

## SECTION 2.0 ERRATA TO THE DRAFT EIR

This section includes minor edits to the Draft EIR. These modifications resulted in response to comments received during the Draft EIR public review period and other changes intended represent minor corrections or clarify or amplify specific points made in the analysis.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text) and are organized by section of the Draft EIR.

### Chapter 1: Introduction

#### Section 1.1, page 1-1

~~To meet state housing requirements identified in the County's Housing Element, high density residential zoning (R3) for an additional 1,270 low and very low income housing units are required to meet the County's unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to meet the minimum low and very low income requirements. The specific rezoning process is proposed through the implementation of Housing Element Programs HD-8.1.3 and HD-8.1.4, including adding the "RH" Zoning Combining District to those sites included in Program HD-8.1.5.~~

The proposed project that is reviewed and analyzed throughout this Environmental Impact Report, is a proposed General Plan Land Use and Zoning District Map Amendment project that is intended to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre. To allow the County to address its unmet need of 699-units of high density residential zoning all 18-candidate sites are being reviewed to provide a menu of options to the County decision-making bodies (Planning Commission/Board of Supervisors) that would allow the greatest amount of flexibility when making a final decision on the project.

Additionally, this project and EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to consider additional high density residential zoning to address anticipated future housing needs for those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

## Chapter 2: Executive Summary

### Section 2.1, page 2-1

~~To meet state housing requirements identified in the County's Housing Element, high density residential zoning (R3) for an additional 1,270 low and very low income housing units are required to meet the County's unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to meet the minimum low and very low income requirements. The specific rezoning process is proposed through the implementation of Housing Element Programs HD-8.1.3 and HD-8.1.4, including adding the "RH" Zoning Combining District to those sites included in Program HD-8.1.5. Additionally, the project sites will require General Plan Map Amendments for each of the 18 sites, with the exception of site 6. The General Plan Map Amendment will change each land use designation to a proposed Urban High Density designation, which will accommodate a proposed density of 16-20 du/acre. The land use designation of site 6 is already Urban High Density; therefore, this site will not require a General Plan Map Amendment. Table 3-2, General Plan (GP) Land Use Designations, shows the existing and proposed General Plan designation for each site and the proposed allowable density for each site.~~

The proposed project that is reviewed and analyzed throughout this Environmental Impact Report, is a proposed General Plan Land Use and Zoning District Map Amendment project that is intended to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre. To allow the County to address its unmet need of 699-units of high density residential zoning all 18-candidate sites are being reviewed to provide a menu of options to the County decision-making bodies (Planning Commission/Board of Supervisors) that would allow the greatest amount of flexibility when making a final decision on the project.

Additionally, this project and EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to consider additional high density residential zoning to address anticipated future housing needs for those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

### Section 2.2.12, page 2-5

Mitigation requiring ~~the replacement of some sections~~ developers to demonstrate the adequacy of the County and City's sewer pipeline facilities prior to development would address this impact.

This change made in response to Comment 6-D.

## Summary Table

Revisions to Table 2-1, *Summary of Impacts and Mitigation*, are provided at the end of this section. Revisions to the table reflect revisions that were made to specific mitigation measures as a result of the County's responses to comments on the Draft EIR.

## Chapter 3: Project Description

In the process of reviewing the Final EIR, County staff made revisions to the Project Description section of the Draft EIR to provide updated information regarding the County's adoption of the 2014-2019 Housing Element which occurred in June 2014 after the Draft EIR was published and before the Final EIR was completed. Other portions of this section were reorganized for clarity. The entire Chapter 3: Project Description section is included in this Errata document to allow the reader to benefit from the clarifications provided with the reorganized text. New text is provided in underline format, revised text shown in ~~strikeout~~ format, and original text that has been included but not changed is shown as plain text without any strikeout or underline.

### 3.1 ~~PROJECT BACKGROUND~~ PROPOSED PROJECT

The proposed project that is reviewed and analyzed throughout this Environmental Impact Report, is a proposed General Plan Land Use and Zoning District Map Amendment project that is intended to establish adequate zoning to provide for a minimum of 699-units (previously 1,270-units) of high density residential zoning at 16-units minimum per acre. This EIR is intended to provide both a programmatic and project level review of all of the 18-candidate rezone sites, including establishing site densities based on the requirements of Regional Housing Need (RH) zoning combining district (Land Use and Development Code (LUDC) Section L-II 2.7.11.B.3), establishment of building footprints suitable for development at anticipated densities, and identification of potential environmental impacts and mitigation measures to allow for the by-right development of the rezoned sites consistent with LUDC Section L-II 2.7.11.C. While this EIR does not review specific projects, it is intended to analyze the hypothetical build-out of each site to take into account the "worst case scenario" for this project which is based on "theoretical maximum yield" for each site as explained below. Project outcomes are anticipated to be much less intensive than those outlined throughout this EIR as not all sites are required to be rezoned and the density allocation criteria outlined in LUDC Section L-2.7.11.B.3 reduces the build-out density for the vast majority of the sites.

To allow the County to address its unmet need of 699-units of high density residential zoning all 18-candidate sites are being reviewed to provide a menu of options to the County decision-making bodies (Planning Commission/Board of Supervisors) that would allow the greatest amount of flexibility when making a final decision on the project. Additionally, this project and EIR, as it has evolved, is designed to provide an opportunity for the County decision-makers to consider additional high density residential zoning to address anticipated future housing needs for those sites that will not be selected to address the current unmet need of 699-units since the original minimum zoning requirements included an unmet need to 1,270-units. The County Planning Commission and Board of Supervisors would have the option of re-designating any of the other candidate sites that were not included to address the unmet need of 699-units at just Urban High Density Residential (UHD/R3) densities without having to adhere to the requirements

of the RH zoning combining district or Government Code Section 65583.2 (h), primarily the 16-unit per acre minimum and the development by-right requirements.

The following sites have been determined to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These sites and would be considered the first tier for implementing the project and meeting the project objectives. There are several different combinations however that will accomplish the same goal. The second tier of sites which are almost equally suitable as the tier one sites include Sites 4, 9, 13 (at 91-units only) and 15. These sites are considered tier two sites because they are located in the immediate vicinity the tier one sites that accomplishes the project's objectives. These sites could be mixed in with the first eight sites to go beyond the unmet need of 699-units or could be switched with one or multiple first tier sites with similar identified aggregate densities to meet the minimum of 699 units of density. The least desirable sites, or the third tier sites, are those that are considered the most constrained or only minimally implement the project goals and include Sites 1, 7, 8, 10, and 17. As a result of this EIR, the third tier sites could effectively be chosen for rezoning, but are less suitable than the twelve sites that are identified as first and second tier sites. A discussion of the individual site characteristics, including their location, environmental constraints, existing and proposed General Plan and Zoning designations, as well as their anticipated future assigned density is provided in detail below.

### **3.1.1 PROJECT OBJECTIVES**

The following are the project objectives:

- Identify private properties that can be feasibly rezoned to meet the County's obligation to provide high-density housing opportunities as required by State Law;
- Increase high-density housing opportunities in different areas of unincorporated Nevada County;
- To address state mandated rezone requirements, develop a menu of suitable candidate rezone sites that have the potential to be rezoned to allow the County to create additional opportunities for high density housing at a minimum zoning for 699-units total, including adding the RH Combining District to those properties.
- To address future housing needs, create a menu of suitable candidate rezone sites with the potential to be rezoned to high density residential (R3) that are beyond the minimum of 699-units necessary to address state mandated rezone requirements.
- Identify properties that are large enough to support enough units to make developing affordable, high-density housing financially feasible;
- Identify participating properties that have reasonable access to existing infrastructure (e.g., public roads and utilities);
- Identify properties that have reasonable access to community services (e.g., public transportation, retail/grocery stores, employment opportunities);
- Protect the natural environment; and,
- Establish clear and effective site specific development standards/mitigation measures for each rezoned property that is intended to address state mandated rezone requirements of zoning for 699-

high density residential units, to ensure that the future development of high density housing on that site meets County development standards and does not result in significant and avoidable environmental impacts.

**3.1.2 GENERAL PLAN LAND USE DESIGNATION AMENDMENT**

In order to meet state housing requirements identified in the County’s Housing Element, the County is proposing to rezone a combination of 18 sites to meet the County’s identified unmet Regional Housing Need Allocation. Pursuant to state requirements, sites rezoned to address an unmet Regional Housing Need are required be develop at 16-units minimum per acre and as an allowed or by-right use. The 16 du/ac relates to the state mandated density for rezoned sites and is allowed by the County’s RH (Regional Housing Need) Combining Districts. All proposed sites, other than Site 6, 10 and 11 will require a General Plan Map Amendment to change the designation to Urban High Density Residential.

Table 3-1, General Plan (GP) Land Use Designations, shows the existing proposed zoning designation for each site.

**Table 3-21  
General Plan (GP) Land Use Designations**

Site	Existing GP Designation	Proposed GP Designation	Proposed Maximum Density
<b>Grass Valley SOI</b>			
1	<del>Office Park</del> <u>Professional</u>	Urban High Density	<del>20 du/acre</del>
2	Business Park	Urban High Density	<del>20 du/acre</del>
3	Urban Medium Density	Urban High Density	<del>20 du/acre</del>
4	Urban Medium Density	Urban High Density	<del>20 du/acre</del>
5	Urban Medium Density	Urban High Density	<del>20 du/acre</del>
6	Urban High Density	Urban High Density	<del>20 du/acre</del>
7	Urban Medium Density	Urban High Density	<del>20 du/acre</del>
8	Urban Medium Density	Urban High Density	<del>20 du/acre</del>
9	Urban Medium Density	Urban High Density	<del>20 du/acre</del>
<b>Penn Valley Area</b>			
10	Community Commercial	<del>Urban High Density</del> <u>Community Commercial</u>	<del>16 du/acre</del>
11	Community Commercial	<del>Urban High Density</del> <u>Community Commercial</u>	<del>16 du/acre</del>
12	Urban Medium Density <del>Residential</del>	Urban High Density	<del>16 du/acre</del>
13	<del>Community Commercial</del> <u>Planned Development UMD (26 ac.) OS (8 ac)</u>	Urban High Density	<del>16 du/acre</del>
<b>Lake of the Pines Area</b>			
14	<del>Public Office</del> <u>Professional</u>	Urban High Density	<del>16 du/acre</del>
15	<del>Industrial</del> <u>Planned Development: Urban High Density (15 DU)</u>	Urban High Density	<del>16 du/acre</del>
16	<del>Planned Development: Urban High Density (15 DU)</del> <u>Industrial</u>	Urban High Density	<del>16 du/acre</del>

17	<del>Urban Medium Density Residential</del>	Urban High Density	16 du/acre
18	<del>Planned Residential Community Urban Single Family</del>	Urban High Density	16 du/acre

**3.1.3 ZONING AMENDMENTS**

To meet state housing requirements identified in the County’s Housing Element, high density residential zoning (R3) at 16-units minimum per acres is required to meet the County’s unmet housing needs. The project proposes to implement rezoning through the Zoning Map Amendment process to rezone sufficient acreage to higher density residential, or the equivalent of higher density residential, to meet the minimum unmet Regional Housing Need Allocation requirements. The specific rezoning process is proposed through the implementation of specific Housing Element Programs including adding the “RH” Zoning Combining District to those sites as described under the Project Background section below. These programs were subsequently amended and consolidated into one program as a result of the most recent update of the County’s Housing Element (now Program HD-8.1.1 of the 2014-2019 Nevada County Housing Element update). Table 3-2, *Proposed Zoning*, shows the existing proposed zoning designation for each site.

**Table 3-2  
Proposed Zoning**

Site	Existing Zoning Designation	Existing Density	Proposed Zoning Designation	Proposed Density
<b>Grass Valley SOI</b>				
1	OP	4 du/acre	R3-RH or OP-RH	16-20 du/acre
2	BP	4 du/acre	BP-RH or R3-RH	16-20 du/acre
3	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
4	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
5	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
6	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
7	RA-1.5	1.5 du/acre	RA-RH or R3-RH	16-20 du/acre
8	RA-1.5	1.5 du/acre	RA-RH or R3-RH	16-20 du/acre
9	R2-PD	6 du/acre	R2-PD-RH or R3-PD-RH	16-20 du/acre
<b>Penn Valley Area</b>				
10	C2-SP	4 du/acre	C2-SP-RH or R3-SP-RH	16 du/acre
11	C2-SP	4 du/acre	C2-SP-RH or R3-SP-RH	16 du/acre
12	R2-SP	6 du/acre	R3-RH or R2-SP-RH	16 du/acre
13	IDR-SP	<del>1 du/acre</del> 6 du/acre	R3-RH	16 du/acre
<b>Lake of the Pines Area</b>				
14	OP-SC-SP	4 du/acre	R3-RH or OP-SC-SP-RH	16 du/acre
15	IDR-SC-SP	15 du/acre	R3-RH or PD-RH-SC-SP	16 du/acre
16	IDR-SC-SP	15 du/acre	R3-RH or PD-RH-SC-SP	16 du/acre
17	R2-SC-SP	6 du/acre	R3-RH or R2-SC-SP-RH	16 du/acre

18	R1-PD-SP	4 du/acre	R3-RH-SP	16 du/acre
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### 3.2 PROJECT BACKGROUND

The County of Nevada Board of Supervisors adopted the ~~most recent update of its fourth revision to its~~ Housing Element on May 11, 2010 (for the 2009-2014 cycle) and received certification of the Element from the California Department of Housing and Community Development (HCD) on July 1, 2010. The Housing Element's vacant land inventory found that the County had a deficit in sites that had adequate zoning (R3) to accommodate lower income category of the County's Regional Housing Need Allocation. Recent State law (California Government Code Section 65584.09) requires jurisdictions to rezone property to accommodate their Regional Housing Need Allocation if that jurisdiction's vacant land inventory finds that there are not adequate vacant sites zoned for high density residential to accommodate the low and very low income categories. The State law requires that the rezoned sites provide for a minimum density of 16-units per acre and those sites allow the development of higher density housing as an allowed use (not subject to discretionary permits, e.g., conditional use permit, planned unit development plan). In addition, all proposed sites, other than site 6, will require a site specific General Plan Map Amendment as well.

In addition to the lack of adequately zoned sites from the most recent planning cycle, the County's previous Housing Element (2003-2008 cycle) also had a rezone program that was not implemented. At that time it was determined that the County had an unmet need of sites suitable for 571 low and very low income units. The ~~current 2009-2014~~ Housing Element determined an unmet need of sites suitable to accommodate 699 units affordable to low and very low income residents. The unmet need of 571 units from the last Housing Element cycle, in addition to the 699 unmet units identified in the current cycle equals ~~the current a~~ total unmet need of 1,270 units.

To obtain certification from HCD, County staff was required to complete a vacant land inventory in which potential rezone sites that could be suitable for higher density housing were identified. These sites were identified based on the relative lack of constraints, the ability of the sites to provide adequate infrastructure to support high density residential development and proximity to local services such as commercial areas with grocery stores, bus stops, and other commercial/retail opportunities. Additionally, as directed by the County Board of Supervisors, County staff performed an extensive outreach process to ensure that the property owners of the sites would be willing participants in rezoning their land to higher density residential. As a result of the outreach effort, the County's list of potential rezone sites ~~was reduced~~ is 18 properties consisting of approximately 149 acres.

A site analysis was prepared for each site to evaluate the physical and regulatory constraints of the property and determine if the selected ~~17~~ properties could collectively accommodate the required 1,270 units. ~~(at the time the site analysis was conducted only 17 property owners had expressed interest in participating in the program. After several additions and deletions of properties since the site analysis was completed, the total number of properties now participating in the program is 18).~~

The evaluation of each site consisted of a field visit, research and investigation regarding the existing land use conditions in the surrounding area of each site, a site specific biological reconnaissance, a cultural resources record search and field reconnaissance, and a general geotechnical investigation. The

opportunities and constraints of each site were considered in a numerical scoring system that utilized seven sets of criteria that were created to assess the suitability of each site. Based on the application of typical building and regulatory constraints the site analysis concluded that the proposed sites could support the needed 1,270 units. The site analysis can be found as Appendix B to this report.

The site analysis determined the sites to be suitable for development and implementation of the County's goal to rezone the properties to R3 (high density residential). Based on the site survey, a conceptual building envelope was identified for each site. A theoretical maximum unit count was calculated based on state mandated minimum default densities of 16-units minimum per acre. The analysis concluded of a total area of 146.25 acres from the 17 candidate sites, approximately 101.19 acres would be available for development. At 16 dwelling units per acre (du/acre), the maximum number of units would be 1,612 units. This number exceeds the 1,270 units the County ~~currently~~ ~~originally~~ ~~needs~~ ~~needed~~ to meet its housing element goals. The number of potential units (1,612) could increase or decrease depending on a variety of factors such as the County utilizing a higher density in the zoning overlay zone (e.g., 20 units per acre) or other physical constraints in the field that reduce the development potential of a site.

This EIR evaluates multi-family development on each of the sites based on the proposed zoning. The EIR evaluates the buildout of each site based on the maximum yield allowed under the proposed overlay zoning. When future development proposals are received by the County, they will be evaluated against this EIR. Through the adoption of the County's 5<sup>th</sup> Revision to the Housing Element (2014-2019 planning cycle), adopted by the Board of Supervisors on June 24, 2014 and certified by HCD on July 17, 2014, the County was able to reduce the minimum amount of required rezoning from 1,270-units to 699-units. To allow for the greatest amount of flexibility for this project, this EIR was not amended to reflect the change from 1,270-units to 699-units. Additionally, the same sites that are included in the analysis of this EIR were retained as potential candidate rezone sites in the latest revision of the County's Housing Element, with the exception of Site 2, as referenced in Table 3.3 below.

As outlined above, the impetus for this project and the need to develop this EIR was the result of the State of California Department of Housing and Community Development's (HCD) review of the last two updates to the County's Housing Element of the General Plan. During this review, HCD determined that the County has a shortfall of appropriate zoning to accommodate the low and very low income categories of the County's Regional Housing Need Allocation. As a result the last two updates to the County's Housing Element (2009-2014 and 2014-2019) have contained specific Programs that require the County to rezone properties to provide for high density residential development consistent with Government Code Section 65583.2. The specific programs are described below, including outlining how the expected outcomes have evolved from the 2009-2014 update to the 2014-2019 update.

**Program HD-8.1.3:** To accommodate the unmet housing need of 571 low and very-low income units identified in the 2003-2008 Nevada County Housing Element, the County would rezone at least 29-acres of property suitable and available for development.

**Program HD-8.1.4:** To accommodate the unmet housing need of 699 low and very-low income units identified in the 2009-2014 Nevada County Housing Element, the County would rezone at least 35-acres suitable and available for development.

The rezoning of property under Programs HD-8.1.3 and HD-8.1.4 will occur through one of the following scenarios:

1. Rezones within the cities' sphere of influence to a maximum density of 20 units per acre (R3-20) and a minimum density of 16 units per acre; or
2. Rezone a sufficient amount of land outside the cities' sphere of influence to a minimum density of 16 units per acre; or
3. A combination of rezoned land within and outside of the cities' sphere of influences at the identified densities may also be used to satisfy the unmet need of 571 and 699 units, respectively.

A minimum of 50 percent of the 1,270 units shall be accommodated on sites zoned exclusively for residential uses. Owner occupied and rental multi-family residential uses on these sites shall be allowed by right (without a conditional use permit, planned unit development plan, or other discretionary action) as required by Government Code Sections 65583.2(h) and (i)<sup>1</sup>. The rezones sites shall provide for a minimum of 16-units per site and required a minimum density of 16-units per acre.

**Program HD-8.1.5:** Required the County to amend the Zoning Regulations to create a definition and development standards for a Regional Housing Need (RH) Overlay district that is to be attached to the rezoned sites in order to accommodate the new construction objectives under Programs HD-8.1.3 and HD-8.1.4. The overlay district was developed by County staff and adopted by the County Board of Supervisors on September 27, 2011.

The aforementioned Programs were reflective of the County's 2009-2014 Housing Element update and were genesis for the development of this EIR. The final program that dictates the requirements of this project however is the 2014-2019 Housing Element Update Program HD-8.1.1 which states the following:

**Program HD-8.1.1:** To accommodate the unmet housing need of 699 low and very-low income units identified in Program HD-8.1.4 of the 2009-2014 Nevada County Housing Element, the County will rezone at approximately 43.7-acres suitable and available for development in the planning period through either: 1) rezones within the cities' sphere of influence to a density of 20 units per acre (R3-20); or 2) rezone a sufficient amount of land outside of the cities' sphere of influence to a minimum density of 16 units per acre; or 3) a combination of rezoned land within and outside of the cities' sphere of influences at the identified densities may also be used to satisfy the unmet need of 699 units. The sites to be rezoned may include, but are not limited to, the candidate sites identified in Table B.1 (Appendix B). A minimum of 50 percent of the 699 units shall be accommodated on sites zoned exclusively for residential uses. Owner occupied and rental multi-family residential uses on these sites shall be allowed by right (without a conditional use permit, planned unit development plan or other discretionary action) as required by Government

<sup>1</sup> California Government Code, <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=65001-66000&file=65580-65589.8>

Code 65583.2(h). The rezoned sites shall provide for a minimum of 16-units per site and require a minimum density of 16-units per acre.

As discussed above, the Draft EIR was not comprehensively amended to reflect the change in unmet need from 1,270-units to 699-units because the County desired to maintain the greatest amount of flexibility in the implementation of the project to ensure an adequate list of potential options could be developed for the County’s decision makers. While the Draft EIR still analyzes the worst case scenario of full build out of all sites, the purpose of the project is to provide for a minimum of 699-units of high density residential zoning as well as some ability to go beyond that 699-units if the County’s decision makers decide to do so.

**3.3 PROJECT LOCATION**

The 18 sites associated with the project are located in the western portion of Nevada County, approximately 50 miles northeast of Sacramento and about 50 miles west of Lake Tahoe (refer to Figure 3-1, *Regional Location Map*). This region of the western Sierra Nevada foothills separates the low-lying Sacramento Valley from the Sierra Nevada Mountains and is characterized by rolling forested hills incised by steep canyons. The sites are located within three general areas of unincorporated Nevada County, California. These areas are generally defined as the Grass Valley Sphere of Influence (Sites 1-9), Penn Valley (Sites 10-13), and the Lake of the Pines Areas (Sites 14-18); refer to Figure 3-2 through Figure 3-4 to identify where the individual sites are located. ~~Aerial photos of each site are included in Figures 3-5 through 3-14.~~ The sites are also identified by Assessor’s Parcel Number in Table 3-13, *Project Sites*, below.

**Table 3-13  
Project Sites**

Grass Valley SOI	Penn Valley Area	Lake of the Pines Area
Site 1: 07-380-17	Site 10: 51-120-06	Site 14: 57-141-29
Site 2: 29-350-12*	Site 11: 51-150-29	Site 15: 57-270-02
Site 3: 35-412-15	Site 12: 51-151-62	Site 16: 57-270-03
Site 4: 35-412-17	Site 13: 51-370-02	Site 17: 57-270-06
Site 5: 35-412-18		Site 18: 11-181-03
Site 6: 35-412-19		
Site 7: 35-412-21		
Site 8: 35-550-15 & 3435-412-20		
Site 9: 35-412-16		

\*Site 2 was removed from consideration at the request of the property owner in November 2013

**3.4 PROJECT SETTING**

**Planning Area Characteristics and Surrounding Land Uses**

The 18 project sites proposed as part of the Housing Element Rezone Program Implementation comprise an area totaling approximately 149-acres, scattered throughout three general areas of unincorporated Nevada County; Grass Valley SOI, Penn Valley, and Lake of the Pines. The 18 sites are all irregularly

shaped areas with varying dimensions. The majority of the rezoning areas are undeveloped and surrounded by a variety of existing development including, single-family residential, rural residential, commercial agricultural, recreational, and utility uses. The natural features within the 18 pre-selected sites include a variety of distinct plant communities and several creeks. Specific site characteristics for each of the 18 sites, including notable plant communities and water features, are detailed below.

### **Grass Valley Sphere of Influence**

Sites 1 through 9 are located within the Grass Valley SOI, dispersed along the southern and western boundaries of the City of Grass Valley. More details regarding the SOI can be found in Section 4.2, Land Use. The area identified as the Grass Valley SOI is an area within the unincorporated area of Nevada County but adjacent to the city limits of Grass Valley. The land uses transition from the typically higher residential densities and commercial and industrial intensities uses to more rural residential and commercial areas in the unincorporated area. The areas within the SOI have been identified in the City of Grass Valley General Plan as areas that have potential to be annexed into the City at some future time. As such, these areas within the sphere of influence are typically areas that have transitional land uses.

