

4.1. AESTHETICS

4.1.1 INTRODUCTION

The Aesthetics chapter of the EIR describes existing aesthetic resources in the area of the proposed project and the broader region, and evaluates the potential aesthetic impacts of the project. CEQA describes the concept of aesthetic resources in terms of scenic vistas, scenic resources (such as trees, rock outcroppings, and historic buildings within a State scenic highway), and the existing visual quality of the project area. In addition, pursuant to CEQA Guidelines, this chapter describes potential impacts related to light and glare. The following analysis is based on the Aesthetics Technical Study prepared for the proposed project by Benchmark Resources,¹ site visit by Raney Planning & Management, Inc., as well as information drawn from the Nevada County General Plan,² the Nevada County General Plan EIR,³ and the Western Nevada County Design Guidelines.⁴

It should be noted that according to the court ruling in *Preserve Poway v. City of Poway* (2016) 245 Cal. App.4th 560 [199 Cal.Rptr. 3d 600], community character is separate and apart from aesthetic impacts and, thus, is not a CEQA issue. Rather, the analysis of aesthetics should be limited to tangible, physical evidence that a project is visually inconsistent with the surrounding community (rather than a psychological “feel”). Therefore, the analysis presented within this chapter focuses on potential physical changes to visual composition of the project sites and surrounding area, rather than overall community character.

4.1.2 EXISTING ENVIRONMENTAL SETTING

The following setting information provides an overview of the existing aesthetic conditions at the Brunswick Industrial Site, and for the Centennial Industrial Site, this section will provide an overview of post-remediation environmental baseline conditions pertaining to aesthetics. As discussed in Section 1.3, “Approach To Centennial Industrial Site Baseline,” of this EIR, for the purposes of this aesthetics analysis, the environmental baseline for the Centennial Industrial Site has been adjusted to be consistent with anticipated site conditions at the completion of the separate Centennial Industrial Site Clean-up Project.

Visual Character of the Region

The project sites are located in the western region of Nevada County, in the western foothills of the Sierra Nevada. The visual character of the project region is a combination of forested landscapes of varied topography, urban development located within the City of Grass Valley, and scattered rural single-family residences. The developed area of the City of Grass Valley to the northwest of the project sites consists primarily of commercial and industrial uses. The topography of the project area includes gently rolling hills, with the developed portions of the City of Grass Valley situated at a slightly higher elevation compared to the project sites.

¹ Benchmark Resources. *Idaho-Maryland Mine, Aesthetics Technical Study, Nevada County, California*. January 2021.

² Nevada County. *Nevada County General Plan*. Updated 2014.

³ Nevada County. *Nevada County General Plan, Final Environmental Impact Report*. March 1995.

⁴ Nevada County. *Western Nevada County Design Guidelines*. March 19, 2002.



State Scenic Highways

According to the California Department of Transportation (Caltrans) Scenic Highway Program, State Route (SR) 20, 49, and 174 within Nevada County are eligible State Scenic Highways. Eligible state scenic highways, while recognized for aesthetic quality, are not officially designated as scenic highways. Only SR 49/SR 20 has views of the project sites. As SR 49 passes through Grass Valley, it is posted as both SR 49 and SR 20. At the north end of Nevada City, SR 49 turns west toward North San Juan, after which the north-south highway turns east and becomes SR 20. The entirety of SR 49 proceeds in a northbound/southbound direction. As the portion through Grass Valley is oriented north-south, it is therefore referred to throughout the remainder of this chapter as SR 49. The Brunswick Industrial Site is approximately two miles from SR 49 and the Centennial Industrial Site is approximately a 0.5-mile from SR 49.

Visual Character of the Project Sites and Surrounding Areas

The project sites are surrounded by undeveloped forested land, industrial, rural residential development, and commercial uses (see Table 3-2 in Chapter 3, Project Description). The portions of the project sites not affected by historic mining and previous industrial uses are typical of the lower Sierra Nevada foothills, varying between flat ridges and valleys to gently and moderately sloping hillsides. The project sites are located between the main stem of Wolf Creek and South Fork Wolf Creek and are dominated by mixed hardwood-conifer forests with smaller areas of riparian woodland and scrub, chaparral, wetlands, and annual grassland. Each site is discussed separately below.

Centennial Industrial Site

The Centennial Industrial Site is accessed from Whispering Pines Lane. The visual character of the site is a combination of past industrial use and undeveloped land with natural habitats. The Centennial Industrial Site includes densely vegetated areas interspersed with past disturbance from historical mining at the site, including industrial structures and wood and metal materials left by the previous owner of the site. Such industrial features are visible from the corner of Idaho Maryland Road and Centennial Drive. The main stem of Wolf Creek, a perennial stream, generally runs parallel to, and immediately south of, Idaho Maryland Road along the northern boundary of the Centennial Industrial Site.

The Centennial Industrial Site was the location of the mine tailings storage area and pond for the previous gold mining operations in the site vicinity. Some of the materials used to build the tailings berm and small quantities of mineralized rock contain elevated metals. As a result, under existing conditions, most of the Centennial Industrial Site cannot currently be developed because of unstable soils and/or contamination. The project applicant is working with the California Department of Toxic Substances Control (DTSC) to develop a plan to consolidate and cap the contaminated soils in a manner consistent with current federal and State regulations, separate from the proposed project. The soil cleanup activity would be completed before implementation of project-related activities at the Centennial Industrial Site, and would result in removing the contaminated surface soils, trees, and other vegetation on a large portion of the property and creating an elevated pad area where the consolidated soil would be collected and capped. Therefore, as discussed in Chapter 1, Introduction, of this EIR, for the purposes of this aesthetics analysis, the existing conditions environmental baseline for the Centennial Industrial Site has been adjusted to be consistent with completion of the DTSC cleanup project.

Following the DTSC cleanup project, approximately half of the Centennial Industrial Site would consist of graded and revegetated areas. An engineered fill pad would be located along the



eastern portion of the site. The remaining areas would consist of varying topography covered with natural vegetation communities and a limited amount of aquatic resources.

Brunswick Industrial Site

The Brunswick Industrial Site is accessed from Brunswick Road or East Bennett Road. Public roads do not exist within the site. The visual character of the site is both industrial and undeveloped land, with the industrial area located closest to Brunswick Road. The remaining areas of the site consist of relatively undisturbed, densely vegetated, and undeveloped land typical of the surrounding area. South Fork Wolf Creek is a perennial stream, originating from surface drainage and road runoff from both the east and west sides of Brunswick Road exiting at a 48-inch culvert within the Brunswick Industrial Site, near the large artificial, clay-lined pond, and flows northwest across the site. Several intermittent and ephemeral streams connect directly to South Fork Wolf Creek within the Brunswick Industrial Site.

The 85-foot-tall silo visible from the corner of Brunswick and East Bennett Roads is a remnant of previous gold mining and industrial uses on-site. The clay-lined pond and significant paved areas remain from a previous sawmill operation.

Viewer Types and Exposures

As part of the Aesthetics Technical Study, public viewer groups and vantage points from the surrounding area were considered to assess how the public would perceive changes in site conditions associated with the proposed project. The vantage points include public views considered to be the most visually sensitive locations. The following viewer groups and public view locations were assessed:

- **Motorists along major roadways:** SR 49;
- **Motorists along minor travel routes (residential neighborhoods, industrial areas):** Idaho Maryland Road, Brunswick Road, East Bennett Road, New Brunswick Court, Spring Hill Drive, and Centennial Drive/Whispering Pines Lane; and
- **Bicyclists:** A portion of Idaho Maryland Road.

It should be noted that CEQA (Public Resources Code [PRC] 21000 et seq.) case law has established that only public views, not private views, are protected under CEQA. For example, in *Association for Protection etc. Values v. City of Ukiah* (1991) 2 Cal.App.4th 720 [3 Cal. Rptr.2d 488] the court determined that “we must differentiate between adverse impacts upon particular persons and adverse impacts upon the environment of persons in general. As recognized by the court in *Topanga Beach Renters Assn. v. Department of General Services* (1976) 58 Cal.App.3d 188 [129 Cal.Rptr. 739]: “[A]ll government activity has some direct or indirect adverse effect on some persons. The issue is not whether [the project] will adversely affect particular persons but whether [the project] will adversely affect the environment of persons in general.” Such a conclusion is consistent with the thresholds of significance established in Appendix G of the CEQA Guidelines. Therefore, it is appropriate to focus the aesthetic impact analysis on potential impacts to public views, rather than private views.

For each of the public viewer groups identified in the study area, visual quality and viewer exposure conditions were assessed. Study area reconnaissance was conducted by Benchmark Resources on October 2, 2019. The viewing distance, angle of view, the extent to which views are screened or open, and duration of view were assessed to determine visual quality and



exposure. Visual quality is described based on the type of view from locations in the region such as the following:

- **Distinct:** a unique or uncharacteristic view for the surrounding area or location given the surrounding natural environment and vegetation;
- **Representative:** a view typical of the area that does not provide any defining or unique features or elements to the viewer, including commercial buildings, infrastructure, and other development; and
- **Industrial:** views typical of industrial land use development in the area, including surface disturbance, industrial/commercial buildings, and other highly developed land uses.

Viewing distances are described according to whether the project activities would be viewed within the foreground, middleground, or background. Viewing angle and extent of visibility relate to the location of the viewed feature to the viewer and whether visibility conditions are open or panoramic or limited by intervening vegetation, structures, or terrain.

Duration of view pertains to the amount of time the project sites or proposed facilities typically would be seen from a sensitive viewpoint. In general, duration of view would be less in instances where the project would be seen for short or intermittent periods (such as from major travel routes) and greater in instances where the project would be seen regularly and repeatedly (such as from residential or public use areas). Traffic volumes are classified as high (approximately more than 20,000 vehicle trips per day), moderate (approximately 10,000 to 20,000 vehicle trips per day), and low (approximately less than 10,000 vehicle trips per day).

Table 4.1-1 summarizes the visual quality, viewer exposure, and visual sensitivity for the various viewer categories and view locations assessed in this evaluation.

Based on the viewer groups and public view locations, 11 representative viewpoints were selected within the vicinity of the project sites (see Figure 4.1-1). The methodology used to select the viewpoints is discussed in further detail in the Methods of Analysis section below. The following sections provide additional discussion for each of the viewer categories and view locations, based on the selected representative viewpoints.

SR 49

The Centennial Industrial Site is visible from SR 49, an eligible State Scenic Highway running northeast-southwest in the project area. SR 49 connects the cities of Auburn, Grass Valley, and other rural cities and towns, and is a major link to SR 20 and Interstate 80. Traffic volumes are classified as high (approximately 26,000 to 32,000 vehicle trips per day). The speed limit on the roadway is 60 miles per hour (mph) nearest the project sites, and views of the Centennial Industrial Site are brief and partially obstructed, but from an elevated location. Passengers heading northeast are the most likely viewer to have the opportunity to glimpse a view of the site, considering the drivers must turn their heads at least 90 degrees to see the site.

Directly to the west are foreground views of the rooftops of industrial buildings, including storage buildings and a collision repair shop. Middleground views include a lumber company with a parking lot in front, perched on a leveled hill, and tall pine trees. Background views consist of tree-covered hills. The trees that grow on the Centennial Industrial Site are visible east of the lumber company. However, at the time of implementation of the proposed project, as noted previously, it is reasonably anticipated that the site remediation efforts will have been completed, and the



current vegetation on the majority of the site (except near Wolf Creek and near the southern boundary of the site) will have been removed, leaving an elevated area where the consolidated soil will be collected.

