

# Nevada County Local Agency Formation Commission City of Grass Valley Sphere of Influence Plan Update

## Initial Study and Negative Declaration for the City of Grass Valley Sphere of Influence Plan Update

*March 2024*



**NEVADA  
COUNTY**  
CALIFORNIA



*Prepared for:*

**Nevada County Local Agency Formation Commission**  
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Date:	March 2024

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## 1.0 INTRODUCTION & PURPOSE

### 1.1 Purpose and Scope of the Initial Study

This Initial Study (IS) was prepared pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000, et seq) and written in accordance with the requirements contained therein. The Nevada County Local Agency Formation Commission (LAFCo) prepared this IS for the Grass Valley Sphere of Influence Plan Update (SOI Plan Update) (proposed project). A Sphere of Influence (SOI) defines the present and anticipated physical boundary and service area of a local agency and documents the present and probable need for an agency's services within that area. This IS is written for the purpose of determining whether the updates to the Grass Valley SOI may have a significant effect on the environment.

A copy of this IS and accompanying documentation is on file at the LAFCo Offices at 950 Maidu Avenue, Nevada City, CA 95959 and has been published on the Nevada County LAFCo website at: <https://www.mynevadacounty.com/907/Local-Agency-Formation-Commission-LAFCo>.

### 1.2 Lead Agency

The public agency with the principal responsibility for carrying out or approving a project is the "lead agency." Nevada County LAFCo is the CEQA lead agency for the proposed project. CEQA requires California public agencies at all levels to consider the environmental consequences of projects for which they have discretionary authority. In most cases, LAFCo is the responsible agency, but when a LAFCo initiates a project such as under the proposed project, it is the lead agency. Because the adoption or update of a SOI is solely the responsibility of a LAFCo, the respective county LAFCo generally acts as the lead agency.

### 1.3 Local Agency Formation Commission

LAFCo's were created by the State Legislature to ensure that changes in governmental organizations occur in a manner which provides efficient and quality services and to help ensure protection of resources. A LAFCo is charged with applying the policies and provisions of Government Code Sections 56000-57550, the Cortese-Knox Hertzberg Act (CKHA), to its decisions regarding annexations, incorporations, reorganizations, and other changes of government. A LAFCo is required to adopt written policies and procedures and to exercise its powers in a manner consistent with them and with the policy directives of the CKHA. On April 28, 1994, and as amended on September 17, 2015, Nevada County LAFCo adopted a formal guidance document listing the policies to which Nevada County LAFCo would adhere in performance of their responsibilities and duties.

A LAFCo's principal activities include regulating boundary changes of local agencies (cities and special districts) through annexations and detachments; approving or disapproving city incorporations; and forming, consolidating, or dissolving special districts. LAFCo's are independent public agencies created by the California Legislature in 1963 and there is one in each county. They exercise quasi-legislative authority under the CKHA. One way in which LAFCo's accomplish the State Legislature's directives is through the use of their specific authority to review and approve, conditionally approve, or deny certain boundary proposals submitted by cities and special districts. This law charges LAFCo's with responsibility for:

- Encouraging orderly growth and development;
- Encouraging the logical formation and determination of local agency boundaries,
- Annexations to, or detachments from cities or districts;
- The development of, and amendments to, SOI plans for each city and district;
- Ensuring that affected populations receive adequate, efficient, and effective governmental services.
- Preventing premature conversion of open space and prime agricultural land; and
- Pursuant to Section 56434, the Commission may review and approve proposals that extend service into previously unserved territory in unincorporated areas.

LAFCo's use SOIs as operational planning documents that are intended to establish areas that are eligible for annexation to the agency and under what conditions annexation will occur. A SOI is defined as a plan for the probable physical boundary and service area(s) of a local agency, as determined by the LAFCo. CKH defines the purpose and intent of a SOI as an important tool for "planning and shaping the logical and orderly development and coordination of local agencies so as to advantageously provide for the present and future needs of the county and its communities."

Lastly, it is important to note that while LAFCo has approval authority related to SOI's and associated annexations and has the power to approve or disprove applications, it only has the ability to impose reasonable conditions on approvals in limited circumstances (i.e., provision of public services and utilities). LAFCo has limited authority related to land use decisions and conditions that can be placed upon proposed or approved developments. Therefore, while LAFCo is charged with considering the impacts of land uses in its decision making, LAFCo is prohibited from directing specific land use or zoning actions. Hence, LAFCo may disapprove an application for an annexation if that development could not be provided city services, but LAFCo cannot exercise direct land use authority. Therefore, imposition of mitigation and conditions of approval on projects and areas to be annexed is typically the responsibility of the associated municipality, which in this case is the City of Grass Valley.

## 1.4 Environmental Analysis

This document has been prepared using the standard CEQA IS Checklist. The conclusions herein are based on CEQA standards, professional judgment, field review, and available public documents. LAFCo has prepared an IS and a Negative Declaration (ND) to evaluate the impacts the proposed project could have and has concluded that the proposed project would not have any significant negative impacts on the environment. This IS/ND contains and constitutes substantial evidence supporting the conclusion that preparation of an EIR is not required prior to approval of the proposed project by the Nevada County LAFCo.

LAFCo's approval of a SOI establishes which geographic areas are eligible to be annexed and then served by the subject agency, and territory cannot be annexed unless it has been included in the agency's SOI. Thus, a SOI will determine which areas may receive the agency's services in the future, and therefore may have a potential "growth inducing" effect in these areas by facilitating their future development. Because the sphere plan itself does not result in the approval of any specific development and does not commit either the agency or LAFCo to actually approve annexation or any specific development, CEQA does not require the analysis of the specific environmental impacts of such future development because they are

not known and would be speculative. However, CEQA does require that the “growth inducing” impacts be disclosed and mitigated if possible. Potential growth inducement is analyzed in the IS/ND for the proposed project.

It is important to note that LAFCo has a specific policy related to environmental consequences. This policy states that LAFCo shall operate in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000. LAFCo shall assess the environmental consequences of its actions and decisions and take actions to avoid or minimize a project's adverse environmental impacts, if feasible, or may approve a project despite significant effects because it finds overriding considerations exist in compliance with the State CEQA Guidelines. While this attention has been given to this proposed project, the same considerations will be given to future annexation proposals and would similarly reduce the potential for environmental impacts associated with GHG emission.

## 1.5 Initial Study Public Review Process

CEQA Statutes and Guidelines (Pub. Resources Code, Section 21000, et seq. and California Code of Regulations, Title 14, §15000 et seq.), sets forth the rules, regulations, and procedures for the implementation of CEQA, which includes the requirements and steps for preparation of an IS. This IS was prepared as required by CEQA Guidelines Sections 15070 through 15075. The purpose of the IS is to provide an initial evaluation of the potential impacts of the proposed project. Based on that evaluation, it was determined that the proposed project would result in No Impact, a Less than Significant Impact, or a less than significant impact with mitigation for each of the impact areas. Accordingly, LAFCo is proposing the adoption of a ND.

As part of this process the IS/ND has been made available for public review for the required 30-day public review period from March 15, 2024, to April 15, 2024. During this time the public, interested parties, stakeholders, and any state or local agency could provide comment on the document. The IS/ND may be viewed at the Nevada County LAFCo website at the following link: <https://www.mynevadacounty.com/907/Local-Agency-Formation-Commission-LAFCo/>

Written comments on this IS/ND should reference the “Grass Valley Sphere of Influence Plan Update (Grass Valley SOI Plan Update)” and be addressed and sent to the following:

Nevada County LAFCo - Attn: SR Jones – Executive Officer  
950 Maidu Avenue  
Nevada City, CA 95959  
or, [LAFCO@nevadacountyca.gov](mailto:LAFCO@nevadacountyca.gov)

After public review of the IS/ND is completed, Nevada County LAFCo proposes to adopt a ND in accordance with CEQA and the State CEQA Guidelines. LAFCo will consider comments received in accordance with State CEQA Guidelines § 15074(b). Any parties that comment on this proposed ND will be notified of the meeting date where adoption of the ND will be considered.

Presently, LAFCo plans to hold a hearing on the proposed project on May 16, 2024 via a Zoom conference. The details and link to the meeting will be provided at <https://www.mynevadacounty.com/907/Local-Agency-Formation-Commission-LAFCo>. Updates to the scheduled meeting, should they be needed, will be provided at the listed web-link.

## 2.0 DESCRIPTION OF PROPOSED PROJECT

### 2.1 Location and Setting

#### Regional Location

The proposed SOI occupies unincorporated land within Nevada County and surrounds the City of Grass Valley (City). Nevada County's total land area is approximately 978 square miles and the County has an estimated total population of 101,242, of which 66,191 live in unincorporated areas. There are an additional 35,051 people in the three incorporated cities, 13,617 people in Grass Valley, 3,334 in Nevada City, and 17,100 in Truckee (CDOF, 2022).

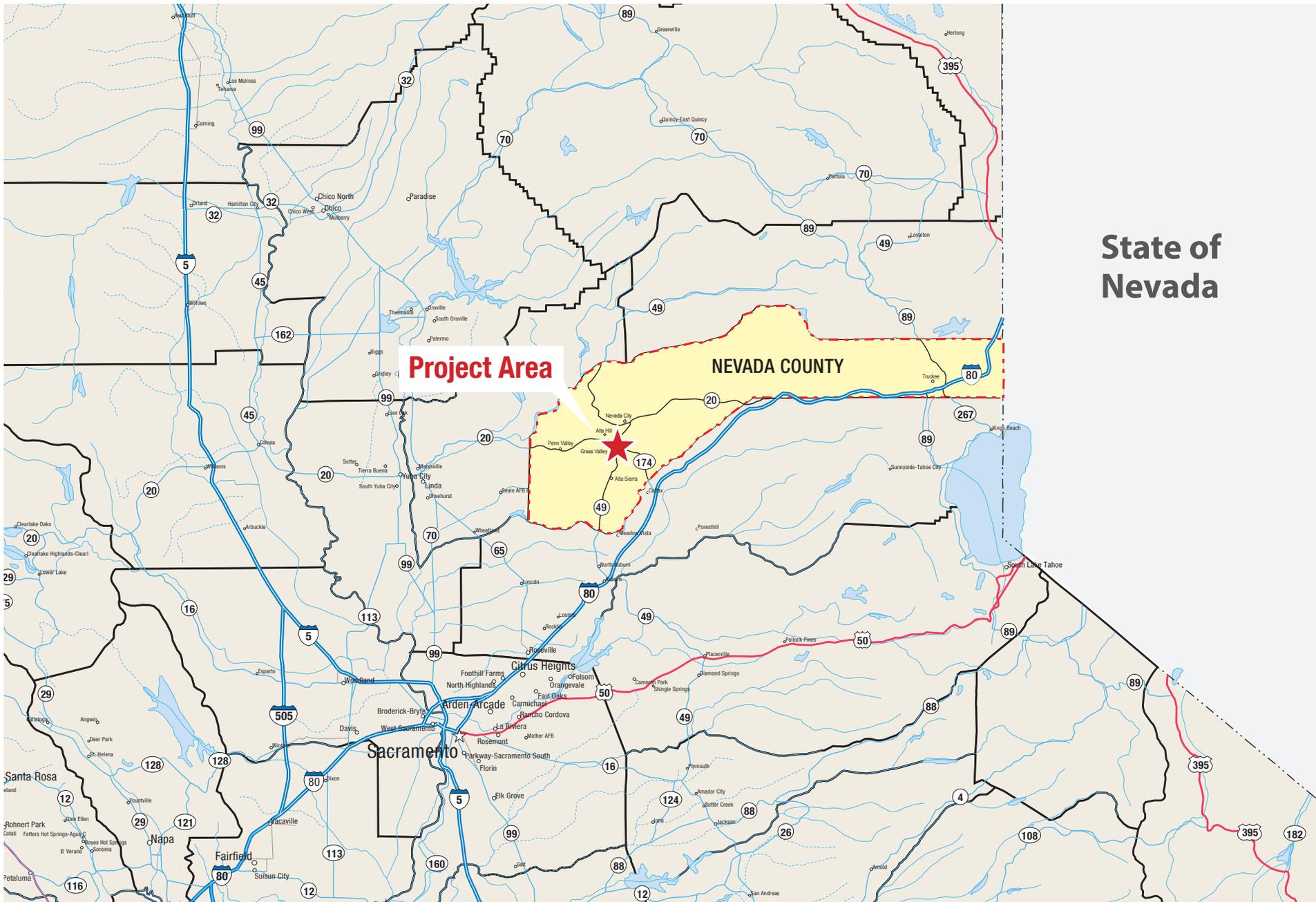
**Figure 1: Regional Location Map**, shows the position of Grass Valley in relation to the County boundaries and remainder of northern California. This map also shows the project area in relation to other cities in the vicinity such as the City of Auburn in Placer County as well as the nearest major city, Sacramento, in Sacramento County to the southwest. **Figure 2: Local Vicinity Map** shows Grass Valley and immediately surrounding SOI area and major roadways that are used for both regional and local access.

The City and SOI area are within the western Sierra Nevada Foothills that separates the low-lying Sacramento Valley on the west from the Sierra Nevada Mountains to the east. Urbanized areas within the County are primarily located within the three listed cities, of which Grass Valley is considered the regional economic and cultural center for residents within the County as well as surrounding areas of Placer and Sierra County, and to a lesser extent Yuba County. Planning and development within the City is guided by the Grass Valley General Plan (GVGP). The GVGP also considers the SOI and its relation to the Nevada County General Plan (NCGP) which delineates the Grass Valley Community Region and is shown with almost an identical boundary as the SOI Plan Update area. One of the intents of both the GVGP and NCGP is to guide development and help ensure the accommodation of services to meet the needs of residents.

#### Local Vicinity

Locally, the City is in the Sierra Nevada foothills and is at an average elevation of 2,400 feet above mean sea level (amsl). Currently, the City's boundaries include approximately 3,985 acres with an additional, approximately 2,766 acres within the City's proposed SOI. The City is surrounded by the unincorporated lands of Nevada County, except on the north where the SOI is coterminous with Nevada City's SOI. Since 1983 nearly 3,400 acres have been added to the City's boundaries in 45 separate annexations.

Originally, Grass Valley was a townsite that was settled in 1850 and officially incorporated in 1893 (Durham 2000). After the discovery of gold in Northern California in 1848 the town and area saw dramatic increase in population through the establishment of numerous mining operations, including the North Star Mine and the Idaho-Maryland Mine. It should be noted, before this time, the Sierra Nevada foothills, including the City and surrounding areas, were inhabited by the Nisenan branch of the Maidu Indians, which add an important element to the history of the area.