In the analysis discussion of this report, the City is listed as the implementing/monitoring agency for the mitigation measures that apply to Sites 1-9. In the event that these sites do not annex into the City and do not require City services, the implementing/monitoring agency shall automatically default to the County of Nevada. In the event that the mitigation measure requires improvements to a City facility, such as an intersection already within the City limits, the City of Grass Valley shall remain as the implementing and monitoring agency regardless of whether or not the site is eventually annexed into the City.

#### ***Site 1***

Site 1, rectangular in shape and approximately 1.08 acres in size, is located in the southern portion of the Grass Valley SOI, on the southeast side of McCourtney Road between Cliffs Place and Genes Road. The site is generally undeveloped and gently slopes to the northwest, toward McCourtney Road, with no notable landforms, drainage features, or vegetation. This site has previously been cleared and is periodically used as a fee parking lot for events at the Nevada County Fairgrounds, which is located across McCourtney Road, northwest of the site. Site 1 is located in an area with other existing development, bounded by commercial buildings to the west and east and single family residences to the southeast. Beyond the single family residences is the northwest boundary of the North Star property, a site of historical hard rock gold mining and known environmental hazards.

#### ***Site 2***

Site 2, approximately 11.36 acres, is located on La Barr Meadows Road south of the intersection with McKnight Way. Site 2 is undeveloped; however, past uses of Site 2 include hard rock gold mining. There is a single dirt access road entering the south end of the site from La Barr Meadows Road which passes eastwardly through the property. Site 2 contains vegetation consisting of areas of dense blackberry bushes, grasses, shrubs, and trees including gray pine and a few madrone. The site moderately slopes toward the southwest, with an ephemeral drainage swale located in the southern portion of the site.

Site 2 is bound by commercial and residential land uses on the northwest and south, La Barr Meadows Road and State Route 49 on the southwest, the Empire Mine State Historic Park on the north, and a portion of the approximately 45-acre La Barr Meadows property on the east, of which Site 2 comprises the western portion. The western property boundary is coterminous with the Grass Valley City limit. Site 2 was removed from consideration of rezoning at the request of the property owner in November 2013. It has been retained in the EIR for discussion purposes, but shall not be considered as a part of the final project action.

### *Sites 3 through 9*

Sites 3 through 9 are located on Brunswick Road, north of Idaho Maryland Road and south of Bubbling Wells Road. Sites 3, 4, 5, 6, and 9 are on the west side of Brunswick Road and are accessed by Triple Crown Drive. The Nevada County Airport is located approximately one-half mile to the southeast. Due to the proximity to the airport, all seven of these sites are also located within the Nevada County Airport Influence Area. Sites 3, 4, 5, 6, and 9 are undeveloped contiguous parcels with an irregular shape. Sites 7 and 8 lies across Brunswick Road to the east and also has an irregular shape. These parcels are gently to moderately sloped.

Sites 3 through 6, and 9 are generally located on a forested hilltop location, forested with madrone, incense cedar, ponderosa pines, and associated chaparral typical of the area.

Site 3 contains a minor apparent rock outcrop in the eastern portion of the parcel and an abandoned small wood structure in the eastern, downslope portion of the site, near an abandoned irrigation ditch alignment. An unnamed tributary to Wolf Creek is traverses the southernmost area of this property.

Sites 3, 4, 5 and 9 are all under the same ownership. Sites 5 and 6 have direct access from Brunswick Road. The southern half of irregularly shaped Site 4 is dominated by a broad swale, sloping downward to the southwest; with the only evidence of significant surface water flow in the swale located in the lowermost portions of the site, near the southwestern property boundary.

Site 5 is an undeveloped property that is completely surrounded by other properties within the project area (Sites 3, 4, 6, and 9). The majority of this site and the surrounding sites are covered with forested vegetation. A knoll in the center of Site 5 is the top of the slope as it comes up from Brunswick Road and transitions down toward the developments off of Sutton Way in the City of Grass Valley.

Sites 4 and 6 are bound by undeveloped land to the southwest, west, and north. A portion of the western boundary of Site 4 and the western and northern borders of Site 6 are coterminous with the boundary of the Grass Valley city limits. Undeveloped land lies southeast of Site 3. Agricultural development is apparent south of Site 7 and single family residences are located to the north.

Site 7 is located to the east of Sites 3 through 6 and 9, on the east side of the Brunswick Road alignment. This forested site, with a rock outcrop in the western portion of the site. Site 7 is gently to moderately sloping to the southwest toward Brunswick Road. A previously graded, gently sloping bench crossing the site, descending from northwest to southeast is presumed to be attributable to the historical Nevada County Narrow Gauge Railroad alignment. The portion of the site contains an unnamed tributary to Wolf Creek.

Site 8 is located adjacent to the Site 7 to the north with access from Brunswick Road. Like Site 7, this site is a forested site the gently slopes from the northeast to the southwest. There are two existing structures on site, one residence and one outbuilding. A portion of the western property boundary is coterminous with the Grass Valley city limit line.

Site 9 is adjacent to Sites 3, 4, and 5 and contains one existing residence that takes access off of Brunswick Road from Triple Crown Drive through Site 5. Similar to Sites 3, 4, and 5 the majority of the site is covered with mature forested vegetation and slopes from north to south. Property to the south of Site 9 is generally flat and has been cleared for agricultural uses. The southern boundary is along the proposed alignment for the future extension of Dorsey Drive from Sutton Way east to Brunswick Road planned by the City of Grass Valley.

### **Penn Valley**

Penn Valley, an unincorporated community, is located in the western portion of Nevada County, six miles west of the City of Grass Valley. Penn Valley has a “small town” feel with a population of approximately 1,621<sup>2</sup>, but approximately 12,000 people considering Penn Valley home<sup>3</sup>. In recent years, Penn Valley has developed a new post office, fire station, performing arts pavilion, a small affordable sub-division, and a 42-unit affordable apartment complex.

### ***Sites 10 and 11***

Sites 10 and 11 are undeveloped contiguous parcels located in the Penn Valley Area south of State Route 20, on the north side of Penn Valley Drive, and east of the intersection with Broken Oak Court. Site 11 is approximately 3.1 acres, located west of and adjacent to a commercial development. The site is relatively flat, gently sloping to the northwest towards Site 9<sup>13</sup>, and is vegetated primarily with grasses and a few oak trees. Site 10 is undeveloped and very gently slopes to the northeast toward Squirrel Creek and contains drainage courses meandering throughout the property. Site vegetation consisted of primarily grasses, localized blackberry bushes, and riparian zone plants near Squirrel Creek.

The northern section of Site 10 is transected by Squirrel Creek, and is bound by a riparian zone, the Creekside Village mobile home park wastewater percolation ponds, and Site 13. An existing driveway easement that provides access to Site 13 is located within this area. Mixed use commercial and residential properties surround the sites on the east, west, and south.

### ***Site 12***

Site 12, approximately 4.37 acres, is southwest of Sites 10 and 11 across Penn Valley Road on Broken Oak Court. This site is undeveloped and flat lying. Broken Oak Court by which the site is accessed is a paved road. Vegetation on this site consisted of grasses and a few large oak trees. A seasonal drainage swale is present on the north side of the site and appears to follow the property boundary from the east, then passes

<sup>2</sup> U.S. Census Bureau, 2010 U.S. Census.

<sup>3</sup> Penn Valley Area Chamber of Commerce, [http://www.pennvalleycoc.org/html/penn\\_valley\\_today.html](http://www.pennvalleycoc.org/html/penn_valley_today.html), accessed October 30, 2012

through the northwest portion of the site. This site is surrounded on all sides by single and multifamily residential development.

### *Site 13*

Site 13, approximately 20.1 acres, is bordered by State Route 20 to the north, rural residential development to the east, Squirrel Creek to the south, and presently undeveloped land to the west. Site 13 is undeveloped, consists of gently rolling terrain with vegetation including grasses, shrubs, oak and pine trees. Two indistinct seasonal drainage swales transect the site from the State Route 20 boundary and flow is toward Squirrel Creek to the south. An existing, circular percolation pond is located adjacent to Site 13, near Squirrel Creek. The percolation pond functions as the primary component of the wastewater treatment and disposal system for the Creekside Village mobile home park, which is located south of Site 12, across Squirrel Creek. Access to Site 13 is currently provided by an easement through the Creekside Village mobile home park and a concrete stream crossing over Squirrel Creek. A driveway easement is also located through the northern portion of Site 10.

### **Lake of the Pines**

Sites 14 through 18 are located out the outlying areas of the Lake of the Pines, an unincorporated and gated community, located approximately 20 miles south of Grass Valley and 12 miles north of Auburn, within the southern portion of Nevada County. Lake of the Pines development within the outlying areas consists of rural residential and commercial uses. Sites 13 through 16 are located to the northwest, while Site 18 is located to the south west of the Lake of the Pines Community.

### *Site 14*

Site 14 is located northeast of the intersection of State Route 49 and Combie Road, on the south side of Cameo Drive. Site 14 is located in an area of other successful development, bound by State Route 49 on the west, rural residential development to the north and east, and the Higgins Fire Station to the south. Site 14 is an undeveloped parcel on moderately sloped terrain, containing two rock outcrops and vegetation consisting of grasses, shrubs, oak and pine trees.

### *Sites 15 and 16*

Sites 15 and 16 are located southeast of the intersection of State Route 49 and Combie Road and Site 14. Access to these sites is from Woodridge Drive off of State Route 49. Site 15 and 16 are contiguous parcels, occupy moderately sloping terrain, and are vegetated with grasses, shrubs, oak and pine trees. Vegetation is dense on the westerly facing slopes. Site 15 is presently developed with a single family residence. Site 16 is largely undeveloped, except for a wastewater disposal field and associated groundwater monitoring well network and pump building. The wastewater disposal field services the commercial development on the corner of State Route 49 and Combie Road to the northwest. Power transmission lines transect the eastern portion of the property.

***Site 17***

Site 17 is densely vegetated and undeveloped on moderately sloping terrain with very dense vegetation. Ragsdale Creek runs along the north boundary of Site 17. Site 17 is bound by single family residential property on the south, Rosewood Road and undeveloped land to the east, undeveloped land to the west, and commercial development across Combie Road to the north.

***Site 18***

Site 18 is located southeast of Sites 15, 16, and 17 on the north side of Combie Road. The northern portion of Site 18 is adjacent to Hole 6 green of the adjacent Darkhorse Golf Course. Site 18 is bound on the north and east by the Darkhorse Golf Course, on the west and south by single family residential development and open space. Site 18 is generally an undeveloped parcel on moderately to steeply sloped terrain with a rock outcrop in the southern portion of the site centered on the topographic high and extending southwest along the ridge. Vegetation consists of grasses, shrubs, oak and pine trees. An ephemeral drainage transects the northwest portion of the property. As part of the Darkhorse development, the Site 18 property was designated for high density and affordable housing.

**Infrastructure*****Water***

All of the proposed sites are located within the jurisdictional boundaries of the Nevada Irrigation District (NID). All of the project sites are located in areas where water service is currently available. Appropriate sized water mains would be extended onto the sites as required by the NID and County fire flow requirements to serve future development. NID requires payment of a capacity fee at the time of connection to their water system. Existing mains, storage facilities, and water treatment facilities would be sized to provide a more-than-sufficient flow of domestic water to the project. Some sites have existing water lines that are located in the adjacent streets with little to no improvements required. Other sites will be required to extend water lines to the sites prior to developing on the property. Water infrastructure is discussed in more detail in Section 4.13, Public Services and Utilities.

***Storm Drainage***

Storm drainage for the project sites would generally consist of collection and conveyance of surface runoff from impermeable areas. Drainage collection for future development would occur by a combination of curbs, valley drains, underground pipes and natural swales. All drainage systems would meet the prevailing storm detention requirements of the City of Grass Valley for sites within the Grass Valley SOI (Sites 1-9) and the remaining sites (Sites 10-18) would be subject to the requirements of the County. Detention facilities would be would incorporate features such as grassy swales, detention basins, infiltration areas, and overland discharges.

***Sanitary Sewer***

Grass Valley SOI - The sites within the Grass Valley SOI would be served by the City's existing wastewater treatment facility and collection system. The City requires a connection fee and payment of development

mitigation fee each time a building permit is issued.

Penn Valley Area - The sites located within the Penn Valley Area (Sites 10-13) would be served by the Wildwood Wastewater Treatment Plant.

Lake of the Pines Area – Wastewater from the sites in the Lake of the Pines Area (Sites 14-18) would be conveyed to and treated at the Lake of the Pines Wastewater Treatment Plant (LOP WWTP) located approximately 1.2 miles east and south of the project site off Combie Road.

***Utilities***

All new frontage utilities, including electrical, telephone and cable TV/data lines would be placed underground and within public utility easements or public rights-of-way. Future developments would install conduits for underground utilities and the utility company would pull the actual wiring through the conduits.

Project site will use existing natural gas lines in locations where natural gas facilities are currently available. Those areas where existing natural gas facilities are not available would be served by propane gas.

**3.5 PROJECT CHARACTERISTICS REGULATORY SETTING**

**SITE SELECTION**

To demonstrate that the required housing needs could be met through the implementation of the Housing Element Programs, the County selected 18 properties as potential sites for development for high density housing units. As described above, under Project Background, a site analysis was conducted for each of the properties to determine if enough suitable land for the development of 1,270 affordable housing units could be achieved from the project sites.

**SITE DEVELOPMENT**

The proposed project does not include any site development or construction plans on the 18 sites evaluated in this EIR. Future development would occur on these sites as market conditions allow at the discretion of the individual property owners.

The theoretical or maximum yield of each site is used in the evaluation of this EIR as a conservative approach to evaluating the potential environmental impacts associated with future development on the properties. This is a conservative approach because assuming a maximum yield assumes the highest number possible of units would be built, and does not take into consideration any development constraints such as sensitive biological resources, cultural resources, ground slope, wetlands, or regulatory constraints such as existing easements, driveways, frontage improvements, or roadway or intersection improvements. The presence of any one of these constraints could limit the amount of development that is permitted on a given site. The maximum or theoretical yield is simply a calculation that multiplies the total area of a property by the allowable density. For example, a 10-acre site with a maximum density of 16 units per acre would have a maximum or theoretical yield of 160 units (10 acres x 16 dwelling units per acre = 160 units). It is anticipated that very few of the sites will be able to achieve their maximum yield. However, the maximum yield is assumed for purposes of this EIR to evaluate the greatest number of units possible to provide future development the opportunity to utilize the analysis in this environmental document for

future development applications. A summary of the unit count is provided in Table 3-4, *Theoretical Yield of Proposed Sites*.

**Table 3-4  
Theoretical Yield of Proposed Sites**

Site	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL	
<b>Parcel Area (Acres)<sup>1</sup></b>	1.08	11.36	9.15	11.35	4.5	9.7	9.9	10.43	6.49	5.95	3.1	4.37	20.1	5.0	5.0	18.12	2.36	11.03	<b>148.99</b>	
<b>Existing Building Density (du/acre)</b>	4	4	6	6	6	6	1.5	1.5	6	4	4	6	1	4	15 units total per acre		6	4	-	
<b>Existing Max Yield (Units)</b>	4	45	54	68	27	58	6	6	38	23	12	26	<del>20</del> 20	20	<del>75</del> 75	<del>15</del> 272	14	44	<b>480883</b>	
<b>Proposed Building Density (du/acre)</b>	20	20	20	20	20	20	20	20	20	16	16	16	16	16	16	16	16	16	16	-
<b>Proposed Max Yield (Units)</b>	22	227	183	227	90	194	198	208	129	95	49	69	322	80	80	289	37	176	<b>2,675</b>	

<sup>1</sup> Based on existing County of Nevada Assessor's Parcel data

As discussed above, while the impact analysis and mitigation for this EIR is based on the “Theoretical Yield” to analyze the worst case scenario, the project densities are anticipated to be much less once based on the density assignment formula (“aggregate density”) as outlined in LUDC Sec. L-II 2.7.11.B.3. For reference, Table 3.5 provides the identified final density for each of the rezone candidate sites.

**Table 3-5  
Identified Potential Density for the Proposed Sites (i.e. Aggregate Density)**

Site	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL
<b>Parcel Area (Acres)<sup>1</sup></b>	1.08	11.36	9.15	11.35	4.5	9.7	9.9	10.43	6.49	5.95	3.1	4.37	20.1	5.0	5.0	18.12	2.36	11.03	<b>148.99</b>
<b>Existing Building Density (du/acre)</b>	4	4	6	6	6	6	1.5	1.5	6	4	4	6	1	4	15	15	6	4	=
<b>Development Footprint (Acres)</b>	0.98	7.64	7.39	11.35	4.48	9.45	4.26	3.32	4.85	4.00	2.29	2.82	11.60	2.63	4.40	11.81	1.11	6.81	<b>101.19</b>
<b>Proposed Building Density (du/acre)</b>	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	16	=
<b>Proposed Density (Units)</b>	16	122	118	181	71	151	68	53	77	64	36	46	185	42	70	188	17	108	<b>1,612</b>

<sup>1</sup> Based on existing County of Nevada Assessor's Parcel data

**ESTABLISHMENT OF SITE DEVELOPMENT CRITERIA FOR REZONED SITES**

As outlined in the “RH” Zoning Combining District Ordinance (Section L-II 2.7.11.C.3 of the Nevada County Land Use and Development Code), the project will result in the development of a Regional Housing Need Implementation Plan. This Plan will outline site specific development standards and any CEQA mitigation measures adopted for each site that must be adhered to in order for the site to develop consistent with the purpose of the rezone and to ensure that the development of the site does not result in a significant environmental impact.

However, the RH Combining District Ordinance requires that future development on these sites be allowed without additional discretionary permits required from the County. In other words, future development consistent with the RH Combining District is allowed “by right” under the design parameters established by the ordinance. With that requirement in mind, the County developed proposed building envelopes for each site, where future development could occur within these areas and still be consistent with County (and City of Grass Valley requirements for Sites 1-9 within the Grass Valley SOI) requirements for avoidance of environmentally sensitive areas (ESA), frontage improvements, and driveway improvements necessary to develop the site. Resources within ESA designated areas are considered to be avoided because the intent of the ESA is to preclude development within those areas. In some cases development may encroach within those areas, but only with the approval of a Management Plan that provides specific measures to minimize and mitigate potential impacts. The proposed building envelope for each site is shown in Figures 3-45-5 through Figure 3-2414, *Environmentally Sensitive Areas and Building Footprints*.

It is the intent of this document to satisfy the future CEQA requirements for development on Sites 1 through 18 that is consistent with these building envelopes.

The following is a description of the environmental constraints that influenced the building envelope design:

***Site 1***

Site 1 has no environmental constraints and development is assumed over the entire site. A 30-foot right-of-way (ROW) dedication was assumed along McCourtney Road for future road improvements.

***Site 2***

The development footprint for Site 2 covers most of the parcel. Some ESAs are located on the site for the protection of biological and cultural resources.

***Site 3***

The development footprint for Site 3 covers most of the parcel. An ESA for cultural and biological resources including wetlands with a 100-foot buffer is located on the southernmost portion of the site. A 30-foot ROW dedication along Brunswick Road was assumed for future road improvements.

***Site 4***

Site 4 has no environmental constraints and development is assumed over the entire site.

***Site 5***

Site 5 has no environmental constraints and development is assumed over the entire site.

***Site 6***

Site 6 has no environmental constraints and development is assumed over the entire site.

***Site 7***

Site 7 has a development footprint on approximately 43% of the site. The project site has two drainages onsite that have been placed with in ESA with 100 foot buffers. Additionally, there is a 30-foot ROW dedication along Brunswick Road was assumed for future road improvements. Because one of the drainages runs parallel to Brunswick Road, a crossing is necessary to obtain access to the site. A 50-foot driveway access from Brunswick Road is assumed for the site. The driveway width assumes 24 feet of improved roadway, a 3-foot shoulder on either side, and 10 feet of fire clearing area on either side.

***Site 8***

Site 8 has a development footprint that consists of approximately 30 percent of the site. Like Site 7 there is a drainage that runs parallel to Brunswick Road along the western portion of the site. There are also cultural resources onsite that constrain the area of development. Similar to Site 7, a driveway crossing through the ESA is necessary to access the developable area of the site. A 50-foot driveway access from Brunswick Road is assumed for the site. The driveway width assumes 24 feet of improved roadway, a 3-foot shoulder on either side, and 10 feet of fire clearing area on either side. The proposed driveway location is planned to align with the future driveway for Site 5 across the street.

***Site 9***

Site 9 has few development constraints with the exception of an ESA for cultural and biological resources including wetlands with a 100-foot buffer located on the southernmost portion of the site.

***Site 10***

Most of Site 10 has been designated for development. An ESA was placed on the northern end of the site for protection of wetland and riparian habitat associated with Squirrel Creek. The ESA includes a 100-foot buffer. The development area includes a portion of the site that is mapped wetland. Although this area would be evaluated for wetland impacts, most of the wetland area is created by a stormwater outfall from Penn Valley Road that discharges water at the site. Since development of this site would require the surface water runoff to be conveyed to a proper drainage area, the wetland area would likely cease to exist. A 30-foot ROW dedication was assumed for the project frontage along Penn Valley Road.

***Site 11***

The entire property was assumed to be developed. Similar to Site 10, an area identified as wetland has been assumed to be developed, because once the storm drain ceases to discharge water onto the project site, the wetlands in these areas will no longer exist.

***Site 12***

Most of site 12 was assumed to be developed. Similar to sites 10 and 11, a portion of the site has been mapped as a wetland as a result of stormwater flowing onto the site. The stormwater would be addressed as part of the project improvements and water would no collect within the development area; however, a portion of the wetland area was preserved within an ESA where water from other offsite sources could collect.

*Site 13*

Site 13 is constrained with two main drainages with riparian habitat that cross the site. ESAs have been designated over these areas for the protection of biological resources as well as to avoid development within the 100-year floodplain. The orientation of the drainages onsite results in three separate development areas. Two wetland crossings were assumed for this site to connect the development areas. There are no public road access points to the property, and as such, access is assumed to be off of SR-20. It is assumed the access to the site will be across from the Cattle Drive intersection directly across SR 20 from the project site.

*Site 14*

Site 14 does not have any ESA designations onsite, but it is almost entirely covered in Blue Oak woodland. Additionally, the project is on a hillside and is visible to northbound traffic on SR 49. Given the sensitive status of Blue Oak woodlands within the County, the development footprint was limited to approximately the eastern half of the site. ~~one acre on this site. Also, the small development area would limit the visibility of the proposed development and any manufactured slopes from SR 49.~~ Access to the site would be off of Cameo Drive or from the south if an access easement could be obtained from the Higgins Fire Protection District to the south. The development footprint was designed to allow development at the southern portion of the site. The topography in this portion of the site lower is flatter compared to the northern portion of the site closer to Cameo Drive. The western portion of the site is shown as undeveloped to preserve existing Blue Oak woodland and to minimize views of the development from SR-49.

*Site 15*

All of Site 15 is assumed to be within the development footprint. Access to Site 15 is off of Woodside Road. Because this site represents a transitional area between the commercial uses around the existing Higgins Corner area and the approved Higgins Marketplace and the surrounding residential uses, site constraints were evaluated to determine how setbacks and other regulatory constraints would affect the aggregate or net density of the site. The setback areas were identified (30-feet from interior yard and rear yards, 20-feet from front yard) to minimize the overall development footprint on the sites. The areas are shown in Figure 3-12. The easement and setback areas were subtracted from the development footprint area. The developable area of Site 15 would change from 5 acres to 4.4 acres a difference of 0.6 acres. The aggregate density for Site 15 would become 70 units, which is 5 fewer units than the maximum density under the existing zoning and 10 fewer units than the theoretical maximum shown in Table 3-4. It should be noted that this calculation does not take into account requirements for driveways, parking, water detention basins, etc., that could further reduce the number of units constructed.

*Site 16*

All of Site 16 is assumed to be within the development footprint. Access to Site 16 is off of Woodside Road. Similar to Site 15, Site 16 is also transitional land use between the commercial uses around the existing Higgins Corner area and the approved Higgins Marketplace and the surrounding residential uses. The easement and setback areas have been subtracted from the development footprint area. The setback areas (30-feet from interior yard and rear yards, 20-feet from front yard) are shown in Figure 3-12. The

existing power line easement has been delineated from the aerial photo and removed as developable area with regards to the density calculation. Figure 3-12 also shows a portion of Site 16 east of the power line easement and the eastern property line as a non-development area. Due to the restrictions of the power line easement and the setbacks, a triangular shaped area with a mature woodland, and no offsite access is all that remains in this portion of the site. Given these physical constraints it is assumed this area would not be developed. The developable area of Site 16 would change from 18.12 acres to 11.81 acres; a difference of 6.96 acres. The aggregate density for Site 16 would become 188 units, which is 82 fewer units than the maximum density under the existing zoning and 101 units fewer than the maximum density proposed in Table 3-4. It should be noted that this calculation does not take into account requirements for driveways, parking, water detention basins, etc., that could further reduce the number of units constructed.