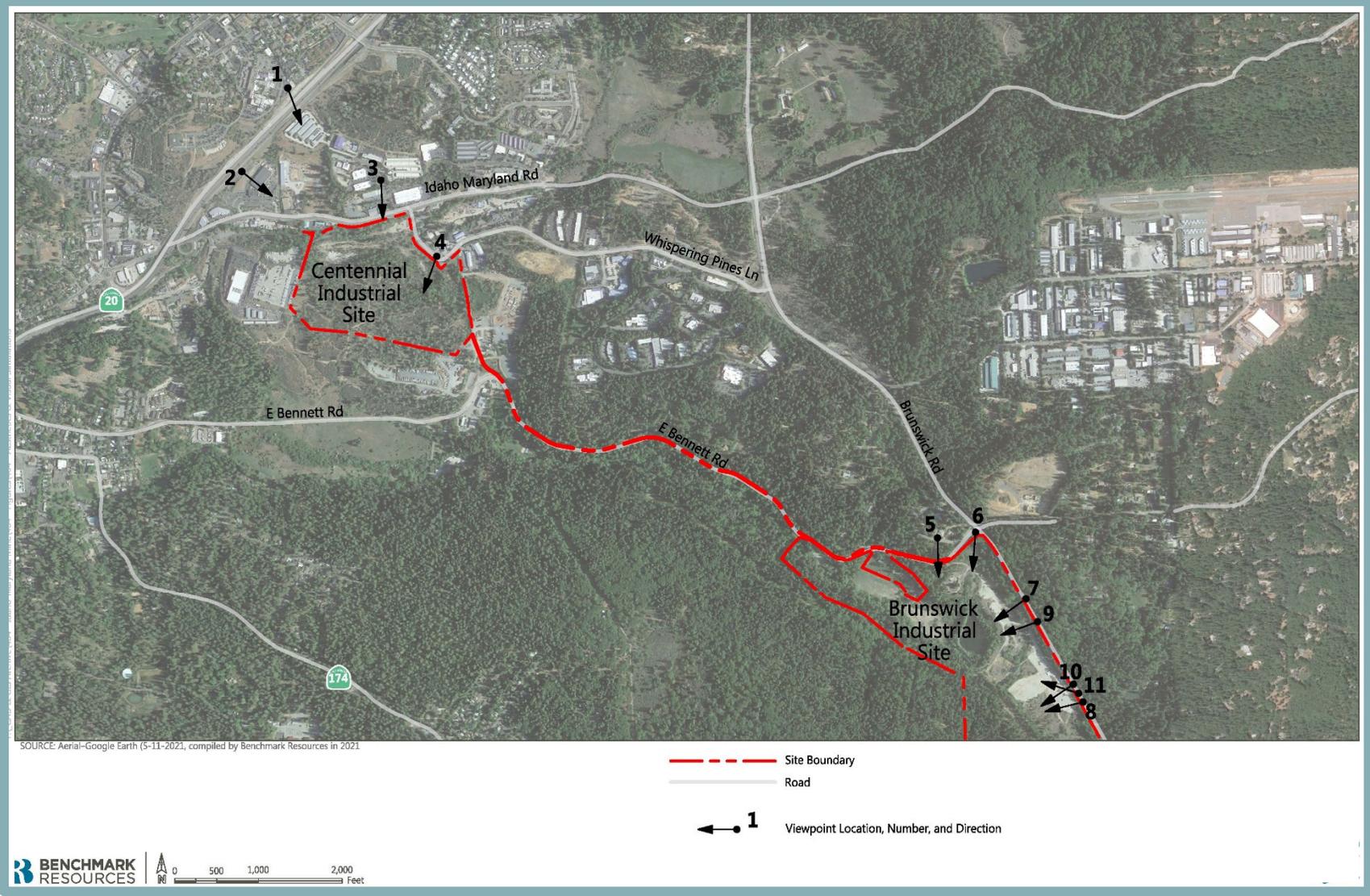
Table 4.1-1 Visual Sensitivity of Assessed View Locations			
Viewer Type/Location	Visual Quality	Viewer Exposure and Volumes	Visual Sensitivity
Motorists on Major Travel Routes			
SR 49 (State highway)	Distinct/ representative	Exposure: Elevated partially to fully obstructed middleground and background views Volume of viewers: High View duration: Short	High
Motorists/Bicyclists on Minor Travel Routes			
Brunswick Road (minor arterial road)	Representative/ Industrial	Exposure: Varies from open foreground views to partially obstructed foreground views Volume of viewers: Moderate to low View duration: Short to moderate	Moderate
East Bennett Road (minor collector road)	Representative	Exposure: Partially to fully obstructed foreground views Volume of viewers: Low View duration: Short	High
New Brunswick Court (local road)	Representative	Exposure: Fully obstructed foreground views Volume of viewers: Low View duration: None	High
Idaho Maryland Road (minor collector road)	Industrial	Exposure: Foreground views Volume of viewers: Low View duration: Short to moderate	Low
Spring Hill Drive (local road)	Industrial	Exposure: Partially obstructed foreground and middleground views Volume of viewers: Low View duration: Short to moderate	Low
Centennial Drive/ Whispering Pines Lane (local road)	Industrial	Exposure: Partially to fully obstructed foreground views Volume of viewers: Low View duration: Moderate	Low

Source: Benchmark Resources, 2020.

Viewpoints 1 and 2 provide existing views looking southwest from a parking lot just above SR 49, at Sierra Nevada Memorial Hospital (Viewpoint 1), and below SR 49, at Caliber Collision (Viewpoint 2). Viewpoint 2 is the most representative view for drivers from SR 49. Viewpoint 1 provides views only to those drivers who park at the western edge of the Sierra Nevada Memorial Hospital parking lot. However, Viewpoint 1 has been included herein to allow for an analysis of the most elevated public view of the Centennial Industrial Site available. Viewer sensitivity is considered high because, while the foreground and middleground views are brief and largely industrial, SR 49 is an eligible State Scenic Highway, and the background views are natural and representative of the forested region. The Brunswick Industrial Site is not visible from Viewpoints 1 and 2.



**Figure 4.1-1
Viewpoint Locations**



Brunswick Road

Brunswick Road borders the eastern boundary of the Brunswick Industrial Site. Brunswick Road is a north-south minor arterial that connects East Main Street/Nevada City Highway in the north to SR 174 in the south. Within the project vicinity, the posted speed limit along Brunswick Road near the project sites is 50 mph and the roadway includes two lanes. The volume of viewers is moderate (approximately 10,000 vehicle trips per day). The road is primarily used by local residents, commuters, and workers (including delivery or construction-related truck drivers), accessing the various residences and industrial, office, and retail businesses in the area.

Viewpoints 6 through 11 are from Brunswick Road and provide brief views of the Brunswick Industrial Site between gaps in the trees that grow along the road. Viewer sensitivity on Brunswick Road, near the project site, is considered moderate; while the visual quality of the area is representative, due to the forested roadsides mixed with industrial activities, the view exposure and the duration of views is short (driving at 50 mph) to moderate (at the four-way stop at the East Bennett Road intersection). The Centennial Industrial Site is not visible from Viewpoints 6 through 11.

East Bennett Road

East Bennett Road is a minor collector road that borders the northern boundary of the Brunswick Industrial Site. The posted speed limit near the project site is 35 mph. The roadway is two lanes and connects SR 49 to Brunswick Road. The road is primarily used by local residents and drivers accessing local businesses and residences on the road, and the volume of drivers using the road is low (less than 2,000 vehicle trips per day). Views near the project site consist of roadways lined with trees with few views of houses or businesses. Views of the Centennial Industrial Site are limited by the elevated topography along the north side of the road, and a view of the Brunswick Industrial Site is available at one break in the vegetation, where an open grassy area is visible, and at the corner of East Bennett and Brunswick Roads, where a silo from past gold mining activities on-site can be viewed from the intersection. Viewer sensitivity along East Bennett Road, near the project site, is considered high; the primary viewer would be traveling at relatively slower speeds on the heavily forested and curvy roadway.

New Brunswick Court

New Brunswick Court is a local road near the Brunswick Industrial Site that primarily provides access for residential uses; thus, the volume of viewers on the roadway is low and the viewer sensitivity is high. However, the Brunswick Industrial Site is not visible from the roadway because of existing tall trees that block views. Viewpoint 5 is included in this analysis because the viewpoint is representative of public views from other nearby residential streets, where the topography, vegetation, or structures prevent a view of the Brunswick Industrial Site. The Centennial Industrial Site is not visible from Viewpoint 5.

Idaho Maryland Road

Idaho Maryland Road is a two-lane minor collector roadway that borders the northern boundary of the Centennial Industrial Site. The roadway connects SR 49 in the west to Brunswick Road. The posted speed limit along Idaho Maryland Road near the project site is 35 mph. The volume of viewers is low (less than 2,000 vehicle trips per day). Viewers consist primarily of commuters and local workers accessing the industrial businesses along the roadway. Views include the local trees that are representative of the forested area in the project vicinity; however, the portion of the roadway near the Centennial Industrial Site is primarily industrial. Viewpoint 3 provides a view of the Centennial Industrial Site from an elevated location on Spring Hill Road, looking south.



Existing views of the Centennial Industrial Site include vegetation in the foreground and industrial uses (e.g., metal structures, wood and other material piled on the ground, old vehicles) in the middleground, visible through the shrubs and trees. However, at the time of implementation of the proposed project, it is reasonably anticipated that the site remediation efforts will have been completed, and the current vegetation on the majority of the Centennial Industrial Site (except near Wolf Creek and near the southern boundary of the site) will have been removed, leaving an elevated area where the consolidated soil will be collected. Viewer sensitivity is considered low because of the level of industrial uses in the area. The Brunswick Industrial Site is not visible from Viewpoint 3.

Spring Hill Road

Spring Hill Road is a local, two-lane road that connects to Idaho Maryland Road and provides access to businesses. The character and representative viewpoint for this roadway is the same as described for the Idaho Maryland Road in the previous section.

Centennial Drive/Whispering Pines Lane

Centennial Drive becomes Whispering Pines Lane after the sharp bend in the road. Centennial Drive connects to Idaho Maryland Road, and Whispering Pines Lane connects to Brunswick Road. The volume of viewers on the two-lane road is low, and the roadway primarily provides access to industrial uses and offices. The roadway borders the northeastern corner of the Centennial Industrial Site, where signs warn drivers to slow to 15 mph, which increases view duration of the site. Views along the roadway are primarily industrial. Viewpoint 4 provides a view of the Centennial Industrial Site from immediately before the sharp corner, looking southwest. Existing views of the Centennial Industrial Site include trees and shrubs when looking southwest at the sharp bend in the road and industrial uses (e.g., metal structures, wood and other material piled on the ground, old vehicles) in the foreground near the corner of Centennial Drive and Idaho Maryland Road. However, at the time of implementation of the proposed project, it is reasonably anticipated that the site remediation efforts will have been completed, and the current vegetation on the majority of the Centennial Industrial Site (except near Wolf Creek and near the southern boundary of the site) will have been removed, leaving an elevated area where the consolidated soil will be collected. Viewer sensitivity is considered low because of the high level of industrial uses in the area. The Brunswick Industrial Site is not visible from Viewpoint 4.

Light Pollution and Glare

Light pollution refers to all forms of unwanted light in the night sky, including glare, light trespass, sky glow, and over-lighting. Views of the night sky can be an important part of the natural environment, particularly in communities surrounded by extensive open space. Excessive light and glare can also be visually disruptive to humans and nocturnal animal species.

Neither of the project sites include existing sources of light or glare. Sources of light in the surrounding area include commercial and industrial development within the City of Grass Valley, residences within the vicinity of the Brunswick Industrial Site, and headlights from vehicles on neighboring roadways.

4.1.3 REGULATORY CONTEXT

Applicable federal laws or regulations pertaining to the aesthetic quality of the project area do not exist. However, the existing State and local laws and regulations applicable to the proposed project are listed below.



State Regulations

The following is an applicable State regulation related to aesthetic resources.

California Scenic Highway Program

The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. Such highways are identified in Section 263 et seq. of the California Streets and Highways Code.

California Building Standards Code

The California Building Standards Code (CBSC) contains various building standards derived and adapted from the International Building Code, authorized by the California Legislature, that address California building issues. The CBSC includes standards for outdoor lighting to improve energy efficiency, minimize light pollution and nighttime glare, and provides design solutions to shield and control outdoor lighting fixtures.

Local Regulations

The following local regulations are applicable to the proposed project.

Nevada County General Plan

The following goals and policies of the Nevada County General Plan are applicable to the proposed project.

Aesthetics Element

Goal 18.2 Protect and preserve important scenic resources.

Policy 18.1 The County shall prepare Community Design Guidelines applicable to the various General Plan Designations and zoning classifications, and adopt such guidelines as part of Comprehensive Site Development Standards, to be used in the project site review of all discretionary and ministerial project permits. The guidelines may include, but not be limited to the following:

- a. Community identity
- b. Preservation of natural landforms
- c. Protection and management of viewsheds
- d. Protection and management of river corridors and other significant streams

These Guidelines shall be the base design standards applicable to all projects. Area-specific Design Guidelines, where adopted by the County pursuant to Policy 18.2, shall be applicable in addition to the base guidelines within the specified area.