State of Nevada

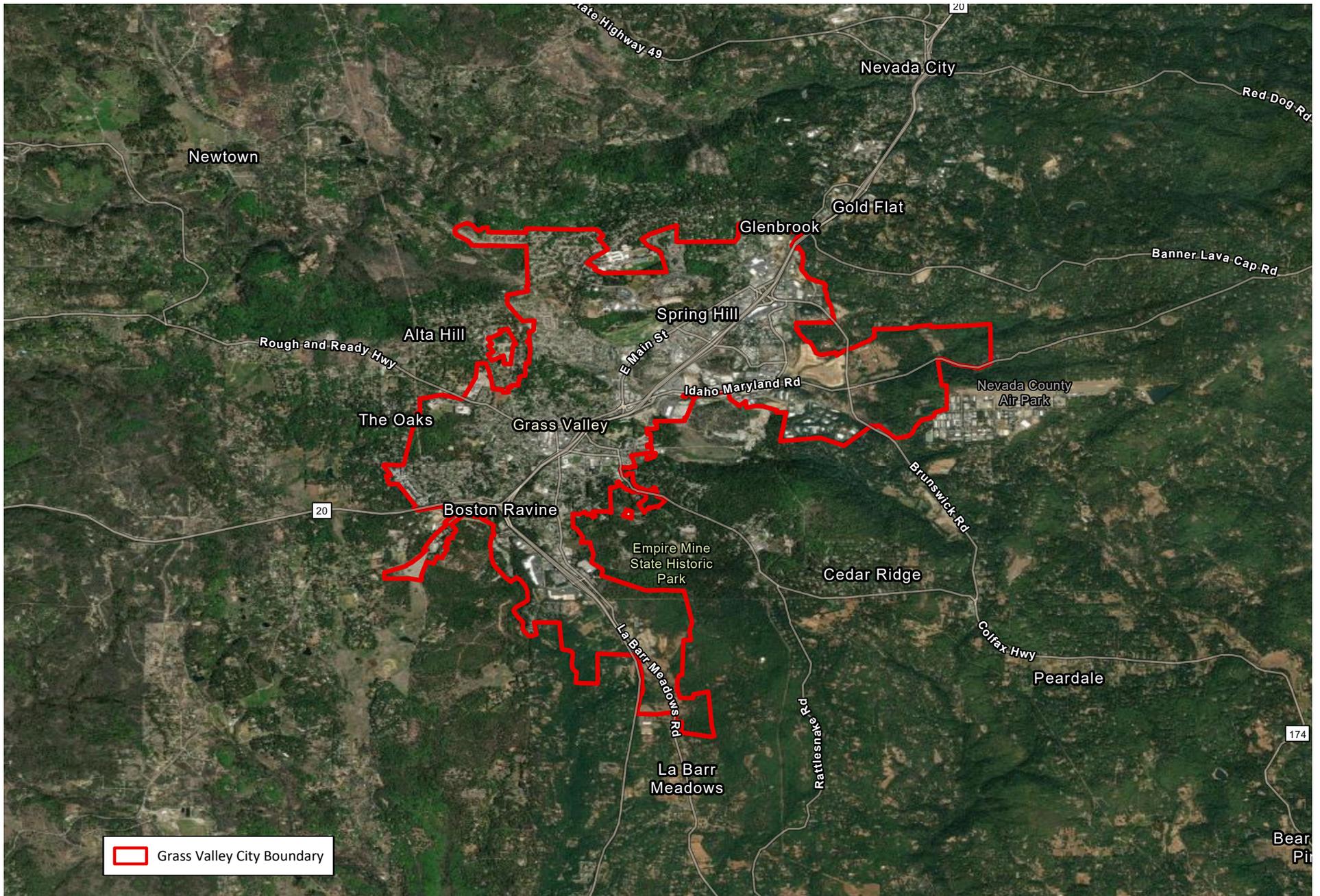
Source: LAFCo Nevada County GIS, 2024

**Figure 1: Regional Location Map**

City of Grass Valley Sphere of Influence Plan Update  
 Initial Study/Negative Declaration



Not to scale



Source: Esri 2024

## Figure 2: Local Vicinity Map

City of Grass Valley Sphere of Influence Plan Update  
 Initial Study/Negative Declaration



Not to scale

## 2.2 Regulatory Setting

### City of Grass Valley

#### City of Grass Valley General Plan

The General Plan for the City of Grass Valley (GVGP) contains the land use policies and standards that provide the blueprint for the future growth of the City. The GVGP was adopted in 1999 and contains all seven mandatory elements, and the Housing Element of the General Plan was most recently updated in 2019. The Land Use Element of the General Plan establishes the framework for development of the City and identifies the general distribution, location, and extent of land uses for housing, business, industry, open space, recreation, natural resources, and other uses of public and private land. The City of Grass Valley General Plan designations and acreage of the areas are listed in **Table 1: City of Grass Valley General Plan Designations (within City Boundaries)** are as follows:

**Table 1: City of Grass Valley General Plan Designations (within City Boundaries)**

General Plan Designator	General Plan Classification	Acreage
BP	Business Park	412.02
C	Commercial	445.40
ING	Institutional, Non-governmental	57.28
M-I	Manufacturing Industrial	134.68
OP	Office Professional	136.23
OS	Open Space	23.70
P	Public	55.82
PR	Parks & Recreation	160.28
SC	School	234.42
SDA	Special Development	512.95
U	Utilities	30.21
UED	Urban Estate Density	223.36
UHD	Urban High Density	212.96
ULD	Urban Low Density	827.87
UMD	Urban Medium Density	218.01
<b>Total:</b>		<b>3,685.19</b>

#### Grass Valley Planning Area

The City General Plan also discusses lands outside the City boundaries in the unincorporated area that is known as the “Grass Valley Planning Area”. The Grass Valley Planning Area includes City lands, the SOI, and County land extending outward from the City SOI. This area includes approximately 15.6 square miles of which approximately 6,000 acres are unincorporated land. The purpose of the Grass Valley Planning Area is to identify areas in which if future development occurred it would have the potential to impact the City, and also identify areas that the City may wish to annex in the future. These areas also have been determined to benefit if planning efforts are collaborative between the City and County. It should be noted that while similar purposes exist for the Grass Valley Planning Area and SOI, namely, to coordinate planning efforts, the SOI is the City’s plan for, “the probable physical boundary and service area of a local agency or municipality as determined by the Commission” (Government Code Section 56425).

### City of Grass Valley Development Code (Zoning Ordinance)

Zoning ordinances are local regulations that control the use and development of land. Accordingly, the City of Grass Valley's Development Code implements the City's general plan policies via detailed development regulations, such as specific use types and building standards. The Development Code echoes the general plan map and groups buildings together into zoning districts in order to separate incompatible uses and promote cohesive city planning. Zoning also includes ordinances or local laws or regulations that govern how real property can and cannot be used in certain geographic areas.

Annexations also are discussed in the City's Development Code. Chapter 1.08 – Annexations subsection 1.08.010 rezoned and preplanned states that all proposed annexations to the city shall be rezoned and preplanned by the City's planning commission prior to the city council authorizing the owners of such territory to submit an application or petition to the local agency formation commission for annexation to the City of Grass Valley. The Development Code includes annexation fees that consider the cost of utility improvements that would be needed within the various districts through which they would be served, increased demands on recreation and school resources, roadways, to ensure adequate utilities and services would be available and existing utilities and services would not be overly taxed.

## **Nevada County**

### Nevada County General Plan

Nevada County's General Plan (County General Plan) is the long-term policy guide for the physical development of the County. The County views the General Plan as its constitution for the physical use of the County's resources and the foundation upon which all land use decisions are made. The County General Plan expresses the County's development goals and embodies public policy relative to the distribution of future public and private land use, and includes a policy that it be consistent with city General Plan designations within the SOI. The County General Plan is based on four central themes which articulate the vision for the development of the County. These themes are the standard by which the appropriateness of goals, objectives and policies are tested and are responsive to the environmental, economic, and social qualities of the County which include:

- Fostering a rural quality of life;
- Sustaining a quality environment;
- Development of a strong diversified, sustainable local economy; and
- Planned land use patterns that will determine the level of public services appropriate to the character, economy and environment of each region.

### Nevada County Zoning Ordinance

The Nevada County Zoning Ordinance is contained in the Nevada County Land Use Development Code (Zoning Ordinance) and serves as the primary tool to implement and ensure consistency with the goals, objectives, and policies of the County General Plan by providing information on zoning types, site development standards, permitting requirements, allowed land uses and other development standards. The Zoning Ordinance applies to all land uses and development within the unincorporated areas of Nevada County and includes the City SOI area until an area is annexed. Ordinance provisions are held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare. The zones within the Sphere areas are RA (Residential Agriculture), R1

(Single Family), Rural Districts, Business Park, Commercial Districts, M1 – Industrial Districts, Office & Professional, Open Space, Public, and Special Purpose Districts.

## 2.3 Planning Context

According to the GVGP, the City has a regional role as an economic and cultural hub and the City has substantial land area devoted to commercial, industrial, and other business uses, with expanding medical and educational uses, and growing employment base. Grass Valley provides approximately 55% of Nevada County's multi-family housing, but has approximately 12% of the County's total housing stock. This is consistent with the land use designation as shown in the NCGP for the SOI area. Land use designations generally consist of a mix of residential, special development area, planned development, planned residential community, urban single family, and medium density residential, estate, commercial, business park, open space, public use, and business park.

Today, Grass Valley is a charter city and, as such, has the power to “make and enforce all laws and regulations in respect to municipal affairs” (GV 1996). The City’s charter, first adopted in 1851, has been amended several times over the years, the most recently amended charter having been approved by the voters in 2012. The form of government established by the charter is “Council-Administrator,” in which a five-member City Council, elected by the voters for four-year terms, appoints a City Manager to perform the duties of Chief Administrative Officer.

The City of Grass Valley is a full-service city providing the following:

1. General Government Services
  - a. Community Development with Planning, Building, Housing
  - b. Police Services/Animal Control
  - c. Code Enforcement
  - d. Stormwater Drainage
2. Water Treatment and Distribution
3. Wastewater Collection, Treatment, and Disposal
4. Fire Protection and Emergency Response Services
5. Parks and Recreation
6. Roads and Street Operations and Planning

## 2.4 Background

### Overview

The SOI Plan Update was prepared to analyze the City’s ability to provide utilities and services to existing and future residents. As part of this process LAFCo has conducted a review of the municipal services provided within the City and SOI based on the standards, procedures, and policies for service reviews contained in Nevada LAFCo’s policies and procedures. This includes Municipal Service Reviews (MSRs) that were prepared for Western Nevada County Water Service Providers, West County Wastewater Service Providers, West County General Services, Countywide Fire and Emergency Services, Countywide Recreation and Park Services, and Western Nevada County Road and Street Operations and Planning. The

SOI is required to be consistent with the determinations of the MSRs. In addition, Nevada County LAFCo requires that the SOI Plan Update include maps and explanatory text describing the probable boundary and service area(s) comprising the SOI.

While LAFCo has solicited and worked with the City on the SOI Plan Update and will continue to do so, it is important to note that LAFCo alone is responsible for adopting the SOI and is the sole authority as to the sufficiency of the documentation and the SOI and its consistency with law and LAFCo policy. In part, this is based on the requirements of Section 56425(e) of the Cortese-Knox-Hertzberg Act, which LAFCo has followed during preparation of the SOI Plan Update and this environmental document consistent with the following five factors:

- The present and planned land uses in the area, including agricultural open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.
- For an update of a SOI of a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing SOI.

Adoption of a SOI plan does not directly include or propose any physical alterations or improvements to any area within the SOI or any other land. The annexation of areas to the City from within the SOI Plan Update area are anticipated to be in accordance with City planning regulations. Inclusion in the SOI is the first step towards annexation of the territory to the City and often includes an evaluation of a city's ability to extend or require the extension of City services to annexation areas.

As part of the preparation of the SOI, LAFCo and the City have identified specific boundaries within the SOI area to include in the Near Term SOI, Long Term SOI, or as Area of Interest (AOI). The Near-Term Sphere areas are those that are anticipated to be annexed within 5 years, the areas in the Long-Term Sphere are anticipated to be annexed within 20 years. Land areas within these designations are discussed in additional detail further below.

An AOI is defined as a geographic area beyond the SOI in which land use decisions or other governmental actions of one local agency may impact directly or indirectly on another local agency. LAFCo policy stipulates that the LAFCo Commission will notify "interested agencies" of known proposals within the Area of Interest and give great weight to the comments of the "interested agency".

#### Past City Growth

Growth within the City of Grass Valley was typically steady and strong since its inception in 1850 through 2010. In the past few decades, growth remained consistent, with some being accounted for through annexations of adjacent previously developed County areas particularly within the Glenbrook Basin. The City grew exponentially from the 1970's through 2005, at which point growth leveled off with a lower average annual growth rate in the last few years. **Table 2: City Growth Rates by Decade, 1970-2020** shows the rates from 1970 to 2020. From, 2010 to 2020, growth further slowed and over those ten years.