### *Site 17*

Site 17 has wetland and riparian habitat associated with Ragsdale Creek that is within an ESA on the northern portion of the property. The ESA includes a 100 foot buffer for the wetland area. The impact area assumes a 30-foot roadway dedication along Combie Road for future roadway improvements.

### *Site 18*

All of Site 18 is proposed for development. Access will be off of Combie Road and a 30-foot ROW dedication was assumed for future road improvements.

## **Annexation**

The candidate sites within the Grass Valley SOI are anticipated to require annexation into the City of Grass Valley prior to developing those sites in accordance with increased density associated with the Regional Housing (RH) Combining District. Annexation is anticipated due to the need for these sites to be served by City services primarily sewage disposal. Accordingly, the Nevada County LAFCO would be a responsible agency. In addition to annexing these properties into to the City, LAFCO would also need to detach the area from the Nevada County Consolidated Fire District service area and add the area to the City Fire Department's service area.

## **3.6 INTENDED USE OF EIR**

This EIR serves as the primary environmental document for the proposed land use designations and future development that would be undertaken in the Regional Housing Combining District. Development proposals will require Design Review consistent with LUDC Sec. L-II 2.7.11.C.5, and Subdivision Approvals if units are intended for individual ownership. However, development would not require additional discretionary review and would therefore not necessitate further environmental documentation.

This EIR is intended to cover all state and local government discretionary approvals that have been requested and those that may be required, to construct or implement the proposed project, whether or not they are explicitly listed below. The County is the lead agency for the project and has the principal discretionary authority over the review of project applications and consideration of project approvals. LAFCO is a responsible agency and has authority over the approval of the requested annexation.

This EIR covers the following project approvals:

- Rezone (Z12-002)

- General Plan Map Amendment(GP12-002)
- Certification of the EIR (EIR12-002)

In addition to the project applications listed above, future approvals requiring discretionary action, include the following:

- Subdivision Approvals - if units are intended for individual ownership
- Design Review consistent with LUDC Sec. L-II 2.7.11.C.5

Future development projects also would require a number of ministerial approvals and actions, including:

- Demolition Permits
- Encroachment Permits
- Site Development Permits
- Infrastructure Construction Permits
- Grading Permits
- Improvement Plan Approvals
- Building Permits
- Occupancy Permits
- Utility Relocation

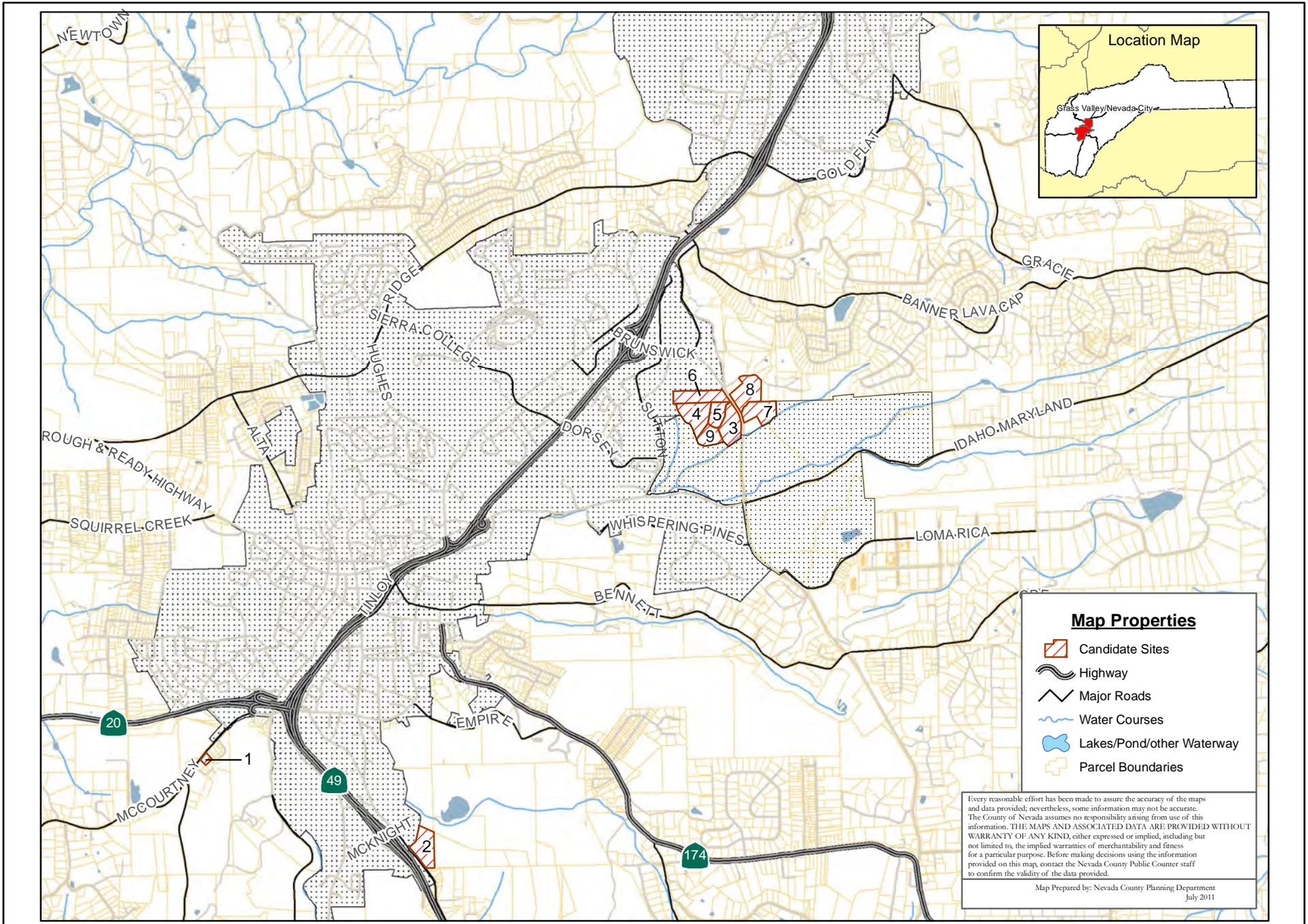
This EIR is also available for use by responsible and trustee agencies or other agencies that may have jurisdiction, approval authority or environmental review and consultation requirements for the project. These agencies may include:

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- California Department of Fish and Game (Streambed Alteration Agreement)
- California Department of Transportation (encroachment permit)
- California Office of Historic Preservation
- California Department of Toxic Substances Control
- California Regional Water Quality Control Board
- Nevada County Airport Land Use Commission
- Nevada County Local Agency Formation Commission (LAFCO) (annexation approval)
- Nevada County Transportation Commission
- Nevada County (encroachment and other permits)
- Nevada County Resource Conservation District
- Sierra Economic Development District

- Nevada Irrigation District
- Nevada County Sanitary District
- Northern Sierra Air Quality Management District

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Source: Nevada County GIS 2012; ESRI 2012.

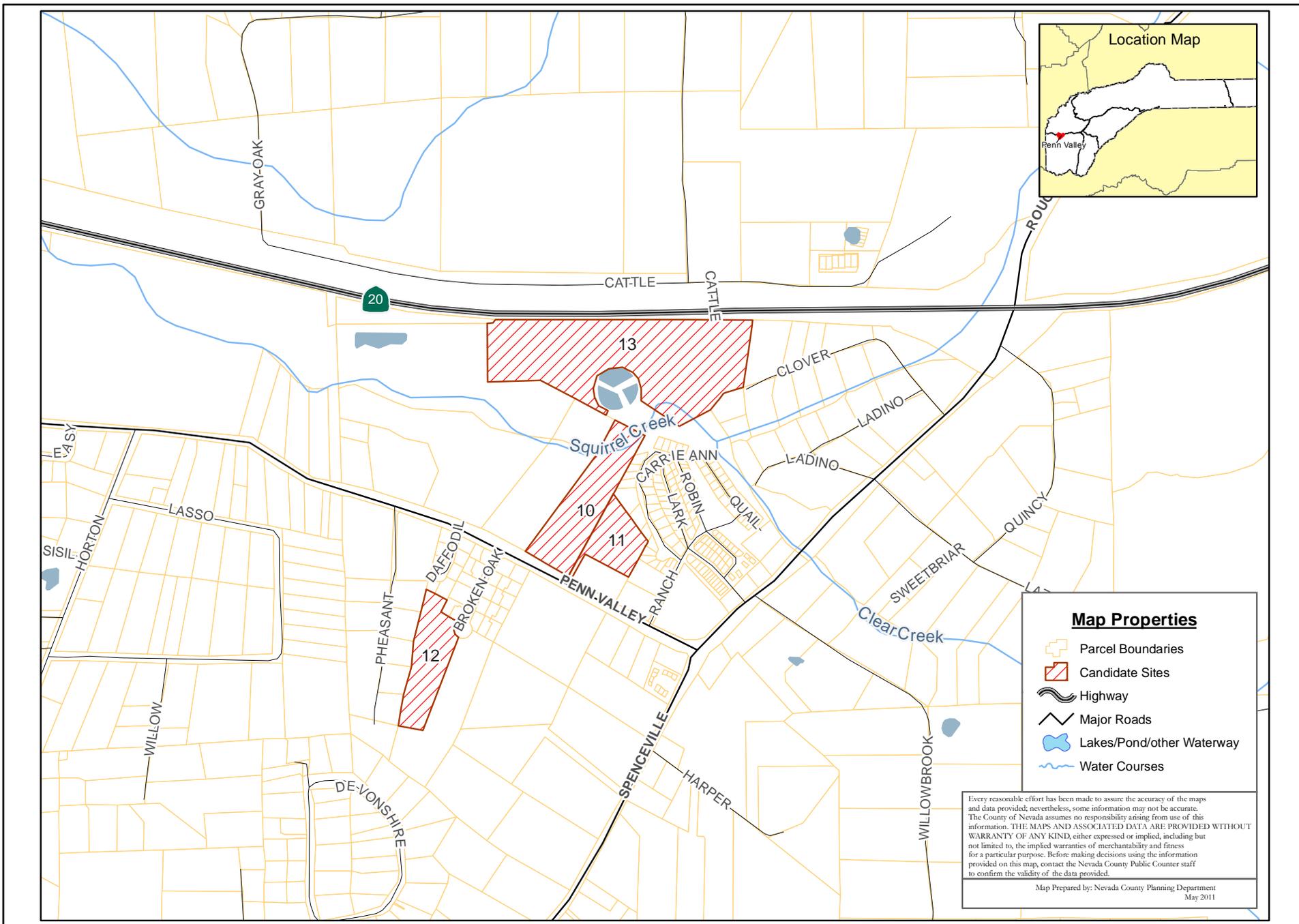


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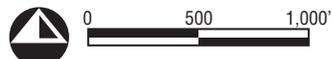
COUNTY OF NEVADA  
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

# Grass Valley Area Sites

FIGURE 3-2



Source: Nevada County GIS 2012; ESRI 2012.

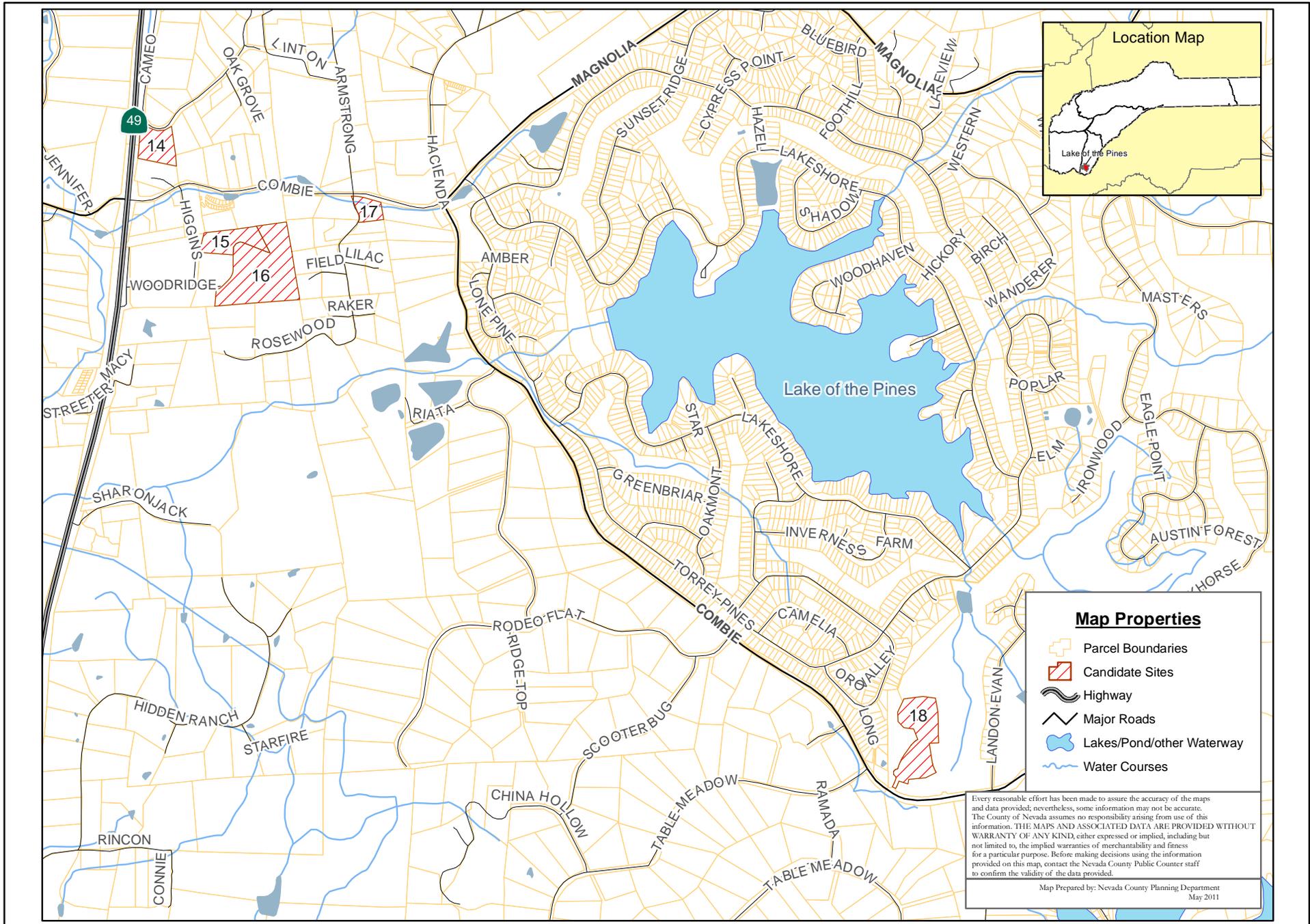


1/18/13 JN 131242-18945

COUNTY OF NEVADA  
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

# Penn Valley Area Sites

FIGURE 3-3



Source: Nevada County GIS 2012; ESRI 2012.



1/18/13 JN 131242-18945

COUNTY OF NEVADA  
2009-2014 HOUSING ELEMENT REZONE PROGRAM IMPLEMENTATION EIR

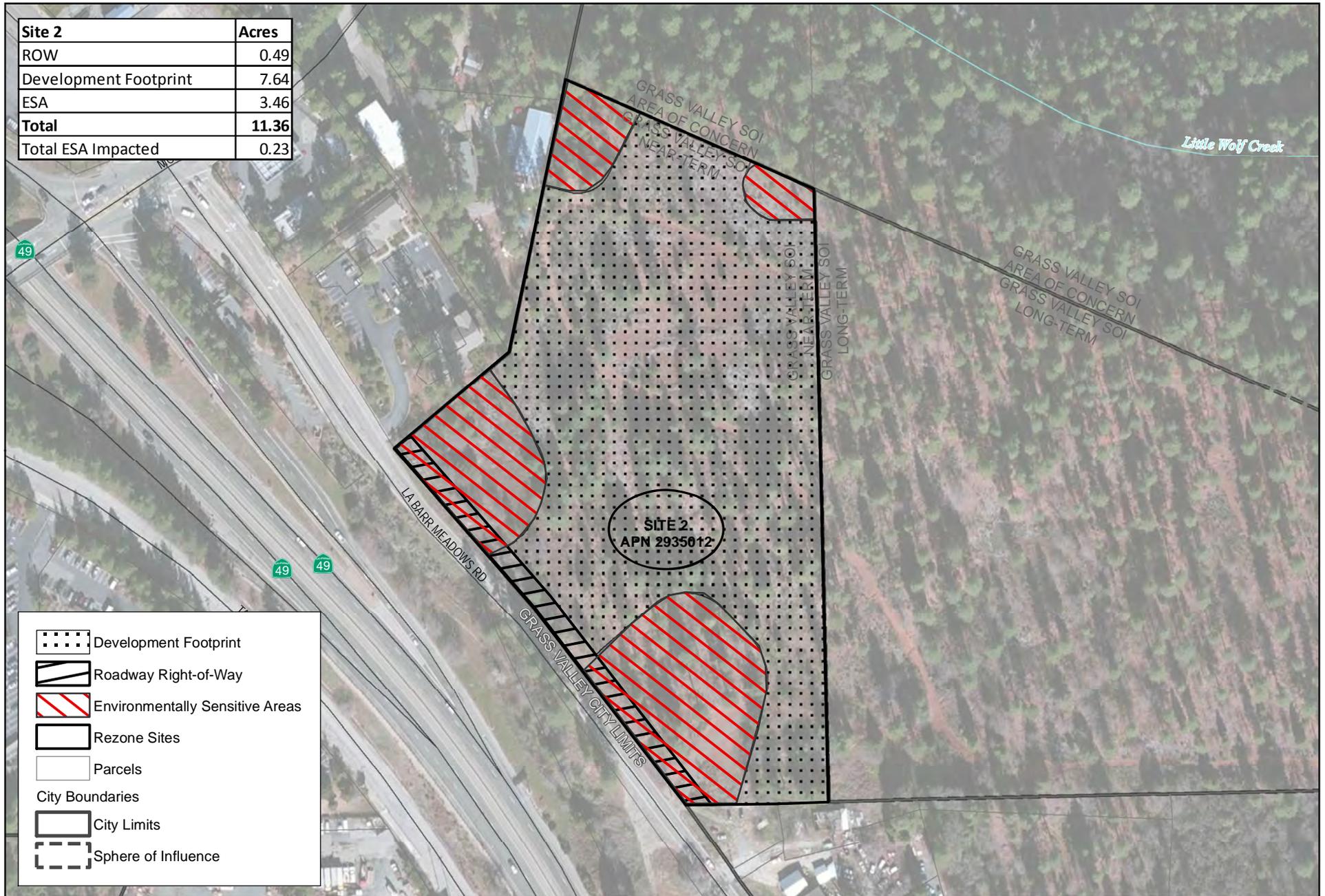
# Lake of the Pines Area Sites

FIGURE 3-4

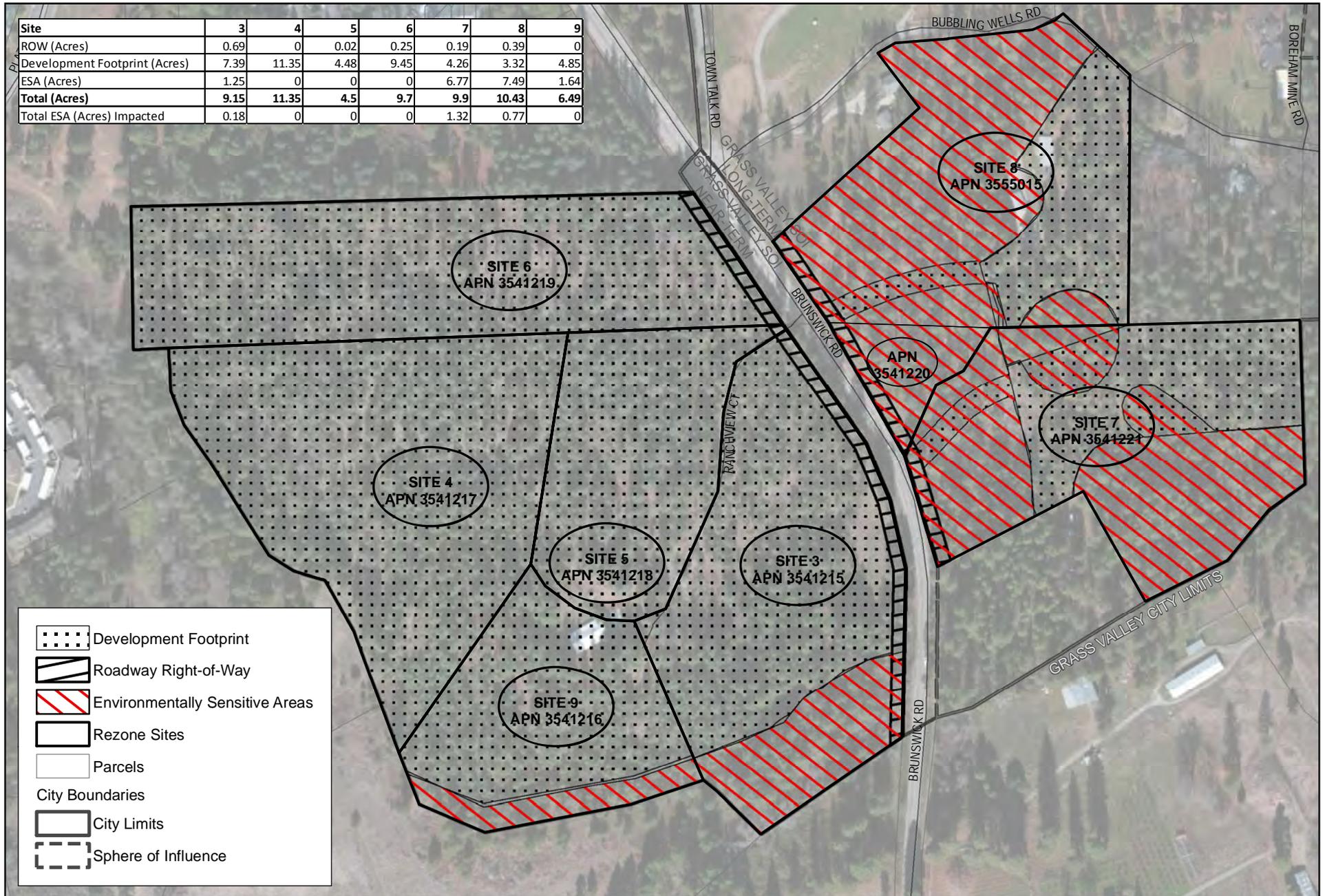
Site 1	Acres
ROW	0.17
Development Footprint	0.98
ESA	0
<b>Total</b>	<b>1.08</b>
Total ESA Impacted	0