- Policy 18.6 Discretionary development in Rural Regions and in Community Regions near the Community Boundary shall, wherever possible, preserve natural landmarks and avoid ridge-line placement of structures.
See: Policy 18.1
- Policy 18.7 Encourage protection of scenic corridors wherever feasible.
- Policy 18.7A The County shall promote a compact development pattern to protect open space buffers between communities and to maintain a geographic distinction between communities.
See: Policy 18.1
- Policy 18.10 New and replacement road system lighting shall utilize fixtures and light sources that minimize night-time light pollution, without compromising traffic safety.
- Policy 18.11 New Commercial, Industrial and Multiple Family development shall utilize fixtures and light sources that minimize night time light pollution.
Also See: Chapter 1: Land Use Policy 1.18
Chapter 2: Economic Development Policy 2.19

Nevada County Land Use and Development Code

The Nevada County Land Use and Development Code (LUDC) provides regulations to classify, restrict, and regulate the uses of land and structures; to regulate and restrict the height and bulk of structures; and to regulate the area of yards, courts, and other open spaces around structures. The Centennial Industrial Site is zoned Light Industrial (M1) and the Brunswick Industrial Site is zoned Light Industrial with a Site Performance Combining District (M1-SP). The proposed project would be subject to the applicable Nevada County LUDC standards for both zoning districts.

Article 4, Comprehensive Site Development Standards, Section L-II, of the Nevada County LUDC includes regulations to guide the design, location, and development of new land uses and the alteration of existing uses. The standards assist in furthering numerous County General Plan goals, objectives, and policies that provide for the preservation and enhancement of Nevada County's rural quality and small-town character. The standards also assist in furthering County General Plan provisions for maintaining the County's high-quality natural landscape and scenic resources, as well as protecting existing historic resources.

Western Nevada County Design Guidelines

The Western Nevada County Design Guidelines, adopted March 19, 2002, are used by County staff during the review of land use permit applications as additional criteria for project review.⁵ Generally, the Guidelines encourage the maintenance of community identity and the preservation of historical and cultural sites, buildings, and features. The Guidelines implement General Plan Policies and supplement the Comprehensive Design Standards contained within the Nevada County LUDC.

⁵ Nevada County. *Western Nevada County Design Guidelines*. March 19, 2002.



The Western Nevada County Design Guidelines are applicable to all Development Permits and Use Permits for all public, commercial, industrial, and multi-family projects in Western Nevada County. For those communities that are subject to an adopted Area or Specific Plan, the Area or Specific Plan Guidelines are also applicable. In addition, projects within either Grass Valley or Nevada City's sphere of influence will be referred for a review of consistency with that city's Design Guidelines.

4.1.4 IMPACTS AND MITIGATION MEASURES

This section describes the standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to aesthetics. A discussion of the project's impacts, as well as mitigation measures where necessary, is also presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines, an aesthetic impact is considered significant if the proposed project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway;
- In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or, in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Method of Analysis

The analysis presented herein uses representative viewpoints and photographic simulations to document anticipated changes in the visual character and quality of the project sites as viewed from off-site locations. The following subsections describe the methodology for visual assessment, selection and locations of representative viewpoints, and the simulation scenarios.

Visual Assessment

The existing visual quality and character of the project sites and surrounding area were assessed in terms of visual quality, viewer exposure, viewer types and volumes, and visual sensitivity, as follows:

- **Visual Quality:** The overall visual impression or attractiveness of an area as determined by the particular landscape characteristics, including landforms, rock forms, water features, and vegetation patterns. The attributes of line, form, and color combine in various ways to create landscape characteristics whose variety, vividness, coherence, uniqueness, and pattern contribute to the overall visual quality of an area. For the purposes of this analysis, visual quality is defined according to three levels:
 - *Indistinctive or industrial:* Generally lacking in natural or cultural visual resource amenities typical of the region.
 - *Representative:* Typical or characteristic of the region's natural and/or cultural visual amenities.
 - *Distinctive:* Unique or exemplary of the region's natural or cultural scenic amenities.



- **Viewer Exposure:** The variables that affect viewing conditions from potentially sensitive areas. Viewer exposure considers the following factors:
 - *Landscape visibility:* The ability to see the landscape.
 - *Viewing distance:* The proximity of viewers to the proposed project elements, described as foreground, middleground, and background.
 - *Viewing angle:* Whether the project sites would be viewed from above (superior), below (inferior) or from a level (normal) line of sight.
 - *Extent of visibility:* Whether the line of sight is open and panoramic to the project sites or restricted by terrain, vegetation, and/or structures.
 - *View duration:* Whether the viewer would be driving at high speeds or sitting and observing a scenic overlook.
- **Viewer Types and Volumes:** The types of use (i.e., public viewers including recreationalist and motorist) and amounts of use (i.e., number of recreational users or motorists) that various land uses receive.
- **Visual Sensitivity:** The consequence of viewer exposure and viewer awareness. People in different visual settings, typically characterized by different land uses surrounding a project site, have varying degrees of sensitivity to changes in visual conditions depending on the overall visual characteristics of the place. In areas of more distinctive visual quality, such as designated scenic highways, designated scenic roads, parks, and recreation and natural areas, visual sensitivity is characteristically more pronounced. In areas of more indistinctive or representative visual quality, sensitivity to change tends to be less pronounced, depending on the level of visual exposure. This analysis of visual sensitivity is based on the combined factors of visual quality, viewer types and volumes, and visual exposure to the project. Visual sensitivity is reflected according to high, moderate, and low visual sensitivity ranges.

When viewing the same landscape, people's responses to that landscape and proposed visual changes may differ. Their responses are based upon their values, familiarity, concern, or expectations for that landscape and its scenic quality. Because each person's attachment to, and value for, a landscape is unique, visual changes to that landscape inherently affect viewers differently. However, generalizations can be made about viewer sensitivity to scenic quality and visual changes. Recreationists, hikers, equestrians, tourists, and people driving for pleasure are expected to have high concern for scenery and landscape character. People who are commuting daily through the same landscape generally have a moderate concern for scenery, while people working at industrial sites within the landscape generally have a lower concern for scenic quality or changes to existing landscape character. The visual sensitivity of a landscape is also affected by the travel speed at which a person is viewing the landscape (e.g., high speeds on a highway, low speeds on a hiking trail, or stationary at a residence). A feature of a project can be perceived differently by people depending on the distance between the observer and the viewed object. When a viewer is closer to a viewed object in the landscape, more detail can be seen and greater potential for influence of the object on visual quality exists because of its form or scale (relative size of the object in relation to the viewer). When the same object is viewed at background distances, details may be imperceptible but overall forms of terrain and vegetation are evident, and the horizon and skyline are dominant.

Representative Viewpoints

Representative viewpoints are used to assess a project's potential for aesthetic impacts to the surrounding area. To determine representative viewpoints of the project site, Benchmark Resources reviewed aerial photographs, topography, site plans, County requirements and



guidance, including the General Plan and Nevada County LUDC, and conducted field reconnaissance, primarily in September and October of 2019. Eleven representative viewpoints were selected at publicly accessible locations that were considered representative of the area or of locations from which a viewer would have the potential to see the proposed project and experience a change in visual character as a result of the project (see Table 4.1-2).

Photographs from each viewpoint were taken from approximately 5.5 feet above ground level, the approximate eye level of an average standing human. The camera lens was adjusted to mimic the perspective of the human eye (approximately 55 millimeters). Panorama photographs were taken to include peripheral elements that a viewer would see and present the view of the project sites in relation to the surrounding area or viewshed.

Photographic Simulations

Benchmark Resources created photographic simulations to show the visibility of the project components for 10 of the 11 viewpoint locations. Table 4.1-2 provides a list of the viewpoints and their attributes as representative viewpoints for this evaluation. A simulation was not provided for Viewpoint 5, “New Brunswick Court, Looking South,” because neither project site is visible from Viewpoint 5. Simulations of the Centennial Industrial Site were prepared to reflect the completion of the cleanup effort but before importation of fill from the Brunswick Industrial Site. The simulations are representative of the post-remediation environmental baseline for the Centennial Industrial Site.

Table 4.1-2 Viewpoints and Representative Attributes		
#	Description	Representative Attributes
Views of Centennial Industrial Site		
1	Sierra Nevada Memorial Hospital Parking Lot, looking southeast	A view from northwest of the site from an elevated vantage point
2	Upper parking lot next to SR 49, looking southeast	Views from SR 49, a major regional travel corridor
3	Halfway up Spring Hill Drive, looking south	A nearby view from north of the site, with high site visibility, from an industrial area
4	Centennial Drive, looking south	A nearby view from east of the site, with high site visibility, from an industrial area
Views of Brunswick Industrial Site		
5	New Brunswick Court, looking south	Views from nearby neighborhoods, which are interspersed with native vegetation (i.e., dense pine trees)
6	Corner of Brunswick Road and East Bennett Road, looking south	A nearby view of the site from an intersection on a regional travel route
7	Brunswick Road (north), looking west	A nearby view of the northern portion of the site from a regional travel route
8	Brunswick Road (south), looking west	A nearby view of the southern portion of the site from a regional travel route
9	Brunswick Road (mid), looking west	A nearby view of the middle portion of the site from a regional travel route
10	Brunswick Road (south), looking west	A nearby view of the southern portion of the site from a regional travel route
11	Brunswick Road (south), looking west	A nearby view of the southern portion of the site from a regional travel route



Photographic simulations were prepared to illustrate conditions at completion of all proposed structures (18 months after construction begins) and at completion of the engineered fill pads with vegetated slopes (five to six years after fill placement begins). Vegetation planted at the time implementation of the project begins would be five to six years old when each engineered fill pad reaches its ultimate size; thus, planted vegetation is represented at five to six years old in the simulations.

Simulations were prepared by first creating a three-dimensional (3D) model of the topography for the project sites and surrounding area, including the topography of the completed project. An image of the model was then created from each viewpoint's location within the model. Each resulting image was aligned with the relevant existing conditions or environmental baseline photograph. Photoshop was then used to add the proposed project elements to the photos, such as buildings, landscaping, and the topography in the 3D model.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts related to aesthetics is based on implementation of the proposed project in comparison to the environmental baseline and the standards of significance presented above.

4.1-1 Have a substantial adverse effect on a scenic vista. Based on the analysis below, the impact is *less than significant*.

Examples of typical scenic vistas include mountain ranges, ridgelines, or bodies of water as viewed from a highway, public space, or other area designated for the express purpose of viewing and sightseeing. In general, a project's impact to a scenic vista would occur if development of the project would substantially change or remove a scenic vista.

The County General Plan does not identify any scenic vistas in the vicinity of the Centennial or Brunswick Industrial sites. Impacts to views of the project sites from SR 49, which is included within the County's Scenic Corridor Combining District (SC), are discussed under Impact 4.1-2 below. Thus, the proposed project would not have a substantial adverse effect on a scenic vista, and a ***less-than-significant*** impact would occur.

Mitigation Measure(s)

None required.

4.1-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway; in a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or, in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality. Based on the analysis below, even after



implementation of mitigation, the impact related to substantially degrading the existing visual character or quality of public views is considered *significant and unavoidable*.

Given that the existing development to the south of the Centennial Industrial Site and surrounding the Brunswick Industrial Site is primarily rural in nature, interspersed among forested landscapes, the analysis within this chapter considers the project area to be non-urbanized. Notwithstanding, the areas to the north and west of the Centennial Industrial Site, within the City of Grass Valley, are built out with a variety of commercial and industrial uses. In addition, Centennial Industrial Site has been subject to prior disturbance associated with mining activities. The Brunswick Industrial Site is similarly disturbed, containing an 85-foot-tall silo, a clay-lined pond, and various paved surfaces. North of the project area, around the Brunswick Road and Idaho Maryland Road intersection, Phase 1 of the Loma Rica Ranch Specific Plan is expected to start construction in the year 2021.