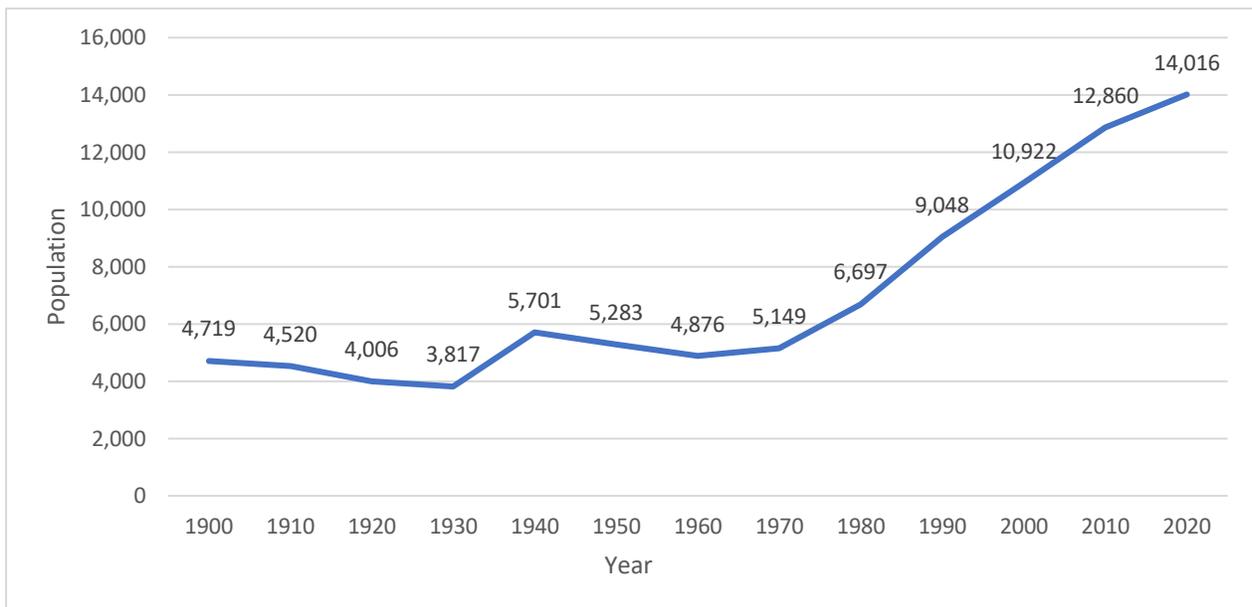
**Table 2: City Growth Rates by Decade, 1970-2020**

Decade	Increase in Population	Growth Rate (%)	Average Annual Growth Rate (%)	Cumulative Population
1970-1980	1,548	30	3.01	6,697
1980-1990	2,351	35	3.50	9,048
1990-2000	1,874	21	2.10	10,922
2000-2010	1,938	18	1.80	12,860
2010-2020	1,156	9	0.90	14,016

Note: Annexation of adjacent developed County lands make up a large percentage of the noted growth within the City; particularly annexation of the Glenbrook Basin area in the early to mid 2000s.  
Source: State of California, Department of Finance, Historical Census Populations of Counties and Incorporated Cities in California, 1850-2020.

**Chart 1: Population Growth Within the City of Grass Valley, 2000-2020**, provide a graphic representation of the growth discussed above and shown in the table.

**Chart 1: Population Growth Within the City of Grass Valley, 2000-2020**



Source: State of California, Department of Finance, Historical Census Populations of Counties and Incorporated Cities in California, 1850-2020.

## 2.5 Project Description

The proposed project updates the SOI Plan for Grass Valley which includes the SOI areas and Area of Influence (AOI) areas around the City. As discussed above, the City has experienced varied rates of growth with relatively slow growth over the last decade. The SOI Plan Update has been prepared in consideration of past growth, anticipated future growth, and the development patterns that have occurred and that are expected to occur that could result in increased demands for City and other utility services.

In order to achieve an accurate overview of the growth and development potential within the City certain factors were considered by LAFCo in preparation of the SOI Plan Update. Taken together, they reflect existing development within the City and provide a picture of development potential. The main factors include the following:

- Anticipated growth and development;
- Land use designations, including existing and any proposed changes;
- Special land use limitations, including Williamson Act and designated open spaces; and
- An inventory and analysis of vacant lands.

The City of Grass Valley’s boundaries include approximately 3,985 acres, with an additional 2,766 acres within the City’s proposed SOI, see **Figure 3: Grass Valley Sphere of Influence Areas**. The SOI is presently partitioned into two planning horizons, which reflect an anticipated schedule for probable annexation, Near Term and Long Term Sphere Horizons. For inclusion in the Near and Long Term Sphere Horizons, as well as to be considered an Area of Interest, the SOI Plan Update considered various factors such as development trends, likely future development, and present and potential future availability of services. The areas within the sphere horizons are shown in **Table 3: Sphere of Influence Horizons for the City of Grass Valley**, below.

**Table 3: Sphere of Influence Horizons for the City of Grass Valley**

Sphere Horizon	Number of Developed Parcels	Acreage	Number of Undeveloped Parcels	Acreage
Near Term <sup>1</sup>	295	216	106	1,116
Long Term <sup>2</sup>	670	711	113	597
Area of Interest <sup>3</sup>	783	1,122	176	2,064

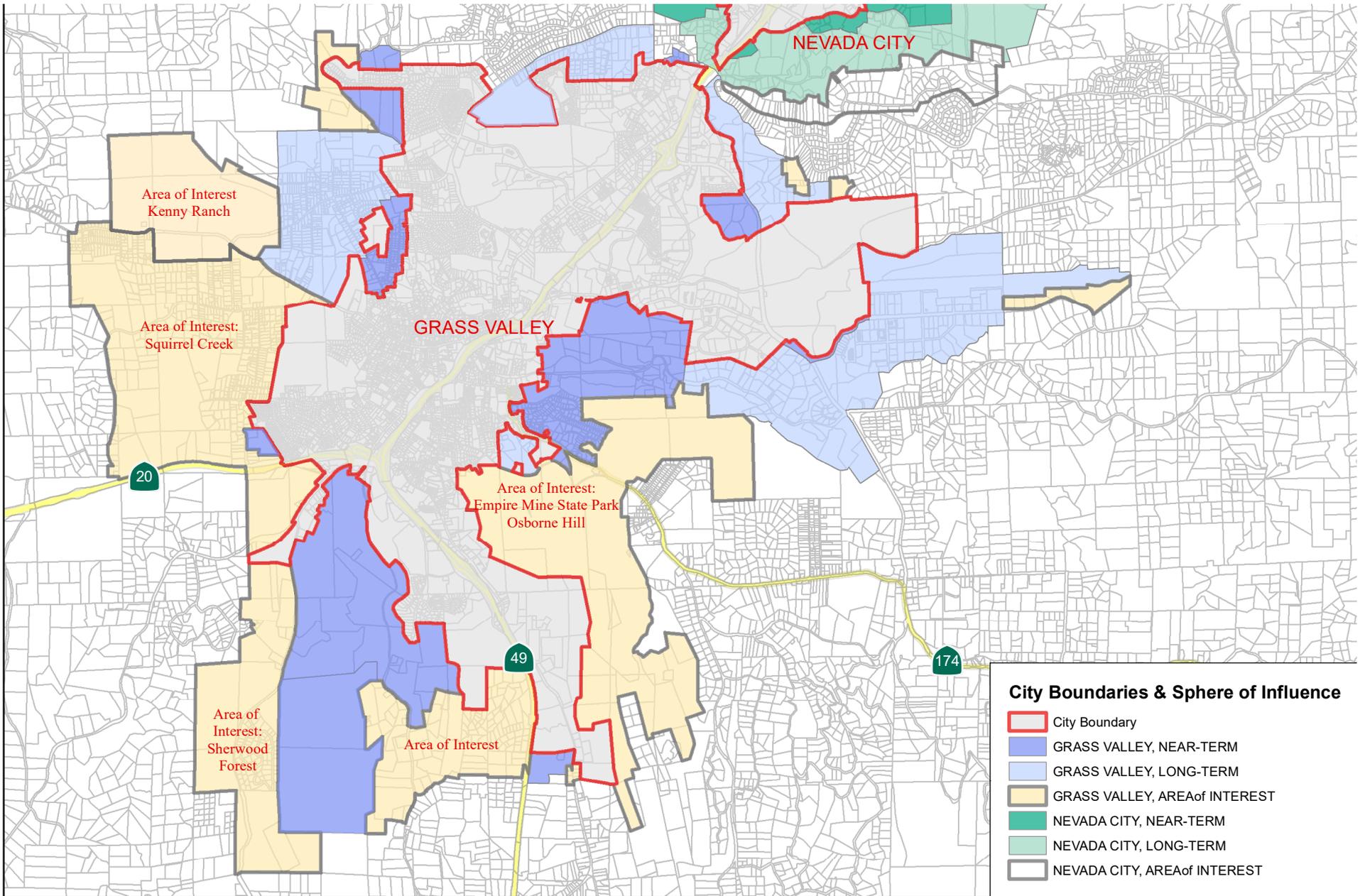
Notes:

<sup>1</sup> The high school area (5 improved parcels) would be removed from the near-term sphere and added to the long-term sphere.

<sup>2</sup> North Star property (2 unimproved parcels) would be removed from the long-term sphere and added to the near-term sphere; and Kenny Ranch Properties (1 improved parcel and 11 unimproved parcels) would be removed from the long-term sphere and added to AOI.

<sup>3</sup> Sierra Pines Properties (1 improved parcel and 1 unimproved parcel) would be removed from AOI and added to near term sphere.

\*General note: the parcel acreage is not reflective of the total area acreage because it does not include road right-of-way.



0 0.275 0.55 1.1 1.65 2.2 Miles

Source: LAFCo Nevada County GIS, 2024

**Figure 3: Grass Valley Sphere of Influence Areas**

City of Grass Valley Sphere of Influence Plan Update  
Initial Study/Negative Declaration

## Nevada Irrigation District Considerations

McCourtney Road Infrastructure Planning - LAFCo's update of the City's SOI plan may include a recommendation for a focused review of City and NID water infrastructure and service in the area, including fire flow.

East Bennett Road - This East Bennett Road area is in the City's Near-Term sphere. The area is within NID's boundaries. The parcels on the north side of East Bennett are in various private ownerships, including Rise Grass Valley, Rica Kids LLC, Willman, etc. The parcels south of Bennett and east of the bend are owned by State Parks, the parcels south of the bend appear to be in private ownership.

## Special Development Areas

In 2011, the then SOI Plan discussed four areas designated as Special Development Areas (SDAs). Within the City's 2020 General Plan Land Use Planning Map the SDAs included Loma Rica Ranch, North Star, Kenny Ranch, and the South Hill Village. They are discussed in additional detail below to provide context to the existing planning environment and previous annexation efforts.

Loma Rica Ranch SDA – The Loma Rica Ranch development is located east of the City south of Idaho Maryland Road and east of Brunswick Road. The 452-acre Loma Rica Ranch development was annexed to the City in 2012, following the City's preparation of a Specific Plan for the project. Development of the first phase of construction is ongoing.

North Star – The 750-acre North Star property was considered for development but was determined to not be suitable due to on-site hazards. Discussion with the City has occurred and it is likely the property would be developed at some time for use as recreational, open space, and/or utility uses, but there are no plans for development and no applications have been submitted.

Kenny Ranch – This property consists of an approximate 340-acre property north and west of the Ridge Road intersection with the Rough and Ready Highway. At this time there are no potential development proposals and no applications have been submitted. Because of this, the area is designated as an AOI, but use of the property would be reconsidered if at the time of the next SOI update the potential for development warrants discussion.

South Hill Village – This 65-acre property was annexed to the City in 2022 and at that time was recategorized for manufacturing/industrial uses. This includes three parcels owned by the County and is used as a corporate yard.

## Sphere of Influence Update Process

This IS/ND is based on information contained in the City of Grass Valley SOI Plan Update initially prepared by Nevada County LAFCo in 2022, and finalized in 2024. Information has been supplemented and updated in this document as needed. The SOI Plan Update reflects current and anticipated land uses, facilities, and services, as well as any relevant communities of interest. In reviewing an agency's sphere, the LAFCo considers and adopts written statements addressing the five factors enumerated under California Government Code Section 56425(e). The City worked with LAFCo to ensure the documentation includes

accurate and timely information regarding the potential for developments and how and where public services would be provided.

### Construction

The proposed project does not include any construction and would not authorize, permit, or result in the construction of any new development. The SOI Plan Update makes updates to boundaries and areas within the County lands, within the City SOI, that the City may annex over the near and long term. Annexations would be done to fulfill previous service agreements and to enable efficient delivery of services to existing and planned development. As such, the project does not propose and would not result in any construction or disturbances to include grading, excavation, erection of buildings, etc.

### Operation

As noted above, the proposed project consists of an update to the SOI boundaries to areas surrounding the City that are currently operating with existing uses or that may be developed with new or expanded uses over the planning horizon. These areas are identified and designated for uses and were previously contemplated by Nevada County in the General Plan. As discussed above, the proposed project would not change the operation of any of the areas but could enable future services and would help ensure continued provision of services in accordance with the anticipated land use development patterns.

### Agricultural Land

There are no agricultural zoned or designated lands either within the City or within the proposed near- or long-term SOI. There are three properties, however within the AOI that carry farmland designations. This includes the Sierra Star Winery north of Hwy 20 west of the City and farmland to the northwest of the intersection of Alison Ranch Road and Woodside Lane. Additionally, within existing City boundaries to the northeast of the intersection of Idaho Maryland Road and Brunswick Road there is an area designated as Unique Farmland and to the west of this area is Farmland of Local Importance (CDOC, 2022). The listed farmlands are defined as follows:

*Unique Farmland* – Lesser quality soils used for the production of the state’s leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

*Farmland of Local Importance* – Land of importance to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.

*Prime Farmland* – Irrigated land with the best combination of physical and chemical features able to sustain long term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for production of irrigated crops at some time during the four years prior to the mapping date.

### Water

Water within the City’s service area is supplied to customers by the City or Nevada Irrigation District (NID). It should be noted that the City provides water to approximately 60% of its territory and the City obtains the water from NID. Thus, in essence, all water service in the City is provided by NID. The City’s agreement

with NID is to purchase up to 5 MGD of raw water, which was reauthorized in 2013 for a period of 30 years. Because NID's service boundary includes approximately 40 percent of the City's territory and most of the area within the City's SOI, growth in the City's water service area is limited to infill development. Many improved parcels in the City sphere already receive treated water service from the District and would continue to receive service even if annexed by the City, and other properties on private wells would likely continue to use that water sources even if they are annexed.

Currently, NID supplies water from the District's Elizabeth George Treatment Plant which has a capacity of 18 MGD and usage commitment of 7.6 MGD. The City's water system has a peak capacity of 5.0 MGD and currently serves a maximum peak day demand of 2.4 MGD. Lastly, according to the Nevada Irrigation District's 2015 Urban Water Management Plan, the District has adequate water supply through the year 2030, even during multiple dry years.

### Wastewater

Eighty-two percent of the parcels in the City's SOI are already developed with the majority being residential use that generally use private septic systems. It is noted, however, that 65% of the acreage in the SOI is undeveloped at present, and it is likely that some of this area would be developed and require public sewer service. Other areas are designated for Planned Development and have significant development potential that would require public sewer service if and when developed. The City's current WWTP permitted average dry weather flow capacity is 2.78 MGD, and its current average flow volume is approximately 1.07 MGD. Accordingly, the City's wastewater treatment plant can accommodate between 4,000 and 4,800 equivalent dwelling units (EDUs) based on average annual flows and has sufficient capacity to serve the City's population within the long-term sphere planning horizon (next 20 years).