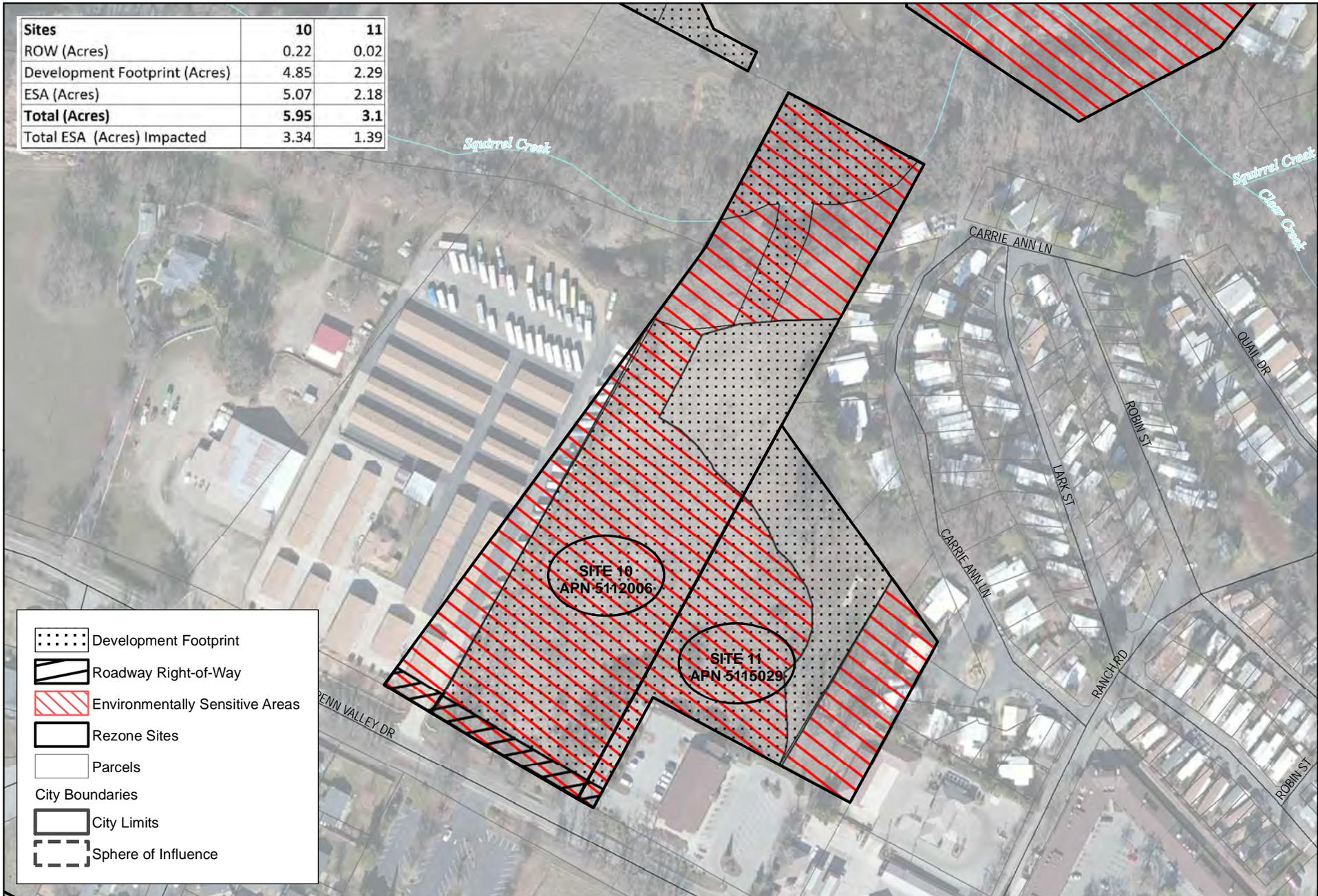
Site 2	Acres
ROW	0.49
Development Footprint	7.64
ESA	3.46
<b>Total</b>	<b>11.36</b>
Total ESA Impacted	0.23



Site	3	4	5	6	7	8	9
ROW (Acres)	0.69	0	0.02	0.25	0.19	0.39	0
Development Footprint (Acres)	7.39	11.35	4.48	9.45	4.26	3.32	4.85
ESA (Acres)	1.25	0	0	0	6.77	7.49	1.64
<b>Total (Acres)</b>	<b>9.15</b>	<b>11.35</b>	<b>4.5</b>	<b>9.7</b>	<b>9.9</b>	<b>10.43</b>	<b>6.49</b>
Total ESA (Acres) Impacted	0.18	0	0	0	1.32	0.77	0



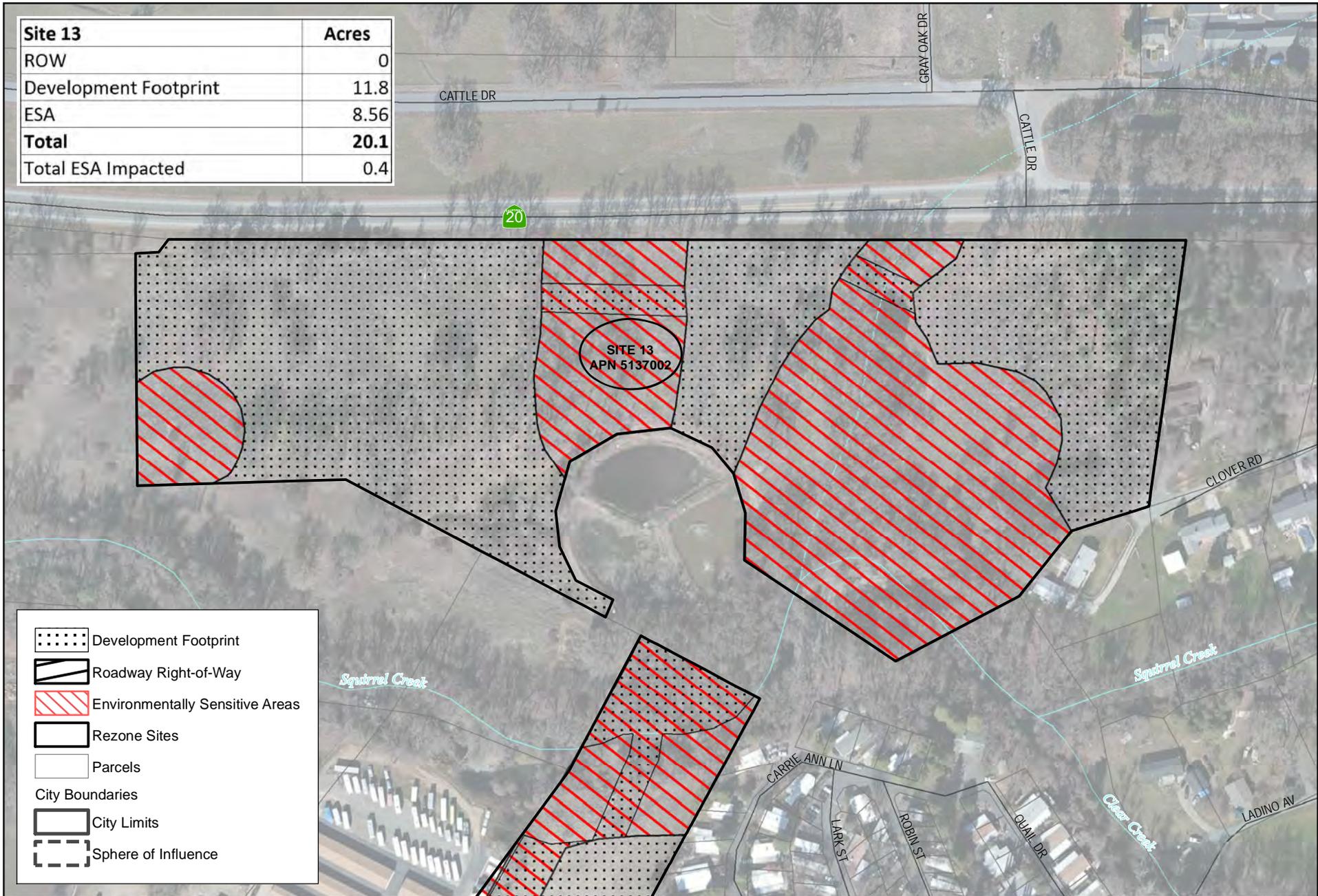
Sites	10	11
ROW (Acres)	0.22	0.02
Development Footprint (Acres)	4.85	2.29
ESA (Acres)	5.07	2.18
<b>Total (Acres)</b>	<b>5.95</b>	<b>3.1</b>
Total ESA (Acres) Impacted	3.34	1.39



-  Development Footprint
-  Roadway Right-of-Way
-  Environmentally Sensitive Areas
-  Rezone Sites
-  Parcels
-  City Boundaries
-  City Limits
-  Sphere of Influence

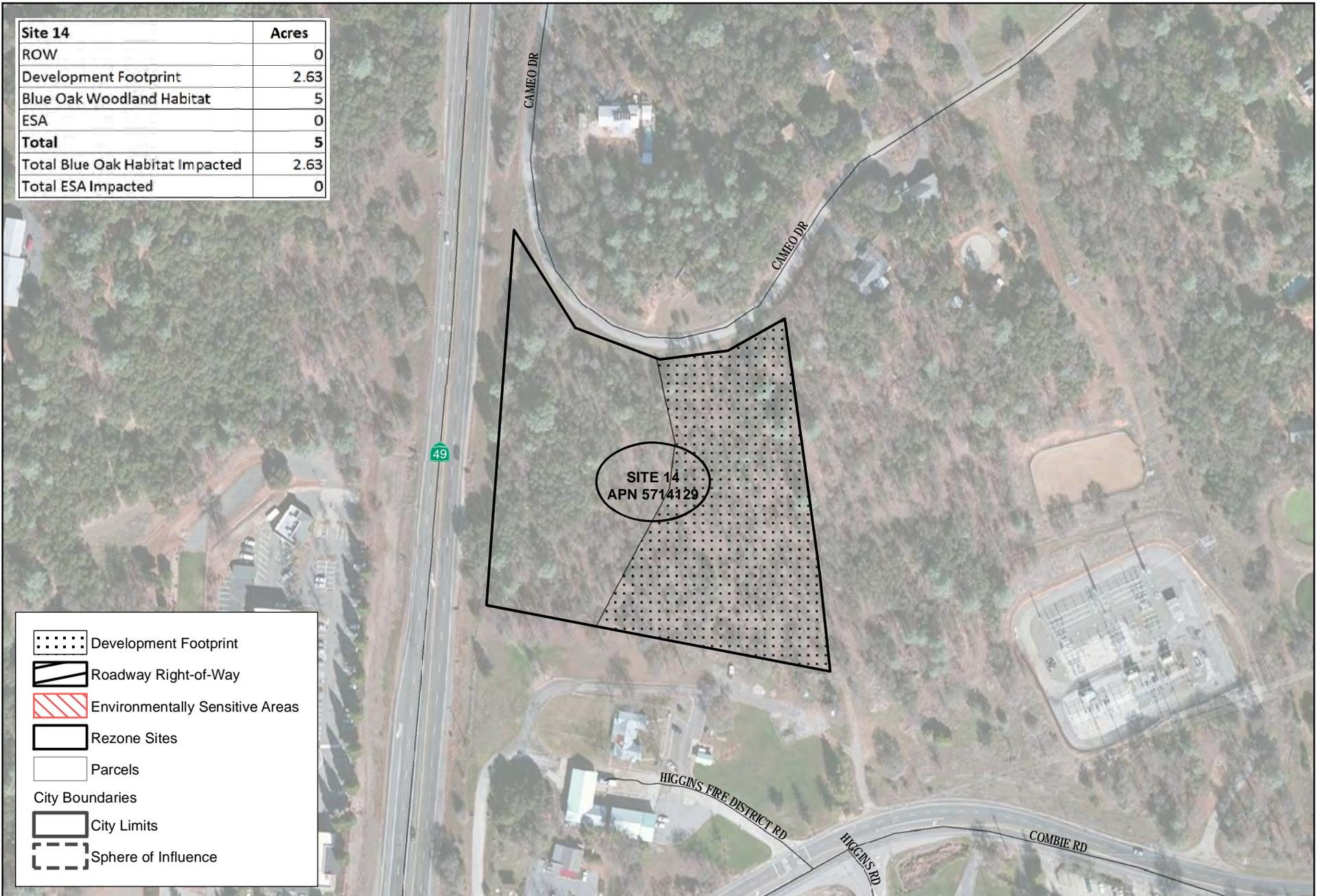


Site 13	Acres
ROW	0
Development Footprint	11.8
ESA	8.56
<b>Total</b>	<b>20.1</b>
Total ESA Impacted	0.4

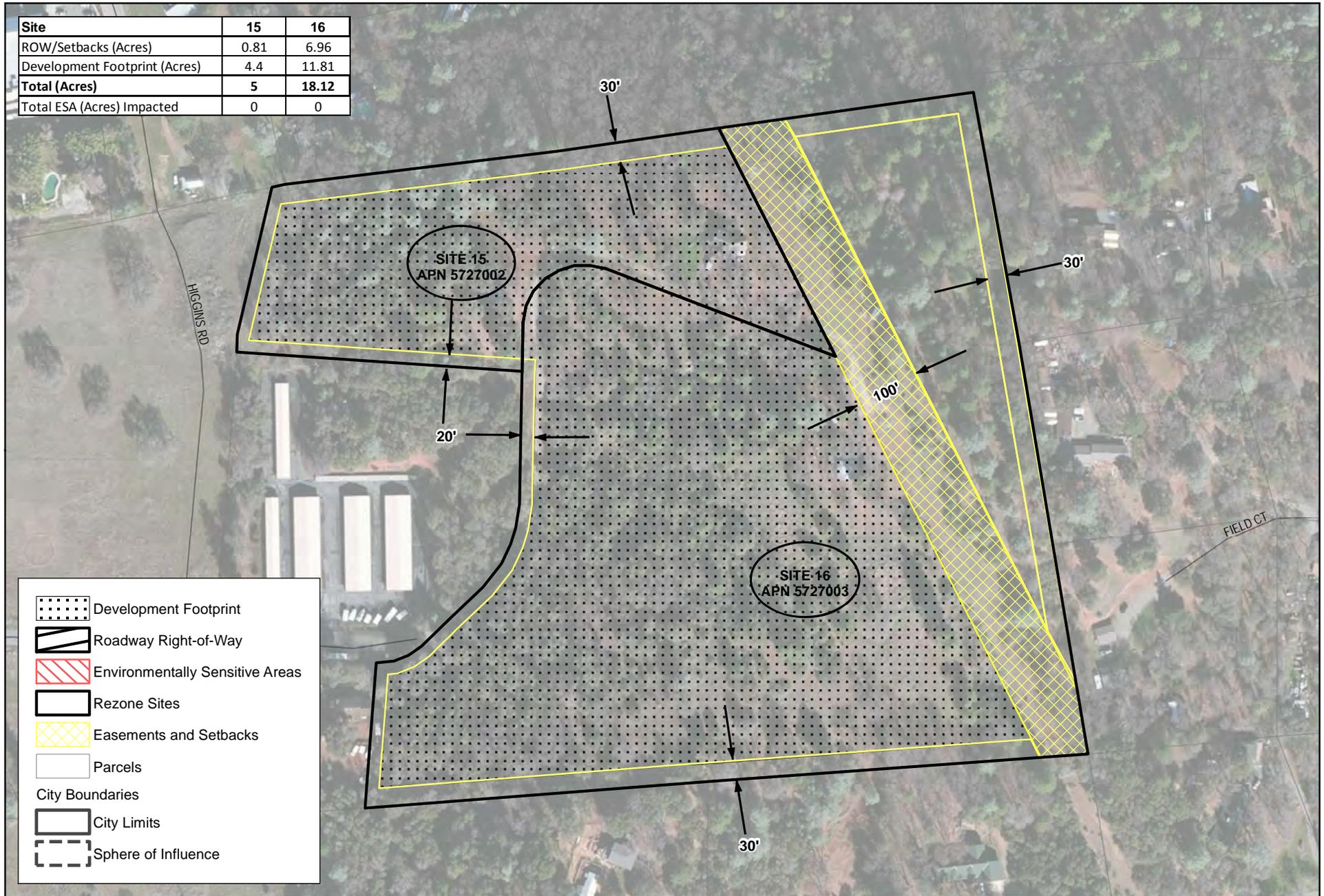


Site 14	Acres
ROW	0
Development Footprint	2.63
Blue Oak Woodland Habitat	5
ESA	0
<b>Total</b>	<b>5</b>
Total Blue Oak Habitat Impacted	2.63
Total ESA Impacted	0

	Development Footprint
	Roadway Right-of-Way
	Environmentally Sensitive Areas
	Rezone Sites
	Parcels
	City Boundaries
	City Limits
	Sphere of Influence



Site	15	16
ROW/Setbacks (Acres)	0.81	6.96
Development Footprint (Acres)	4.4	11.81
<b>Total (Acres)</b>	<b>5</b>	<b>18.12</b>
Total ESA (Acres) Impacted	0	0



Site 17	Acres
ROW	0.28
Development Footprint	1.11
ESA	1.76
<b>Total</b>	<b>2.36</b>
Total ESA Impacted	0.79



Site 18	Acres
ROW	0.03
Development Footprint	6.81
ESA	4.19
<b>Total</b>	<b>11.03</b>
Total ESA Impacted	0



**Section 4: Existing Conditions, Environmental Impacts, and Mitigation Measures**

**Section 4.2, page 4.2-2**

*Site 14*

Currently, the site is undeveloped and is of moderate slope. This site contains a mature blue oak woodland which covers an estimated 80 percent of the site. The remainder of the site is covered with mixed interior live oak and blue oak. Most of the existing development immediately adjacent to the parcel to the north is single family residential development. To the west is SR 49. To the east is an electrical substation and some other utility infrastructure. Immediately adjacent to the site to the south is the Higgins Fire Protection District fire station. Further south of the site across Combie Road are some commercial businesses that include some professional office uses and retail commercial area, including a commercial shopping center (Higgins Village) with a drugstore anchor tenant.

This change was made in Response to Comment 17-L.

**Section 4.2, Page 4.2-13**

**Policy 1.38:** Within the City/Town spheres, the Nevada County General Plan Land Use Maps will generally reflect the City's/Town's General Plan land use mapping. In some instances, the County may provide for a less intensive land use due to infrastructure capability, environmental constraints or effect on land use and development patterns outside the city's sphere. However, the County's Plan will not preclude implementation of the City's/Town's Plan by providing for a significantly more intensive land use than the City's/Town's Plan.

**Consistent.** Sites 1-9 are located within the Grass Valley Sphere of Influence. Although the proposed project would change the General Plan designation of several sites within the Grass Valley SOI from Urban Medium Density to Urban High Density, ~~or except in the case of Sites 1 and 2 from the Office Park Professional designation would remain to Urban High Density,~~ ~~the~~ The majority of the sites are already planned for residential uses, although the density would be increased. Additionally, the project sites were chosen based on their proximity to existing infrastructure and similar type of development.

Sites 3-9 are surrounded on three sides by the incorporated areas of the City of Grass Valley with similar existing and planned development densities and intensities. As such, the proposed RH Combining District is not precluding implementation of the City's General Plan by providing a significantly more intensive use.

This change was made in Response to Comment 6-F.

**Section 4.4, Page 4.4-40, and 4.4-52**

Changes were made to Tables 4.4-4 and 4.4-5 due to revisions on the development footprint of Sites 10, 13, and 14.

**Section 4.3, Page 4.3-13**

Currently, views to onsite natural features are afforded from nearby roadways and surrounding uses. Additionally, sites within the "SC" Scenic Corridor Combining District (Sites 14 through 17) will have the potential to impact scenic vistas which are adjacent to highway and roads that have been identified as having high scenic quality and require protection for the benefit of residents and visitors.

**Table 4.4-4  
Potential Impacts to Plant Communities  
within the Project Rezone Sites**

Site	Annual Grassland (Acres)	Valley Oak Woodland (Acres)	Blue Oak Woodland (Acres)	Montane Hardwood (Acres)	Sierran Mixed Conifer (Acres)	Foothill Riparian (Acres)	Mixed Chaparral (Acres)	Blue Oak-Foothill Pine (Acres)
1	-	-	-	-	-	-	-	-
2	-	-	-	5.78	8.11	-	-	-
3	-	-	-	.03	8.01	0.07	-	-
4	-	-	-	-	11.48	-	-	-
5	-	-	-	-	5.62	-	-	-
6	-	-	-	-	10.06	-	-	-
7	-	-	-	-	4.33	0.13	-	-
8	-	-	-	-	3.57	0.15	-	-
9	-	-	-	-	4.85	-	-	-
10	<u>4.184.43</u>	-	-	-	-	<u>-0.60</u>	-	-
11	2.31	-	-	-	-	-	-	-
12	2.82	-	-	-	-	-	-	-
13	<del>7.33</del> <u>7.53</u>	2.97	-	-	1.29	-	-	-
14	-	-	<u>4.272.63</u>	-	-	-	-	-
15	-	-	-	3.86	-	-	-	-
16	-	-	-	5.25	-	-	1.68	11.93
17	-	-	-	1.00	-	0.39	-	-
18	-	-	-	4.82	3.80	-	-	-
<b>Total</b>	<b><u>46.6417.09</u></b>	<b>2.97</b>	<b><u>4.272.63</u></b>	<b>14.93</b>	<b>61.12</b>	<b><u>0.741.34</u></b>	<b>1.68</b>	<b>11.93</b>

**Table 4.4-5  
Oak Woodland Habitat Impacts**

Site	Habitat Woodland Type	Total Acres of Oak Woodland	Acres of Impact
13	Valley Oak Woodland	6.52	2.97
14	Blue Oak Woodland	5.13	<u>4.272.63</u>
15	Montane Hardwood	3.86	3.86
16	Blue Oak-Foothill Pine	11.93	11.93
	Montane Hardwood	5.25	5.25
17	Montane Hardwood	1.0	4.3
18	Montane Hardwood	4.82	4.82
<b>TOTAL</b>		<b>38.51</b>	<b><u>34.0635.76</u></b>

**Section 4.5, Page 4.5-15**

The following mitigation measures apply to all sites.

- 4.5-1a Prior to the issuance of grading permits, all construction contracts shall include dust control mitigation requirements. All ~~construction contracts~~ improvement plans shall require the following:

**Section 4.5, Page 4.5 - 20**

The following mitigation measures apply to all sites.

- 4.5-2a 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:

- Streets shall be designed to maximize pedestrian access to transit stops.
- Provide for on-site road and off-site 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 continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc.
- Provide for pedestrian access between bus service and major transportation points within the project, ~~and between separate sections of 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 off-site bicycle trails linking the project to designated bicycle commuting routes in accordance with an adopted citywide or countrywide bikeway plan.

**Section 4.6, Page 4.6-15**

Although implementation of General Plan policies would reduce project-related GHG emissions, GHG reductions as a result of these policies have not been quantified. Currently, there are no specific development proposals associated with the proposed Housing Element Rezone. Therefore, the degree and extent of future project compliance with the General Plan policies and implementation measures is not yet known and the project details necessary to calculate emission reductions are not available at this time. Future development associated with implementation of the Housing Element Rezone would need to be analyzed on a project-by-project basis to determine the extent of each project's potential contribution to global climate change and appropriate mitigation measures specific to each project. Thus, at this stage of analysis, GHG impacts associated with implementation of the Housing Element Rezone would be significant and unavoidable.

However, future development of the project sites will be required to meet CALGreen Building Code Tier 1 standards (Title 24, Part 11) at the time of building permit issuance to ensure the new development meets

state energy efficiency requirements. Mitigation Measure 4.6-1 requires that future project developers demonstrate compliance with CALGreen Building Code Tier 1 standards (Title 24, Part 11).

**General Plan Goals and Policies:** Refer to General Plan Goals RD-4.1 through RD-4.4, EP-4.3, EP-4.4, and EC-8.2, and Policies RD-4.3.4, 14.2, 14.4, and 14.7.

**Mitigation Measures:** ~~No additional mitigation has been identified.~~

The following mitigation measure shall apply to all sites.

4.6-1 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 Director of the County Planning Department (or City of Grass Valley Planning Department of Sites 1-9):

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.

Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.

**Level of Significance After Mitigation:** Significant and Unavoidable Impact

This change was made in response to Comment 6-C.

#### **Section 4.10, page 4.10-20**

Mitigation Measures 4.10-1b

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:

This change was made in response to Comment 6-M.

#### **Section 4.13, page 4.13-7**

The Fire Department has a current ISO rating of Class 4~~3~~. The Fire Department was last rated in ~~2003~~2013 and generally is re-rated every 10 years.

This change was made in response to Comment 6-G.

**Section 4.13, page 4.13-8**

The City provides wastewater collection, treatment and disposal service to all properties within the City limits. ~~and to the Glenbrook Sanitation District, which is outside the City limits.~~

This change was made in response to Comment 6-H.

**Section 4.13, page 4.13-8**

As with the entire County, water is supplied to portions of the City by the NID, an independent California special district that supplies irrigation, municipal, domestic and industrial water. The City provides water services to the remaining portions of the City not served by NID. Site 1 would be served by the City.

This change was made in Response to Comment 6-I

**Section 4.13, page 16**

The following mitigation measures apply to all sites:

- 4.13-1a Prior to Building Permit issuance, the project developer shall provide written documentation from the Fire Department ensuring adequate fire service response times to the project site. The formation of an assessment district may be established to provide adequate public safety services.
- 4.13-1b 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.
- 4.13-1c 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 may be established to provide adequate public safety services.

This change was made in response to Comment 6-J

**Section 4.13, page 4.13-17**

The proposed project sites would be served by the Penn Valley WWTP (Sites 10 through 13), and Lake of the Pines WWTP (Sites 14 through 18) in the County. However, as previously noted the Penn Valley WWTP is currently operating under a Cease and Desist Order (CDO) from the CVRWQCB, ~~and pending~~ The County has received an approximately \$5 M State Revolving Fund loan and an approximately \$1.3M Community Development Block Grant (CDBG) to construct a pipeline from Penn Valley to the Lake Wildwood WWTP. The County Department of Public Works has identified proposed upgrades to the Penn Valley and Lake Wildwood treatment zones to resolve the lack of storage and irrigation capacity that led the state to issue the CDO. The project would include the decommissioning of the Penn Valley treatment facility and the installation of a pipeline and lift station(s) that would transfer wastewater from the Penn Valley zone to the Lake Wildwood treatment facility. The pipeline from Penn Valley to Lake Wildwood would free up EDU's in Penn Valley by eliminating the capacity issues at the current Penn Valley facility and would also provide for future growth in the Penn Valley area. The pipeline improvements are currently in the conceptual design phase with construction expected to begin in the first quarter of 2016 and be completed in the fourth quarter of 2016.