As part of the proposed project, engineered fill would be transported by truck from the Brunswick Industrial Site and placed on approximately 44 acres of the Centennial Industrial Site to create approximately 37 acres for potential future industrial use. The remaining approximately 12 acres would remain as a private driveway for site access and preserved habitats. The proposed project features on the Centennial Industrial Site (e.g., engineered fill pad) would be generally consistent with the portions of the site that are currently industrial and disturbed when viewed from public viewpoints located northwest, north, and northeast of the site. The proposed fill pad would be visible by drivers and/or bicyclists on SR 49, Idaho Maryland Road, Spring Hill Drive, and Centennial Drive/Whispering Pines Lane. The proposed project would retain foreground trees, which would help to break up views of the fill pad.

The majority of aboveground facilities and a portion of the engineered fill would be located on the Brunswick Industrial Site. The approximately 29-acre aboveground area would provide all the facilities and infrastructure necessary to support dewatering, underground mining, gold mineralization and rock processing, and loading and transport off-site. An aboveground pipe would convey treated water from the water treatment facility along an existing road to the planned discharge point at South Fork Wolf Creek. The pipe and discharge point would be located entirely within the property boundaries. Engineered fill would be placed on approximately 31 acres of the Brunswick Industrial Site to create a level pad of approximately 21 acres for potential future industrial use. In total, up to approximately 60 acres of the 119-acre site could be subject to surface disturbance and/or development for the aboveground facilities and fill placement. The remaining 59 acres would remain undeveloped and would not be subject to surface disturbance or infrastructure improvements. The proposed project would include a Variance to allow for the construction of several structures on the Brunswick Industrial Site in excess of the 45-foot limit imposed pursuant to Table L-II 2.5E of the Nevada County LUDC. Specifically, the Variance would apply to the proposed 64-foot-tall process plant, the proposed 165-foot-tall headframe for the Brunswick shaft, the proposed 80-foot-tall headframe for the proposed service shaft, and the proposed 50-foot-tall hoist buildings associated with the two mine shafts.



The proposed surface parking on the Brunswick Industrial Site would be consistent with the portions of the site that are currently industrial and disturbed when viewed from public viewpoints located east and northeast of the site. The proposed structures would be generally consistent with historic use of the site as a gold mine and lumber mill, both of which contained above-ground structures. The proposed structures, however, would represent a significant change from the current existing setting at the Brunswick Industrial Site, and in comparison to former on-site structures associated with past mining and lumber operations, some of the proposed on-site structures would be substantially taller. Notwithstanding, the proposed structures on the Brunswick Industrial Site have been conceptually designed to generally comply with the standards set forth in the Western Nevada County Design Guidelines.⁶ For example, the campus is comprised of buildings of various scales and massing. In addition, the primary parking lot has been removed from the building and is separated by landscaping. The office is the first building one approaches from the parking lot, whereas heavier uses and loading bays face the interior of the campus. The warehouse and office buildings are the most prominent when entering the campus from the parking lot and each has a contrasting wainscot and lowered roof structures with stone clad columns that reduce the building to a human scale. Both the warehouse and the processing plant are located adjacent a 40-foot embankment that helps to reduce the visual effect of the buildings from outside the site. Compliance with the Western Nevada County Design Guidelines would help ensure that development associated with the proposed project is designed appropriately.

As part of the proposed project, new trees would be planted along Brunswick Road, which would help to partially screen views of the proposed structures when the trees reach maturity in approximately 30 years. The project features on the Brunswick Industrial Site would increase the existing industrial character of the site where the buildings would be added and the trees would be removed for the fill pad. Such features would be visible by drivers on Brunswick Road, driving at approximately 50 mph; however, viewing times would be relatively short. The increase in industrial character would be partially reduced over time by the growth of the added vegetation between the road and the project features.

As part of the proposed project, an approximately 1¼-mile-long by two feet-wide (approximately 0.30-acre) stretch of East Bennett Road would be temporarily disturbed to bury the potable water pipeline. Installation of the buried potable water pipeline would generally involve trenching, pipe placement, backfill, and cover replacement. The backfilled trench within the East Bennett Road right-of-way would then be paved consistent with County guidelines. Once vegetation regrows within the disturbed area, the visual character and quality of the pipeline alignment would be essentially unchanged from existing conditions. Thus, the proposed water pipeline would not result in any long-term changes to the visual character or quality of the improvement area.

The effects of the proposed project on the quality and character of public views (i.e., views experienced from publicly accessible vantage points) of the project sites are evaluated below for each representative viewpoint. Although the viewpoints are considered representative for this analysis, the majority of roadways in the project area

⁶ Nevada County. *Western Nevada County Design Guidelines*. March 19, 2002.



do not have direct views of the project sites due to intervening features. Figure 4.1-6 through Figure 4.1-20, which are included at the end of this chapter, show photographs of existing conditions and/or environmental baseline compared to simulations of proposed conditions for Viewpoints 1 through 11, respectively. It is important to note that the simulations are a result of modelling efforts, and thus, actual post-project views may differ from those conceptually shown in the simulations.

Viewpoints 1 and 2: Sierra Nevada Memorial Hospital Parking Lot, Looking Southeast and Parking Lot below SR 49, Looking Southeast

The Centennial Industrial Site is visible from SR 49 and a few locations near SR 49. Viewpoint 1 is a view from the Sierra Nevada Memorial Hospital parking lot above SR 49, looking southeast. Viewpoint 2 is a view from a parking lot just below SR 49, looking southeast. As discussed previously, SR 49 is an eligible State Scenic Highway.

At the time of implementation of the proposed project, as previously noted, it is reasonably anticipated that the Centennial Industrial Site remediation efforts will have been completed, and the current vegetation on the majority of the site will have been removed, leaving an elevated area where the consolidated soil will be collected. As shown in Figure 4.1-6 and Figure 4.1-7, the engineered fill placed as part of the proposed project would be visible from SR 49, primarily for passengers in vehicles heading northeast, and less visible from views closer to level with the highway. The proposed aboveground features would be generally similar in character to the industrial features in the existing foreground and middleground views, though much larger in scale, and the majority of on-site trees will have already been removed as part of the DTSC remediation project. Given that the project site is not located in the vicinity of an officially-designated State Scenic Highway, the proposed project would not result in a significant impact related to substantially damaging scenic resources, including trees, rock outcroppings, and historic buildings, within a State Scenic Highway. Furthermore, as noted previously, the majority of on-site trees would be removed prior to initiation of the proposed project, and the site does not contain any rock outcroppings or historic buildings.

The addition of a new engineered fill pad on the site as part of the proposed project would represent a clearly noticeable change. As shown in Figure 4.1-6 and Figure 4.1-7, the site would already be disturbed, including removal of trees and vegetation, by the separate cleanup effort. Furthermore, the proposed improvements would be consistent with the site's zoning for industrial use. Nevertheless, implementation of the proposed project would create a large engineered fill pad (approximately 50 feet tall) that would substantially degrade the visual character and quality of the Centennial Industrial Site and its surroundings, as viewed from Viewpoints 1 and 2, and the impact would be considered significant. It is noted that the Brunswick Industrial Site would not be visible from Viewpoints 1 and 2.

Viewpoint 3: Halfway up Spring Hill Drive, Looking South

The Centennial Industrial Site is visible from Spring Hill Drive. According to Table 4.1-1, the visual sensitivity from Viewpoint 3 was determined to be low. As shown in Figure 4.1-8, the separate remediation efforts would result in the removal of on-site trees and creation of an engineered fill pad visible from this viewpoint. While the foreground trees surrounding Wolf Creek would prevent clear, unbroken views of the engineered fill



pad, the engineered fill placement proposed as part of the project would significantly increase the height of the fill pad (approximately 50 feet). Therefore, implementation of the proposed project would substantially degrade the visual character and quality of the Centennial Industrial Site and its surroundings, as viewed from Viewpoint 3, and the impact would be considered significant. It is noted that the Brunswick Industrial site would not be visible from Viewpoint 3.

Viewpoint 4: Centennial Drive, Looking South

The Centennial Industrial Site is visible from Centennial Drive and Whispering Pines Lane, looking west, southwest, and south. According to Table 4.1-1, the visual sensitivity from Viewpoint 4 was determined to be low. As shown in Figure 4.1-9, the proposed project would change views on the south and west side of the road from a generally level, open area that includes an elevated dirt area to a much larger, leveled elevated fill pad with a grassy slope, which would more sharply contrast with the forested landscape in the background. Therefore, implementation of the proposed project would substantially degrade the visual character and quality of the Centennial Industrial Site and its surroundings, as viewed from Viewpoint 4, and the impact would be considered significant. It is noted that the Brunswick Industrial Site is not visible from Viewpoint 4.

Viewpoint 5: New Brunswick Court, Looking South

As shown in Figure 4.1-10, the proposed improvements on the Brunswick Industrial Site would not be visible from Viewpoint 5, due to the tall, dense trees and hilly topography within the foreground along New Brunswick Court. Therefore, implementation of the proposed project would not substantially degrade the visual character and quality of the Brunswick Industrial Site and its surroundings, as viewed from Viewpoints 1 and 2, and the impact would be less than significant. It is noted that the Centennial Industrial Site is not visible from Viewpoint 5.

Viewpoint 6: Corner of Brunswick Road and East Bennett Road, Looking South

The Brunswick Industrial Site is visible from the corner of Brunswick Road and East Bennett Road, looking south, specifically, when stopped at the four-way intersection heading southeast on Brunswick Road or heading east on East Bennett Road. As shown in Figure 4.1-11, views would change from the existing approximately 85-foot-tall silo from past mining activities, surrounded by trees, to an approximately 165-foot-tall proposed headframe connected to a new covered conveyor. The proposed project is requesting a Variance to allow for the 165-foot-tall headframe in excess of the 45-foot limit imposed pursuant to Table L-II 2.5E of the Nevada County LUDC. As shown in Figure 4.1-11, the proposed headframe would extend above the top of the existing forest canopy and project into the skyline. The remaining elements of the project, such as the proposed fill pad, would not be visible from Viewpoint 6. The Brunswick head frame is the tallest structure on the site and has a facade that is distinct from the rest. The vertical structure would be clad with a weathered copper, perforated at the top, to blur the lines between the structure and the sky. In addition, new trees would be added to the foreground, and would partially screen views of the headframe when reaching maturity at approximately 30 years of growth (see Figure 4.1-12).



Given the prominence of the proposed headframe structure, implementation of the proposed project would substantially degrade the visual character and quality of the Brunswick Industrial Site and its surroundings as viewed from Viewpoint 6, and the impact would be considered significant. It is noted that the Centennial Industrial Site is not visible from Viewpoint 6.

Viewpoint 7: Brunswick Road (North), Looking West

The Brunswick Industrial Site is visible from gaps in the trees along Brunswick Road, looking west. Power lines extend along the horizon in Viewpoint 7. As shown in Figure 4.1-13, views would change from a tree-covered hillside at the far west side of the site to the back of the proposed process plant building, which would be approximately 65 feet tall. As part of the proposed project, new trees would be added to the foreground (see Figure 4.1-14). The visual quality of Viewpoint 7 would be reduced due to the construction of a new aboveground industrial building at a height requiring a Variance. While the duration of views from this location are relatively short (i.e., drivers typically commuting, as opposed to hikers or sightseers), and the process plant building is not anticipated to project above the forest canopy into the skyline, the visual character and quality of the Brunswick Industrial Site and its surroundings, associated with implementation of the proposed project, as viewed from Brunswick Road (north), could nevertheless be considered substantially degraded. It is noted that the Centennial Industrial Site is not visible from Viewpoint 7.

Viewpoint 8: Brunswick Road (South), Looking West

The Brunswick Industrial Site is visible from gaps in the trees along Brunswick Road, looking west. As shown in Figure 4.1-15, the view is characterized by paved areas in the foreground and forested slopes in the middleground and background. As part of the proposed project, the setting would change from a paved lot area and forested setting to a landscaped entranceway with a chain-link fence and security post and gate in the foreground, an entrance roadway and trees in the middleground, and a large fill pad with grassy slopes, beyond which would remain the forested slope, in the background. The fill pad would be approximately 50 to 60 feet tall. Over time, the pad would become less visible as newly planted trees along Brunswick Road (see Figure 4.1-16) reach their full heights, which could range from 40 to 80 feet tall, depending on the species.

The visual quality of Viewpoint 8 would be reduced due to the proposed fill pad in the background. While the duration of views from this location are relatively short (i.e., drivers typically commuting, as opposed to hikers or sightseers), and the engineered fill pad is not anticipated to extend above the forest canopy into the open skyline, the visual character and quality of the Brunswick Industrial Site and its surroundings, as viewed from Brunswick Road (south), would be substantially degraded due to the construction of a substantial fill pad. It is noted that the Centennial Industrial Site is not visible from Viewpoint 8.