### Fire Department and Emergency Management Services

The City's fire department has integrated services with the Nevada City fire department as of an agreement adopted in 2020. The City also continues cooperative arrangements for joint training and operations with Nevada County Consolidated Fire District. The City staffs three fire stations: Stations 1 & 2 in Grass Valley, and Station 5 in Nevada City. The City funds these services through its General Fund, supplemented by Measure E sales tax revenues, though reimbursement for service outside its jurisdiction should be considered due to an inequity in provided service.

### Recreation

Recreation and park services are funded through the City General Fund and Measure E sales tax funding. This revenue is used to fund new facilities as well as maintenance of the existing City's park and recreation facilities that consist of 7 developed parks, 5 with playgrounds. The sports fields off of Gilmore Way, approximately 6 acres, are managed by the Margaret G Scotten School and Lyman Gilmore Middle School, by agreement with the City. In sum, the City has approximately 108 acres of developed parkland. The City provides approximately 8.0 acres of parks per 1,000 residents and is consistent with the national recreation and park standard of 6 to 10 acres per 1,000 people.

### Transportation

The City's Capital Improvement Plan addresses the present and future need for roads and streets. The funding for street operations and circulation planning is generally provided through development impact fees, including the Regional Transportation Mitigation Fee and local mitigation fees, gas tax revenues, state and federal grants, and the City's Measure E sales tax.

### Utilities

As discussed, the City is generally responsible for providing treated water, public sewer, fire and emergency response, police, street maintenance and other general municipal services, such as land use planning, within its jurisdiction. LAFCo is responsible for determining that an agency is reasonably capable of providing necessary services and basic infrastructure to serve areas within its boundaries and will have the capacity to serve areas if and when they are annexed. As part of the preparation of the SOI Plan Update, LAFCo evaluated the potential for service providers and utilities to have adequate capacity to serve the SOI over the near and long term. The SOI Plan Update and potential future provision of services considered the nature of the service and ability of providers to serve potential service areas at the needed levels, as well as considering if the maintenance and expansion of resources and services were in line with increasing demands. The following provides a summary of the evaluation and ability to provide services.

## 2.6 Requested Approvals

With respect to the proposed project, Nevada County LAFCo is the sole agency with discretionary approval authority over the SOI. While input from surrounding cities, unincorporated communities, Nevada County, other affected agencies, and members of the public is requested and will be considered, none have approval authority over the SOI. Consideration and implementation of the proposed project would require discretionary actions and approvals by LAFCo for implementation of the proposed project, which includes:

- Approval of City of Grass Valley Sphere of Influence Plan Update; and
- Certification that a Final Negative Declaration has been completed in compliance with CEQA and has been reviewed and considered by the decision-makers.

### 3.0 INITIAL STUDY CHECKLIST

- 1. Project Title:** City of Grass Valley Sphere of Influence Plan Update
- 2. Lead Agency:** Nevada County Local Agency Formation Commission  
950 Maidu Avenue  
Nevada City, CA, 95959
- 3. Contact Person:** SR Jones – Executive Officer
- 4. Date Prepared:** March 2024
- 5. Study Prepared by:** Kimley-Horn  
555 Capital Mall, Suite 300  
Sacramento, CA 95814
- 6. Project Location:** City of Grass Valley - Nevada County, CA 95945
- 7. Project Sponsor:** Nevada County Local Agency Formation Commission
- 8. General Plan:** Nevada County:  
Neighborhood Commercial (NC), Planned Development (PD), Public (PUB) Urban Medium Density (UMD), Residential (RES), Special Development Area (SDA), Office/Professional (OP), Urban Single Family (USF), Recreation (REC), Open Space (OS), Community Commercial (CC), Estate (EST), Industrial (IND), Urban High Density (UHD), and Business Park (BP).  
City of Grass Valley:  
Public (P), Urban Estate Density (UED), Manufacturing/Industrial (M-I), Urban Low Density (ULD), Parks & Recreation (PR), Business Park (BP), Urban Medium Density (UMD), Urban High Density (UHD), Special Development Area (SDA), Commercial (C), Institutional Non-Govt. (ING), Schools (SC), Office/Professional (OP)
- 9. Zoning** Nevada County:  
RA (Residential Agricultural, R1 (Single-Family), Rural Districts, Business Park, Commercial Districts, M1 - Industrial District, Office & Professional, Open Space, Public, and Special Purpose Districts  
City of Grass Valley:  
*\*Sphere of Influence and Area of Interest are identified within the Planning Area Boundary on the City of Grass Valley Zoning map*

- 10. Project Description:** The proposed project is located in Nevada County in the area immediately surrounding the City of Grass Valley known as the sphere of influence (SOI). The project includes designating certain areas based on existing development, ability for the City to provide services, and the development potential of the area as a near-term sphere, long-term sphere, or an area of interest. Near Term Sphere areas are anticipated to be annexed to the City within 5 years, and long-term sphere areas are anticipated to be annexed in 20 years. AOs are not anticipated to be annexed but warrant consideration and consultation with the City should Nevada County take any development actions. This project does not include any proposed development and would not entitle any development.
- 11. Surrounding Land Uses:** The proposed project sites are within unincorporated Nevada County and surrounding uses are predominantly rural, low density residential, undeveloped, and open space. The City of Grass Valley and City of Nevada City are adjacent to the sphere areas.
- 12. Public Comment Period** March 15, 2024 to April 15, 2024
- 13. Public Agency Approval Needed:** Nevada County Local Agency Formation Commission.
- 14. California Native American Tribe Consultation:** On October 17, 2022 Nevada County Local Agency Formation Commission, acting as the CEQA Lead Agency informed five tribes including the Nevada City Rancheria Tribal Council; Shingle Springs Band of Miwok Indians; T'si-Akim Maidu; United Auburn Indian Community of the Auburn Rancheria; and Washoe Tribe of Nevada and California. A response was received from the United Auburn Indian Community (UIAC) on November 3, 2022.

*Note: The purpose of conducting early consultation as part of the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.*

## 4.0 ENVIRONMENTAL ANALYSIS

### Impact Analysis Overview

The proposed project would update the SOI Plan for the City of Grass Valley in Nevada County, CA. The following discusses the potential environmental impacts from the updates to the SOI. The methodology for the impacts analysis is based on the potential for the updates to the SOI to result in impacts on the environment. The proposed project and SOI boundaries have been drawn to be responsive to utility and service demands, zoning designations of the Nevada County General Plan and Nevada County Zoning Ordinance, as well as the anticipated future development potential of the areas. It is important to note, the SOI Plan Update does not propose any new development, nor would it result in the permitting or entitlement of any development or alter any existing planning efforts. The intent of the proposed project is to define SOI boundaries that are consistent with City and outside agency's ability to provide services within logical boundaries in context of the existing land use designations in conformance with regulatory requirements to provide for environmental protection as needed. Accordingly, the potential impacts from the SOI Plan Update are evaluated in this context though the subsequent pages of this document.

When there is a high percentage of improved parcels in an area, there is a corresponding low percentage of improved acreage in that area. This indicates that as vacant land develops (especially into residential use), it results in more parcels that are smaller in size. Conversely, when there is a low percentage of unimproved parcels in an area, there is a corresponding high percentage of unimproved acreage in that area. This indicates that vacant, or undeveloped land, tends to be comprised of fewer parcels that are larger in size, reflecting that the area has not been subdivided or developed for any use, and thus has development potential. For example, the near term sphere has roughly 74% of parcels improved and 16% of acreage improved, and the long term sphere has roughly 86% of parcels improved and 54% of acreage improved (based on data from **Figure 3: Grass Valley Sphere of Influence Areas**). In summary, the majority of the proposed SOI areas that are developed consist of a greater number of overall parcels with less overall acreage. The proposed project would not result in any changes to existing land use designations resulting in development at intensities greater than planned or contemplated.

### Discussion

Within the SOI boundaries, the developed areas have experienced relatively light growth, but in accordance with applicable planning documents and land use designations. Most of these areas also are in proximity to or are already being served by existing public utilities and services or have private water wells and onsite wastewater treatment systems (OWTS). The majority of these undeveloped areas are designated for estate residential, rural residential, or open space with minor areas designated for planned development, employment centers, public uses, or service commercial. Developments in these areas are anticipated to be consistent with the existing City designations.

These areas within the proposed short and long term SOI areas are in logical locations for extension of City municipal services, if and as needed, and represent a logical progression of City boundaries. Those locations in AOIs are less likely to require services or undergo substantial development that would demand the provision of such services. Associated improvements would not induce substantial growth resulting in changes to environmental resources beyond those already anticipated or planned for.

All future City development after annexation within the SOI areas would be subject to the City's design review and other entitlement processes. All projects would be evaluated for consistency with the Grass Valley General Plan and Development Code, and all applicable City design guidelines. In addition, depending on the circumstances of a future project, the City also has authority to pre-zone future annexations, and for annexations that include new development, the City would be able to specify conditions of approval. Conditions of approval would help ensure that future projects would incorporate all required elements related to protection of aesthetic and visual resources and others in development guidance documents. The project-by-project review also would include a City led CEQA analysis and as applicable, would require project-specific mitigation measures, or binding conditions of approval, to reduce impacts related to environmental resources.

At the local level, the City General Plan has numerous goals, policies, and language requiring the protection of important visual resources that would be applicable to any area that is subject to an annexation. The City General Plan seeks to provide a balance between the natural environment and using sensitive natural areas and features with housing, employment, and services to maintain the quality of life and unique character of the City. More specifically, the City General Plan contains language for use of consistent design standards, which includes but is not limited to, guidelines to preserve historic character, preserve scenic beauty and character, preserving the natural environment, protection of the environment. These general guidelines are reflected in specific policies and goals within the GVGP to promote the maintenance of community identity, scenic resources and historic sites and areas.

Because the proposed project would not result in any development, direct impacts from the project would not occur. All future development within the SOI areas, depending on if the property is annexed, also would be subject to the applicable City or County design and review as part of the project-specific review processes. This process would help ensure consistency with the applicable planning and policy documents and to ensure utility and service providers have adequate capacity to serve any future proposed development, and that the extension or expansion, if needed, of services would not result in significant impacts to the environment. Lastly, all future individual projects within the SOI will be subject to necessary CEQA analysis. It is anticipated that these standard review processes would reduce impacts to less than significant, but further discussion related to specific environmental resources categories are provided in additional detail below.

### Environmental Factors Potentially Affected

The environmental factors checked below are potentially affected by this project, involving at least one mitigation measure as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agricultural and Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology and Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials
<input type="checkbox"/>	Hydrology and Water Quality	<input type="checkbox"/>	Land Use and Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population and Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities and Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

### Determination

On the basis of this evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

SR Jones, Executive Officer

Date: 03/15/2024

## Environmental Evaluation

This section evaluates the potential environmental effects of the proposed Project using the environmental checklist from the State *CEQA Guidelines* as amended. The definitions of the response column headings include:

- A. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant after the implementation of feasible mitigation measures. The impact may warrant additional analysis within a Subsequent or Supplemental EIR.
- B. “Less than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measure has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.”
- C. “Less Than Significant Impact” applies where the project creates no significant impacts, only Less than Significant Impacts and no mitigation is required.
- D. “No Impact” applies where the project does not create an impact in that category.

## 4.1 Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Except as provided in Public Resources Code Section 21099, would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, 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). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

### *a) Have a substantial adverse effect on a scenic vista?*

The visual quality within the project area is considered to be medium to high. Views of the ridges and valleys from roadways or properties would likely be valued by viewers due to the undeveloped and rural character of the resource and landscape. A scenic vista is generally considered to be a view of an area that represents a substantial or remarkable visual element in the landscape. Project sites can contain a scenic vista; scenic vistas can be viewed from a project site, or they can be affected by a project if the project changes the viewshed. For example, construction of a new building could block an existing viewshed and result in a change to the scenic resource. Views from and to, specifically distant undeveloped areas are generally considered visually appealing landscapes and tend to increase the aesthetics of an area and increase viewer sensitivity to changes.

The update of the City SOI does not include any development proposals, new construction, new entitlements, or improvements, and would not change any existing land use designations such that any of the above listed resources would be affected. The proposed project would not result in or approve new

development that would result in any impacts to any scenic vistas. The project also does not propose any improvements that would induce development that could result in impacts on the listed resources. In addition, all future development of sites within the SOI area as part of the annexation and project approval process will be subject to the City's review and regulation when development plans are submitted, and/or application(s) filed.

Through conformance with the listed City, as well as County as applicable, regulations related to development and aesthetics, future projects in the SOI area would be consistent with all applicable development guidelines, goals, and policies related to protection of scenic and visual resources. In addition, all future projects also would undergo site-specific CEQA review which would require project-specific mitigation measures or binding conditions of approval, if needed, to reduce impacts related to aesthetics. Thus, while the existing visual character of the SOI area is anticipated to change over time through the natural course of development, the update to the SOI would not result in any new physical development that could have an effect. Impacts to scenic vistas from the updates to the SOI would be less than significant and no mitigation is required

*b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

**Less than Significant Impact.** State Scenic Highways within Nevada County are administered by the State Department of Transportation (Caltrans, 2022). Based on the County General Plan, state scenic route designations within the County include the following:

- Route 20 from near Grass Valley to Interstate 80 near Emigrant Gap;
- Route 49 throughout the entire County;
- Route 174 throughout the entire County; and
- Interstate 80 throughout the entire County.

The City boundaries and the SOI areas contain segments of Route 20, Route 49, and Route 174. All of these are eligible for listing as a state scenic highway, but have not been officially designated. SOI areas also contain hilly and mountainous terrain containing trees, forest lands and rock outcroppings, and a portion of the SOI area would be located in proximity to the Empire Mine which is a State Historic Park, but no work or disturbances are proposed.

The proposed project does not propose, nor would it directly result in any construction or development. The update of the City SOI would not have any impacts to trees, rock outcroppings, or historic buildings within a state scenic highway as it would not result in any ground disturbance, removals, or new building, or infrastructure. In addition, all future development in any of these areas will be subject to the City's review and regulation when development plans are submitted, and/or an application is filed. At this time, all future projects would be screened to ensure conformance to all applicable visual resource standards.