~~As such~~ However, until those improvements are in place, there is currently not enough sewer capacity to serve all of the proposed project areas. Table 4.13-1, *Sewer Availability*, breaks out each of the three zones showing connected, standby and unallocated EDUs. As noted in Table 4.13-1, there are approximately 915 standby equivalent dwelling units (EDUs) and 500 unallocated EDUs in those zones. It has been noted by the County that several projects are already approved or in the planning process in the Lake of the Pines area and will need the EDU allocation from Lake of the Pines in order for them to develop to their planned potential. County Sanitation staff estimate that the approved or planned projects will require approximately 500 to 604 EDUs to accommodate the build out of those projects. Therefore, the unallocated EDUs shown the Table 4.13-1 will likely be used for projects already approved. The County has established sewer capacity service requirements for development within their jurisdiction. The County’s Land Use and Development Code (LUDC) Section L-II 2.7.11.C.6 (specific to the RH Combining District) requires developers to provide written documentation from the applicable public sewer service providers demonstrating that adequate sewage disposal is available to accommodate the proposed development for a site. If the property does not have direct access to adequate public utilities to serve the proposed development, it is the responsibility of the developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider. Without proposed improvements to existing WWTPs there would not be sewer service available for the proposed project Sites 10 through 18 and the proposed project would result in potentially significant impact. However, with implementation of Mitigation Measure 4.13-2, impacts would be reduced to less than significant.

**Table 4.13-1  
Sewer Availability**

Zone	Connected EDUs	Standby EDUs	Unallocated EDUs
Lake Wildwood	<del>2,919</del> <u>2,916</u>	<del>648</del> <u>652</u>	<del>0</del> <u>732</u>
Lake of the Pines	<del>2,057</del> <u>2,090</u>	<del>456</del> <u>97</u>	<del>500</del> <u>0</u>
Penn Valley	347	111	0
<b>TOTAL</b>	<del>5,323</del> <u>5,353</u>	<del>915</del> <u>860</u>	<del>500</del> <u>732</u>

Source: Department of Public Works, Sanitation Division, ~~2009~~2014.

~~This~~ These changes was/were made in response to Comments 6-D and 20-QQ.

**Section 4.13, page 4.13-19**

The proposed project area is located within the water service area of NID, with the exception of Site 1 which is served by the City. Pursuant to SB 610, a WSA was prepared for the proposed project and is included as Appendix J. Site 1 would have a maximum of 16 dwelling units and would not meet the minimum water usage requirements (the equivalent of 500 dwelling units) for a WSA. The WSA was prepared based on information contained in the 2010 Urban Water Management Plan (UWMP) adopted by NID in June 2011.

This change was made in response to Comment 6-I.

**Section 4.13, page 4.13-20**

Water line extensions would be within existing roadways or right of ways. These improvements would have to be in place prior to construction on each of these sites. With unknown timing or enforcement mechanism for these improvements, a potentially significant impact would occur as a result of insufficient infrastructure. The County’s Land Use and Development Code (LUDC) Section L-II 2.7.11.C.6 (specific to the RH Combining District) requires developers to provide written documentation from the applicable public water supply service providers demonstrating that adequate water supply facilities are available to

accommodate the proposed development for a site. If the property does not have direct access to adequate public utilities to serve the proposed development, it is the responsibility of the developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider.

This change was made in response to Comment 6-D.

#### **Section 4.15, page 4.15-4**

Sites 10, 11 and 13 form a contiguous parcel located in the residential area of the Penn Valley Community on the north side of Penn Valley Drive approximately ¼ mile east of the intersection of Penn Valley Drive and Spenceville Road. The sites are currently vacant; however, there is an existing access road at the Penn Valley Drive street frontage of Sites 10 and 11. Regional access to Sites 10, 11, and 13 is provided by SR 20 from the east and west. Site 13 will take access through Site 10. The owner of Site 13 has an existing easement through the Site 10 property.

This change was made in response to Comment 2-B.

#### **Section 4.15, page 4.15-4**

##### *SR 20*

SR 20 is a west-east highway that runs from the Yuba County line in the west through the cities of Grass Valley and Nevada City and terminates at Interstate 80 in the east. The posted speed limit on SR 20 is 55 miles per hour east-west of Penn Valley Drive and 65 miles per hour on the four-lane portion west-east of Penn Valley.

This change was made in response to Comment 20-H.

#### **Section 4.15, page 4.15-7**

Currently, the ~~only~~ designated bicycle facilities within the City are a Class II facility on Ridge Road from Hughes Road to the Nevada Union High School, ~~and~~ a Class II facility on East Main Street from Scandling Avenue to north of Dorsey Drive and Class II facilities along portions of W. Main, McCourtney Road, McKnight Way, Idaho-Maryland Road, and Sierra College Drive. None of the project study roadways currently have bicycle facilities.

This change was made in response to Comment 6-K.

#### **Section 4.15, page 4.15-44**

##### **Grass Valley Policy Adopting Traffic Impact Study Methodology and Evaluation Criteria for Critical Intersections**

Section 4 of the City of Grass Valley Design Standards provides the following analysis methodologies for evaluating traffic impacts within the City:

- i. Highway Capacity Manual (HCM) methodology must be used. Default HCM values must be used unless noted otherwise below.
- ii. Current signal timing schedules for signalized intersections must be used in the analysis.
- iii. For roundabouts, micro simulation (SimTraffic for single lane roundabouts and Vissim for multi-lane roundabouts) or SIDRA software must be used.

- iv. For the Brunswick Road Corridor (including Brunswick/E. Main, Brunswick/SR20/49 on and off ramps, and Brunswick/Sutton intersections) and the McKnight Way corridor (McKnight and SR49 on and off ramp intersections), Synchro/SimTraffic Version 7 software (or approved equal) micro-simulation software using HCM 2000 methodology must be used to evaluate the corridor as a whole due to the coordinated operation of the closely spaced signalized intersections.
- i.v. Intersections with non-standard traffic control (i.e. McKnight and South Auburn) should be analyzed using the engineer's best judgment (such as micro-simulation) with review and approval of methodology by the Engineering Division.
- vi. Standard lane utilization may not occur at all intersections. This operational aspect is particularly true at SR 20/49 interchanges. The assumed lane utilizations should reflect actual conditions, which may require counts for each lane.

The Grass Valley City Council adopted Resolution No. 06-21 approving the revised and updated Traffic Impact Study Methodology and Evaluation Criteria for Critical Intersections. The revised and updated criteria provide the following objectives:

- ~~Develop a standard and accepted methodology or approach for preparing traffic reports.~~
- ~~Develop a standard and accepted methodology for when a traffic report is required.~~
- ~~Develop language that will clarify the intent of General Plan Policy 7-CI and a procedure for determining thresholds of significance for intersections currently operating at LOS D or worse. The procedure would involve a series of transportation engineering analyses to determine if a proposed development project would have a significant impact on the operating capacity and function of critical intersections. These levels, or steps, would be developed as a screening tool to determine if the project would breach an established threshold of significance (relative to the California Environmental Quality Act) and found consistent with Circulation policies of the City General Plan.~~
- ~~Develop yearly monitoring system for checking the status of all affected intersections/roadways that is tied to the City/Regional Capital Improvement Program.~~
- ~~Implement the work programs of the "Street System Master Plan" that would serve to link all local and regional policy documents as to the identification of circulation improvements, funding sources and timing of installation.~~

This change was made in response to Comment 6-L.

#### **Section 4.15, page 4.15-45**

The City has the following additional criteria for determining the level of significance of project impacts:

LOS A, B, C, and D are considered acceptable LOS's for City intersections and roadway segments except where LOS E is considered acceptable for the following downtown intersections: Mill/Neal, W. Main/Mill, W. Main/Church, W. Main/School, Bank/S. Auburn, SR 20/49 SB Ramp/Bennett. Where project traffic is distributed, the following intersections and roadway segments must be analyzed if they: 1) are currently operating at LOS A, B, and C (D for downtown intersections identified above) where project traffic contributes 10 or more peak hour trips; 2) are currently operating at LOS D (E for downtown intersections identified above) or worse; and/or 3) are high accident locations (defined as intersections or roadway segments having five or more reported accidents within the most recent 3 year period).

If the project traffic causes an intersection or roadway segment to worsen from an acceptable LOS to LOS E or worse or is distributed to an intersection or roadway segment currently operating at an unacceptable LOS, the project is determined to cause a significant impact which must be mitigated. It is acceptable to

~~mitigate an intersection or roadway segment from an unacceptable LOS to an acceptable LOS. In the event of a significant impact, cumulative year analyses are required. Project is not consistent with 2020 General Plan and NCTC traffic model or future City-wide traffic model relative to land use and generation of higher traffic projections.~~

~~There are no feasible mitigation measures to reduce the impact of the project to less than significant levels. "Feasible" means mitigation has been identified in City's General Plan, Street System Master Plan, Capital Improvement Program (CIP), or Regional or Local Transportation Fee Program.~~

~~LOS A, B, C, and D are considered acceptable LOS's for City intersections and roadway segments.~~

~~If the project traffic causes an intersection or roadway segment to worsen from acceptable LOS to LOS E or worse or is distributed to an intersection or roadway segment currently operating at an unacceptable LOS, the project is determined to cause a significant impact which must be mitigated. It is acceptable to mitigate an intersection or roadway segment from an unacceptable LOS to an acceptable LOS. In the event of a significant impact, cumulative year analyses are required.~~

This change was made in response to Comment 6-L

#### **Section 4.15, page 4.15-49**

~~Internal circulation roads will be constructed connecting the sites, including a bridge / culvert structure over the creek at the northern portion corner of Site 12 providing a link to Site 13. A landscaped berm will be constructed at the northern boundary of Site 13 along SR 20 to provide noise screening and prohibit access to SR 20. Sight distance in and out of the site access road on Penn Valley Road is currently restricted due to the location of multiple large trees along the Penn Valley Road frontage. Removal of selected trees may be required to allow for adequate site distance at this location.~~

This change was made in response to Comment 22-E

#### **Section 4.15, page 4.15-71**

The following mitigation measure applies to Sites 3 through 9:

- 4.15-2 1. If the project would result in more than 63 total PM peak hour trips and more than 10 PM 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:
- a) Be required to install the improvements (likely a roundabout) at the Idaho-Maryland Road/Brunswick Road intersection; or
  - b) Pay the project's proportionate share of the Idaho-Maryland Road/Brunswick Road intersection improvements; or
  - c) Construction some associated improvement that would address project impacts at the Idaho-Maryland Road/Brunswick Road intersection; or
  - 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.
2. If the project would result in less than 10 PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.
- Timing/Implementation: Prior to occupancy of development within the project area.

Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.

~~As described in the Loma Rica Ranch Specific Plan EIR (RBF Consulting, 2011), a roundabout shall be constructed at the intersection of Idaho Maryland Road and Brunswick Road. This intersection is located on the downhill slope. The installation of a roundabout has been shown to reduce the number and severity of accidents. This mitigation would improve the operation of the intersection to LOS A. The improvement is identified in the Grass Valley Traffic Impact Fee (GVTIF).~~

~~To mitigate direct traffic impacts on the Idaho Maryland Road and Brunswick Road intersection, a new roundabout is required at this intersection. However, the County of Nevada does not control the timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to construct the roundabout in its entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection improvement.~~

~~Site Specific Development Analysis: 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.~~

~~Timing Implementation: Prior to issuance of a building permit~~

~~Enforcement / Monitoring Agency: City of Grass Valley~~ This change was made in response to Comment 6-M

**Section 4.15, page 4.15-74**

The following mitigation measure applies to Site 2:

- 4.15-3 1. If the project would result in more than 63 total PM peak hour trips and more than 10 PM 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:
- a) Be required to install the improvements (likely a roundabout) at the La Barr Meadows Drive/McKnight Way intersection; or
  - b) Pay the project's proportionate share of the La Barr Meadows Drive/McKnight Way intersection improvements; or
  - c) Construction some associated improvement that would address project impacts at the La Barr Meadows Drive/McKnight Way intersection; or
  - 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.
2. If the project would result in less than 10 PM peak hour trips at this intersection, the project proponent or successor in interest shall pay the associated mitigation fees.

Timing/Implementation: Prior to occupancy of development within the project area.

Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.

This change was made in response to Comment 6-N.

**Section 4.15, page 4.15-77**

Safety is a concern, and the addition of traffic is considered a potentially significant impact. Several new project driveways would be constructed on the study area street network. Some of these driveways exist as dirt roads only and the exact location may change. The County Land Use and Development Code Section L-II 2.7.11.C.8 (specific to the RH Combining District) requires the developer to provide written documentation as to their legal right to utilize and improve the road or roads that provide ingress and egress to the site, including secondary access if required, and that the road or roads meet the County minimum standards to serve the development proposed.

This change was made in response to Comment 2-B.

**Section 5.0: Growth Inducing and Cumulative Impacts**

Section 5.2.10, page 5-14

Projects proposed under the Housing Element Rezone Implementation Program would introduce the use of stationary equipment that would increase noise levels within the area. Based on the long-term stationary noise impact analysis, impacts would be less than significant. Additionally, future projects would not result in stationary long-term equipment that would significantly affect surrounding sensitive receptors. ~~Furthermore, future development proposals within the County would require separate discretionary approval and CEQA assessment, which would address potential noise impacts and identify necessary attenuation measures, where appropriate.~~ Thus, cumulative noise exposure for long-term operations would result in a less than significant impact.

Mitigation Measure 5.2.14-2, page 5-40

The following mitigation measure pertains to Sites 3 through 9.

- 5.2.14-2 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 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.

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.

Timing Implementation: Prior to issuance of a building permit.

Enforcement / Monitoring Agency: City of Grass Valley

This change was made in response to Comment 6-O.

## Section 6.0: Alternatives

### Section 6.3.1, page 6-7

#### ALTERNATIVES CONSIDERED BUT REJECTED

Two additional sites locations were reviewed as potential candidate sites for including in the RH Combining District program. The location of these sites are shown in Figure 6-1, *Alternative Site Locations*. Additionally a project alternative was considered that evaluated removing all of the site in one or more of the community regions and locating all of the candidate sites within one community region. These alternative sites were considered as potential alternative sites but were rejected from further analysis for the reasons discussed below.

#### Section 6.3.1, new text:

##### One or Two Community Regions Only

One potential alternative that was considered but rejected from further analysis was an alternative consisting of removing one or more of the community regions/village centers and placing the rezone sites in only one of the three, or two of the three community regions where the candidate sites were located. This would result in the following potential combinations: only Grass Valley, Penn Valley, or Lake of the Pines sites; Grass Valley and Penn Valley Sites; Grass Valley and Lake of the Pines Sites; and Penn Valley and Lake of the Pines Sites. The purpose of this potential alternative was to determine whether or not some of the significant and unavoidable impacts that have been found to occur as a part of the project could be reduced to significant and unavoidable levels. Below provides a brief summary and justification for rejecting each of these scenarios.

- Grass Valley Only. Under this scenario the maximum theoretical yield of units from this project would be 1,251-units and the aggregate density would be 735-units. Under this scenario both the original objective of 1,270-units and the revised objective of 699-units could be achieved. This scenario would result in all of the project impacts occurring within the Grass Valley Sphere of Influence primarily along Brunswick Road. While it would relieve potential impacts to the Lake of the Pines Community Region and the Penn Valley Village Center, it ultimately would put the complete burden of providing high density housing units on the City of Grass Valley. In addition, all of the significant and unavoidable impacts identified in the EIR, including but not limited to traffic/circulation, public services, air quality, and greenhouse gas emissions would be concentrated in this one area of the County. Placing all 699-units in the Grass Valley Sphere would also remove the ability of the County to provide higher density housing in other areas of the County where the need might be greater.

Since these sites would require public services from the City of Grass Valley, it is anticipated that all of these sites would need to be annexed into the City of Grass Valley. Once these sites are annexed, the rezoned sites would no longer be eligible to be considered suitable for accommodating the current or future RHNA. Also, the annexation would likely not occur until the sites begin to build out. As they are annexed, the County and City would be required to negotiate a mutually acceptable RHNA transfer agreement pursuant to Government Code Section 65584.07. While this would be required under any scenario for rezoned sites within the City's Sphere, the County anticipates that negotiations with the City would likely be very difficult to reach an agreement at these densities. Additionally, adding this much density to this area would likely be considered to

be inconsistent with the County's General Plan Land Use Element which states that County land use designations should not be more intensive than the City's designations within a Sphere of Influence. For these reasons further analysis of this alternative was not considered.

- **Penn Valley Only.** Under this scenario the maximum theoretical yield of units from this project would be 535-units and the aggregate density would be 330-units assuming Site 13 builds out at its full potential of 185-units (236-units total if Site 13 was rezoned to 91-units only). While this alternative would significantly reduce the overall significant and avoidable impacts of the project, especially those that occur with rezoning sites in the Grass Valley SOI, just placing rezoned units within the Penn Valley Village Center would not achieve the ultimate objective of this project which is to provide 699-units of high density (R3-RH) zoning. Since this scenario would not achieve the primary objective of this project it was not further analyzed.
- **Lake of the Pines Only.** Under this scenario the maximum theoretical yield of units from this project would be 662-units and the aggregate density would be 425-units. While this alternative would significantly reduce the overall significant and avoidable impacts of the project, especially those that occur with rezoning sites in the Grass Valley SOI, just placing rezoned units within the Lake of the Pines Community Region would not achieve the ultimate objective of this project which is to provide 699-units of high density (R3-RH) zoning. Since this scenario would not achieve the primary objective of this project it was not further analyzed.
- **Grass Valley and Penn Valley Sites.** Under this scenario the maximum theoretical yield of units from this project would be 1,735-units and the aggregate density would be 1,065-units assuming Site 13 builds out at its full potential of 185-units (971-units if Site 13 was rezoned to 91-units only). This approach would not achieve a substantial reduction of the overall significant and unavoidable impacts associated with the project. Specific impacts to the Combie Road/State Highway 49 intersection would be eliminated and other identified impacts to the Lake of the Pines area would also be eliminated, but the tradeoff would be additional impacts to both the Grass Valley and Penn Valley Areas because these two areas would be required to accommodate all of the rezoning to address the County's unmet Regional Housing Need Allocation. Since the Lake of the Pines area is one of the areas of the County that has experienced the most amount of growth in recent years, it is anticipated that some high density housing would be appropriate in that area and therefore this scenario was not analyzed further.
- **Grass Valley and Lake of the Pines Sites.** Under this scenario the maximum theoretical yield of units from this project would be 1,913-units and the aggregate density would be 1,160-units. This sub-alternative would achieve the primary goal of the project since enough units could be provided. Should this scenario have been pursued it would have resulted in all of the units and impacts to occur in the Grass Valley Sphere and the Lake of the Pines Area, but would relieve any potential impacts to the Penn Valley Village Center. It does not however reduce any of the significant and unavoidable impacts of the project nor does it provide additional high density housing options for the community of Penn Valley, which has been identified as a disadvantaged unincorporated community consistent with SB244 (Wolk). The median income and low vacancy rates identified in the 2010 Census for the Penn Valley area is a clear indicator that some high density housing would be appropriate there. Additionally, Penn Valley is one of the few areas in western Nevada County that has critical infrastructure necessary to support higher density housing including but not limited to a commercial village center, public roads, public water and planned public sewer

infrastructure and capacity, a large regional park and other related amenities. For these reasons, an alternative looking at only Grass Valley and Lake of the Pines was not further considered or analyzed.

- **Penn Valley and Lake of the Pines Sites.** Under this scenario the maximum theoretical yield of units from this project would be 1,197-units and the aggregate density would be 755-units assuming Site 13 builds out at its full potential of 185-units (661-units if Site 13 was rezoned to 91-units only). This sub-alternative would achieve the primary goal of the project since enough units could be provided, but would not provide the flexibility of reducing the unit count on Site 13. Of all of the scenarios discussed herein, this scenario provides the greatest reduction of significant and unavoidable impacts because all of the impacts identified that result from rezoning sites within the Grass Valley SOI (several) would be completely avoided. Additionally, this scenario would remove the subsequent requirement of going through the mutually acceptable transfer agreement process between the City of Grass Valley and Nevada County.

With this scenario, the rezoned sites would likely have the greatest potential of remaining as available to provide suitable sites for future the RHNA because they would not be annexed into the City as a part of the development process. However, this scenario was not considered for further analysis because:

- The County General Plan generally directs intensive residential growth to the City SOIs;
- The City has adequate infrastructure to support some higher density residential development;
- The majority of the proposed up zoning in the Grass Valley SOI is changing from Medium Density Residential to High Density Residential; and
- This sub-alternative would create a greater reliance on both the Penn Valley Village Center and the Lake of the Pines area to meet the project's primary objective.

Therefore, the County determined that it would inappropriate and shortsighted to completely remove the Grass Valley SOI from consideration.

### **Sites That Were Removed From Consideration by Property Owners**

The County was required to include programs within its last two Housing Element updates that require the County to rezone properties to create additional R3 zoning subject to specific State mandated rezone criteria. In addition to including these programs, the County's Housing Element(s) were required to show a list of sites, "rezone candidate sites" with a preliminary analysis of the overall suitability of those sites to be rezoned. Within the 2009-2014 Housing Element update, two distinct sets of rezone candidate sites were provided. The first set was a list of fourteen (14) properties within the Grass Valley Sphere of Influence (SOI) that were identified in the 2003-2008 as sites that could be rezoned to provide additional medium density residential opportunities. Specifically sites were identified in the 2003-2008 Housing Element for rezoning because their County zoning/general plan designations were inconsistent with the City of Grass Valley General Plan 2020, which had them designated as Urban Medium Density where the County's General Plan had them designated as Business Park. HCD interpreted that this unimplemented rezone program as an unmet need and subsequently these sites were included with the intention of meeting the unmet need of 571-units from the 3<sup>rd</sup> Housing Element revision (2003-2008).

The 2009-2014 Housing Element included a second set of rezone candidate sites that were identified as potentially suitable to be considered for rezoning based on a specific set of criteria. This criterion is discussed in greater detail below. Twenty-five properties were included to address the unmet need of 699-units from the 4<sup>th</sup> Housing Element revision (2009-2014). In total, the County identified thirty-nine (39) rezone candidate sites in the 2009-2014 Housing Element update that had the potential to accommodate the identified unmet housing need of 1,270-high density units. When adopting the 2009-2014 Housing Element update, the County Board of Supervisors directed staff to work with willing property owners to implement the rezone programs. As a result of this direction, the Planning Department went through an extensive outreach process prior to beginning the environmental review process for the proposed project. As a result of the outreach process, the number of rezone candidate sites was reduced to eighteen that met the site selection criteria described below.

For the 2014-2019 Housing Element update, the County recognized that there would be a reduction in the overall rezoning need to accommodate 699-units rather than 1,270-units. Therefore, the County included only those sites that were currently being reviewed by this EIR and no new sites were added nor were any sites removed. While it was anticipated that the certification of the Housing Element would result in the reduction, the County had spent a significant amount of time and financial resources of reviewing the original candidate rezone sites and felt it would be premature to start removing sites at this stage. By keeping all eighteen sites (later reduced to seventeen) it provided the greatest amount of flexibility to the County's decision makers to choose the sites that made the most sense from a planning, infrastructure, and environmental standpoint.

When selecting potential rezone candidate sites, the County created a specific set of criteria for a property to be considered. The most critical and primary determiner for a site to be considered as a rezone candidate site was related to the fact that for a site to be developed with high density residential use it must have access to public sewer, water and roads and therefore should be within a designated Community Region or Village Center. With that in mind, rezone candidate sites were required to meet the majority of the following factors to be added to the list: 1) the site is currently undeveloped; 2) the site has ingress and egress on a County maintained road or is in close proximity to a County maintained road; 3) the site is located within or in close proximity to a Community Region or Village Center that has access to services and jobs; 4) the site is on or in close proximity to a public transit route; 5) the site is within or in close proximity to an existing sanitation district; 6) the site is within an existing or in close proximity to a public water district; 7) the site has areas that are relatively flat that could accommodate higher density development; 8) the site is relatively clear of environmental constraints, such as wetlands, watercourses, excessive slopes, etc.; 9) the site is zoned Planned Development (PD) that anticipated high density residential development; and/or 10) the Planning Commissioner or Supervisor from the Supervisorial District identified the site as a viable option for rezoning. These standards were later incorporated into Land Use and Development Code Section L-II 2.7.11: Regional Housing Need (RH) Combining District as the "Site Selection Criteria" for future properties to be considered for the addition of the RH Combining District. As briefly mentioned above, for a site to actually be rezoned to add the RH Combining District, the Board also added a requirement for staff to work with willing property owners.

