at the La Barr Meadows Drive/McKnight Way identified in the supplemental traffic study.</p> <p>2. If the project would result in less than 10PM peak hour trips at this intersection, the project proponent</p>	<p>For Sites 2, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to issuance of a building permit.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>or successor in interest shall pay the associated mitigation fees.</p> <p><i>Timing/Implementation: Prior to occupancy of development within the project area.</i></p> <p><i>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</i></p>			
<p>MM 4.15-4</p>	<p>The following mitigation measure applies to Sites 3 through 9:</p> <p>The realignment of Triple Crown Road with Town Talk Road into one intersection and the installation of a traffic signal will improve intersections of Brunswick Road and Triple Crown Drive and Brunswick Road and Town Talk Road / Bubbling Wells Road to LOS B during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic signal under Existing plus Background plus Project conditions. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane. In addition, the existing unsigned driveway (designated as “Ranchview Court” in County Map data) located approximately 35 feet to the south of Town Talk Road shall be combined with Town Talk Road at the west leg of the intersection.</p> <p>The project developer shall install or fund the improvement at the intersection prior to issuance of a building permit.</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to issuance of a building permit.</p>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of Brunswick Road and Triple Crown Road. The individual development of Sites #3, 4, 5, 6, 7, 8 or 9 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p>			
<p>MM 4.15-5</p>	<p>The following mitigation measure applies to Sites 14 through 18:</p> <p>The Nevada County Regional Transportation Plan and RTMF includes the following improvements to the SR 49 / Combie Road intersection. The improvements would improve the PM peak hour level of service to LOS C.</p> <ul style="list-style-type: none"> • Construct one additional southbound left turn lane that is at least 325 feet in length • Construct one additional receiving lane at the east leg of intersection on Combie Road • Reconstruct or reconfigure the westbound left turn lanes to be a minimum of 250 feet in length to allow for adequate storage <p>The project developer shall install or fund the improvement at the intersection. The developer and the County of Nevada should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer's fair share.</p> <p>Site Specific Development Analysis: This</p>	<p>County of Nevada</p>	<p>Prior to issuance of a building permit.</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	improvement would be triggered when the proposed project generates 1 or more trip to the intersection of SR 49 / Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.			
MM 4.15-6	<p>The following mitigation measure applies to Sites 14 through 18:</p> <p>The Higgins Marketplace EIR (2007) identified mitigation for this intersection including of the installation of a traffic signal and the installation of an additional eastbound through lane. Implementation of this mitigation measure would improve level of service to an acceptable LOS C during the PM peak hour.</p> <p>Prior to the development of the project site, the Project Developer shall pay a fair share contribution to the LTMF and RTMF program.</p> <p>Site Specific Development Analysis: This improvement would be triggered when the proposed project generates 1 or more trip to the intersection of Higgins Road and Combie Road. The individual development of Sites #14, 15, 16, 17, or 18 would generate 1 or more trips at the intersection and require implementation of the intersection mitigation.</p>	County of Nevada	Prior to issuance of a building permit.	
MM 4.15-7	The following mitigation measure applies to all sites: The sight distances at all project site access intersections shall be reviewed during the design	For Sites 1-9, City of Grass Valley, if annexed; County	Prior to issuance of a building permit.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>phase of the project sites with attention given to horizontal and vertical sight distance constraints. To maintain adequate corner sight distance consistent with Caltrans Highway Design Manual requirements, parking shall not be permitted on major onsite roadways within close proximity to intersections. All onsite intersections, landscaping, signing, and parking shall be designed so that adequate corner sight distance is achieved.</p> <p>Prior to issuance of a building permit, the developer shall provide verification by a professional engineer that sight distance has been evaluated.</p>	<p>of Nevada if not annexed. County of Nevada for Sites 10-18.</p>		
MM 5.2.14.1	<p>The following mitigation measure pertains to Sites 3 through 9:</p> <p>Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the installation of signal timing at the intersection of Nevada City Highway and Brunswick Road to improve operations and meet future traffic volume demand. Signal timing splits shall be optimized based upon a cycle length of 90 seconds. This mitigation would improve the operation of the intersection to LOS D.</p>	<p>City of Grass Valley</p>	<p>Prior to issuance of a building permit.</p>	
MM 5.2.14.2	<p>The following mitigation measure pertains to Sites 3 through 9:</p> <p>Prior to issuance of a building permit, the project developer shall install or fund the realignment of Triple Crown Road with Town Talk Road (Sites 7 and</p>	<p>For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>Prior to issuance of a building permit</p>	

MITIGATION MONITORING AND REPORTING PROGRAM

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>8 access) into one intersection and the installation of a traffic signal. This measure will improve intersections of Brunswick Road / Triple Crown Drive and Brunswick Road / Town Talk Road / Bubbling Wells Road to LOS C during the PM peak hour. The intersection does meet peak hour Caltrans peak hour signal warrant for the installation of a traffic signal. The proposed mitigation includes one additional southbound right turn lane, one southbound left turn lane, one northbound left turn lane and one northbound right turn lane.</p> <p>The developer and the City of Grass Valley should enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the project developer’s fair share. The formation of an assessment district is considered a fair share cost sharing mechanism.</p>			
MM 5.2.14.3	<p>The following mitigation measure pertains to Site 2: Prior to the issuance of a Building Permit, the Project Developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program for the provision of the dual roundabouts on McKnight Way at the SR 49 interchange described in Mitigation Measure 4.15-3.</p>	City of Grass Valley	Prior to issuance of a building permit.	
MM 5.2.14.4	<p>The following mitigation measure pertains to Sites 14 through 18:</p> <p>Prior to issuance of a building permit, the project developer shall pay a fair share contribution to the Nevada County RTMF program for the construction</p>	County of Nevada	Prior to issuance of a building permit.	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>of an additional southbound left turn lane that is at least 325 feet in length shall be installed at the intersection of SR 49 and Combie Road. This improvement will improve operations at the intersection to LOS D during the PM peak hour. The addition of a southbound left turn lane is an identified improvement in the Nevada County Regional Transportation Plan and RTMF.</p>			

THIS PAGE INTENTIONALLY LEFT BLANK