With conformance with all the listed City and environmental requirements, it is anticipated that future projects in the SOI area would be consistent with the City's development guidelines, goals, and policies related to protection of scenic and visual resources. In addition, all future projects also would undergo site-specific CEQA review which would require project-specific mitigation measures or binding conditions of approval to reduce impacts. Thus, because the SOI area does not include any officially designated state

scenic highways, does not include nor would it induce, through construction of new infrastructure, new development, and because the aforementioned protection measures would be in place; impacts in this regard would be less than significant and no mitigation is required

*c) In non-urbanized areas, 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). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

**Less than Significant Impact.** The SOI area does not include highly urbanized land uses and would not conflict with a zoning or other regulatory document concerning scenic quality in these areas. The proposed project consists of an update to the Grass Valley SOI and does not include any proposal for development that would conflict with any policies related to visual quality and it would not affect the implementation of any existing policies. The SOI area generally consists of rural and low-density development, undeveloped properties, open space and limited commercial uses. The proposed project would be an update of the near term, long term, and AOIs, and adjust some of the associated boundaries, but the plan does not propose, nor would it directly result in, any construction or development or new infrastructure that could induce development.

Subsequent annexations would occur in accordance with the SOI Plan Update and would not result in physical impacts. Environmental review for future proposed projects would be completed at the time actual improvements are proposed and the potential for impacts would be evaluated based on the specific nature of future actions and proposals on a project-by-project basis. This would include an evaluation of conformance to City development regulations and site-specific CEQA review, as detailed above. In addition, this evaluation would include verification of conformance to the following City Codes.

- 17.26.020 - Purpose of the Special Purpose Zones, for open space and the preservation of scenic resources;
- 17.54.010 - Hillside and Ridgeline Development, that includes the purpose of preserving the City's environmental and scenic resources by retaining natural topography and vegetation; and
- Chapter 17.60 - Grading Permit Requirements and Procedures, which includes preservation of scenic value and character of the City.

Thus, while the existing visual character of the SOI area is anticipated to change over time through the natural course of planned development, the update to the SOI would not result in any new physical development that could have an effect on these resources. Impacts to scenic vistas from the updates to the SOI would be less than significant and no mitigation is required.

*d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Less than Significant Impact.** Existing development within the proposed project area is relatively sparse and generally consists of rural residential, undeveloped properties, open space, and limited commercial uses. These uses typically do not generate substantial amounts of glare during the daytime or substantial lighting/illumination at night. Within these areas lights from vehicles and intermittent glare from vehicle

windows can increase light and glare. As development in currently undeveloped areas within the SOI area occurs, changes to the visual environment, including an increase of nighttime lighting and daytime glare, are anticipated. New sources of light would occur from outdoor as well as interior lighting and daytime glare from sunlight reflecting off the structure surfaces and windows.

The SOI Plan Update does not propose any development and would not result in any entitlements for development or change any of the existing land use or zoning designations such that more dense or intensive uses would occur. The proposed project does not have the potential to result in any impacts from light and glare as a result of adoption of the updated SOI.

Future environmental review would be completed at the time actual improvements are proposed as part of future projects within the SOI areas. This review would address any subsequent project-level impacts and would address the potential for future impacts from light and glare. All such impacts would be evaluated for future actions on a project-by-project basis. This would include an evaluation of conformance to City development regulations and site-specific CEQA review, as detailed above. In addition, this evaluation would include verification of conformance to City Codes such as 17.30.060 – Outdoor Lighting, which requires shielded or recessed light fixtures to minimize spill light, ensuring bulbs are not visible from off-site, and confining glare and reflections within the boundaries of the site to the extent feasible. The Development Code also contains design guidelines such as using physical barriers to block light and glare, minimizing sign lighting intensity, and for mixed use projects, guidelines are in place to help reduce visual conflicts and ensure compatibility between residential and non-residential uses.

Thus, while the existing visual character of the SOI area is anticipated to change over time through the natural course of development, the update to the SOI would not result in any new physical development that could have an effect. Impacts to scenic vistas from the updates to the SOI would be less than significant and no mitigation is required.

#### Cumulative Impacts

**Less than Significant Impact.** Approval of the proposed project and other future development undertaken in the Grass Valley SOI area would occur in accordance with the annexation process and approved City General Plan land use designations and Development Code. The cumulative nature of approved projects in the SOI area would contribute to changes to the viewshed, increase development, and result in changes to the visual and aesthetic resources of the area. While the overall area, and that of adjoining areas in the City and other areas in the County, are likely to experience continued development, all would be required to undergo a development review process including CEQA review. As noted, future development projects would result in changes to the aesthetic and visual environment, but the significance of these visual and aesthetic changes are anticipated to be reduced as projects are developed. It is important to note, that the SOI does not propose and would not result in any impacts, nor does it propose any infrastructure improvements that could induce development. Hence, the proposed project would not make a cumulative contribution. Cumulative impacts from the SOI Plan Update, in consideration of past, current, and future projects would have a less than significant on the long term character and quality of aesthetic resources. Mitigation is not required.

## 4.2 Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</b></p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>			X	
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>			X	
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>			X	
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>			X	
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>			X	

*a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**Less Than Significant Impact.** There are no agricultural zoned or designated lands within the proposed near- or long-term sphere of influence (SOI). There are three properties, however within the AOI that carry farmland designations. This includes the Sierra Star Winery north of Hwy 20 west of the City and

farmland to the northwest of the intersection of Alison Ranch Road and Woodside Lane. Additionally, within existing City boundaries to the northeast of the intersection of Idaho Maryland Road and Brunswick Road there is an area designated as Unique Farmland and to the west of this area is Farmland of Local Importance (CDOC, 2022). The listed farmlands are defined as follows:

*Unique Farmland* – Lesser quality soils used for the production of the state’s leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

*Farmland of Local Importance* – Land of importance to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.

*Prime Farmland* – Irrigated land with the best combination of physical and chemical features able to sustain long term production of agricultural crops. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for production of irrigated crops at some time during the four years prior to the mapping date.

The update of the City SOI does not include any development proposals, new construction, new entitlements, or improvements, and would not change any existing land use designations. The proposed project would not result in any approvals or new development that would result in any impacts to any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. In addition, the project does not propose any infrastructure improvements that would induce development within the SOI. Lastly, all future annexation proposals, as part of that project approval process, would be subject to the City’s review and regulation. City review would provide an additional level of screening and would occur as development plans are submitted, and/or application(s) filed, and would help ensure conversions do not occur.

Thus, through conformance with all the listed City and environmental requirements including the City’s development guidelines, goals, and policies related to protection of farmland, impacts would be reduced. In addition, all future projects also would undergo site-specific CEQA review, which would require project-specific mitigation measures or binding conditions of approval to reduce impacts related to agricultural resources, if needed, to lessen impacts. Thus, the proposed project would have a less than significant impact on farmland and no mitigation is required

*b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**Less than Significant Impact.** None of the proposed project SOI areas, or any of those in the AOI, are under an active Williamson Act Contract (CDOC, 2017). The update of the City SOI does not include any development proposals, new construction, new entitlements, or improvements, and would not change any existing land use designations or a Williamson Act contract. The proposed project would not result in any approvals or new development that would result in any impacts to such areas. Thus, impacts would not occur and mitigation is not required. City review of future projects would provide an additional level of screening as development plans are submitted, and/or application(s) filed. In this way, if lands do come under contract, this would help ensure conversions are properly treated and impacts would be less than significant.

*c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

*d) Result in the loss of forest land or conversion of forest land to non-forest use?*

**Less than Significant Impact.** The proposed project would not change the existing zoning for parcels that are zoned for agriculture or production of forestry materials within the project area or surrounding areas. There are no parcels that are zoned for Timberland Production or Forest Resources in the SOI project area or AOIs.

Pub. Resources Code, § 12220 (g) defines "Forest land" as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Pub. Resources Code, § 4526 defines timberland as follows: "Timberland" means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

The City of Grass Valley is located in the midst of an area that would meet the above definition of "forest lands" and "timberlands". Consequently, any development on undeveloped land within the proposed SOI would result in the conversion of "forest lands" as so defined to urban uses. The update of the City SOI does not include any development proposals, new construction, new entitlements, or improvements, and would not change any existing land use designations, or remove any lands that could be used for forest or timber production. The proposed project would not result in any approvals or new development that would result in any direct impacts to these resources. In addition, the project does not propose any infrastructure improvements that could induce development. All future projects in areas within the SOI proposed for future annexation, and as part of that project approval process, will be subject to the City's review and regulation. This would occur when development plans are submitted, and/or application(s) filed.

Thus, through conformance with all the listed City and environmental requirements including the City's development guidelines, goals, and policies related to protection of timber and forest resources, impacts would be reduced. In addition, all future projects also would undergo site-specific CEQA review, which would require project-specific mitigation measures or binding conditions of approval to reduce impacts related to forestry resources, if needed, to lessen impacts. Thus, the proposed project would have a less than significant impact on farmland and no mitigation is required.

*e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

**Less than Significant Impact.** As discussed above, the proposed SOI areas are not located in any areas designated for agricultural production. There are three properties, within the AOI that carry farmland designations of either, Prime Farmland, Unique Farmland, Farmland of Local Importance. However, the

update of the City SOI does not include any development proposals, new construction, new entitlements, or infrastructure improvements, and would not change any existing land use designations such that growth would be induced. The proposed project would not result in, or approve any new development, that would result in any direct impacts to the conversion of farmland, agricultural land, or forest land. In addition, all future development of sites within the SOI area, as part of the annexation and project approval process, will be subject to the City's review and regulation when development plans are submitted, and/or application(s) filed.

#### Cumulative Impacts

**Less Than Significant Impact.** Approval of the proposed project, and other future development undertaken in the Grass Valley SOI area, would occur in accordance with the annexation process and approved City General Plan land use designations and Development Code. While the overall area, and that of adjoining areas in the City and other areas in the County, are likely to experience continued development, all would be required to undergo a development review process including CEQA review on a project-by-project basis. It is important to note, that the SOI does not propose and would not result in direct impacts, and hence would not make a cumulative contribution. Thus, cumulative impacts from the SOI Plan Update, in consideration of past, current, and future projects, on the long-term character and quality of agriculture and forestry resources, would be less than significant. Mitigation is not required.

### 4.3 Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			<b>X</b>	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			<b>X</b>	
c) Expose sensitive receptors to substantial pollutant concentrations?			<b>X</b>	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			<b>X</b>	

*a) Conflict with or obstruct implementation of the applicable air quality plan?*

**Less Than Significant Impact.** A potentially significant impact on air quality could occur if the proposed project conflicts with or obstructs implementation of the applicable Air Quality Plan. The proposed project does not include any proposal for new development and would not entitle any projects that would directly result in any construction activities. In addition, the SOI Plan Update would not change any existing land use designations or create new infrastructure that would induce growth. While the proposed project would make slight updates to the near- and long-term sphere, and AOI, it would not make any changes to any land use designation, amendments, or result in rezoning that could accommodate development. Therefore, there are no land use proposals, development, or entitlements that would result in any violations of an air quality plan.

All future projects within the SOI area and AOI would be required to follow the Northern Sierra Air Quality Management District (NSAQMD) implementation plans to reduce pollutants and improve air quality. On November 15, 2018, CARB adopted resolution 18-36 related to the SIP and maintaining the National Ambient Air Quality Standards for the NASQMD basin. The purpose of this plan is to meet the serious ozone nonattainment area planning requirement for the 75 ppb 8-hour ozone standard. Plan elements adopted with the resolution to reduce Ozone incorporated to the Ozone Plan contain policies and conditions that are anticipated to result in future projects being consistent with the applicable air quality

plan and subsequently be consistent with the goals, objectives and assumptions in the respective plan to achieve the federal and state air quality standards.

As discussed above, the proposed project would not result in any direct development and does not propose any new development or change any existing planning efforts. While future development is anticipated, it is expected to occur in accordance with the framework of existing planning documents, but because the specific nature and timing of development is not known, it is not feasible or practical to perform specific air quality analysis on potential impacts. All future projects, including any infrastructure improvements, as they are proposed, would be evaluated for conformance with the applicable air quality plans on a project-by-project basis. This would include an evaluation of conformance to City development regulations and site-specific CEQA review. In addition, this evaluation would include verification of conformance to NSAQMD standards and requirements and all grading standards, including those to reduce dust emissions, set forth by the City's Development Code. Therefore, this impact would be less than significant.

*b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

**Less Than Significant Impact.** Nevada County is in non-attainment for air quality for the federal and state O<sub>3</sub>-8-hour standards; and the O<sub>3</sub>-1 hour and PM<sub>10</sub> applicable state standard<sup>1</sup>. The proposed project does not include any specific development plans or entitlements that would authorize any construction that would result in the release of O<sub>3</sub>, or PM<sub>10</sub> in further violation of any applicable federal or state standard.

While the proposed project does not propose any physical development, including any infrastructure that could induce development, other projects within the basin would generate air emissions with the listed air contaminants. Depending on the size of these other future projects, additional review to evaluate both short term-construction emissions and long-term operational emissions could be needed. Depending on the components of future projects, operational emissions could require additional evaluations on a project-by-project basis. Operational emissions from potential future projects would typically be generated from mobile sources (burning of fossil fuels in cars); energy sources (cooling, heating, and cooking); and area sources (landscape equipment and household products).

Because the nature of air emissions is largely a cumulative impact, both construction and operational emissions from future separate projects within the NASQMD basin would be additive and could result in a considerable net increase of criteria pollutants of State and federal standards. Although it is not anticipated that any individual project would result in a violation of standards, future projects could result in cumulatively considerable impacts to the air basin. As a result, future project-level mitigation may be required to reduce associated impacts.

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<sup>1</sup> According to the State Air Quality Control Board, a large percentage of air pollution is transported to the basin by prevailing winds from the Sacramento Valley and Bay area (Superior Court of California – County of Nevada, 2004)

As discussed above, the proposed project would not result in any direct development and does not propose any new development or change any existing planning efforts. Because the nature of specific development projects are not known at this time, as applications for future projects are received for sites in the SOI Plan Update area, these other projects within the SOI Plan Update area would undergo individual and site-specific CEQA analysis to determine conformity with the applicable air quality plan(s). The subsequent CEQA review would determine if mitigation measures would be needed to reduce impacts on a project-by-project basis.