In addition to adhering to the rezone candidate site criteria, Planning Department staff also followed a logical zoning progression when looking at existing zoning of potential rezone candidate sites. The most logical first place to identify sites for an increase in density were sites that were zoned for Urban Medium

Density (UMD/R2) uses, which would be the smallest increase in density. Next was Urban Single Family (USF/R1), which was a larger jump in density but still in areas that are typically near more built up areas with existing infrastructure. Next were Planned Development (PD)/Interim Development Reserve (IDR) properties that already had an allocation of either R3 or at least R2 zoning assigned to the PD/IDR. The next designations that were considered were both Business Park (BP) and Office Professional (OP) because staff recognized that the County had a good amount of BP and OP properties that could meet the rezone candidate site criteria and particularly due to the fact that these properties were located primarily in areas that had public roads, sewer, and water. Additionally, there has not been a history of Business Park or Office Professional development that had occurred in the unincorporated area over the last 5 to 10-years. The final existing zoning designation that was considered for the candidate rezone sites was Commercial. Typically, sites that are zoned commercial are located in areas that most easily meet the rezone candidate site criteria. Staff viewed these properties not for conversion to Urban High Density, but as sites that could be built out as a mixed-use development that still retained the underlying commercial designation with an increase in the allowed residential units from four units per acre to the state required minimum 16-units per acre.

Unless added by the Planning Commission or the Board of Supervisors, the Planning Department did not consider Rural designations such as General Agriculture (AG), Agriculture Exclusive (AE), Forest (FR), Recreation (REC) or Timber Production Zone (TPZ) as potential candidate rezone sites because in most cases properties with these designations are in areas that do not have public sewer and other necessary infrastructure needed to support high density residential housing and subsequently could not meet the candidate rezone site criteria. Staff also did not include the potential rezoning of Industrial designated properties primarily because a lack of suitable industrial designated properties for industrial use had been identified by the local development community and because typically industrial uses are the least compatible with residential uses. As an exception, a site with an Industrial designation was included as a potential candidate site in the 2009-2014 Housing Element update at the direction of the Planning Commission which is allowed by the rezone candidate site criteria. That site was later removed from consideration at the request of the property owner. Utilizing this process of elimination, the County started out considering every property in the unincorporated area (41,865 parcels) and reduced that down to 39-candidate rezone sites, which was then reduced down to the original 18-sites (now 17) that were included in the Project Description and that are being reviewed as a part of this EIR.

As described above, several criteria were considered when selecting potential candidate rezone sites. The need for a property owner to willingly participate in the process was only one of these criteria and was the result of specific verbal direction provided to the Planning Department when adopting the 2009-2014 Housing Element update. The sites that were removed at the request of property owners are likely less suitable than those that were ultimately included for consideration in the Draft EIR, due to the majority of those sites being designated on the General Plan Land Use Maps as Business Park, Office Professional, Commercial and Industrial, and being surrounded by similar uses (see Table 6.0 below). For example several of the properties that were included in the 2003-2008 Housing Element were located on East Bennett Road in the Grass Valley SOI in an area that is predominately developed with Commercial, Business Park, and Light Industrial uses. Additionally, the property owner for those properties envisioned the use of their property for non-residential use as currently designated by the County General Plan Land Use and Zoning District Maps. Further, the majority of the sites that were removed by property owners were not included in the Draft EIR Project Description and subsequently, were not further discussed as an Alternative within

the EIR. For all of the reasons above, the County has determined that further analysis or review of any of the removed 23-sites is not required. This determination was made in the same fashion the County has determined not to include the other 41,847 properties in unincorporated area that did not become a candidate rezone site as a feasible alternative; because these sites either did not meet some of the important site selection criteria and/or they were originally identified as rezone candidate sites only to be rezoned for consistency with the City of Grass Valley General Plan and not to meet RHNA requirements.

**TABLE 6.0  
SITES THAT WERE REMOVED FROM REZONING CONSIDERATION AT  
REQUEST OF PROPERTY OWNER**

<u>APN</u>	<u>Acres</u>	<u>Co General Plan</u>	<u>Current Co Zoning</u>	<u>GV General Plan</u>	<u>Notes</u>
<u>09-560-33*</u>	<u>13.04</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	<u>*2003-08 Sites</u>
<u>09-560-34*</u>	<u>5.32</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-05*</u>	<u>7.92</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-32*</u>	<u>2.43</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-37*</u>	<u>8.91</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-39*</u>	<u>4.03</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-38*</u>	<u>2.03</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-13*</u>	<u>1.31</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>09-560-10*</u>	<u>8.86</u>	<u>BP</u>	<u>BP</u>	<u>UMD</u>	
<u>07-550-16</u>	<u>20.02</u>	<u>OP</u>	<u>OP</u>	<u>OP</u>	<u>2009-2014 Sites</u>
<u>07-400-01</u>	<u>4.87</u>	<u>OP</u>	<u>OP</u>	<u>OP</u>	
<u>09-680-50</u>	<u>2.97</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>09-680-51</u>	<u>3.56</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>09-680-53</u>	<u>4.55</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>09-680-52</u>	<u>9.62</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	
<u>12-010-59</u>	<u>4.30</u>	<u>BP</u>	<u>BP-SP</u>	<u>n/a (Cedar Ridge Y)</u>	
<u>23-300-54**</u>	<u>2.01</u>	<u>UMD</u>	<u>R2-MH</u>	<u>n/a (Hwy 49 Near Alta Sierra Entrance)</u>	
<u>51-160-24</u>	<u>1.19</u>	<u>CC</u>	<u>C2-SP</u>	<u>n/a (Penn Valley)</u>	
<u>51-130-14</u>	<u>2.16</u>	<u>CC</u>	<u>C2</u>	<u>n/a (Penn Valley)</u>	
<u>60-100-18</u>	<u>3.57</u>	<u>NC/ RUR-10</u>	<u>C1/AG-10</u>	<u>n/a (North San Juan)</u>	
<u>09-270-04*</u>	<u>10.68</u>	<u>USF</u>	<u>3.62-acres R3 Remainder R1</u>	<u>UHD</u>	<u>Withdrawn Late</u>
<u>37-050-69</u>	<u>4.54</u>	<u>IND</u>	<u>M1</u>	<u>PD (NC SOI)</u>	
<u>29-350-12</u>	<u>11.36</u>	<u>BP</u>	<u>BP</u>	<u>BP</u>	

\*\* Removal of this site was mutually agreed to by the County and property owner.

**Section 6.3.3, page 6-18****Recreation**

Alternative 2 would result in the same amount of residential development as the proposed project and would have a similar demand for park and recreational facilities. However, the closest existing park to the East Bennett Road sites would be Empire Mine State Historic Park. As such development on these sites would be required to contribute to recreation mitigation fees or other such fee program as determined by the County as a fair share payment for use of the Empire Mine State Park given those sites' proximity to the park. Thus, Alternative 2 would be equivalent to the proposed project.

This change was made in Response to Comment 5-F.

**Section 6.3.3, page 6-21****Aesthetics**

Alternative 3 would likely contain similar guidance and direction addressing the visual appearance of new development and the protection of aesthetic resources as the proposed project. However, Site 7 would require specific design measures such as screening vegetation, setbacks, and interior security fencing should be incorporated into the project design to minimize potential impacts on the Empire Mine State Historic Park. As a result, the potential aesthetic impacts of new development would be mitigated in the same manner as the proposed project (adherence to County and City regulations and design guideline requirements). Because of the sloped terrain on Site 6 (the larger of Berriman Ranch sites), Alternative 3 would result in increased grading and clearing of the existing woodlands in order to create building pads, parking areas, and driveways associated with multi-family development. However, most of the views from public vantage points such as SR 49 would be screened from view due to the existing woodlands that line the highway in this area. Relocating the development on these sites to Berriman Ranch will result in physical and visual separation among the projects located along Brunswick Road. Because of the proximity of the proposed project Sites 6, 7, and 8 to Brunswick Road, the reduction in density along Brunswick Road would be more noticeable to the public than the development at Berriman Ranch because of the existing screening along SR 49. For these reasons, aesthetic impacts associated with Alternative 3 would be ~~slightly less~~ similar compared to the proposed project.

These changes were made in response to Comment 5-C.

**Section 6.3.3, page 6-23****Recreation**

Alternative 3 would result in the same amount of residential development as the proposed project and would have a similar demand for park and recreational facilities. However, the closest existing park to Site 7 would be Empire Mine State Historic Park. As such development on this site would be required to contribute to recreation mitigation fees or other such fee program as determined by the County as a fair share payment for use of the Empire Mine State Park given that site's proximity to the park. Thus, Alternative 3 would be equivalent to the proposed project.

This change was made in response to Comment 5-F.

**Section 6.3.3, page 6-24 – Alternative 4**

Alternative 4, the Reduced Project alternative has been revised to reflect changes in the project such as the property owner of Site 2 requesting to be removed from the program, and a decision by the County to remove Site 1 based on the desires of the property owner to seek commercial uses on the property, and to include site 14 as part of the alternative based on the property owner's desire to seek access off of Combie Road (pending permission for access from the Higgins Fire Protection District, and the desire of the County

to retain the site because of its proximity to the commercial areas and infrastructure located at the Combie Road/SR 49 intersection.

#### **Alternative 4: Reduced Development**

##### Description of Alternative

The Reduced Development Alternative (Alternative 4) removes ~~four~~ three of the most environmentally sensitive sites from the program to minimize the environmental effects of implementing the Housing Element Rezone. Two sites in the Grass Valley SOI area are removed based on information the property provided to County staff during the Draft EIR public review process. The purpose of this alternative is to remove the sites with ~~the most significant~~ physical constraints to development such that the overall environmental impact of implementing the program is reduced, yet still leaving enough opportunity to for the County to meet the required Regional Housing needs and state law. The sites that have ~~the most significant~~ physical constraints were removed to decrease impacts on biological resources, cultural resources, traffic, aesthetics, and other issues that would be adversely affected by development. One of the sites was removed, because the owner no longer wished to participate in the program and another site was removed given the relatively small size of the site (approximately one acre) and the property owner's desire to develop mixed uses with a commercial designation, and to decrease the number of units in the City of Grass Valley SOI area.

The following sites would be removed from the project under this alternative:

Site 1: This site was removed because it's relatively small size, 1.08 acres, did not provide a significant number of units to the County's overall density requirements. Removing the site from the program eliminates some of the density from the Grass Valley SOI. Additionally, the property owner desires to have a mixed use development with commercial and residential uses which would not be permitted under the RH Combining District, because the existing zoning on the site is Office Professional.

Site 2: This site was removed because the County was informed by the property owner that participation was no longer desired and requested the property be removed from consideration.

*Site 7:* This site is removed because of physical constraints associated with the property. A tributary to Wolf Creek traverses the southeast portion of the site as well as intermittent streams riparian vegetation on other places throughout the site. Potential historic resources were identified at this site. Additionally, as one of the three largest parcels in the cluster of sites along Brunswick Road, it has one of the highest maximum yield of units at 198 units. Removal of these units would reduce the amount of traffic from this cluster of development. Additionally, this site is located adjacent to the recently approved Loma Rica Ranch Project. By removing this site from the program it would provide an additional visual and physical from the future development on the Loma Rica Ranch site.

*Site 8:* This site has similar physical constraints as those described for Site 7 and has been removed from the program for the same reasons. A tributary to Wolf Creek traverses the site near the center of the property which substantially restricts the amount of area available for development due to wetland protection requirements. Intermittent wetlands also are located along the property frontage of Brunswick Road which would result in potential wetland impacts associated with roadway improvements.

~~Site 14: This site is removed because of physical constraints on the property. This site contains a well-developed blue oak woodland over approximately 80% of the site which makes avoidance difficult. The project site is located on a hillside which would require grading with manufactured slopes that would be visible from SR 49.~~  
*Site 17:* This site is removed because of the physical constraints associated with developing the property. The site is bisected by Ragsdale Creek and has a wide riparian zone associated with the creek that would make avoidance difficult. The site also contains sensitive black oak dominated woodland outside the riparian zone. Ragsdale Creek is potential habitat for sensitive aquatic species.

Table 6-5 shows the maximum number of units for the Reduced Development Alternative with Sites 1, 2, 7, 8, 13, 14, and 17 removed. As shown in the table, the project would reduce the total acreage of properties in the program by ~~27.69~~35.13 acres or ~~approximately 19~~24%. The maximum number of units would be reduced by ~~519~~692 units or ~~approximately 20~~26%.

**Table 6-5  
Theoretical Yield of the Reduced Development Alternative**

Site	1*	2*	3	4	5	6	7*	8*	9	10	11	12	13	14	15	16	17*	18	TOTAL <sup>1</sup>
Parcel Area (Acres)	<del>1.08</del>	<del>11.36</del>	9.15	11.35	4.5	9.7			6.49	5.95	3.1	4.37	20.1	<del>5.0</del>	5.0	18.12		11.03	<del>121.30</del> <u>113.86</u>
Building Density (du/acres)	<del>20</del>	<del>20</del>	20	20	20	20			20	16	16	16	16	<del>16</del>	16	16		16	-
Maximum Yield (Units)	<del>22</del>	<del>227</del>	183	227	90	194			<del>130</del> <u>129</u>	95	<del>50</del> <u>49</u>	<del>70</del> <u>69</u>	322	<del>80</del>	80	<del>290</del> <u>289</u>		176	<del>2,156</del> <u>1,983</u>

\*These sites are removed from the Reduced Development Alternative

<sup>1</sup> For comparison, the proposed project is 148.99 acres and 2,675 units.

Environmental Impacts Compared to the Project

*Land Use and Planning*

Under Alternative 4, the type and distribution of land uses would be similar to the proposed project, though this alternative would provide fewer residential units, but similar conflicts with the Grass Valley General Plan that occur with the proposed project would remain under Alternative 4. Neither the proposed project nor Alternative 4 would physically divide any existing communities within the County of Nevada or the City of Grass Valley SOI or Planning Area. By eliminating Sites 1 and 2, the proposed sites within the Grass Valley SOI are limited to the 5 sites located off of Brunswick Road. Each alternative would propose new land use designations for the project area. As a result, Alternative 4 would have the same impacts as the proposed project.

*Aesthetics*

~~Residential development would be reduced by approximately 19 percent in the proposed RH Combining District area.~~ Approximately 24 percent fewer acres would be developed under Alternative 4. Both Alternative 4 and the proposed project would result in temporary increases in light and glare, as well as temporary impacts on scenic views and visual quality during construction. Construction-related visual quality impacts would be mitigated in the same manner under each scenario.

Alternative 4 would remove sites that would be ~~most~~ visible from major public thoroughfares such as Sites 7 and 8 (Brunswick Road), ~~Site 14 (SR 49), and Site 17 (Combie Road).~~ For the remaining sites, the potential aesthetic impacts of new development would be mitigated in the same manner as the proposed project (adherence to County and City regulations and design guideline requirements). For these reasons, impacts associated with Alternative 4 would be reduced compared to the proposed project.

*Air Quality and Greenhouse Gas*

Alternative 4 would result in less residential development compared to the proposed project. The reduced number of units would result in fewer vehicle trips compared to the proposed project. Both Alternative 4 and the proposed project would be expected to contribute to pollutants for which the area is in non-attainment and would, therefore, conflict with applicable air quality management plans and result in cumulatively considerable impacts on air quality. In addition, both Alternative 4 and the proposed project

in combination with other projects would cumulatively contribute GHG emissions in amounts that could hinder the state’s ability to achieve AB 32 goals. However, overall Alternative 4 would result in reduced air quality and greenhouse gas impacts compared to the proposed project.

*Biological Resources*

Alternative 4 would result in development that would reduce potential impacts on biological resources compared to the proposed projects. The four of the five sites that have been removed under Alternative 4 support sensitive biological resources such as wetlands, oak woodlands, and riparian habitat on all or significant portion of the site. Table 6-6 provides a comparison of the impacts to plant communities. ~~This alternative would eliminate impacts to Blue Oak Woodland habitat.~~ For the remainder of the sites in this alternative, mitigation addressing biological resources required for the proposed project would also be implemented under Alternative 4 and it would likely have similar the same guidance and direction. For these reasons, Alternative 4 would have reduced biological impacts compared to the proposed project.

**Table 6-6  
Potential Impacts to Plant Communities  
for the Reduced Development Alternative**

Site	Annual Grassland (Acres)	Valley Oak Woodland (Acres)	Blue Oak Woodland (Acres)	Montane Hardwood (Acres)	Sierran Mixed Conifer (Acres)	Foothill Riparian (Acres)	Mixed Chaparral (Acres)	Blue Oak-Foothill Pine (Acres)
1	-	-	-	-	-	-	-	-
2	-	-	-	5.780	8.110	-	-	-
3	-	-	-	.03	8.01	0.07	-	-
4	-	-	-	-	11.48	-	-	-
5	-	-	-	-	5.62	-	-	-
6	-	-	-	-	10.06	-	-	-
7	-	-	-	-	0	0	-	-
8	-	-	-	-	0	0	-	-
9	-	-	-	-	4.85	-	-	-
10	4.18	-	-	-	-	-	-	-
11	2.31	-	-	-	-	-	-	-
12	2.82	-	-	-	-	-	-	-
13	7.33	2.97	-	-	1.29	-	-	-
14	-	-	2.63	-	-	-	-	-
15	-	-	-	3.86	-	-	-	-
16	-	-	-	5.25	-	-	1.68	11.93
17	-	-	-	0	-	0	-	-
18	-	-	-	4.82	3.80	-	-	-

Site	Annual Grassland (Acres)	Valley Oak Woodland (Acres)	Blue Oak Woodland (Acres)	Montane Hardwood (Acres)	Sierran Mixed Conifer (Acres)	Foothill Riparian (Acres)	Mixed Chaparral (Acres)	Blue Oak-Foothill Pine (Acres)
<b>Total</b>	<b>9.31</b>	<b>2.97</b>	<b>2.63</b>	<del>14.93</del> <b>13.96</b>	<del>51.93</del> <b>45.11</b>	<b>0.07</b>	<b>1.68</b>	<b>11.93</b>
<b>Proposed Project</b>	<b>16.64</b>	<b>2.97</b>	<del>1.27</del> <b>2.63</b>	<b>14.93</b>	<b>61.12</b>	<b>0.74</b>	<b>1.68</b>	<b>11.93</b>

*Cultural Resources*

Under Alternative 4, the development footprint would be reduced compared to that of the proposed project. Impacts on potential historical and prehistoric resources on Sites 7 and 8 would be avoided under this alternative. For the remaining sites, potential impacts on cultural resources and mitigation necessary to reduce impacts to less than significant would be comparable. For these reasons, potential cultural resource impacts associated with Alternative 4 would be reduced compared to the proposed project.

*Geology and Soils*

Alternative 4 would result in approximately 28 fewer acres of development compared to the proposed project. Overall, up to approximately ~~519-692~~ fewer units would be in the project area under Alternative 4. When compared to the proposed project, fewer people would be exposed to seismic and unstable soil hazards under the Alternative 4. Regardless, current federal, state and local regulations require specific mitigations to reduce impacts related to geologic and seismic hazards, which would apply to both Alternative 4 and the proposed project. Additionally, each scenario would require site-specific measures on a project-by-project basis to reduce potential seismic and geologic hazard impacts to less than significant. Thus, Alternative 4 would result in a slight improvement compared to the proposed project.

*Hazards and Hazardous Materials*

Since Alternative 4 would result in fewer people in the project area, it would have the potential to expose less people to risks associated with hazards and hazardous materials. With the removal of Sites 7 and 8, fewer people would be living within Zone D of the Nevada County Airport Land Use Compatibility Plan area. Federal, state and local regulations would mitigate potential hazards and hazardous materials impacts under Alternative 4 in the same manner they would under the proposed project. For these reasons, Alternative 4 would result in a slight reduction compared to the proposed project.

*Hydrology and Water Quality*

Compared to the proposed project, Alternative 4 would result in less multi-family residential development. Both would substantially increase impermeable surfaces, which could result in an increased risk of flooding, stormwater contamination and degradation of water quality in receiving water bodies. Applicable state and local regulations protecting against flooding and hydrologic impacts would apply under Alternative 4. In addition, site-specific measures would be required on a project-by-project basis to address flooding and other hydrologic impacts. For these reasons, Alternative 4 would be slightly less compared to the proposed project as a result of less building area.

*Noise*

Under Alternative 4, there would be up to approximately ~~519-692~~ fewer homes. Neither Alternative 4 nor the proposed project would exceed established noise standards as a result of traffic increases, and mitigation would be required for each to prevent potential noise impacts on any sensitive uses should they be proposed along specific roadways. Like the project, Alternative 4 would be subject to County and City policies and

regulations regarding construction noise, and mitigation for construction noise and ground-borne vibration would be required to reduce impacts to less than significant. Furthermore, both Alternative 4 and the proposed project would be required to mitigate potential stationary mechanical noise impacts to less than significant. Therefore, Alternative 4 would have the same impact as the proposed project.

#### *Population and Housing*

Alternative 4 would result in up to approximately ~~519-692~~ fewer homes compared to the proposed project and would be within the growth estimates identified in the County General Plan and, like the proposed project, would exceed estimates the City's 2020 General Plan because of the higher densities proposed on the sites within the City's Sphere of Influence. However, the population growth within the City of Grass Valley would be incrementally less because ~~two-four~~ of the sites, and up to 655 fewer units that are removed from this Alternative are within the City's Sphere of Influence. Like the proposed project, Alternative 4 would not displace existing housing or people. Therefore, Alternative 4 would be equivalent compared to the proposed project.

#### *Public Services, Utilities and Service Systems*

Population growth associated with Alternative 4 would have less demand for fire and police services, libraries, schools and parks and recreational services when compared to the proposed project. Similar to the proposed project, mitigation measures to reduce potential utility impacts associated with the water and sewer demand increases would be required, but would still be considered significant and unavoidable, due to the unknown capacities at the time development of the sites would occur. As a result, Alternative 4 would have a reduced impact compared to the proposed project.

#### *Recreation*

When compared to the proposed project, Alternative 4 would result in approximately ~~519-692~~ fewer units. Accordingly, the decrease in population would decrease the demand for park and recreational facilities. Therefore, Alternative 4 would have a slight improvement over the proposed project.

#### *Transportation/Traffic*

Under Alternative 4, there would be less development by up to ~~519-692~~ units. Thus, there would be fewer daily vehicle trips associated with new housing. Daily vehicle trips would decrease under Alternative 4 when compared to the proposed project. Under the proposed project there would be significant unavoidable cumulative traffic impacts at the Brunswick Road/SR 49, Brunswick Road/Town Talk, and SR 49/Combie Road intersections. Under Alternative 4 there would be a reduction in traffic volumes at these intersections because Sites 1, 2, 7, 8, 14, and 17 have been removed from the project and would no longer contribute to these failing intersections. Additionally, there would be less cumulative potential safety risk associated with the Brunswick Road/Town Talk intersection because Sites 7 and 8 would no longer contribute to traffic to the intersection. The removal of Site 2 under this alternative would direct impacts eliminate direct project impacts the La Barr Meadows Road/Mcknight Way intersection. Cumulative impacts at the SR 49/McKnight Way intersection would be reduced as well as Sites 1 and 2 would no longer contribute to traffic to this intersection. Sites 1 and 2 are the two closest project sites to the SR 49/ McKnight Way intersection, and therefore would have result in the biggest reduction in cumulative impacts to this intersection. Consequently, Alternative 4 would have a reduced impact compared to the proposed project, however mitigation requirements within the jurisdiction of the City of Grass Valley would remain significant and unavoidable.

## **UPDATED REGIONAL HOUSING NEED ALTERNATIVE**

The following alternative addresses a new alternative that was added to the EIR analysis as part of the preparation of the Final EIR.

**ALTERNATIVE 5: UPDATED REGIONAL HOUSING NEED ALTERNATIVE**

This Alternative is proposed as a result of the adoption of the County's 5th Revision to the Housing Element (2014-2019 planning cycle), adopted by the Board of Supervisors on June 24, 2014 and certified by HCD on July 17, 2014. As a result, the County was able to reduce the minimum amount of required rezoning from 1,270-units to 699-units. The same sites that are included in the analysis of 2009-2014 planning cycle (those evaluated in Chapter 4 of this EIR) were retained as potential candidate rezone sites in the latest revision of the County's Housing Element, with the exception of Site 2 which was withdrawn from the Program in November 2013 at the request of the property owner.