Viewpoint 9: Brunswick Road (Mid), Looking West

This viewpoint provides another view of the Brunswick Industrial Site from a gap in the trees along Brunswick Road, looking west. As shown in Figure 4.1-17, the foreground view is characterized primarily by trees along Brunswick Road; middleground views are characterized by disturbed areas of the Brunswick Industrial Site interspersed with



shrub-height vegetation at a lower elevation than Brunswick Road; and background views are characterized by forested slopes. As part of the proposed project, the setting would change from a forested landscape interspersed with disturbed areas that are a result of former mining and lumber operations to a primarily industrial landscape in the foreground and middleground, containing large paved areas with several structures attaining heights up to 40 feet (e.g., cement silo). The background would continue to be dominated by the forested landscape.

The visual quality of Viewpoint 9 would be reduced due to the proposed addition of substantial paving and industrial mine-related structures in the foreground and middleground. While the duration of views from this location are relatively short (i.e., drivers typically commuting, as opposed to hikers or sightseers), and the structures are not anticipated to extend above the forest canopy into the open skyline, the visual character and quality of the Brunswick Industrial Site and its surroundings as viewed from Brunswick Road (mid), could be considered substantially degraded due to the more dominant industrial setting created by the proposed project. It is noted that the Centennial Industrial Site is not visible from Viewpoint 9.

Viewpoint 10: Brunswick Road (South), Looking West

This viewpoint provides another view of the Brunswick Industrial Site from a gap in the trees along Brunswick Road, looking west. As shown in Figure 4.1-18, the foreground view is characterized primarily by trees along Brunswick Road; middleground views are characterized by disturbed areas of the Brunswick Industrial Site interspersed with shrub-height vegetation at a lower elevation than Brunswick Road; and background views are characterized by forested slopes and the open skyline. As part of the proposed project, the setting would change from a forested landscape interspersed with disturbed areas that are a result of former mining and lumber operations to a landscape dominated by the substantial engineered fill pad that would be constructed at the Brunswick Industrial Site. The background would continue to be dominated by the forested landscape.

The visual quality of Viewpoint 10 would be reduced due to the proposed addition of a 50 to 60-foot engineered fill pad. While the duration of views from this location are relatively short (i.e., drivers typically commuting, as opposed to hikers or sightseers), and the fill pad is not anticipated to extend above the forest canopy into the open skyline, the visual character and quality of the Brunswick Industrial Site and its surroundings as viewed from Brunswick Road (mid), would be substantially degraded due to the construction of a substantial fill pad. It is noted that the Centennial Industrial Site is not visible from Viewpoint 10.

Viewpoint 11: Brunswick Road (South), Looking West

This viewpoint provides another view of the Brunswick Industrial Site from a gap in the trees along Brunswick Road, looking northwest. There are two simulations from this viewpoint, the first of which is more representative of the view looking northwest from the Brunswick Road travel lane (Figure 4.1-19), whereas the second view represents a more oblique angle looking northwest from the shoulder of Brunswick Road (Figure 4.1-20). As shown in the figures, the foreground view is characterized primarily by trees along Brunswick Road with a large gap in the vegetation; middleground views are primarily characterized by disturbed areas of the Brunswick Industrial Site, which



have temporary features such as storage devices and stacks of firewood, at an elevation lower than Brunswick Road; and background views are characterized by forested slopes and the open skyline. From the first viewpoint, with implementation of the proposed project, the setting would change from a forested landscape interspersed with disturbed areas that are a result of former mining and lumber operations, and currently used for temporary storage, to a landscape dominated by the substantial engineered fill pad that would be constructed at the Brunswick Industrial Site. The background would continue to be dominated by the forested landscape and open skyline.

From the second viewpoint, with implementation of the proposed project, the setting would similarly change from a forested landscape interspersed with disturbed areas that are a result of former mining and lumber operations, and currently used for temporary storage, to a landscape dominated by the substantial engineered fill pad that would be constructed at the Brunswick Industrial Site. Unlike the first vantage point for Viewpoint 11, from this view, one can see several buildings within the mine complex (see Figure 4.1-20). The background, which can be little seen from this perspective, would continue to be dominated by the forested landscape and open skyline.

The visual quality of Viewpoint 11, as seen from both vantage points, would be reduced due to the proposed addition of a 50 to 60-foot engineered fill pad, and depending upon the view angle, several buildings within the mine complex. While the duration of views from this location are relatively short (i.e., drivers typically commuting, as opposed to hikers or sightseers), and the fill pad and majority of visible structures are not anticipated to extend above the forest canopy into the open skyline, the visual character and quality of the Brunswick Industrial Site and its surroundings as viewed from Brunswick Road (south), would be substantially degraded due to the construction of a substantial fill pad and industrial structures. It is noted that the Centennial Industrial Site is not visible from Viewpoint 10.

Reclamation

During the reclamation phase, the majority of structures would be removed from the Brunswick Industrial Site, including the tallest structures, such as the Brunswick and Service shaft headframes. While removal of such features would eliminate significant visual impacts created by the project from certain viewpoints (e.g., Viewpoint 6), this would occur after the 80-year operational life of the mine. Thus, significant visual effects from these structures would still be considered long-term. In addition, during reclamation, while contents of the Brunswick buildings would be removed, the actual buildings would remain for potential future industrial use.

Conclusion

Given the reasonable expectation that the substantial majority of existing trees on the Centennial Industrial Site will be removed separate from the proposed project, the fact that the site is not located within a State Scenic Highway, and the site does not contain any rock outcroppings or historic buildings, the proposed project would not result in any significant impacts related to substantial damage of trees, rock outcroppings, or historic buildings within a State Scenic Highway.



While the Centennial and Brunswick Industrial Sites are zoned for industrial development and there are existing industrial land uses in the vicinity of the project sites, the proposed project would result in noticeable changes to the existing visual character of the project sites, as viewed from public vantage points in the project vicinity. Landscape trees would be planted at strategic locations to partially screen project elements when the trees reach maturity; however, the proposed structures and engineered fill pads are substantial in height and vegetation screening would not be sufficient to prevent a substantial degradation in visual character or quality of the sites and their surroundings when viewed from public locations. As previously discussed, several of the proposed structures require a building height Variance, subject to review and approval by the County pursuant to Nevada County LUDC Section L-X 2.29.

Based on the above considerations, the project would substantially degrade the existing visual character or quality of public views of the project sites or the site surroundings, or conflict with applicable zoning and other regulations governing scenic quality. Based on the above, a **significant** impact would occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above significant impact by requiring more dense plantings along the project frontages to screen project structures to the maximum extent feasible. However, given the proposed heights of the structures and the permanent alteration of the views, the impact would remain *significant and unavoidable*.

4.1-2 *In conjunction with submittal of Improvement Plans, the applicant shall submit a final Landscape Plan, prepared by a licensed landscape contractor, landscape architect, landscape designer, or horticulturist, for review and approval by the Nevada County Planning Department. The final Landscape Plan shall include the information identified in Nevada County Land Use and Development Code Sec L-II 4.2.7(E), such as:*

- *all details depicted on the Preliminary plans and any modifications or additions included by conditions of approval;*
- *location of all required plant materials, evenly dispersed within each required planting area;*
- *legend listing the type, number, and size of plant materials, indicating both the required number and provided number, of each plant type;*
- *irrigation plan;*
- *if existing landscaping, including native vegetation, is to be retained, a note shall be provided on the plan stating that “any existing landscaping or native vegetation shown on the approved plan for retention, that is damaged or removed during construction, shall be repaired or replaced in kind with equivalent size”;*
- *A Note on the Plan, certified by a Licensed Landscape Architect, Landscape Designer or Horticulturist, that trees are located on the Plan so as to cover 40% of the parking area with tree canopies within 15 years, consistent with Section 4.2.7.2.g of the Nevada County LUDC;*



- Assurance that the property owner will be responsible for the replacement of landscaping that does not survive or that deteriorates due to neglect;
- All required trees shall be a minimum 15-gallon container size, with the trunk diameter no less than 1.5 inches for canopy trees, and 1-1.5 inches for understory trees, with the following exception: trees planting along project frontages for screening purposes shall include a mix of 15-gallon and 24-gallon trees. Shrubs shall be a minimum 5-gallon container size, and live groundcover plants shall cover bare ground.
- Varied tree and plant materials shall be used throughout the parking lot. No one species shall comprise more than 75% of the plantings within each of the following categories: canopy tree, understory tree and shrubs. Native vegetation shall be included in all required plantings unless confirmed by a licensed Landscape Architect that a native species will not satisfy a specific requirement;
- Planting areas within paved parking lots shall be separated from vehicular areas and street right-of-way by a permanently installed concrete or wooden perimeter curb at least 6" high and meet other requirements in Section 4.2.7.2.g.

4.1-3 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Based on the analysis below, the impact is less than significant.

As noted previously, the project sites are primarily characterized by an undeveloped, unlit landscape. Thus, implementation of the proposed project would introduce additional sources of light and/or glare to a site where none currently exist.

All work at the Centennial Industrial Site would be done between 6:00 AM and 10:00 PM. Hauling and dumping of engineered fill at the Centennial Industrial Site would occur between 6:00 AM and 10:00 PM. Placement, compaction, and grading of the engineered fill would occur between 7:00 AM and 3:30 PM. The project would not include the installation of any new lighting elements on the Centennial Industrial Site. Lighting during nighttime hauling and dumping of engineered fill would be limited to haul truck headlights. On-site mobile equipment would not include the addition of substantial reflective surface that would affect the surrounding area. Therefore, the potential for the proposed project to create a new source of substantial light or glare that would adversely affect day or nighttime views in the vicinity of the Centennial Industrial Site would be less than significant.

With regard to the Brunswick Industrial Site, vehicles would be entering and exiting the site mostly during daytime hours, considering shift changes at 7:00 AM, 3:30 PM, and 7:00 PM. While hauling of materials off-site would occur until 10:00 PM, which would add light from vehicle headlights, such lighting sources would not result in substantially increased light pollution relative to existing vehicle traffic on local roadways. Placement, grading, and compaction of engineered fill at Brunswick Industrial Site would not occur during nighttime hours.



All exterior lighting within the Brunswick Industrial Site would comply with Section L-II 4.2.8, Lighting, of the Nevada County LUDC; Section E, Lighting, of the Western Nevada County Design Guidelines.

The Brunswick Industrial Site is anticipated to include approximately 41 pole-mounted LED lights throughout the operational area, including the parking lot, building complex, and internal roads (see Figure 3-13 of Chapter 3, Project Description, which depicts the proposed exterior lighting plan for the Brunswick Industrial Site). The mounting height for the LED lights would be 20 feet. The 41 pole-mounted lights would be Gardco (by Signify) LED lights, which are “dark sky approved” by the International Dark Sky Association (IDA).⁷ IDA’s Fixture Seal of Approval Program certifies outdoor lighting fixtures as being Dark Sky Friendly, meaning that they minimize glare while reducing light trespass and skyglow. All products approved in the program are required to be fully shielded and to minimize the amount of blue light in the nighttime environment.

In addition to the pole-mounted LED lights, the Brunswick Industrial Site would include approximately 69 wall-mounted LED lights on the various structures. According to the manufacturer, these proposed LED lights include full cut-off and meet Dark Sky requirements.⁸

Based on the proposed lighting types and locations discussed above, a Photometric Plan was prepared for the Brunswick industrial Site by a registered professional electrical engineer (M. Niels Engineering, Inc.). Figure 4.1-2 through Figure 4.1-5 present the Photometric Plan and increases in visible light that are estimated to occur following implementation of the proposed exterior lighting plan. Key considerations include effects to the night sky, which are addressed through the lighting types proposed, as discussed above. The other key consideration are the lighting intensities at the property boundaries near locations where existing sensitive receptors are in close proximity.