*c) Expose sensitive receptors to substantial pollutant concentrations?*

**Less than Significant Impact.** Sensitive receptors include, but are not limited to, persons in hospitals, schools, daycare facilities, elderly housing, convalescent facilities, and other medically sensitive populations. These are areas where the occupants can be more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Extra care should be taken when dealing with contaminants and pollutants in proximity to areas recognized as sensitive receptors (EPA, 2017). The SOI Plan Update does not propose any construction and would not result in the entitlement of any new projects or change any existing planning efforts. Impacts associated with air quality that could affect the sensitive receptors in any of these locations or any other location within the project site would not occur.

Impacts to sensitive receptors could occur as areas are annexed and construction occurs. However, there are no formal development plans for these sites, or any other area under the updated SOI, and exact development footprints and final uses are unknown. It should be noted that due to the long-term nature of development that could occur within the SOI Plan Update area, and the fact that it is not possible to know what or when future annexations may occur, it is not feasible to evaluate potential impacts. Additionally, during this time (20-year horizon) it is possible that new sensitive receptors or the location of existing sensitive receptors may change as projects are proposed. As noted, the proposed project does not propose or permit any new development, nor would it change any existing land use designations or result in a change of zoning. As the project does not propose or entitle any construction, there would be no pollutant concentrations introduced by the project, and therefore no impact to sensitive receptors. All future annexations and future projects requiring discretionary approval, as applicable and per City Development Code, will be required to undergo individual CEQA analysis. Therefore, impacts from the proposed project would be less than significant.

*d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)*

**Less than Significant Impact.** A potentially significant impact related to emission of odors would occur if the proposed project would enable new uses that would emit odors and adversely affect a substantial number of people. The proposed project does not include any proposal for new development and would not entitle any projects that would directly result in emission of any odors.

Any future projects within the SOI area would be required to follow the applicable portions of the NSAQMD implementation plans to reduce pollutants and improve air quality. As discussed above, the proposed project would not result in any direct development and does not propose any new development or change General Plan Land Use Designations or Zoning. As applications for future projects within the

SOI area are received, projects requiring discretionary approval would undergo individual and site-specific CEQA analysis. As part of the analysis, projects would be evaluated for their conformance to applicable odor control plans and to ensure nearby receivers are not adversely affected by increased odors. Therefore, because the proposed project itself would not result in emissions, contribute to air quality impacts would be less than significant in this regard.

### Cumulative Impacts

Approval of the proposed project and other future development undertaken in the Grass Valley SOI area would occur in accordance with the annexation process and approved City General Plan land use designations and Development Code. While the overall area, and that of adjoining areas in the City and other areas of the County outside the SOI, are likely to experience continued development, all would be required to undergo a development review process including CEQA review on a project-by-project basis. It is important to note that the SOI Plan does not propose any development and would not result in impacts, and hence would not make a cumulative contribution. Additionally, NSAQMD's approach to assessing cumulative impacts dictates that a project's contribution to cumulative impacts to regional air quality would be considered potentially significant if the project's impact would be individually significant (i.e., exceeds the NSAQMD's quantitative thresholds). For a project that would not individually cause a significant impact, the project's contribution to any cumulative impact may be considered less than significant, provided that the project is consistent with all applicable regional air quality plans. Additional construction from subsequent projects in the basin and within the proposed project area could result in development that would result in changes that could result in potential exposure of sensitive receptors to harmful air emissions and expose people to odors. As noted above, all future projects would be required to comply with applicable General Plan Policies, Zoning Ordinances, NSAQMD thresholds, and would undergo CEQA review. Thus, cumulative impacts from the SOI Plan Update, in consideration of past, current, and future projects, would have a less than significant impact to the long-term character and quality of air quality.

#### 4.4 Biological Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			<b>X</b>	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			<b>X</b>	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			<b>X</b>	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			<b>X</b>	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			<b>X</b>	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				<b>X</b>

a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Less Than Significant Impact.** The proposed project is within western Nevada County, which is characterized by a variety of habitat types and vegetative covers, topography, and other features that influence species diversity and distribution. Vegetative communities generally consist of those with both deciduous and ever green trees, shrubs and sage, grasslands, and waters including lakes, ponds, rivers and streams, and wetlands. These communities provide habitat for a diverse number of species of wildlife including habitat for sensitive species.

The California Natural Diversity Database was consulted to determine what species and the status of the species that may occur within the SOI Plan Update area. Sensitive species lists for two quadrangles, Grass Valley and Chicago Park, were evaluated. Although approximately 90% of the SOI Plan Update area occurs within the Grass Valley Quadrangle, small portions of the SOI area occur along the west boundary of the Chicago Park Quadrangle. It should be noted that due to the proximity of the search areas, many of the species do overlap. There were 22 species listed in the Grass Valley quadrangle and 15 listed in the Chicago Park quadrangle. Accounting for the species listed in multiple quadrangles, there were a total of 28 sensitive plant and wildlife species with the potential to occur within the project area, which are listed below. It should be noted that the listing within the quadrangle indicates an actual observation and simply because a species is not listed within a quadrangle does not mean it would not be present in an adjacent quadrangle.

Amphibians: Foothill yellow-legged frog (*Rana boylei*), Birds: California spotted owl (*Strix occidentalis occidentalis*), California black rail (*Laterallus jamaicensis coturniculus*), Yellow-breasted chat (*Icteria virens*), Yellow warbler (*Setophaga petechia*), Olive-sided flycatcher (*Contopus Cooperi*), Willow flycatcher (*Empidonax traillii*), Osprey (*Pandion haliaetus*), Bald eagle (*Haliaeetus leucocephalus*); Mammals: Fisher (*Pekania pennanti*), and Townsend's big-eared bat (*Corynorhinus townsendii*), Reptiles: Western pond turtle (*Emys marmorata*), Coast horned lizard (*Phrynosoma blainvilli*).

Plants: Sanborn's onion (*Allium sanbornii* var. *sanbornii*), Bacigalupi's yampah (*Perideridia bacigalupii*), Stebbins' morning-glory (*Calystegia stebbinsii*), Chaparral sedge (*Carex xerophila*), Brownish beaked rush (*Rhynchospora capitellata*), Yosemite tarplant (*Jensia yosemitana*), True's manzanita (*Arctostaphylos mewukka* ssp. *Truei*), Dubious pea (*Lathyrus sulphureus* var. *argillaceus*), Pine Hill flannelbush (*Fremontodendron decumbens*), Finger rush (*Juncus digitatus*), Humboldt lily (*Lilium humboldtii* ssp. *Humboldtii*), Scadden Flat checkerbloom (*Sidalcea stipularis*), Brandegee's clarkia (*Clarkia biloba* ssp. *Brandegeae*), Sierra foothills brodiaea (*Brodiaea sierrae*), and Sierra bluegrass (*Poa sierrae*).

The update of the City SOI does not include any development, any proposals for development, new construction, new entitlements, or infrastructure improvements, and would not change any existing land use designations. Thus, the proposed project would not result in or approve any new development that would result in any impacts to any special status species.

In addition, all future projects as part of an annexation would be subject to the City's review and regulation when and at the time a development is proposed with plans being submitted, and/or application(s) filed. This would provide a screening mechanism for the City to determine when and if biological resources studies are needed. Additionally, all projects requiring CEQA review, including future annexations, pursuant to the City's Development Code would undergo that evaluation.

*b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?, or*

**Less Than Significant Impact.** The proposed project area contains some sites with sensitive habitats including riparian areas. Riparian habitat within the proposed project area can be found adjacent to aquatic habitat such as streams and rivers. The main waterway within Grass Valley is Wolf Creek which runs south through the center of the city. Within the SOI there also are numerous vegetative communities that could provide habitat for sensitive species and that may contain specific plants that are sensitive resources. Some of these habitats would include, but not be limited to, forests containing Douglas fir, montane hardwood, montane hardwood-conifer, ponderosa pine, and subalpine conifer and may contain old-growth and late-successional forests and may be considered sensitive habitat.

Because the proposed project would not directly implement any development projects, new construction, new entitlements or improvements, and it would not change any existing land use designations, updates to the SOI do not have the potential to affect these resources. Hence the proposed project would not result in any impacts to any of the listed water resources, tributaries, intermittent streams, or sensitive habitats that would provide habitat for sensitive species.

In addition, all future projects as part of a future annexation would be subject to the City's review and regulation prior to approval of any project. The review process would provide a screening mechanism for the City to determine when and if biological resources studies are needed. Additionally, all projects requiring CEQA review, including future annexations, pursuant to the City's Development Code (17.50.030 - Streambed Analysis Required) would undergo evaluation. Further, potential disturbances to streams supporting riparian and wetland vegetation would be regulated by CDFW under Section 1600-1616 of the CFGC and are inherent to the CEQA review process, which provides for the protection of these habitats and fish, wildlife, and native plant resources that use these areas.

*c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**Less than Significant Impact.** The SOI Plan Update area has not been formally surveyed for the presence of wetlands; however, based on information from the United States Fish and Wildlife Service (USFWS) National Wetland Institute (NWI) and due to the size of the overall area, the following wetlands could exist within the project area; freshwater emergent wetlands, freshwater forested/shrub wetland, freshwater pond, and riverine habitat exist, (USFWS 2022). If future projects, as they are approved and initiated, within the SOI area occur and result in fill or removals from wetlands, an impact to these

resources could result. The proposed project, however, does not include any development proposals, new construction, new entitlements, or improvements, and it would not change any existing land use designations. The proposed project would not result in any direct impacts to any wetlands.

In addition, all future annexations and future projects within the SOI area, as applicable and per City Development Code, are required to undergo individual CEQA analysis. CEQA analysis would evaluate the projects for compliance with federal, state, and local regulations pertaining to wetlands. If a future project, or future annexation and subsequent project within the SOI, would affect a wetland or waters of the U.S., the applicant would be required to obtain permits from the United States Army Corps of Engineers (USACE) in compliance with Sections 404 of the CWA. Compliance with Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) also would be consulted and could add additional permitting conditions or mitigation requirements to future projects.

*d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Less than Significant Impact.** Wildlife corridors refer to established migration routes commonly used by resident and migratory species for passage from one geographic location to another. Movement corridors may provide favorable locations for wildlife to travel between different habitat areas, such as foraging sites, breeding sites, cover areas, and preferred summer and winter range locations. They may also function as dispersal corridors allowing animals to move between various locations within their range.

Approval of the proposed project would not directly implement any development proposals, new construction, new entitlements or improvements, and it would not change any existing land use designations such that a wildlife movement corridor or nursery would be affected. As the project consists of an update to the City SOI, the proposed project would not directly result in any physical impact to environment that would affect the movement of any native fish, wildlife species, or nursery site. The project also does not propose any utility improvements that would facilitate development of a future use or conversion of land uses that could adversely affect resident or migratory wildlife corridors from habitat fragmentation, degradation of aquatic habitat (e.g., streams and rivers), or blockage of important wildlife migration paths.

There are some aquatic wildlife movement corridors within stream courses, their tributaries, and other connected drainages or water bodies within the proposed project area and small water bodies that could provide habitat for fish. Fish species and other wildlife, such as amphibians, that rely on water for their lifecycle could be adversely affected if aquatic habitat or corridors were degraded from future construction after annexation. If future projects include construction adjacent to or within a watercourse, the disturbance could adversely affect a resident or migratory wildlife species due to habitat fragmentation, degradation, or blockage. As discussed above, impacts to movement corridors and habitat connectivity for these species would require approval and permits from NOAA Fisheries, CDFW, RWQCB, and the USACE. However, because the proposed project, does not include any physical development, it would not result in any impacts to the movement of wildlife species, wildlife corridors, or nursery sites.

In addition, all future annexations and future projects that occur within the SOI would be required, as applicable and per City Development Code, to undergo individual CEQA analysis. CEQA analysis would evaluate the projects for compliance with federal, state, and local regulations, and to determine impacts to the movement of fish and wildlife or uses of a site as a corridor, breeding habitat or nursery site. This would include compliance with USACE, RWQCB, and CDFW permit conditions.

*e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Less than Significant Impact.** Approval of the proposed project would not directly authorize any new construction, development proposals, or new entitlements or improvements, and adoption of the SOI update would not directly result in a conflict with a local policy or ordinance related to protection of biological resources, including a tree preservation. The lands within the project boundaries carry land use designations as shown in the County General Plan, which are the same or similar to those in the City General Plan. Development is anticipated to occur in accordance with the applicable designations, associated zoning, and other applicable planning documents and would follow policies related to tree preservation. The update of the City SOI does not include any development, any proposals for development, new construction, new entitlements, or infrastructure improvements, and would not change any existing land use designations. Thus, the proposed project would not result in or approve any new development that would result in conflict with any local policy or ordinance protecting biological resources.

In addition, future development would be reviewed prior to authorization of any projects. All future projects would be required to undergo CEQA analysis on a project-by-project basis. CEQA analysis would evaluate the projects for compliance with federal, state, and local regulations, and to determine the significance of impacts to these resources as well as conformance with the City Development Code in Chapter 12.36 Tree Preservation and Protection.

*f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**No Impact.** There are no Habitat Conservation Plans (HCPs), Natural Community Conservation Plans (NCCPs), or other approved local, regional, or state HCPs that apply to the proposed project. Nevada County is not currently covered under any existing HCPs or NCCPs. Thus, there would be no impacts.

#### Cumulative Impacts

**Less Than Significant Impact.** Approval of the proposed project and other future development undertaken in the Grass Valley SOI area would occur in accordance with the annexation process and approved City General Plan land use designations and Development Code. While the overall area, and that of adjoining areas in the City and other areas of the County outside the SOI, are likely to experience continued development, all would be required to undergo a development review process including CEQA review on a project-by-project basis. It is important to note that the SOI does not propose and would not result in impacts, and hence would not make a cumulative contribution.

As discussed above, the proposed project itself would not result in any development and does not include any entitlements for development. The project itself is an update to the SOI Plan area and does not propose any physical development or change any existing planning efforts. Future projects within the SOI Plan area annexed to the City would be required to be evaluated for potential impacts, and if needed, be evaluated by a qualified biologist to develop a plan with performance standards intended to reduce impacts. All appropriate permits also would be required including those issued by CDFW and USACE. Thus, cumulative impacts from the SOI Plan Update, in consideration of past, current, and future projects, would have a less than significant to the long-term character and quality of biological resources.