As result of the reduction in Regional Housing Need from 1,270 units to 699 units, County staff looked at alternatives to rezoning fewer properties to decrease potential impacts on the environment as a result of the project. County staff evaluated the proposed properties and ranked the properties in "Tiers" based on the suitability of the properties for re-designation. With the required number of overall units reduced to 699, County staff considered options for reducing the number of sites in each of the three communities in which the re-designation was proposed.

As described in Chapter 3, the following sites have been determined to be the most suitable for re-designation and the application of the RH combining districts standards: Sites 3, 5, 6, 11, 12, 14, 16 and 18. These sites and would be considered the first tier for implementing the project and meeting the project objectives.

There are several different combinations however that will accomplish the same goal. The second tier of sites which are almost equally suitable as the tier one sites include Sites 4, 9, 13 (at 91-units only) and 15. These sites are considered tier two sites because they are located in the immediate vicinity the tier one sites that accomplishes the project's objectives. These sites could be mixed in with the first eight sites to go beyond the unmet need of 699-units or could be switched with one or multiple first tier sites with similar identified aggregate densities to meet the minimum of 699 units of density.

The least desirable sites, or the third tier sites, are those that are considered the most constrained or only minimally implement the project goals and include Sites 1, 7, 8, 10, and 17. As a result of this EIR, the third tier sites could effectively be chosen for rezoning, but are less suitable than the twelve sites that are identified as first and second tier sites.

As previously noted, any combination of Tier 1 and 2 Sites would meet the project objective. However, this alternative will evaluate the Tier 1 sites as those sites would be considered the most suitable. Evaluating Tier 1 and 2 sites together was considered, but evaluating Tiers 1 and 2 together would result in an alternative that was substantially the same as the Alternative 4: The Reduced Development Alternative. Tier 3 Sites 7, 8, and 14 were also those selected to be removed from the Reduced Development Alternative. Only Tier 3 Sites 1 and 17 were not removed from the Reduced Development Alternative, and those sites are less than 3.5 acres combined and would not result in a substantially different conclusion.

For these reasons County staff decided to evaluate only the Tier 1 Sites to determine if the Tier 1 sites would reduce significant environmental impacts. Table 6-7 shows what the theoretical yield of the site would be with the eight Tier 1 units. Table 6-7 shows that the Tier 1 Sites would generate a maximum of

1,130 units on 64.97 acres. Compared to the proposed project that is 1,542 fewer units (58% fewer) on 84.02 fewer acres. Table 6-8 compares the aggregate density of the Tier 1 sites, based on building footprint of each site. Based on a development footprint of 47.68 acres, this alternative would yield 759 units. This would exceed the Regional Housing Need of 699 units.

**Table 6-7**  
**Theoretical Yield of the Updated Regional Housing Need Alternative – Tier 1 Sites**

Site	1*	2*	3	4*	5	6	7*	8*	9*	10*	11	12	13*	14	15*	16	17*	18	TOTAL <sup>1</sup>
<b>Parcel Area (Acres)</b>			9.15		4.5	9.7					3.1	4.37		5.0		18.12		11.03	<b>64.97</b>
<b>Building Density (du/acres)</b>			20		20	20					16	16		16		16		16	=
<b>Maximum Yield (Units)</b>			183		90	194					49	69		80		289		176	<b>1,130</b>

\*These sites are removed from the Updated Regional Housing Need Alternative

<sup>1</sup> For comparison, the proposed project is 148.99 acres and 2,675 units.

**Table 6-8**  
**Identified Potential Density for the Updated Regional Housing Need Alternative – Tier 1 Sites (i.e., Aggregate Density)**

Site	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	TOTAL
<b>Parcel Area (Acres)<sup>1</sup></b>			9.15		4.5	9.7					3.1	4.37		5.0		18.12		11.03	<b>64.97</b>
<b>Development Footprint (Acres)</b>			7.39		4.48	9.45					2.29	2.82		2.63		11.81		6.81	<b>47.68</b>
<b>Proposed Building Density (du/acre)</b>			16		16	16					16	16		16		16		16	=
<b>Proposed Density (Units)</b>			118		71	151					36	45		42		188		108	<b>759</b>

<sup>1</sup> Based on existing County of Nevada Assessor's Parcel data

**Environmental Impacts Compared to the Project**

**Land Use and Planning**

Under Alternative 5, the type and distribution of land uses would be reduced compared to the proposed project, as this alternative would provide fewer residential units. Conflicts with the Grass Valley General Plan that occur with the proposed project would remain under Alternative 5, however, the conflicts would be limited to 3 properties clustered on Brunswick Road. Neither the proposed project nor Alternative 5 would physically divide any existing communities within the County of Nevada or the City of Grass Valley

SOI or Planning Area. Each alternative would propose new land use designations for the project area. As a result, Alternative 5 would have reduced impacts compared to the proposed project.

**Aesthetics**

Residential development would be reduced by approximately 58 percent in the proposed RH Combining District area under Alternative 5. Both Alternative 5 and the proposed project would result in temporary increases in light and glare, as well as temporary impacts on scenic views and visual quality during construction. Construction-related visual quality impacts would be mitigated in the same manner under each scenario.

Alternative 5 would remove sites that would be most visible from major public thoroughfares such as Sites 7 and 8 (Brunswick Road), Site 15 (SR 49), and Site 17 (Combie Road). For the remaining sites, the potential aesthetic impacts of new development would be mitigated in the same manner as the proposed project (adherence to County and City regulations and design guideline requirements). For these reasons, impacts associated with Alternative 4 would be reduced compared to the proposed project.

**Air Quality and Greenhouse Gas**

Alternative 5 would result in less residential development compared to the proposed project. The reduced number of units would result in fewer vehicle trips compared to the proposed project. Both Alternative 5 and the proposed project would be expected to contribute to pollutants for which the area is in non-attainment and would, therefore, conflict with applicable air quality management plans and result in cumulatively considerable impacts on air quality. In addition, both Alternative 5 and the proposed project in combination with other projects would cumulatively contribute GHG emissions in amounts that could hinder the state’s ability to achieve AB 32 goals. However, overall Alternative 5 with a maximum yield of 1,542 fewer units and a reduction of 84.02 acres compared to the proposed project would substantially reduce air quality and greenhouse gas impacts compared to the proposed project.

**Biological Resources**

Alternative 5 would result in development that would reduce potential impacts on biological resources compared to the proposed projects. The nine sites that have been removed under Alternative 5 support sensitive biological resources such as wetlands, oak woodlands, and riparian habitat on all or significant portion of the site. Table 6-9 provides a comparison of the impacts to plant communities. This alternative would eliminate impacts to Valley Oak Woodland, and substantially reduce impacts on Sierran Mixed Conifer and Foothill Riparian habitats. For the remainder of the sites in this alternative, mitigation addressing biological resources required for the proposed project would also be implemented under Alternative 5 and it would likely have similar guidance and direction. For these reasons, Alternative 5 would have reduced biological impacts compared to the proposed project.

**Table 6-9**  
**Potential Impacts to Plant Communities**  
**for the Reduced Development Alternative**

<u>Site</u>	<u>Annual Grassland (Acres)</u>	<u>Valley Oak Woodland (Acres)</u>	<u>Blue Oak Woodland (Acres)</u>	<u>Montane Hardwood (Acres)</u>	<u>Sierran Mixed Conifer (Acres)</u>	<u>Foothill Riparian (Acres)</u>	<u>Mixed Chaparral (Acres)</u>	<u>Blue Oak-Foothill Pine (Acres)</u>
<u>1</u>	-	-	-	-	-	-	-	-
<u>2</u>	-	-	-	0	0	-	-	-
<u>3</u>	-	-	-	.03	8.01	0.07	-	-

<u>Site</u>	<u>Annual Grassland (Acres)</u>	<u>Valley Oak Woodland (Acres)</u>	<u>Blue Oak Woodland (Acres)</u>	<u>Montane Hardwood (Acres)</u>	<u>Sierran Mixed Conifer (Acres)</u>	<u>Foothill Riparian (Acres)</u>	<u>Mixed Chaparral (Acres)</u>	<u>Blue Oak-Foothill Pine (Acres)</u>
<u>4</u>	=	=	=	=	<u>0</u>	=	=	=
<u>5</u>	=	=	=	=	<u>5.62</u>	=	=	=
<u>6</u>	=	=	=	=	<u>10.06</u>	=	=	=
<u>7</u>	=	=	=	=	<u>0</u>	<u>0</u>	=	=
<u>8</u>	=	=	=	=	<u>0</u>	<u>0</u>	=	=
<u>9</u>	=	=	=	=	<u>0</u>	=	=	=
<u>10</u>	<u>0</u>	=	=	=	=	=	=	=
<u>11</u>	<u>2.31</u>	=	=	=	=	=	=	=
<u>12</u>	<u>2.82</u>	=	=	=	=	=	=	=
<u>13</u>	<u>0</u>	<u>0</u>	=	=	<u>0</u>	=	=	=
<u>14</u>	=	=	<u>1.27</u>	=	=	=	=	=
<u>15</u>	=	=	=	<u>0</u>	=	=	=	=
<u>16</u>	=	=	=	<u>5.25</u>	=	=	<u>1.68</u>	<u>11.93</u>
<u>17</u>	=	=	=	<u>0</u>	=	<u>0</u>	=	=
<u>18</u>	=	=	=	<u>4.82</u>	<u>3.80</u>	=	=	=
<b><u>Total</u></b>	<b><u>5.13</u></b>	<b><u>0</u></b>	<b><u>1.27</u></b>	<b><u>10.1</u></b>	<b><u>27.49</u></b>	<b><u>0.07</u></b>	<b><u>1.68</u></b>	<b><u>11.93</u></b>
<b><u>Proposed Project</u></b>	<b><u>16.64</u></b>	<b><u>2.97</u></b>	<b><u>1.27</u></b>	<b><u>14.93</u></b>	<b><u>61.12</u></b>	<b><u>0.74</u></b>	<b><u>1.68</u></b>	<b><u>11.93</u></b>

### **Cultural Resources**

Under Alternative 5, the development footprint (47.68 acres) would be reduced by 47% compared to that of the proposed project. Impacts on potential historical and prehistoric resources on Sites 2, 7, 8, 9, and 13 would be avoided under this alternative. For the remaining sites, Sites 3 and 11, potential impacts on cultural resources and mitigation necessary to reduce impacts to less than significant would be comparable. For these reasons, potential impacts on cultural resources associated with Alternative 5 would be reduced compared to the proposed project.

### **Geology and Soils**

Alternative 5 would result in approximately 84 fewer acres of development compared to the proposed project. Overall, up to approximately 1,542 fewer units would be in the project area under Alternative 5. When compared to the proposed project, fewer people would be exposed to seismic and unstable soil hazards under the Alternative 5. Regardless, current federal, state, and local regulations require specific mitigations to reduce impacts related to geologic and seismic hazards, which would apply to both Alternative 5 and the proposed project. Additionally, each scenario would require site-specific measures on

a project-by-project basis to reduce potential seismic and geologic hazard impacts to less than significant. Thus, Alternative 5 project impacts would be reduced compared to the proposed project due to the reduced number of units.

### **Hazards and Hazardous Materials**

Since Alternative 5 would result in fewer people in the project area, it would have the potential to expose less people to risks associated with hazards and hazardous materials. With the removal of Sites 4, 5, 7 and 8, fewer people would be living within Zone D of the Nevada County Airport Land Use Compatibility Plan area. Federal, state and local regulations would mitigate potential hazards and hazardous materials impacts under Alternative 5 in the same manner they would under the proposed project. For these reasons, Alternative 5 would result in a slight reduction of impacts compared to the proposed project.

### **Hydrology and Water Quality**

Compared to the proposed project, Alternative 5 would result in less multi-family residential development. Alternative 5 would eliminate Sites 13 and 17, two of the sites within floodplains. Alternative 5 and the proposed project would substantially increase impermeable surfaces, which could result in an increased risk of flooding, stormwater contamination and degradation of water quality in receiving water bodies. Applicable state and local regulations protecting against flooding and hydrologic impacts would apply under Alternative 5. In addition, site-specific measures would be required on a project-by-project basis to address flooding and other hydrologic impacts. For these reasons, Alternative 5 project impacts would be reduced compared to the proposed project as a result of less building area.

### **Noise**

Under Alternative 5, there would be up to approximately 1,542 fewer homes. Neither Alternative 5 nor the proposed project would exceed established noise standards as a result of traffic increases, and mitigation would be required for each to prevent potential noise impacts on any sensitive uses should they be proposed along specific roadways. Like the project, Alternative 5 would be subject to County and City policies and regulations regarding construction noise, and mitigation for construction noise and ground-borne vibration would be required to reduce impacts to less than significant. Furthermore, both Alternative 5 and the proposed project would be required to mitigate potential stationary mechanical noise impacts to less than significant. Therefore, Alternative 5 would have the similar noise impacts as the proposed project.

### **Population and Housing**

Alternative 5 would result in up to approximately 1,542 fewer units compared to the proposed project and would be within the growth estimates identified in the County General Plan and, like the proposed project, would exceed estimates the City's 2020 General Plan because of the higher densities proposed on the sites within the City's Sphere of Influence. However, the population growth within the City of Grass Valley would be substantially less because six of the sites that are removed from this Alternative are within the City's Sphere of Influence. Like the proposed project, Alternative 5 would not displace existing housing or people. Therefore, Alternative 5 impacts related to population and housing would be comparable to the proposed project.

### **Public Services, Utilities, and Service Systems**

Population growth associated with Alternative 5 would have less demand for fire and police services, libraries, schools and parks and recreational services when compared to the proposed project. Similar to the proposed project, mitigation measures to reduce potential utility impacts associated with the water and sewer demand increases would be required, but would still be considered significant and unavoidable, due to the unknown capacities at the time development of the sites would occur. As a result, Alternative 5 would have a reduced impact on Public Services, Utilities, and Service Systems compared to the proposed project.

**Recreation**

When compared to the proposed project, Alternative 5 would result in approximately 1,542 fewer units. Accordingly, the decrease in population would decrease the demand for park and recreational facilities. Therefore, Alternative 5 would result in a slight improvement on recreational impacts over the proposed project.

**Transportation/Traffic**

Under Alternative 5, there would be less development by up to 1,542 units. Thus, there would be fewer daily vehicle trips associated with new housing. Daily vehicle trips would decrease under Alternative 4 when compared to the proposed project. Under the proposed project there would be significant unavoidable cumulative traffic impacts at the Brunswick Road/SR 49, Brunswick Road/Town Talk, and SR 49/Combie Road intersections. Under Alternative 5 there would be a reduction in traffic volumes at these intersections because Sites 4, 7, 8, 9, 15, and 17 have been removed from the project and would no longer contribute to these failing intersections. Additionally, there would be less cumulative potential safety risk associated with the Brunswick Road/Town Talk intersection because Sites 4, 7, 8, and 9 would no longer contribute to traffic to the intersection. Consequently, Alternative 5 would have reduced transportation and traffic impacts compared to the proposed project, however mitigation requirements within the jurisdiction of the City of Grass Valley would remain significant and unavoidable.

**4.15 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

Table 6-710, *Comparison of Alternative Project Impacts to the Proposed Project*, compares each alternative to the proposed project according to whether it would have a mitigating or adverse effect for each of the environmental resource areas analyzed under each alternative above.

**Table 6-710  
Comparison of Alternative Project Impacts to the Proposed Project**

<u>Topic</u>	<u>Alternative 1 No Project/ Future Development Under Existing Nevada County General Plan</u>	<u>Alternative 2 East Bennett Road Sites</u>	<u>Alternative 3 Berriman Ranch Sites</u>	<u>Alternative 4 Reduced Development</u>	<u>Alternative 5 Updated Regional Housing Need Alternative</u>
<u>Land Use and Planning</u>	--	±	≡	≡	-
<u>Aesthetics</u>	--	--	≡	--	-
<u>Air Quality and Greenhouse Gas</u>	--	≡	≡	--	-
<u>Biological Resources</u>	--	≡	±	--	-
<u>Cultural Resources</u>	--	≡	≡	--	-
<u>Geology and Soils</u>	--	--	≡	--	-
<u>Hazards and Hazardous Materials</u>	--	≡	-	--	-
<u>Hydrology and Water Quality</u>	--	≡	≡	--	-

<u>Topic</u>	<u>Alternative 1 No Project/ Future Development Under Existing Nevada County General Plan</u>	<u>Alternative 2 East Bennett Road Sites</u>	<u>Alternative 3 Berriman Ranch Sites</u>	<u>Alternative 4 Reduced Development</u>	<u>Alternative 5 Updated Regional Housing Need Alternative</u>
Noise	==	==	==	==	==
Population and Housing	==	==	==	==	==
Public Services, Utilities and Service Systems	==	==	==	==	-
Recreation	==	==	==	==	-
Transportation/Traffic	==	==	±	==	-

Notes:

- Reduced impact compared to the proposed project.

+ Increased impact compared to the proposed project.

= Same or similar impact as proposed project.

CEQA requires the identification of the environmentally superior alternative in an EIR, which is an alternative that would result in the fewest or least significant environmental impacts. If the "No Project" Alternative is the environmentally superior alternative, *CEQA Guidelines* Section 15126.6 (e) (2) requires that another alternative that could feasibly attain most of the project’s basic objectives be chosen as the environmentally superior alternative. Based on the above analysis, summarized in Table 6-10, the environmentally superior alternative is the ~~Reduced Development Alternative~~ Updated Regional Housing Need Alternative. The majority of impacts would be reduced compared to those identified for the proposed project. Specifically, impacts associated with land use and planning; aesthetics; air quality and greenhouse gas; biological resources; cultural resources; geology and soils; hydrology and water quality; ~~noise~~; public services, utilities, and service systems; recreation and transportation/traffic would be reduced under the Updated Regional Housing Need Alternative~~Reduced Development Alternative~~.

The Updated Regional Housing Need Alternative ~~Reduced Development Alternative~~ would be able to satisfy a majority of the project objectives as well as provide the County with enough area to meet the Regional Housing Need requirements and satisfy state law for providing adequate multi-family housing development opportunities.

**Table 2-1  
Summary of Impacts and Mitigation**

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<b>Land Use and Planning</b>			
4.2-1 - The Proposed Project could conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project.	Potentially Significant Impact	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.  Enforcement / Monitoring Agency: County of Nevada	Significant and Unavoidable Impact.  While the mitigation would address the density conflicts with the City of Grass Valley, the conflicts would remain until there was a change in the Grass Valley General Plan. Acceptance of an agreement by the City of Grass Valley or a change in the City’s General Plan is outside the jurisdiction of the County and potential conflicts would remain significant.
<b>Aesthetics</b>			
4.3-1 - Grading and construction associated with implementation of the Proposed Project would alter the visual appearance of the project area.	Potentially Significant Impact	The following mitigation measure applies to all sites.  4.3-1 - 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.  Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.3-2 - Implementation of the Proposed Project may have an adverse effect on a scenic vista.	Less Than Significant Impact	No mitigation required	Less Than Significant Impact
4.3-3 - Project implementation may permanently degrade the existing visual character/quality of the project area.	Potentially Significant Impact	The following mitigation measure applies to all sites.  4.3-3 - 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 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	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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> <p>Enforcement / Monitoring Agency: 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>4.3-4 - The Proposed Project may generate additional sources of light and glare beyond existing conditions from urban lighting and vehicular traffic.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.3-4 - 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> <p>Enforcement / Monitoring Agency: 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>Less Than Significant Impact</p>
<p>Cumulative Impact - Project implementation may permanently degrade the existing visual character/quality of the project area.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>Implement Mitigation Measures 4.3-1, 4.3-3 and 4.3-4.</p> <p>Enforcement / Monitoring Agency: 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>Less Than Significant Impact</p>
<p><b>Biological Resources</b></p>			
<p>4.4-1 - The Proposed Project has the potential to adversely affect special-status plant species.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 2, 3, 7 through 13, 17, and 18.</p> <p>4.4-1a - 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>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<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 surface mining operations, as well as surfacing applications.</p> <p>Enforcement / Monitoring Agency: 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>The following mitigation measure applies to all sites:</p> <p>4.4-1b 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)</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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 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 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"> <li>• 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</li> </ul>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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 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"> <li>• 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.</li> <li>• 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.</li> </ul> <p>Enforcement / Monitoring Agency: 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>The following mitigation measure applies to all sites.</p> <p>4.4-1c Appropriate Permits: Prior to approval of a Site Plan, grading plan, or any permit authorizing construction for a property</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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>Enforcement / Monitoring Agency: 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>4.4-2 - The Proposed Project has the potential to adversely affect special-status wildlife species.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 2 through 18: Valley Elderberry Long Beetle</p> <p>4.4-2a 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</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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. 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 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> <p>Enforcement / Monitoring Agency: 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>The following mitigation measure applies to all sites:</p> <p>4.4 -2b 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 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</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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 that the nest is no longer active.</p> <p>Enforcement / Monitoring Agency: 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>The following mitigation measure applies to all sites:</p> <p>4.4-2c 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</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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 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 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</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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> <p>Enforcement / Monitoring Agency: 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>4.4-3 The Proposed Project has the potential to directly impact wetlands and riparian areas due to vegetation removal and to indirectly affect wetlands by altering hydrology, increasing erosion and sedimentation, and/or adversely affecting water quality.</p>	<p>Less than Significant Impact</p>	<p>The following mitigation measure applies to Sites 2, 3, 7, 8 within the Grass Valley SOL.</p> <p>4.4-3a 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 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"> <li>• Avoidance of wetlands and riparian areas through project design.</li> <li>• 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.</li> <li>• Provide measures for creek enhancement and added habitat value.</li> <li>• If wetlands cannot be avoided, a minimum 1:1 replacement ratio to compensate for lost extent and functioning of wetland areas.</li> <li>• 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.</li> </ul> <p>Unavoidable direct impacts on wetland vegetation types during construction of future development projects on Sites 2, 3, 7, and 8 shall require consultation with the appropriate jurisdiction</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>(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>Enforcement / Monitoring Agency: For Sites 2, 3, 7, 8, City of Grass Valley, if annexed; County of Nevada if not annexed.</p> <p>The following mitigation measures apply to Sites 10 – 13, and 17:</p> <p>4.4-3b 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 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).</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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> <p>Enforcement / Monitoring Agency: County of Nevada.</p>	
<p>4.4-4 The Proposed Project has the potential to indirectly impact sensitive aquatic habitat as a result of erosion, sedimentation, and/or contamination.</p>	<p>Potentially Significant Impact.</p>	<p>The following mitigation measure applies to Sites 2-9, 10-13, 17, and 18:                      Implement Mitigation Measures 4.4-1a, 4.4-3a and 4.4-3b.                      Enforcement / Monitoring Agency: For Sites 2-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-13, 17, and 18.</p>	<p>Less Than Significant Impact</p>
<p>4.4-5 The Proposed Project would impact oak woodland habitat</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 13 through 18:                      4.4-5 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 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.                       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.                      Enforcement / Monitoring Agency: County of Nevada.</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<b>Air Quality</b>			
<p>4.5-1 – The Proposed Project would result in temporary construction related dust and vehicle emissions during construction within the project area.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measures apply to all sites.</p> <p>4.5-1a Prior to the issuance of grading permits, all construction contracts shall include dust control mitigation requirements. All construction <del>contracts</del> <u>improvement plans</u> shall require the following:</p> <ul style="list-style-type: none"> <li>▪ All construction activities shall be subject to the requirements of the NSAQMD’s Regulation 2, Rule 226 regarding dust control.</li> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ All areas (including unpaved roads) with vehicle traffic shall be watered or have a dust palliative applied as necessary for stabilization of dust emissions.</li> <li>▪ All onsite vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.</li> <li>▪ All land clearing, grading, earth moving or 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.</li> <li>▪ Construction activities shall be scheduled to direct construction traffic flow to off-peak hours as much as possible.</li> </ul>	<p>Significant and Unavoidable Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ 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 deposition on roadways.</li> <li>▪ All material transported offsite shall be either sufficiently watered or securely covered to prevent public nuisance.</li> <li>▪ Ground cover shall be re-established onsite through seeding and watering in accordance with the local grading ordinance.</li> <li>▪ All mobile and stationary equipment shall be properly maintained.</li> <li>▪ 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.</li> </ul> <p>4.5-1b 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"> <li>▪ Use high-pressure-low-volume (HPLV) paint applicators with a minimum transfer efficiency of at least 50 percent;</li> <li>▪ 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</li> <li>▪ Use pre-painted construction materials.</li> </ul> <p>4.5-1c During ground disturbance activities associated with the Grass Valley candidate sites, the construction contractor shall comply with CARB’s Airborne Toxic Control Measures (ATCM) addressing Naturally Occurring Asbestos (NOA) (Section 93105</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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>Enforcement / Monitoring Agency: 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>4.5-2 – The Proposed Project could result in an overall increase in local and regional mobile and stationary source emissions, which may exceed air quality standards.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measures apply to all sites.</p> <p>4.5-2a 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 <i>NSAQMD Draft Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects</i> (Draft Guidelines). These measures include the following:</p> <ul style="list-style-type: none"> <li>▪ Streets shall be designed to maximize pedestrian access to transit stops.</li> <li>▪ 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.</li> <li>▪ Larger projects may be required to contribute a proportionate share to the development and/or continuation of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, easements, etc.</li> <li>▪ Provide for pedestrian access between bus service and major transportation points within the project, <del>and between separate sections of the project</del>, where feasible.</li> <li>▪ Contribute to traffic-flow improvements (i.e., right-of-way, capital improvements, etc.) that reduce emissions and are not considered as substantially growth inducing.</li> <li>▪ 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</li> </ul>	<p>Significant and Unavoidable Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>accordance with an adopted citywide or countrywide bikeway plan.</p> <p>4.5-2b 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>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	
4.5-3 - The Proposed Project could result in an overall increase in odors within the project area.	Less Than Significant Impact	No mitigation required	Less Than Significant.
4.5-4 - Carbon monoxide hot spots may occur as a result of the LRR specific plan.	Less Than Significant Impact	No mitigation required	Less Than Significant.
4.5-5 - The project may not be consistent with the air quality attainment plan (AQAP) criteria.	Potentially Significant Impact	<p>The following mitigation measure applies to all sites: Implement Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-2a, and 4.5-2b.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	Significant and Unavoidable Impact
Cumulative Impact - The project would result in additional vehicular travel to and from the project sites, with the resultant exhaust emissions that contain ozone precursors and particulate matter. The County is within an area classified as nonattainment for Federal and State O3 and state PM10 standards.	Potentially Significant Impact	<p>The following mitigation measure applies to all sites: Implement Mitigation Measures 4.5-1a, 4.5-1b, and 4.5-2.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</p>	Significant and Unavoidable Impact
Cumulative Impact - Additionally, the Housing Element Rezone’s GHG emissions in combination with GHG emissions from other known and reasonably foreseeable project would result in a greater amount of GHG emissions. Therefore, the amount of cumulative GHG emissions would be cumulatively considerable, and would	Potentially Significant Impact	No additional mitigation has been identified.	Significant and Unavoidable Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
potentially hinder the intent and statewide reduction goals of AB 32.			
<b>Greenhouse Gas Emissions</b>			
4.6-1 – Greenhouse gas emissions generated by the project would have a significant impact on the environment.	Potentially Significant Impact	<p><del>No additional mitigation has been identified. The following mitigation measure shall apply to all sites.</del></p> <p><u>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 Director of the County Planning Department (or City of Grass Valley Planning Department of Sites 1-9):</u></p> <p><u>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.</u></p> <p><u>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.</u></p>	Significant and Unavoidable Impact
4.6-2 – Implementation of the Proposed Project would conflict with an applicable greenhouse gas reduction plan, policy, or regulation.	Less Than Significant Impact	No additional mitigation has been identified.	Less Than Significant Impact
<b>Cultural Resources</b>			