As shown in the figures, the lighting intensities at the northern property line, near East Bennett Road, are at 0.0 foot-candles⁹, and thus, light spillover is not projected to occur off-site. The nearest proposed pole-mounted LED, which is International Dark Sky Association compliant, would be located approximately 100 feet from East Bennett Road. Thus, the existing sensitive receptor along New Brunswick Court would not be impacted by light spillover from the proposed on-site lighting. Similar conclusions can be made for the remainder of the property boundaries, based on the Photometric Plan; no light spillover is projected to occur at the property boundaries. Furthermore, the proposed buildings would be painted with nonreflective, nonmetallic paint, which would not cause glare. Lighting or reflective surfaces would not be added upon reclamation of the Brunswick Industrial Site, and reclamation activities would not occur at night.

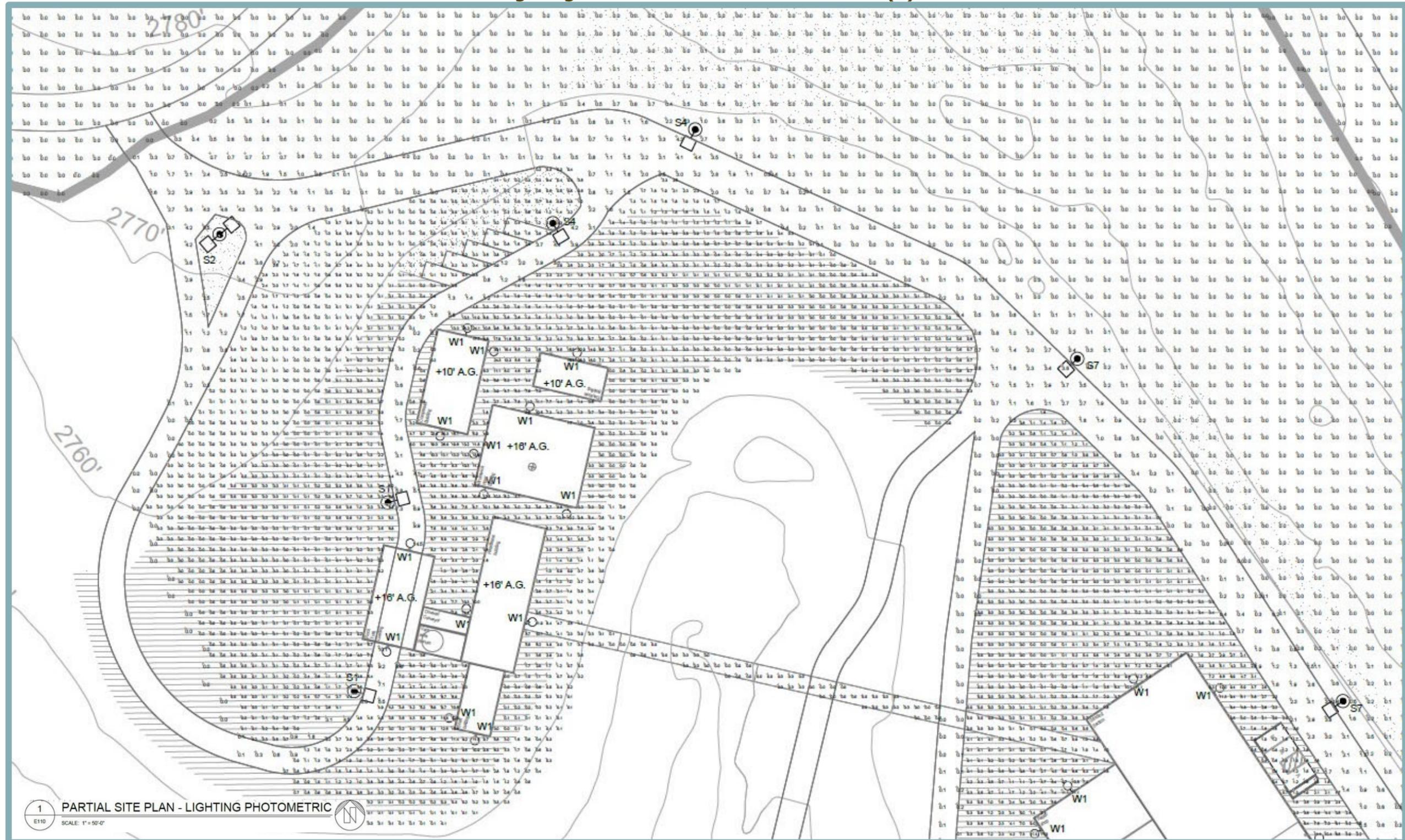
⁷ International Dark Sky Association: Dark Sky Approved Lighting. Available at: <https://www.darksky.org/our-work/lighting/lighting-for-industry/fsa/fsa-products/#!/EcoForm-LED-site-and-area-G2-small-ECF-S/p/133073023/category=34046011>. Accessed August 20, 2021.

⁸ Oracle Lighting. *OWP-FC-311-LED. Issued-B1118-Rev. 1.* Available at: <https://media.iuseelite.com/specsheet2/owp-fc-311-led.pdf>. Accessed August 20, 2021.

⁹ One foot-candle is a unit of illumination equal to that given by a source of one candle at a distance of one foot.



Figure 4.1-2
Lighting Photometric - Northern Portion (1)



**Figure 4.1-3
Lighting Photometric – Northern Portion (2)**

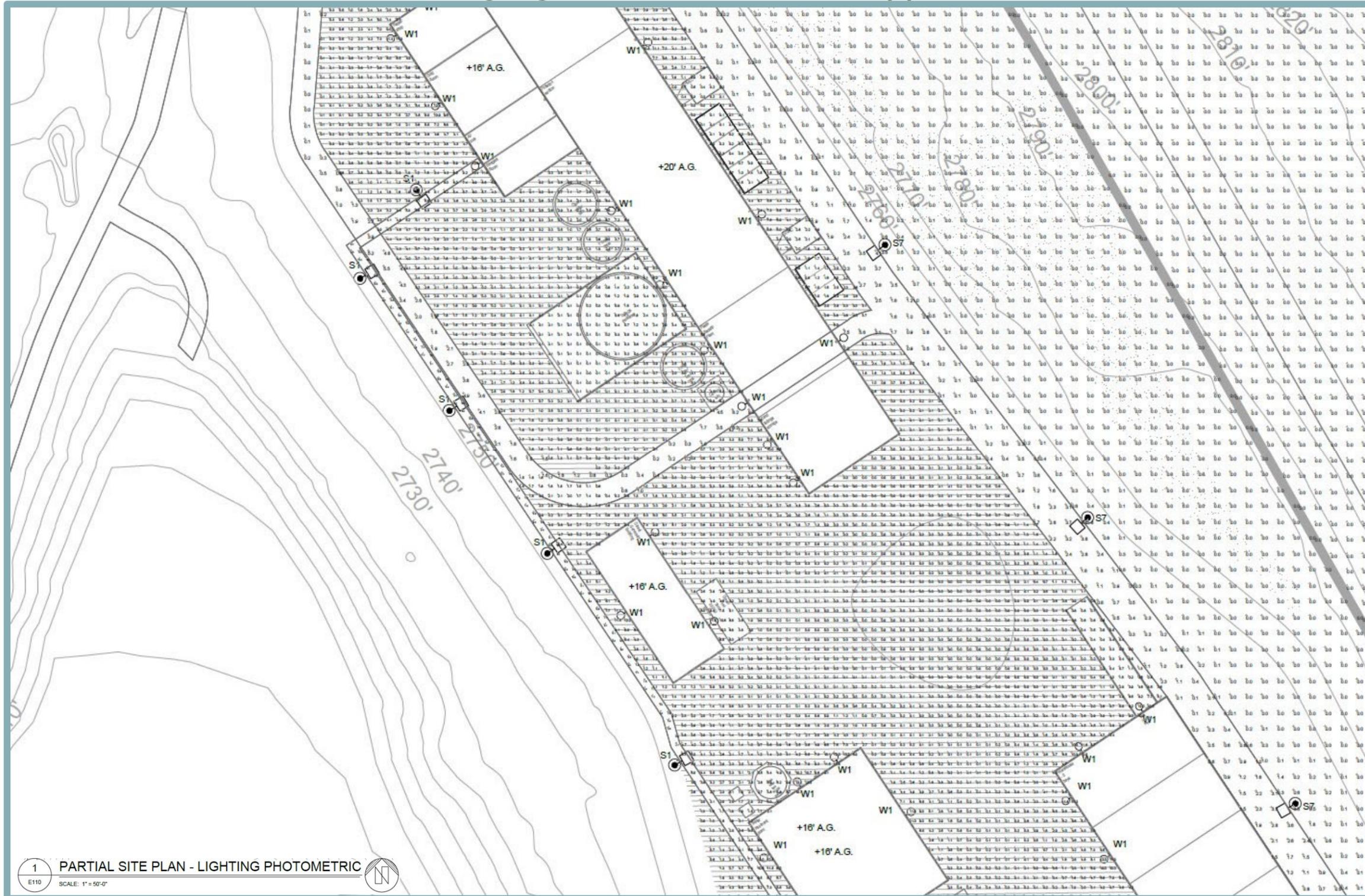
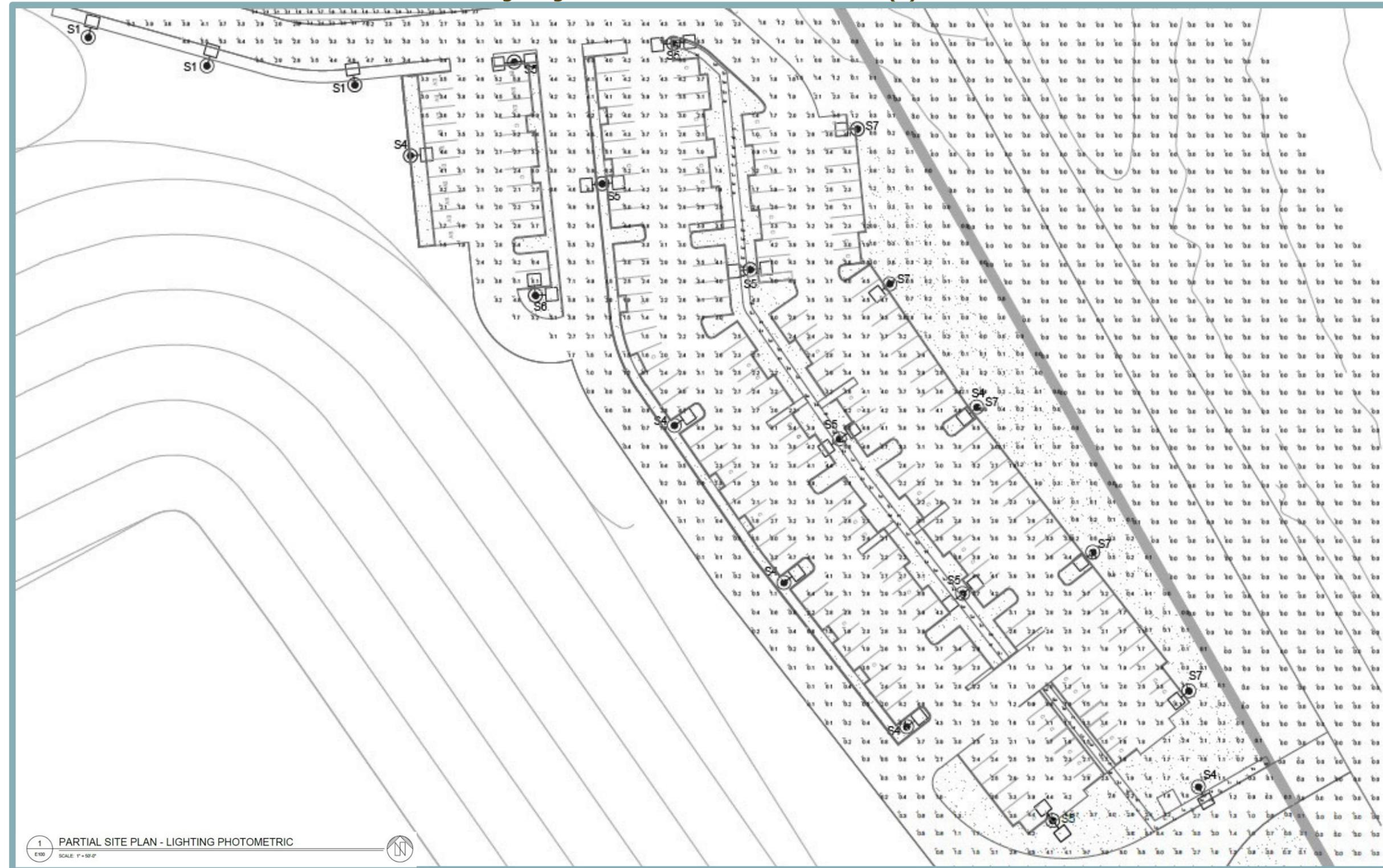


Figure 4.1-4
Lighting Photometric - Southern Portion (1)



Figure 4.1-5
Lighting Photometric - Southern Portion (2)



1 PARTIAL SITE PLAN - LIGHTING PHOTOMETRIC
E100 SCALE 1" = 50'



Based on the above, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area, and a **less-than-significant** impact would occur.