#### 4.5 Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			<b>X</b>	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			<b>X</b>	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			<b>X</b>	

- a) *Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?, and*
- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

**Less than Significant Impact.** A cultural resource is the physical or observable traces of past human activity, including prehistoric habitation and activities, historic-era sites and materials, and places used for traditional Native American observances or places with special cultural significance. For the purposes of CEQA, “historical resources” generally refer to cultural resources that have been determined to be significant, either by eligibility for listing in State or local registers of historical resources, or by determination of a lead agency. Nevada County is known to contains artifacts from prehistoric sites including native villages, multi-task camps, sites with task-specific resources such as bedrock mortar milling features, as well as special use sites including hunting blinds, petroglyphs, and quarries. The more recent modern historic areas within Nevada County are typically related to mining, water management, logging, transportation, emigrant travel, ranching and agriculture, and grazing.

Cultural and historic resources are protected through both federal, state, and local agencies and established laws and regulation. Federally, the Archaeological resources are protected through the National Historic Preservation Act (NHPA) which includes Section 106 related to historic properties that could include prehistoric or historic districts, sites, buildings, structures, objects, sacred sites, and traditional cultural places, that are included in, or eligible for inclusion in, the Native American Graves Protection and Repatriation Act (NAGPRA) and listing of national historic landmarks. At the state level, resources are protected through application of the California Environmental Quality Act (CEQA), the California Register of Historical Resources (CRHR), designation of California Historical Landmarks

(buildings, structures, sites, or places that have been determined to have statewide historical significance), California Points of Historical Interest, and numerous laws and codes requiring records searches, protecting resources from destruction, requiring tribal notification and consultation, and local County level General Plan goals and objectives pertaining to historic preservation.

Due to the project location and presence of known resources, it is anticipated that some locations within the project boundaries would contain known or unknown resources that would meet the criteria as being a historical resource pursuant to State CEQA Guideline § 15064 or an archaeological resource pursuant to State CEQA Guideline § 15064.5. However, the proposed project does not include any development proposals, new construction, new entitlements, or improvements, and it would not change any existing land use designations that would result in a physical alteration to or change in the context in which an eligible archeological or historic resource exists. Therefore, the proposed project would not result in any direct impacts to the significance of a historical resource or an archeological resource as defined in §15064.5.

The project would update the SOI and AOI boundaries based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The proposed project does not include any development, nor would it authorize or entitle any development or project that would result in any new uses, that would disturb previously undisturbed areas resulting in possible damage or destruction to archaeological or historic materials. The proposed project would not result in changes to any land uses or result in a greater density of development or a higher intensity use that would create additional potential for impacts to cultural resources. In addition, as required by the City Development Code, all future annexations would include a site-specific CEQA evaluation, which would include evaluation of historical and archaeological resources.

*c) Disturb any human remains, including those interred outside of dedicated cemeteries?*

**Less than Significant Impact.** The proposed project consists of an update to the SOI boundary of the City. The proposed project does not propose any new development or include any entitlements that would lead to development or impacts to unknown buried human remains. The location of all gravesites including potential Native American burials site are not know and cannot be known because they are concealed from view and markers are not available. In addition, remains can occur outside of dedicated cemeteries or burial sites that could be disturbed by future ground-disturbing and construction activities. If such activities occur in the location of an unknown gravesite, they could uncover previously unknown human remains. Depending on the origin and age, the human remains could be archaeologically or culturally significant. Indirect impacts to buried human remains due to future projects within SOI areas could occur as a result of future ground disturbance.

The proposed project does not include any development nor would it authorize or entitle any development or project that would result in any new uses that would disturb previously undisturbed areas resulting in possible damage or destruction of human remains. The land within the project boundary carries land use designations as shown in the County General Plan, which are the same or similar to those in the City General Plan, and would continue to do so under the proposed project. Therefore, the proposed project would not result in any direct impacts to the human remains.

In addition, all future projects requiring discretionary approval would undergo site-specific CEQA review. Therefore, future project would be evaluated to determine the potential for impacts to human remains. Future improvements also would be subject to GVGP policies, Nevada County zoning ordinance, and local County regulations that provide protection for these resources. As part of any lead agency review and approval of a future project, standard permit conditions and/or CEQA mitigation measures would be included for any project that may impact human remains.

#### Cumulative Impacts

**Less Than Significant Impact.** Cumulative impacts to cultural resources are typically considered to be site specific and mitigated on a project-by-project basis. The cumulative analyses for historical, archaeological, and tribal cultural resources considers whether the proposed project, in combination with the past, present, and reasonably foreseeable projects, could cumulatively effect any of the aforementioned cultural resources.

As discussed above, the proposed project does not propose or permit any new development, nor would it change any existing land use designations or result in a change of zoning. Therefore, while future annexations of areas within SOI could result in impacts if future development occurs or from extension of connection of services, the development would occur in accordance with City planning regulations including the General Plan, development code, grading ordinance, etc., and would then be subject to the appropriate level of project-specific environmental review. Therefore, combination of the proposed project, as well as past, present, and reasonably foreseeable projects in the City and SOI area, would be required to comply with all applicable State, federal, and County and local regulations concerning cultural resources and would result in a less than significant impact.

## 4.6 Energy

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			<b>X</b>	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			<b>X</b>	

*a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

*b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

**Less than Significant Impact.** The proposed project would update the boundaries of the near term SOI, long term SOI, and AOI based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The project as proposed does not include any development, nor would it authorize or entitle any development, and it would not create additional demand for energy. Because the proposed project would not result in any development, or an infrastructure improvement, it would not directly result in any construction or operational activities that would result in wasteful or inefficient, or unnecessary consumption of energy.

Projects that would occur within the SOI areas are anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents. However, because the precise nature and extent of future development that may occur within the SOI areas are not known, the demand on and the effects they may have on energy use cannot be determined at this time. What can be determined is that the proposed project would not have any direct environmental impacts because it would only adjust the sphere boundaries. Additionally, because the project does not propose any improvements, such as roadways or utility extensions, it would not result in any physical changes that could induce growth. As discussed above, the proposed project would not result in changes to any land uses, result in a greater density of development, or a higher intensity use that have not been previously planned for or contemplated by the applicable City or County level documents for the SOI area. The project would not result in a situation that could result in a violation of any of the above thresholds or criteria related to energy use.

Additionally, it falls within the City or County's authority, depending on if a project occurs within the SOI or an AOI, to complete subsequent environmental review, including an evaluation of growth impacts, at the time that actual projects and/or improvements are proposed. All new construction under any future projects also would be subject to compliance with the latest International Building Code (IBC) and California Building Code (CBC) including Title 24, Part 6 Building Energy Efficiency Standards, which sets forth requirements for energy efficient design and use for new structures. It also is anticipated that the projects will be pre-screened to ensure they include sustainable project design features (e.g., water conservation measures, meet or exceed LEED ratings, use energy efficient lighting, etc.) and conformance to the City of Grass Valley Energy Action Plan (EAP), which provides a roadmap for accelerating energy efficiency, water efficiency, and renewable energy efforts already underway in the City of Grass Valley. This would be assisted by implementation of tools in the City of Grass Valley Energy Efficient Tool Kit, which focusses on using energy audits, energy efficiency, energy conservation, using energy at efficient times, and renewables.

Lastly all future projects would undergo environmental review at the time actual projects and/or improvements are proposed. Future improvements would be subject to a conformance review with the General Plan and applicable energy efficient use policies, the Development Code, and compliance with all applicable energy standards and regulations at the state level. All projects, as applicable, would undergo CEQA review which would analyze environmental impacts, including those related to energy use and the potential for wasteful or inefficient use, or conflicts with energy management plans. This would occur on a project-by-project basis as part of the application permitting and development review process. Compliance with all applicable and aforementioned programs, regulations, and guidelines related to energy use would reduce impacts to less than significant, and mitigation is not required.

#### Cumulative Impacts

**Less Than Significant Impact.** As discussed above, the proposed project would not result in new demand for energy that would be wasteful or inefficient and it would not cause a new energy impact to occur. The proposed project does not include any uses that would increase energy demand. Therefore, the proposed project, taken with past, present, and reasonably foreseeable projects, would not cause either a new cumulative impact to occur, nor an increase in the severity of an existing cumulative impact.

#### 4.7 Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			<b>X</b>	
ii) Strong seismic ground shaking?			<b>X</b>	
iii) Seismic-related ground failure, including liquefaction?			<b>X</b>	
iv) Landslides?			<b>X</b>	
b) Result in substantial soil erosion or the loss of topsoil?			<b>X</b>	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			<b>X</b>	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994),			<b>X</b>	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
creating substantial direct or indirect risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

- a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
  - i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
  - ii) *Strong seismic ground shaking?*
  - iii) *Seismic-related ground failure, including liquefaction?*
  - iv) *Landslides?; and*
- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*
- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

**Less than Significant Impact.** Western Nevada County is located in the westerly portion of the Sierra Nevada mountains and is generally composed of rolling foothills that act as the transition to the low-lying Sacramento Valley to the west of the City and Sierra Nevada Mountains to the east. The foothills in which the City is located are generally comprised of metavolcanic and granitic formations. These types of soils are not considered expansive. Expansive soils are those with excessive swelling potential due to the presence of silt and clay minerals in soils that can be affected by water content which cause excessive

shrinking (with less water) or swelling when the soil comes into contact with water. These effects can cause inordinate stresses on structures and foundations. Historically, Nevada County is a seismically active region that was heavily influenced by uplift and faulting that created fractures and/or faults. The SOI project area is located in a geologically complex and diverse area that has the potential for earthquake-induced hazards. While the potential within the service areas is not considered substantial, the effects of earthquakes and related ground shaking and subsequent secondary effects could occur and can include fault rupture, landslides, soil expansion, liquefaction, lateral spreading, slump and subsidence. According to the U.S. Geological Service, the SOI and AOI areas falls within the western half of the County and is in the lowest seismic intensity zones (8-20 % gravity).

According to the California Department of Conservation (CDOC) geologic hazards mapping, the Grass Valley Fault runs through the City of Grass Valley. Activity along the fault or other faults within the region could result in seismic ground shaking that could induce secondary effects. Secondary effects would include conditions such as liquefaction (typically associated structures that overlay granular soils that are saturated or submerged and that can liquefy and temporarily behave as a dense fluid during an earthquake resulting in the loss of bearing capacity) and landslides (slope failures resulting in the downslope displacement and movement of material). Earthquake-induced landslides can occur in areas with steep slopes that are susceptible to strong ground motion. Exposed rock slopes undergo rockfalls, rockslides, or rock avalanches, while soil slopes experience soil slumps, rapid debris flows, and deep-seated rotational slides. Due to the large areas over which seismic ground shaking can be felt in the overall SOI area, this area will likely experience moderate ground shaking from activity on faults within the County and other faults in the region. Strong seismic ground shaking could result in loss, injury, and death, but these effects can be reduced through proper site grading in accordance with the recommendations of a site-specific geotechnical engineering report, UBC and CBC, and applicable City and as well as County codes.

As noted, the proposed project does not include any development proposals, new construction, new entitlements or improvements, and it would not change any existing land use designations or result in the placement of any uses in proximity to a known geologic hazard or fault. Therefore, the proposed project would result in impacts to geologic hazards and would have a less than significant impact.

In addition, because the footprint, extent, and specific design of other future projects that could occur if the SOI areas are annexed are not known, it is not possible to know the extent of future potential impacts. That is why all future construction for projects within the SOI area would be required to follow building codes and local construction requirements, which would protect against seismic hazards. Further, future development within the SOI area would undergo an application and approval process and be required to comply with applicable City regulations, including those listed above, and if applicable, Nevada County Code as required by Title 15 – Buildings and Construction. Conformance with these requirements would ensure a design-level investigation is completed and the findings of all future geotechnical engineering reports are incorporated into future project design. Future project approval also would be accompanied by a subsequent CEQA review on a project-by-project basis.

*b) Result in substantial soil erosion or the loss of topsoil?*

**Less than Significant Impact.** The proposed project does not include any development within the SOI

areas and does not have the potential to result in soil disturbances that could result in erosion. Further if approved, the proposed project would not result in any entitlements for development or change existing land use or zoning designations.

The City would ensure future projects comply with Chapter 17.62.030 – Sediment and Erosion Control, which requires best management practices, such as minimizing grading during the rainy season, using slope stabilization measures, removal of off-site sediments, etc. In addition, all grading plans would be required to be approved by the City during the planning review process. Grading plans would set the limits on the timing of grading and requires grading to include temporary or permanent erosion control measures, as necessary to prevent soil erosion from the site.

Although the specific footprint and site conditions and specific areas of disturbance are unknown, all larger projects, and future annexation of sites greater than one-acre, would be subject to a Construction General Permit. The Construction General Permit requires implementation of a storm water pollution prevention plan (SWPPP), which would include best management practices designed to reduce potential impacts from water degradation, storm water runoff and associated erosion. Construction BMPs may include, but are not limited to, stabilization of construction entrances, straw wattles on embankments, and sediment filters on existing inlets. The SWPPP would be required to be kept on-site, updated as needed while construction progresses, and would contain a summary of the structural and non-structural BMPs to be implemented during both construction and post-construction periods. Both structural and non-structural BMPs would assist in reducing impacts from erosion.

Lastly, all future development within the City upon annexation would be subject to the City's design review and other entitlement processes including CEQA analysis. As part of the CEQA analysis, the potential for impacts to erosion would be considered, and as discussed above, proper permitting and water quality protection measures would be incorporated as conditions of project approval or as project specific mitigation. Conformance with City code and participation with both the NPDES General Permit and the Construction General Permit, including the SWPPP and BMPs, would reduce potential impacts from erosion. As a result, both direct and indirect impacts associated with erosion in this regard would be less than significant.

*e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

**Less than Significant Impact.** The proposed project does not include any development or new uses within the SOI area that would require wastewater disposal either through an existing sewer system or an alternative wastewater system (e.g. septic tank and leach field). All future projects or individual development projects that may occur in the City or SOI area and that propose to utilize an alternative wastewater disposal system would be subject to the Regional Water Quality Control Board (RWQCB) regulations in accordance with State Water Board (SWB) Resolution No. 2012-0032, the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS). The purpose of the policy was to allow the continued use of an OWTS, while protecting water quality and public health.

All areas of future development as part of the annexation process would be subject to the City's review and regulation related to use of an OWTS. This would include the City's design review and other entitlement processes including CEQA analysis. As part of the CEQA analysis, if an alternative wastewater disposal system is proposed, the potential for associated impacts would be considered, and depending on the evaluation, mitigation measures would be incorporated as conditions of project approval or as project-specific mitigation. Conformance with all applicable regulations and site-specific review would reduce both direct and indirect impact to less than significant.

f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Less than Significant Impact.** Paleontological resources are typically found in geologic strata that was deposited during the Pleistocene Epoch which includes the time between 2.6 million years ago until approximately 11,700 years ago. The Holocene Epoch began about 11,700 years ago and consists of younger sedimentary deposits and fossils are considered less likely to be found. Due to these age ranges, there is the potential that paleontological resources are present. In addition, considering the mountainous areas and steep and rocky terrain in the general vicinity of the project area, some locations may contain unique geologic features. If in either case, a unique paleontological resource or unique geologic feature is directly or indirectly destroyed, a significant impact could result.