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
<p>4.7-1 - The Proposed Project could potentially result in the damage or destruction of unique archaeological resources, as defined by Public Resources Code §21083.2(g), and historical resources, as defined by CEQA Guidelines §15064.5(a).</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Sites 2, 3, 7-9, 11 and 13.</p> <p>4.7-1 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>Enforcement / Monitoring Agency: 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>Less Than Significant Impact</p>
<p>4.7-2 - The Proposed Project could potentially result in the damage or destruction of unknown paleontological resources.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.7-2 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 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</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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> <p>Enforcement / Monitoring Agency: 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>4.7-3 - The Proposed Project could potentially result in the damage or destruction of unknown archaeological resources, including human remains.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.7-3 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 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 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,</p>	<p>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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 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</p>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Commission, and the procedures outlined in CEQA Sections 15064.5(d) and (e) shall be followed. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	
<b>Geology and Soils</b>			
4.8-1 - The Proposed Project could expose people or structures to potentially substantial adverse effects including the risk of loss, injury, or death as a result of secondary seismic hazards (ground shaking, differential compaction, liquefaction, seismically induced flooding and landslides).	Potentially Significant Impact	The following mitigation measure applies to all sites: 4.8-1 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. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.8-2 - The Proposed Project could result in substantial soil erosion or the loss of topsoil.	Potentially Significant Impact	The following mitigation measure applies to all project sites: Implement Mitigation Measures 4.10-1b and 4.10-1d. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.8-3 - The Proposed Project could be located on a geologic formation unit or soil that is unstable, or that would become unstable as a result of construction, and potentially result in landslides or subsidence.	Potentially Significant Impact	The following mitigation measure applies to all project sites: Implement Mitigation Measure 4.8-1 and 4.8-3. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.  The following mitigation measure applies to Site 18: 4.8-3 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	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		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. Enforcement / Monitoring Agency: County of Nevada.	
4.8-4 - The Proposed Project could be located on expansive soil, as defined in table 18-1-b of the uniform building code (1994), creating substantial risks to life or property.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measure 4.8-1. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
<b>Hazards and Hazardous Materials</b>			
4.9-1 - The Proposed Project may create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-2 - The Proposed Project may create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-3 - The Proposed Project may emit hazardous emissions or result in the handling of hazardous materials, substances, or waste within one-quarter mile of a proposed school site.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-4 - The Proposed Project would be located within an airport land use plan and could result in a safety hazard for people residing or working in the project area.	Potentially Significant Impact	The following mitigation measure applies to Sites 3 through 9. 4.9-4 All future development in the proposed project proposed within Safety Areas, as designated by the Nevada County 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. Enforcement / Monitoring Agency: For Sites 3-9, City of Grass Valley, if annexed; County of Nevada if not annexed.	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.9-5 - The Proposed Project may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.9-6 - The Proposed Project could expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	Potentially Significant Impact	The following mitigation measure applies to all sites. Implement Mitigation Measures 4.13-1b and 4.13-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
<b>Hydrology and Water Quality</b>			
4.10-1 - The Proposed Project could violate water quality standards or waste discharge requirements.	Potentially Significant Impact	The following mitigation measure applies to Sites 10 and 13: 4.10-1a 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: <ul style="list-style-type: none"><li>▪ 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 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.</li></ul> Enforcement / Monitoring Agency: County of Nevada.	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>The following mitigation measure applies to all sites:</p> <p>4.10-1b 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 <u>and Public Works Department</u> 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"> <li>a) Construction in or near drainages shall only occur during the dry season.</li> <li>b) Coordination with CDFW, U.S. Army Corps of Engineers, and Regional Water Quality Control Board to obtain all required permits and comply with all terms and conditions of the permits.</li> <li>c) At no time shall heavy equipment operate in flowing water or saturated soils.</li> <li>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.</li> <li>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.</li> <li>f) The contractor shall exercise every reasonable precaution to protect nearby water bodies from pollution with fuels, oils, bitumen, calcium chloride and other harmful materials,</li> </ul>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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> <p>Enforcement / Monitoring Agency: 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>The following mitigation measure applies to all sites:</p> <p>4.10-1c 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 City’s storm drainage system.</p> <p>Enforcement / Monitoring Agency: 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>The following mitigation measure applies to Sites 1-9:</p> <p>4.10-1d 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>	

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Source Control BMPs <ul style="list-style-type: none"> <li>▪ Permeable pavers/pavement</li> <li>▪ Hybrid parking areas/parking groves</li> <li>▪ Roof runoff controls (i.e., rain barrels)</li> <li>▪ Efficient irrigation to minimize runoff of excess irrigation water</li> </ul> Treatment Control BMPs <ul style="list-style-type: none"> <li>▪ Vegetated swales within parking lots</li> <li>▪ Vegetated swales on lots (adjacent to pads)</li> <li>▪ Bioretention</li> <li>▪ Hydrodynamic separators/wet vaults</li> <li>▪ Drain inserts</li> </ul> Flow Control BMPs <ul style="list-style-type: none"> <li>▪ Detention</li> </ul> Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.	
4.10-2 – The Proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	Less Than Significant With Mitigation	The following mitigation measure applies to all sites: Implement Mitigation Measure 4.10-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.10-3 - The Proposed Project could substantially alter the existing drainage pattern of the site or area, which could result in substantial erosion or siltation on- or off-site.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measures 4.10-1b and 4.10-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.10-4 - The Proposed Project could substantially alter the existing drainage pattern of the site or area, which could substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measures 4.10-1b, 4.10-1c and 4.10-1d. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.10-5 - The Proposed Project could create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	Potentially Significant Impact	The following mitigation measure applies to all sites: Implement Mitigation Measure 4.10-1c. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
4.10-6 - The Proposed Project could place housing within a 100-year flood hazard area, or place within a 100-year flood hazard area structures which could impede or redirect flood flows.	Potentially Significant Impact	The following mitigation measure applies to Sites 10 and 13: Implement Mitigation Measure 4.10-1a. Enforcement / Monitoring Agency: County of Nevada.	Less Than Significant Impact
4.10-7 - The Proposed Project could expose people or structures to a significant risk of loss, injury or death involving flooding, including as a result of the failure of a levee or dam.	Potentially Significant Impact	The following mitigation measure applies to Sites 10 and 13: Implement Mitigation Measure 4.10-1a. Enforcement / Monitoring Agency: County of Nevada	Less Than Significant Impact
<b>Noise</b>			
4.11-1 - Construction-related activities resulting from the Proposed Project could generate noise levels in excess of established standards.	Potentially Significant Impact	The following mitigation measures apply to all sites: 4.11-1a 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: <ul style="list-style-type: none"> <li>• Ensure that construction equipment is properly muffled according to industry standards and be in good working condition.</li> <li>• Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.</li> <li>• 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.</li> <li>• Use electric air compressors and similar power tools rather than diesel equipment, where feasible.</li> </ul>	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>• 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.</li> <li>• Construction shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction is permitted on Sundays or legal holidays.</li> <li>• 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.</li> </ul> <p>4.11-1b 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>Enforcement / Monitoring Agency: 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>4.11-2 – Construction-related activities resulting from the Proposed Project could generate or expose persons or structures to excessive ground-borne vibration.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites.</p> <p>4.11-2 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 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> <p>Enforcement / Monitoring Agency: 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>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.11-3 - Future noise levels associated with the Proposed Project could contribute to an exceedance of the County’s noise standards resulting in potential noise impacts to sensitive receptors.	Less Than Significant Impact	No mitigation required	Less Than Significant Impact.
Cumulative Mobile Noise - The Proposed Project, in conjunction with cumulative projects, would result in significant long-term mobile noise impacts, based on combined and incremental noise levels.	Potentially Significant Impact	The following mitigation measures apply to all sites: Refer to Mitigation Measures 4.11-1a, 4.11-1b, and 4.11-2. Additional mitigation is not required. Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
<b>Population and Housing</b>			
4.12-1 - The Proposed Project would directly induce population growth in the City of Grass Valley.	Potentially Significant Impact	No feasible mitigation measures have been identified. The County of Nevada does not have land use authority over the City of Grass Valley to amend or alter the City’s existing planning policies or the existing General Plan.	Significant and Unavoidable
<b>Public Services, Utilities and Service Systems</b>			
4.13-1 - The public service needs of the Proposed Project could result in substantial adverse impacts.	Potentially Significant Impact	The following mitigation measures apply to all sites:  4.13-1a 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. <u>The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</u>  4.13-1b 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.  4.13-1c Prior to Building Permit issuance, the project developer shall provide written documentation from the Police or Sheriff services ensuring adequate police response times. <u>The formation of an assessment district, on the proposed sites, may be established to provide adequate public safety services.</u>	Less Than Significant Impact

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	
4.13-2 - The Proposed Project could result in a determination by the wastewater treatment provider that it has inadequate capacity to provide for the project’s projected demand in addition to the provider’s existing commitments.	Potentially Significant Impact	<p>The following mitigation measure applies all sites:</p> <p>4.13-2 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 written documentation that adequate sewer capacity is available for the proposed development. The project developer may provide written documentation that the wastewater treatment plant has been upgraded to increase capacity or a report from a registered civil engineer demonstrating that that adequate capacity is available. If adequate sewer capacity does not exist, the developer will pay for WWTP upgrades to account for the additional effluent. The developer may develop a reimbursement agreement, if needed, to recuperate fair-share costs associated with other proposed developments nearby.</p> <p>Enforcement / Monitoring Agency: 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>Significant and Unavoidable.</p> <p>This impact remains significant because it is unknown what the capacity of the wastewater treatment facilities would be at the time of project construction. It is also unknown if completion of the required wastewater facility improvements would be feasible for a single project developer. Furthermore, the County does not have jurisdiction over the timing of when wastewater improvements would occur within the City of Grass Valley.</p>
4.13-3 - Sufficient water supplies are available to serve the Proposed Project from existing entitlements and resources; no new or expanded entitlements would be required.	Potentially Significant Impact	<p><u>Sufficient water supply is available to serve the proposed project, however, the Proposed Project could require new local infrastructure improvements to increase capacity.</u></p> <p>The following mitigation measure applies all sites:</p> <p>4.13-3 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"> <li>▪ Quantification of anticipated water usage by parcel.</li> </ul>	<p>Significant and Unavoidable.</p> <p>This impact remains significant and unavoidable because it is unknown what the capacity of the potable water facilities would be at the time of project construction. It is also unknown if completion of the required water infrastructure improvements would be feasible for a single project developer. Furthermore, the County does not have jurisdiction over the timing of when wastewater improvements would occur within the City of Grass Valley.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>▪ A comprehensive water system design for distribution piping and connection to the existing NID distribution system.</li> <li>▪ Appropriate pipe sizing to accommodate minimum fire flow water pressures (as determined by CAL FIRE, NID, and the HFPD).</li> <li>▪ Identification of pipe sizing, pipe location, and the location of the tie-in with NID facilities.</li> <li>▪ Provisions for easement, rights-of-way, and in-fee land to NID for water facilities.</li> </ul> <p>Enforcement / Monitoring Agency: 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>4.13-4 - The landfill that would serve the Proposed Project has sufficient permitted capacity to accommodate the project’s solid waste disposal needs. The project would comply with federal, state and local statutes and regulations related to solid waste.</p>	<p>Less Than Significant Impact</p>	<p>No mitigation required</p>	<p>Less Than Significant.</p>
<b>Recreation</b>			
<p>4.14-1 - The Proposed Project could increase the use of existing neighborhood and regional parks or other recreational facilities.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to all sites:</p> <p>4.14-1 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> <p>Enforcement / Monitoring Agency: 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>Less Than Significant Impact</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.14-2 - The Proposed Project would not include the construction of recreational facilities that might have an adverse effect on the environment.	Less Than Significant Impact	No Mitigation required	Less Than Significant
<b>Transportation and Traffic</b>			
4.15-1 - The Proposed Project would result in an increase in traffic at study area intersections and roadway segments. Twenty three study intersections would continue to operate at acceptable levels of service in accordance with n Nevada County and the City of Grass Valley significance criteria during the weekday PM peak hour.	Less Than Significant Impact	No mitigation required	Less Than Significant
4.15-2 - The Proposed Project would add traffic to the intersection of Idaho-Maryland Road and Brunswick Road. This intersection is projected to operate at LOS F (unacceptable) in the PM peak hour.	Potentially Significant Impact	<p>The following mitigation measure applies to Sites 3 through 9:</p> <ol style="list-style-type: none"> <li>1. <u>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:</u> <ol style="list-style-type: none"> <li>a) <u>Be required to install the improvements (likely a roundabout) at the Idaho-Maryland Road/Brunswick Road intersection; or</u></li> <li>b) <u>Pay the project’s proportionate share of the Idaho-Maryland Road/Brunswick Road intersection improvements; or</u></li> <li>c) <u>Construction some associated improvement that would address project impacts at the Idaho-Maryland Road/Brunswick Road intersection; or</u></li> <li>d) <u>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.</u></li> </ol> </li> <li>2. <u>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.</u></li> </ol>	<p>Significant and Unavoidable</p> <p>This impact remains significant because it is unknown when the intersection improvement would occur and the construction of the complete improvement may not be feasible for a single project. Furthermore, the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><u>Timing/Implementation: Prior to occupancy of development within the project area.</u></p> <p><u>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</u></p> <p>4.15-2 — As described in the Loma Rica Ranch Specific Plan EIR (RBF Consulting, 2011), a roundabout shall be constructed at the intersection of Idaho Maryland Road and Brunswick Road. This intersection is located on the downhill slope. The installation of a roundabout has been shown to reduce the number and severity of accidents. This mitigation would improve the operation of the intersection to LOS A. The improvement is identified in the Grass Valley Traffic Impact Fee (GVTIF).</p> <p>To mitigate direct traffic impacts on the Idaho Maryland Road and Brunswick Road intersection, a new roundabout is required at this intersection. However, the County of Nevada does not control the timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to construct the roundabout in its entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection improvement.</p> <p>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>Timing Implementation: Prior to issuance of a building permit                      Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	
<p>4.15-3 - The Proposed Project would add traffic to the intersection of La Barr Meadows Drive and McKnight Way. This intersection is projected to operate at LOS F on the worst approach (unacceptable) in the PM peak hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Site 2:</p> <p><u>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</u></p>	<p>Significant and Unavoidable</p> <p>This impact remains significant because it is unknown when the intersection improvement would occur and the construction of the complete improvement may not be feasible for a single project. Furthermore, the County of Nevada does not have jurisdiction over the</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><u>result of the study, the project mitigation would include one of the following:</u></p> <p><u>a) Be required to install the improvements (likely a roundabout) at the La Barr Meadows Drive/McKnight Way intersection; or</u></p> <p><u>b) Pay the project’s proportionate share of the La Barr Meadows Drive/McKnight Way intersection improvements; or</u></p> <p><u>c) Construction some associated improvement that would address project impacts at the La Barr Meadows Drive/McKnight Way intersection; or</u></p> <p><u>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.</u></p> <p><u>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.</u></p> <p><u>Timing/Implementation: Prior to occupancy of development within the project area.</u></p> <p><u>Enforcement/Monitoring: City of Grass Valley Planning Division and Public Works Department.</u></p> <p><del>4.15 3 The provision of the dual roundabouts on McKnight Way at the SR 49 interchange would improve operation of the intersection to LOS A. This improvement would combine the McKnight Way / La Barr Meadows Road / Auburn Street and McKnight Way / SR 49 Northbound Ramps intersection into one intersection, and the McKnight Way / Taylorville Road and McKnight Way / SR 49 Southbound Ramps intersections into one intersection. Due to the close intersection spacing and the coordinated operation of the intersections, the roundabouts would need to be installed simultaneously in order to adequately accommodate traffic flows. This improvement is identified in the Nevada County Regional Transportation Plan and the City of Grass Valley Capital Improvement Program.</del></p> <p><del>To mitigate direct impacts at the La Barr Meadows and McKnight Way intersection dual roundabouts would be required to be constructed. However, the County of Nevada does not control the</del></p>	<p>approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><del>timing or implementation of construction because the intersection is within the jurisdiction of the City of Grass Valley. Additionally, it is not known whether it is feasible for one project applicant to construct the required dual roundabouts in their entirety as part of a single development project. Therefore, the developer shall pay a fair share contribution to the City of Grass Valley Development Impact Fee Capital Improvement Program towards the construction cost of this future intersection improvement.</del></p> <p><del>Site Specific Development Analysis: The individual development of Site #2 would generate 10 or more trips at the intersection and require implementation of the intersection mitigation.</del></p> <p><del>Timing Implementation: Prior to issuance of a building permit</del></p> <p><del>Enforcement / Monitoring Agency: City of Grass Valley</del></p>	
<p>4.15-4 - The Proposed Project would add traffic to the intersection of Brunswick Road and Triple Crown Road. This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the PM peak hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 3 through 9:</p> <p>4.15-4 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>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>Timing Implementation: Prior to issuance of a building permit</p>	<p>Significant and Unavoidable</p> <p>While the proposed improvement is expected to mitigate the potential impacts to less than significant, this impact remains significant because the County of Nevada does not have jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.	
<p>4.15-5 - The Proposed Project would add traffic to the intersections of SR 49 / Combine Road. This intersection is projected to operate at Los F (unacceptable) in the PM Peak Hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure applies to Sites 14 through 18:                      4.15-5 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"> <li>• Construct one additional southbound left turn lane that is at least 325 feet in length</li> <li>• Construct one additional receiving lane at the east leg of intersection on Combie Road</li> <li>• Reconstruct or reconfigure the westbound left turn lanes to be a minimum of 250 feet in length to allow for adequate storage</li> </ul> <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 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.</p> <p>Timing Implementation: Prior to issuance of a building permit</p> <p>Enforcement / Monitoring Agency: Nevada County</p>	<p>Less Than Significant Impact</p>
<p>4.15-6 – The Proposed Project would add traffic to the intersections of Higgins Road and Combie Road. This intersection is projected to operate at Los F (unacceptable) in the PM peak hour.</p>	<p>Potentially Significant Impact.</p>	<p>The following mitigation measure applies to Sites 14 through 18:                      4.15-6 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</p>	<p>Less Than Significant Impact.</p>

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		trips at the intersection and require implementation of the intersection mitigation. Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: Nevada County	
4.15-7 – The Proposed Project would add traffic at new driveway intersections which would have restricted sight distance and close spacing and may impact safety and traffic operations.	Potentially Significant Impact.	The following mitigation measure applies to all sites: 4.15-7 The sight distances at all project site access intersections shall be reviewed during the design 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.  Prior to issuance of a building permit, the developer shall provide verification by a professional engineer that sight distance has been evaluated.  Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed. County of Nevada for Sites 10-18.	Less Than Significant Impact
5.2.14.1 - Cumulative Impact - The Proposed Project would add traffic to the signalized intersection of Nevada City Highway and Brunswick Road. This intersection is projected to operate at LOS E (unacceptable) in the PM peak hour.	Potentially Significant Impact	The following mitigation measure pertains to Sites 3 through 9: 5.2.14.1 - 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.  Timing Implementation: Prior to issuance of a building permit Enforcement / Monitoring Agency: City of Grass Valley	Significant and Unavoidable  While the proposed fair share contribution is expected to reduce cumulative impacts to less than significant, this impact remains significant and unavoidable because the County of Nevada does not have jurisdiction over the approval of funding or construction of the improvement within the City of Grass Valley.
5.2.14.2 - The proposed project would add traffic to the intersection of Brunswick road and Town Talk Road (Sites 7 and 8 access). This intersection is projected to operate at an overall LOS E and LOS F at the worst approach (unacceptable) in the pm peak hour.	Potentially Significant Impact	The following mitigation measure pertains to Sites 3 through 9: 5.2.14.2 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 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	Significant and Unavoidable  While the proposed improvement is expected to mitigate the potential impacts to less than significant, this impact remains significant because the County of Nevada does not have

Environmental Impacts	Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>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. <u>The formation of an assessment district is considered a fair share cost sharing mechanism.</u></p> <p>Timing Implementation: Prior to issuance of a building permit.</p> <p>Enforcement / Monitoring Agency: For Sites 1-9, City of Grass Valley, if annexed; County of Nevada if not annexed.</p>	<p>jurisdiction over the approval of construction or timing of when the improvement would occur within the City of Grass Valley.</p>
<p>5.2.14.3 The Proposed Project would add traffic to the intersection of SR 49 northbound ramps and McKnight Way. This intersection is projected to operate at overall LOS E (unacceptable) in the PM Peak Hour.</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Site 2:</p> <p>Prior to the development of the project site, 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> <p>Enforcement / Monitoring Agency: City of Grass Valley</p>	<p>Significant and Unavoidable.</p> <p>While the proposed fair share contribution is expected to reduce cumulative impacts to less than significant, this impact remains significant and unavoidable because the County of Nevada does not have jurisdiction over the approval of funding or construction of the improvement within the City of Grass Valley.</p>
<p>5.2.14-4 – The proposed project would add traffic to the intersections of the SR 49/Combie Road. This intersection is projected to operate at LOS E (Unacceptable) in the PM Peak Hour</p>	<p>Potentially Significant Impact</p>	<p>The following mitigation measure pertains to Sites 14 through 18:</p> <p>5.2.14-4 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 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> <p>Enforcement / Monitoring Agency: County of Nevada.</p>	<p>Less Than Significant Impact</p>