Mitigation Measure(s)

None required.

Cumulative Impacts and Mitigation Measures

As defined in Section 15355 of the CEQA Guidelines, “cumulative impacts” refers to two or more individual effects which, when considered together, are considerable, compound, or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.

Some types of impacts to aesthetic resources are localized and not cumulative in nature. For example, the creation of glare or shadows at one location is not worsened by glare or shadows created at another location. Rather these effects are independent, and the determination as to whether they are adverse is specific to the project and location where they are created. Projects that block a view or affect the visual quality of a site also have localized aesthetic impacts. The impact occurs specific to a site or area and remains independent from another project elsewhere that may block a view or degrade the visual environment of a specific site.

Two types of aesthetic impacts may be additive in nature and thus cumulative, including night sky lighting and overall changes in the visual environment as the result of increasing urbanization of large areas. As development in one area increases and possibly expands over time and meets or connects with development in an adjoining exurban area, the effect of night sky lighting experienced outside of the region may increase in the form of larger and/or more intense nighttime glow in the viewshed.

Similarly, as development in one area changes from rural to urban, and this pattern continues to occur throughout the undeveloped areas of a jurisdiction, the changes in visual character may become additive and cumulatively considerable. The proposed project’s incremental contribution to night sky lighting and changes in visual character are addressed below.

4.1-4 Long-term changes in visual character associated with the proposed project in combination with cumulative development. Based on the analysis below, the project’s incremental contribution to this significant cumulative impact is *cumulatively considerable and significant and unavoidable*.

The geographic setting for analysis of long-term cumulative changes in visual character associated with the proposed project is buildout of the cumulative project sites in conjunction with all other projects within the same viewshed. A complete list of projected development projects was compiled for this EIR to develop a reasonable estimate of the cumulative impacts that would occur within neighboring portions of both the County of Nevada and the City of Grass Valley (see Chapter 5, Statutorily Required Sections, of this EIR for details). Development of the cumulative projects, as well as



the project site, would change the existing visual character of those specific locations from vacant or minimally developed land to more intensively developed areas.

While the proposed project in conjunction with a number of the cumulative projects would generally cumulatively affect public views primarily from SR 49 and Brunswick Road, only the 500 Idaho Maryland Road project (which includes construction of two manufacturing buildings), Dorsey Marketplace (which includes construction of a commercial development, multi-family housing, and a clubhouse), and possibly the 130 Crown Point Circle project (which includes construction of a medical office building) would have the potential to affect any of the same viewpoints analyzed for the proposed project. For example, the 500 Idaho Maryland Road and Dorsey Marketplace projects would be visible from SR 49 looking southwest towards the Centennial Industrial Site, which could combine with the effects of the proposed project from Viewpoints 1 and 2. As concluded under Impact 4.1-2, changes to the visual character and quality of the Centennial Industrial Site associated with implementation of the proposed project, as viewed from Viewpoints 1 and 2, would be considered significant. Thus, the combined changes to the visual character and quality associated with the 500 Idaho Maryland Road and Dorsey Marketplace projects, in conjunction with the Centennial Industrial Site, as viewed from Viewpoints 1 and 2 or any other viewshed, would also be significant.

The 130 Crown Point Circle project may be visible from Whispering Pines Lane. Viewpoint 4 is representative of the section along Centennial Drive/Whispering Pines Lane from which the Centennial Industrial Site is visible. The 130 Crown Point Circle project would not be visible from the same stretch of Centennial Drive/Whispering Pines Lane as the proposed project, but would nevertheless incrementally contribute to the cumulative change in visual character of the area.

Similar to the proposed project, all future development would be subject to existing regulations and guidelines designed to ensure visual compatibility with adjacent land uses. Specifically, such projects would be required to comply with the applicable guidelines and regulations related to visual quality, including the Nevada County LUDC and the Western Nevada County Design Guidelines. Future development projects within Grass Valley would also be subject to the City of Grass Valley Community Design Guidelines. Such standards serve to reduce impacts on visual character.

Nonetheless, cumulative buildout in the geographic area would result in a change in the visual character of the region, which would be considered a significant cumulative impact. As discussed under Impact 4.1-2 above, the proposed project would substantially degrade the character of the Centennial and Brunswick Industrial Sites, though they are zoned for industrial development and there are surrounding industrial land uses in the vicinity of the project sites. Therefore, the project's incremental contribution to the significant cumulative impact would be ***cumulatively considerable and significant and unavoidable***.



Mitigation Measure(s)

Implementation of Mitigation Measure 4.1-2 would reduce the project's incremental contribution to this significant cumulative impact, but not to a level that is less than cumulatively considerable.

4.1-5 Creation of new sources of light or glare associated with the proposed project in combination with cumulative development. Based on the analysis below, the proposed project's incremental contribution to this significant cumulative impact is *less than cumulatively considerable*.

Cumulative effects of lighting are visible over a wide area, due to the potential for lighting from a number of projects to create sky glow. Cumulative development throughout the region, particularly conversion of rural or currently vacant sites to urban uses, would increase the sources of light and glare, which would have the potential to contribute to sky glow in the area. Such sources of light would be typical of existing development in the project area, such as the developed area of the City of Grass Valley to the northwest of the project sites that consists primarily of commercial and industrial uses.

Cumulative development, including the proposed project, would be subject to existing regulations and guidelines related to light and glare. For example, Section L-II 4.2.8, Lighting, of the Nevada County LUDC requires that all outdoor light fixtures are fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways. Lighting in new development would also be required to comply with all applicable lighting standards contained in Section E, Lighting, of the Western Nevada County Design Guidelines, which reads as follows:

Objective: Encourage appropriate lighting that strengthens the character of the built environment and provides safety for pedestrians and automobiles.

Guidelines:

- Street lighting should be consistent with Western Nevada County's small town and rural character. "Acorn" type fixtures and other, well-articulated fixtures are appropriate;
- Street lighting should be designed for pedestrian comfort and safety as well as automobile safety;
- Good lighting uses only the amount of light needed for the intended task, whether it is intended to illuminate a parking lot, pedestrian walkway, signage, for security, or to highlight specific architectural features;
- New lighting should be compatible with the level and style of lighting in the project area;
- Use efficient, high quality light fixtures to control light output and to reduce energy waste; and
- Photovoltaic light fixtures are encouraged and should be utilized where feasible.

New development within Grass Valley would also be required to comply with Section 5.0, Lighting, of the City of Grass Valley Community Design Guidelines, which dictates



specific standards for lighting based on the development type. For example, pursuant to the City of Grass Valley Community Design Guidelines, lighting for commercial projects is intended to improve the appearance of Grass Valley and the security of its citizens by creating livelier, friendlier and safer spaces through the artful illumination of buildings streetscapes, walkways, plazas, landmarks and other highlights.¹⁰

While the effects of the cumulative list of projects evaluated in this EIR may combine to produce a significant increase in new sources of light, it is possible that the “cumulative impact” of multiple projects will be significant, but that the incremental contribution to that impact from a particular project may not itself be “cumulatively considerable.” Thus, CEQA Guidelines section 15064, subdivision (h)(5), states that “[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulatively considerable.” Thus, it is not necessarily true that, even where cumulative impacts are significant, any level of incremental contribution must be deemed cumulatively considerable. (*Communities for a Better Environment*, supra, 103 Cal.App.4th at p. 120.) Substantial evidence has been provided in Impact 4-3 above that the proposed lighting types and locations at the Brunswick Industrial Site would prevent light spillover onto adjacent properties and be protective of the night sky.

Based on the above, the proposed project’s incremental contribution to this potentially significant cumulative impact would be ***less than cumulatively considerable***.

Mitigation Measure(s)

None required.

¹⁰ City of Grass Valley. *City of Grass Valley Community Design Guidelines* [pg. 3-19]. February 26, 2002.



Figure 4.1-6
Viewpoint 1: Existing/Environmental Baseline and Proposed

VIEWPOINT 1: SIERRA NEVADA MEMORIAL HOSPITAL PARKING LOT, LOOKING SOUTHEAST



Existing Conditions



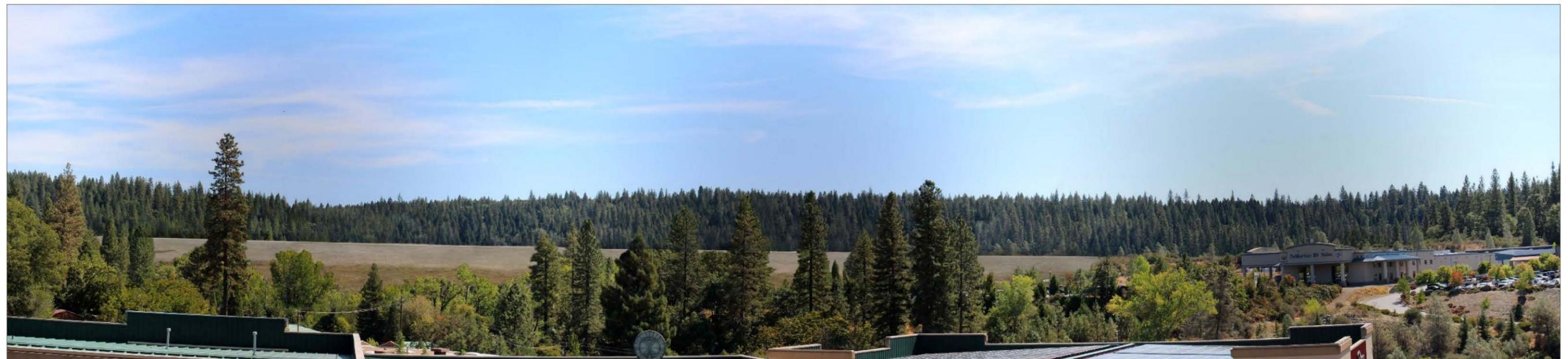
Simulated Conditions

Figure 4.1-7
Viewpoint 2: Existing/Environmental Baseline and Proposed

VIEWPOINT 2: UPPER PARKING LOT NEXT TO STATE ROUTE 20-49, LOOKING SOUTHEAST



Existing Conditions



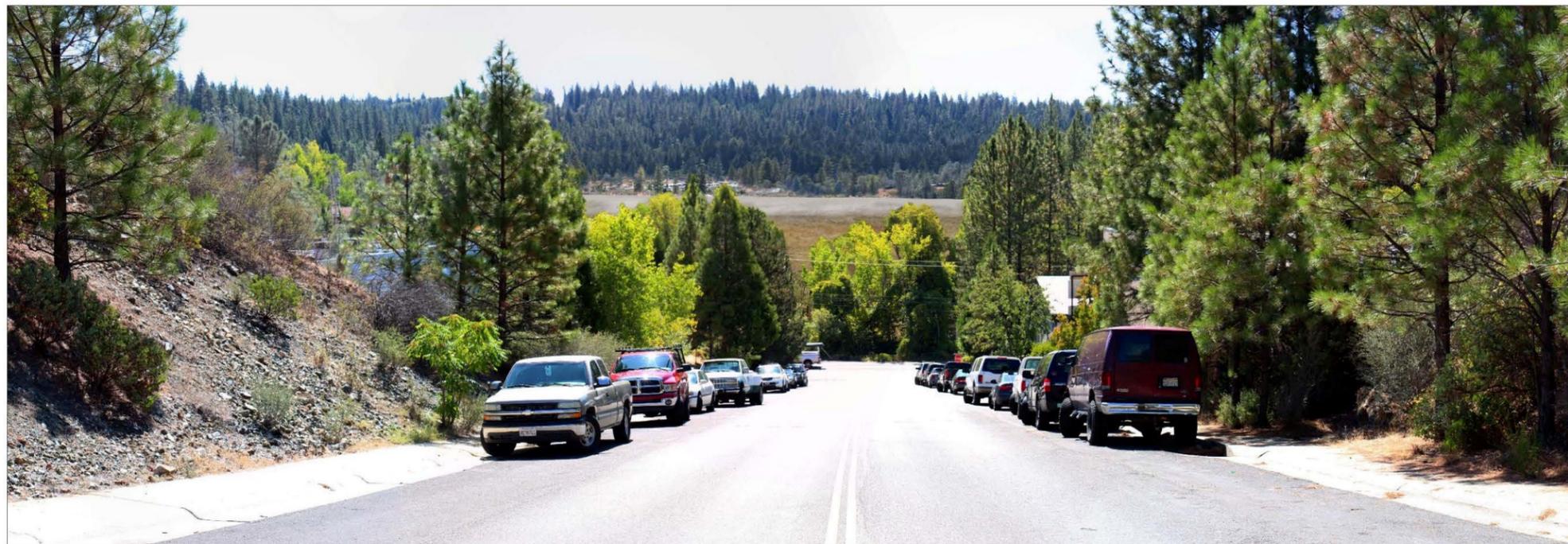
Simulated Conditions

Figure 4.1-8
Viewpoint 3: Existing/Environmental Baseline and Proposed

VIEWPOINT 3: HALFWAY UP SPRING HILL DRIVE, LOOKING SOUTH



Existing Conditions



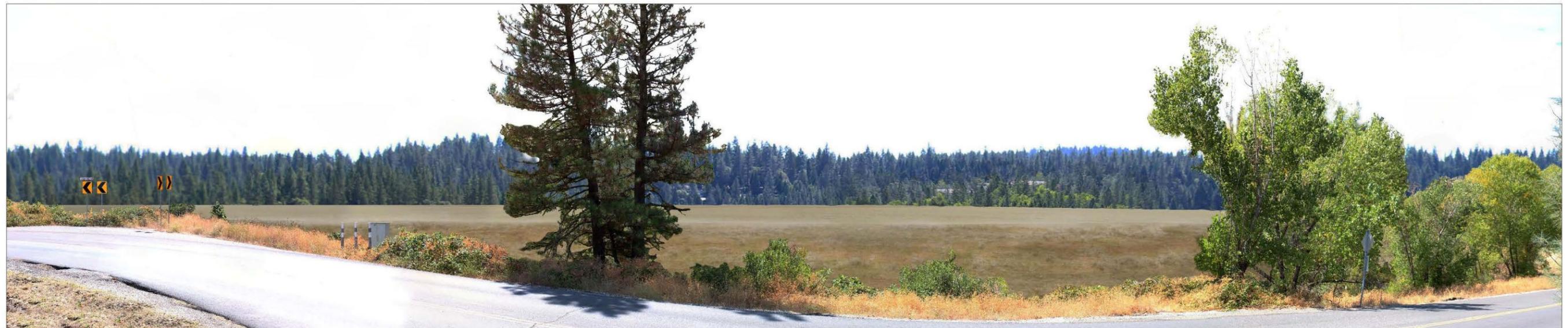
Simulated Conditions

Figure 4.1-9
Viewpoint 4: Existing/Environmental Baseline and Proposed

VIEWPOINT 4: CENTENNIAL DRIVE, LOOKING SOUTH



Existing Conditions



Simulated Conditions

**Figure 4.1-10
Viewpoint 5: Existing and Proposed**

VIEWPOINT 5: NEW BRUNSWICK COURT LOOKING SOUTH



Existing Conditions



Simulated Conditions (No change)

Figure 4.1-11
Viewpoint 6: Existing and Proposed

VIEWPOINT 6: CORNER OF BRUNSWICK ROAD AND EAST BENNETT ROAD, LOOKING SOUTH



Existing Conditions



Simulated Conditions

Figure 4.1-12
Viewpoint 6: Landscape Plan

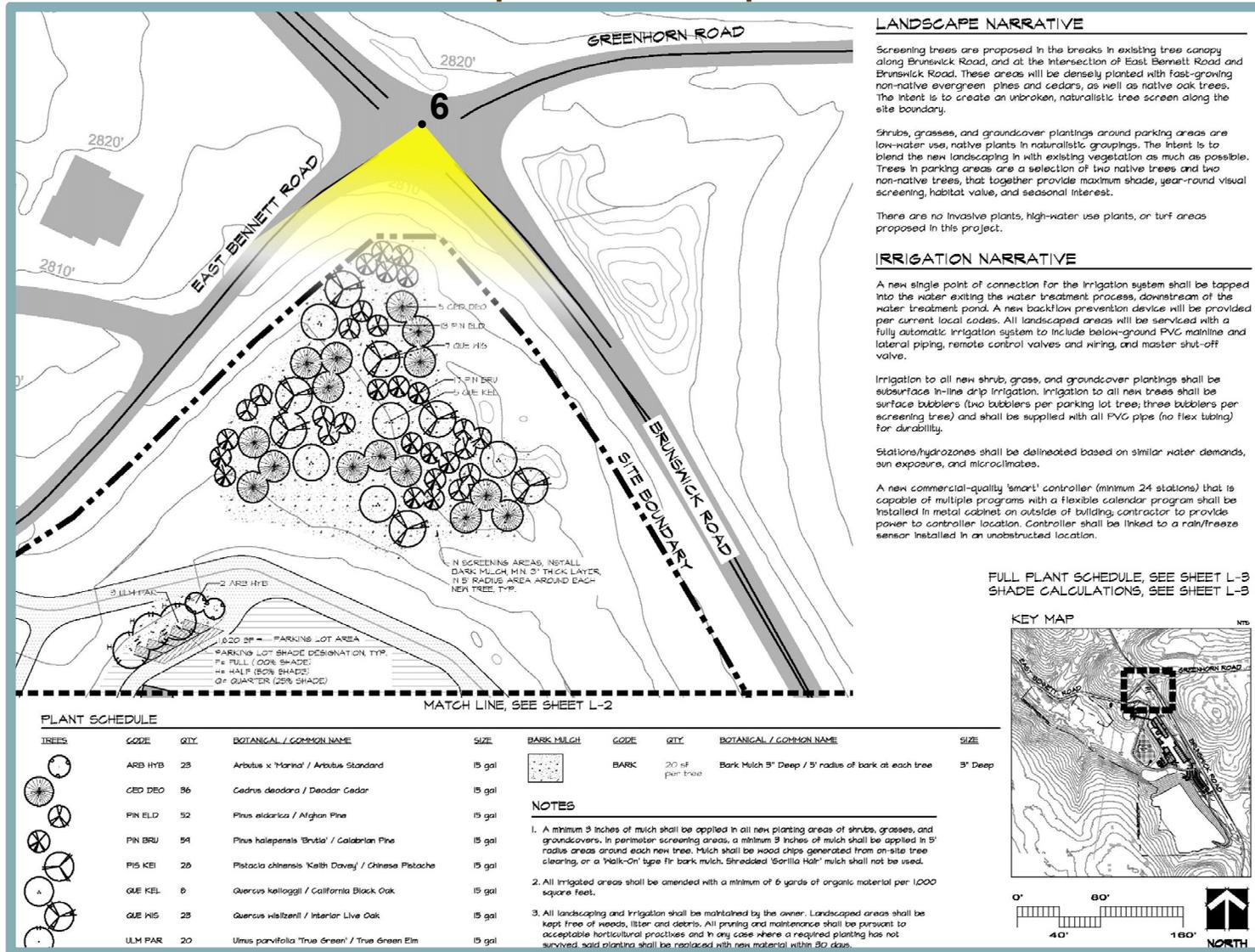


Figure 4.1-13
Viewpoint 7: Existing and Proposed

VIEWPOINT 7: BRUNSWICK ROAD (NORTH), LOOKING WEST



Existing Conditions



Simulated Conditions

**Figure 4.1-15
Viewpoint 8: Existing and Proposed**

VIEWPOINT 8: BRUNSWICK ROAD (SOUTH), LOOKING WEST



Existing Conditions



Simulated Conditions

**Figure 4.1-16
 Viewpoint 8: Landscape Plan**

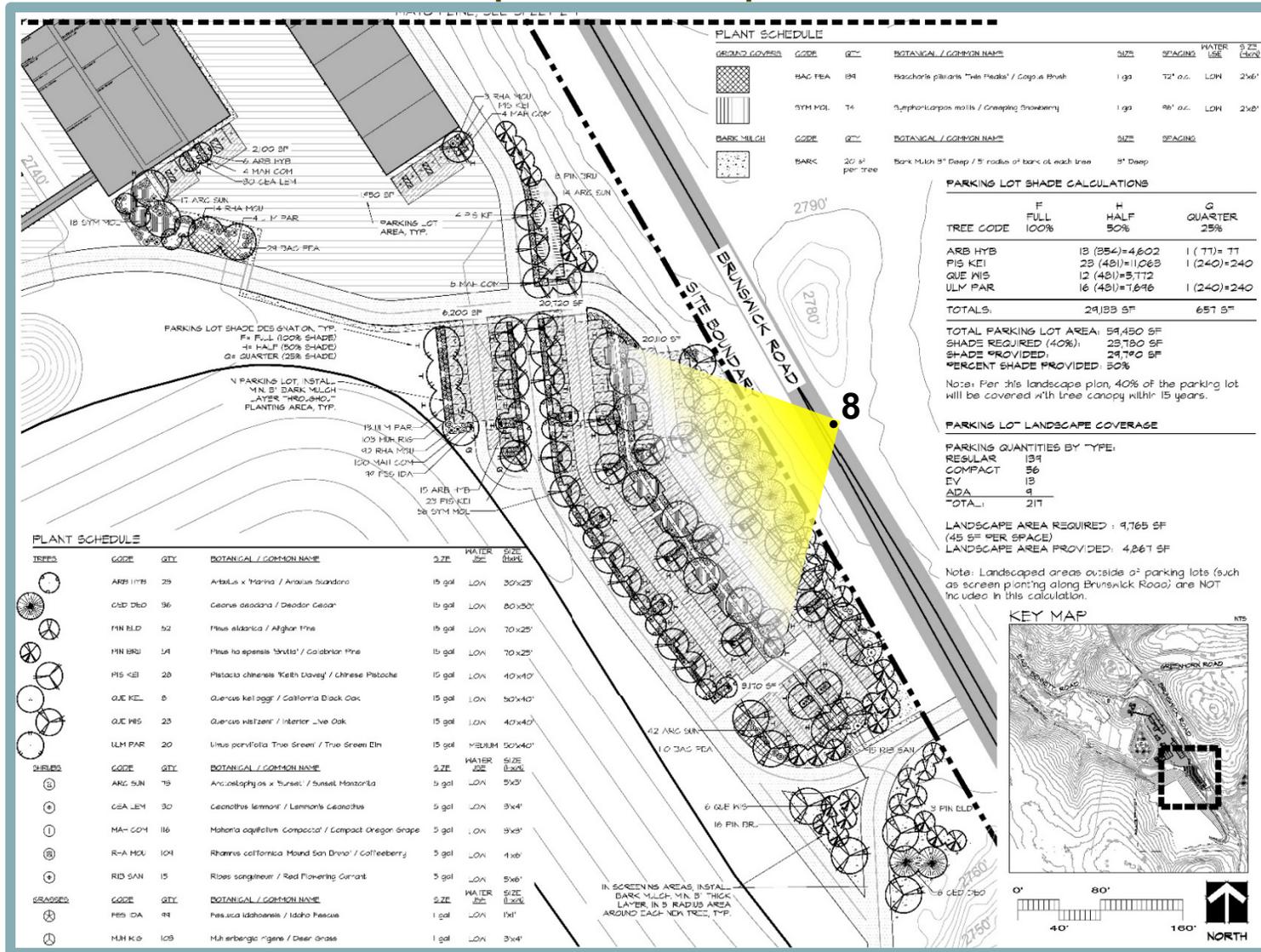


Figure 4.1-17
Viewpoint 9: Existing and Proposed



Existing Conditions



Simulated Conditions

Figure 4.1-18
Viewpoint 10: Existing and Proposed



Existing Conditions



Simulated Conditions

Figure 4.1-19
Viewpoint 11 (1 of 2): Existing and Proposed



Existing Conditions



Simulated Conditions

Figure 4.1-20
Viewpoint 11 (2 of 2): Existing and Proposed