Potential impacts to these resources would be reduced through conformance with the goals and policies of the Grass Valley and Nevada County General Plans and the respective Zoning Ordinances. The project does not propose any new development or permit any new development or change any existing planning efforts. Some SOI areas that would be served by the City, but are presently undeveloped, may be developed in the future. These lands carry land uses as shown in the County General Plan, which are the same or similar to those in the City General Plan. As discussed above, the proposed project would not result in changes to any land use designations, result in a greater density of development or a higher intensity use. Accordingly, the SOI boundaries under the proposed project would occur in areas where development has been anticipated and planned for. The project also does not propose any new infrastructure, nor would it adjust or change service boundaries, that would change land use development patterns or induce growth such that a violation of any of the above thresholds or criteria would occur.

Additionally, it will fall within the City's authority to complete subsequent environmental review, including an evaluation of growth impacts, at the time actual project and/or improvements are proposed. Future projects requiring discretionary approval would undergo the County or City permitting processes and site-specific CEQA review. Future projects will be reviewed, authorized, and conditioned as required, and the proposed project itself will not have any impact on paleontological resources. No mitigation is required.

#### Cumulative Impacts

**Less Than Significant Impact.** The cumulative nature of geologic impacts occurs over both a wide area and are site-specific. For example, regionally significant faults, or those that are capable of generating large earthquakes can be felt over wide areas and will affect many existing as well as planned projects that will be, but have not yet been constructed. At the same time, geologic hazards, typically secondary effects from ground shaking such as liquefaction, are typically site specified. Effects, such as those resulting from

landslides, are site-specific if they occur on a project site, but landslides can also flow to adjacent areas, sometimes at substantial distances, and can cause wide area damage or harm to these off-site areas. Lastly, cumulative impacts to paleontological resources and unique geologic features are typically site-specific and would undergo CEQA review, if applicable, to identify impacts and mitigation on a case-by-case basis.

The SOI Plan Update does not propose any uses, activity, or update to boundaries that would result in any ground disturbance. All past, present, and reasonably foreseeable projects in the City and SOI area, as they occur, have had or would have the potential to unearth such resources. All future projects within these areas, regardless of SOI boundaries, would be required to comply with all applicable State, federal, and County and local regulations related building and structural design that would be able to withstand anticipated shaking from a seismic event. Therefore, the proposed project, taken with past, present, and reasonably foreseeable projects, would result in a significant cumulative impact.

## 4.8 Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? and,*
- b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Less than Significant Impact.** Certain gases in the earth’s atmosphere, classified GHGs, play a critical role in determining the earth’s surface temperature. The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern. GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe.

GHGs are regulated at the federal level by the Clean Air Act (although no standards are set). Other federal regulations including the Energy Independence and Security Act of 2007, EPA regulations, federal vehicle standards, and executive order act to limit GHG production by setting goals for reduction and reducing emissions. At the state level numerous regulations, laws, and executive order have been passed to reduce the production of GHGs. This includes regulations set forth by the California Air Resources Board (CARB), criteria set forth by CEQA, numerous senate bills, assembly bills, and executive orders. This carries over into the California Building Code (CBC) as well and can be seen in the regulation of Title 20 related to appliance efficiency regulations and Title 24 the building energy efficiency standards.

Under the City of Grass Valley’s Development Codes the City has adopted the 2022 California Building Code (California Code of Regulations, Title 24, Part 2 and Appendix Chapters C, G, H, I, J and O) based on the 2018 International Building Code as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission. Under this code, the City would require new construction to meet these standards. In addition, future projects would have to account for all

emissions standards from the Northern Sierra Air Quality Management District (NSAQMD) and would undergo evaluation of environmental impacts through CEQA compliance.

The proposed project does not include any development nor would it authorize or entitle any development and it would not conflict with or obstruct implementation of any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Because the proposed project would not result in any development and does not include any infrastructure changes, it would not result in any construction activities or policy actions that would emit or cause any GHGs to be emitted.

The lands within the project area boundaries carry land use designations and have been contemplated as shown in the County General Plan, which are the same or similar to those in the City General Plan. As discussed above, the proposed project would not result in changes to any land use designations, result in a greater density of development or a higher intensity use. Future projects in the SOI update area fall within the County jurisdiction (prior to annexation) and the City jurisdiction (after annexation) to complete subsequent environmental review, including an evaluation of growth impacts. Accordingly, at the time actual projects and/or improvements are proposed, CEQA review would be prepared as applicable. As part of this development review and CEQA process, subsequent projects, on a project-by-project basis, would be evaluated for their potential to emit GHG emissions. This would include a determination of project conformance with strategies, such as requiring projects to meet the Pavley I motor vehicle emission standards, the Low Carbon Fuel Standard (LCFS), and the 2016 Title 24 Energy Efficiency Standards, Renewable Portfolio Standards (RPS), Green Building Code Standards for indoor water use, or the California Model Water Efficient Landscape Ordinance (outdoor water), and the latest 2019 Title 24 Energy Efficiency Standards (effective January 1, 2020). Thus, impacts to GHG emissions from the Grass Valley SOI Plan Update would be less than significant because the project does not propose any new developments or entitle any projects that could cause a direct impact.

### Cumulative Impacts

**Less Than Significant Impact.** It is generally the case that a SOI update, such as the proposed project, would not result in direct cumulative impacts because there is no associated development. In addition, the project does not include any infrastructure improvements, nor would it adjust any service or utility provider boundaries, hence it would not indirectly induce unplanned development. Regardless, due to the size and nature of the proposed project; it is not possible to specifically account for GHG emissions and to measure the influence on climate change that uncertain development could produce. GHG impacts are recognized as exclusively cumulative impacts. As discussed above, the State has implemented a vast array of regulations, policies, and programs to reduce the State's contribution to global GHG emissions. While the NASQMD does not have any thresholds for GHG emissions, all future development with the potential to generate GHG emissions would be required to demonstrate compliance with applicable federal and state regulatory requirements. Finally, in accordance with state requirements and CEQA review, the cumulative impacts to GHG emissions will be evaluated on a project-by-project basis as they are proposed and as required. Therefore, the proposed project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact previously disclosed.

#### 4.9 Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?, and*
- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

**Less than Significant Impact.** Hazardous materials are listed by federal, such as through the US Environmental Protection Agency (EPA) and the US Department of Transportation (DOT) and programs including the Resource Conservation and Recovery Act (RCRA) and the Hazardous Materials Transportation Act (HMTA); State by the Department of Toxic Substances Control (DTSC) authorized by Title 22 Social Security, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste; or local agencies such as through a Certified Unified Protection Agency (CUPA). This would include the Nevada County CUPA that helps regulate and manage businesses that use hazardous materials and to protect the public from illegal disposal of materials into soil, groundwater, creeks, and rivers. The type and class of materials is based on the characteristics and its potential to cause harm or damage.

A hazardous material is defined by the California Code of Regulation (CCR) as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating illness or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10). Hazardous materials are commonly used in commercial and industrial applications and, to a limited extent, in residential areas.

All future projects, either within the SOI areas or any other areas of the City or County would be required to comply with all applicable regulations pertaining to the use, handling, or disposal of hazardous materials. Because the proposed project would update the boundaries of the near term SOI, long term SOI, and AOI there is no physical development or infrastructure improvements that would occur. The project does not include any infrastructure or changes to utility service boundaries, and it would not result in any construction activities or policy actions that would require the use of hazardous materials. The SOI boundary updates are based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. As discussed, hazardous materials in regard to the above listed thresholds are generally associated with projects or uses that use, transport, generate, or includes disposal of hazardous materials, the upset of which could result in impacts to health and human

safety. The project does not include any of these functions, thus it does not have the potential to affect air quality, soils, waters, nearby uses, and people.

New development within the SOI area is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents. Additionally, all existing uses or new uses within the SOI areas that use or handle these materials would remain under the guidance of all applicable regulations of the EPA and DTSC. This includes regulations for the use, handling, disposal, and transport of hazardous materials, such as obtaining and continued compliance with appropriate and required DTSC permits, compliance with local CUPA requirements, allowing inspections for all applicable projects and at all applicable project sites. The proposed project would not have any direct environmental impacts because it would only result in minor updates to sphere boundaries with no direct physical changes to the environment. Thus, no direct physical impacts related to hazardous materials in this regard would occur.

Future environmental review would be completed at the time actual projects and/or improvements are proposed within the existing City boundaries, within the County, or within the SOI area. All work efforts and any improvements undertaken would be subject to all applicable regulations and the Development Code related to handling, use, and disposal of hazardous materials, as well as DTSC regulations, that includes permitting and consistency analysis with CEQA. As part of this process, all projects would be reviewed through the City's development review process and would undergo site specific CEQA review as applicable, and include a project-by-project evaluation to ensure compliance with all applicable and aforementioned programs, regulations, and guidelines. This would ensure conditions in this regard are minimized and impacts would be less than significant. No additional mitigation would be required.

*c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**Less than Significant Impact.** As discussed in a) and b) above, the proposed project would not result in any direct development. The proposed project would not result in emissions or handling of materials or waste in proximity to any existing or proposed school. The SOI Plan Update also would not indirectly increase these risks. While there are known schools within the SOI boundaries, the updates to the SOI areas would not result in any development, extension of services or expansion of any treatment plant, or change to any land use designations. Thus, there would be no increased risk of upset in proximity to any school.

It is assumed that the existing uses within the SOI boundary would continue in their use, and while the specific nature and extent of future development is not known, it is anticipated to occur as defined by existing planning and policy documents. All future development would be required to comply with all applicable regulations under EPA and DTSC. This includes regulations for the use, handling, disposal, and transport of hazardous materials. This would include obtaining and continued compliance with appropriate and required DTSC permits, compliance with local CUPA requirements, and inspections for all applicable projects and at all applicable project sites to ensure compliance with existing rules and regulations. Conformance with the regulations would be verified by the County for both existing as well as all future development within the SOI Plan Update area. New uses would undergo the County planning and review process and require additional project-level CEQA review, as needed. This would document

and evaluate potential risks to schools that are within 0.25 miles of a future project and application of applicable safety measures and mitigation as required. Thus, approval of the proposed project would not result in impacts in this regard and mitigation is not required.

*d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**Less Than Significant Impact.** According to the California Environmental Protection Agency (CalEPA) Cortese List, there is one site listed in Government Code Section 65962.5 within the Grass Valley SOI. This is the Empire Mine State Park located at 10791 E Empire Street in Grass Valley. The site is listed as active and has had remedial action taken to remove contaminated soils from mining operations. The hazardous materials site is located within the Empire Mine State Historic Park which does fall within the project's AOI. As the project does not directly propose any development or construction, there would be a less than significant impact to the public or environment. Future environmental review would be completed at the time any actual projects and/or improvements are proposed, regardless of if a project occurs within the City, County, or SOI area. Future improvements would be subject to applicable planning documents and policies, and Development Code, as applicable, and DTSC and local City regulations. This includes evaluation based on CEQA review that would include any permitting requirements on a project-by-project basis.

*e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

**Less Than Significant Impact.** The Nevada County Airport is located at 13083 John Bauer Avenue in Grass Valley, California. The proposed near term SOI area is within the Airport Influence area. Potential impacts of the airport were evaluated in an Initial Study that was prepared for the Nevada County Airport Land Use Compatibility Plan in 2011. The purpose of the Compatibility Plan was to minimize the public's exposure to excessive noise and safety hazards within areas around the airport. The evaluation led to the preparation of a Negative Declaration and finding that with establishment of safety zones, safety criteria and policies that limit development densities and exposure to risks, that no identified significant impacts would occur. Airspace protection policies limited the height of structures, trees, and other objects that might penetrate the airport's airspace as defined by Federal Aviation Regulations (FAR), Part 77, Objects Affecting Navigable Airspace. It also restricted land use features that may generate other hazards to flight such as visual hazards (i.e., smoke, dust, steam, etc.), electronic hazards that may disrupt aircraft communications or navigation, and wildlife hazards.

The project would not result in any development in this area and would not result in any new uses that have the potential to result in an exposure of people to excessive noise or other safety hazards. The proposed project would adjust the SOI boundary of the City and does not include any uses that would result in the building of structures or any uses that could violate airspace, result in visual hazards, or disrupt airport communication.

For all projects within the SOI areas, future environmental review would be completed at the time actual projects and/or improvements are proposed. Any improvement within the various safety zones would be

subject to all applicable Federal Aviation Regulations and would be reviewed for conformance to the Nevada County Airport Land Use Compatibility plan. This would be in addition to all applicable CEQA compliance and permitting. Thus, future development in this area consistent with and at intensities anticipated in the buildout of the General Plan would not result in direct or indirect impacts. The listed safety reviews would ensure that future projects comply with and are consistent with all plans, impacts to noise and safety would be less than significant, and no mitigation is required.

*f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Less than Significant Impact.** The project would update the SOI and AOI boundaries based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The proposed project does not include any development, nor would it authorize or entitle any development or project, that would result in any new uses or population growth such that it could interfere with the City's Emergency Preparedness Guide, County Emergency Operations Plan (EOP), or other evacuation plan. The EOP delineates the preparation for emergency response to and recovery from the effects of natural disaster or a manmade incident. The EOP defines the responsibilities of agencies and departments that are part of the emergency services organization that would implement the plan that is consistent with the California Standardized Emergency Management System (SEMS) and National Incident Management System. Agencies involved include the county fire districts, Grass Valley and Nevada City combined Fire Department, local law enforcement, red cross, medical service providers, etc.

The lands within the project boundaries carry land use designations as shown in the County General Plan, which are the same or similar to those in the City General Plan. However, because the precise nature and extent of future development in the SOI and AOI areas is not known, future changes in these areas and the effects they may have related to emergency response plans cannot be determined. The proposed project would not have any environmental impacts because it would only result in updates to sphere boundaries with no direct physical changes to the environment. The project also does not include any infrastructure improvements or changes to public service boundaries that could indirectly induce development in areas such that an emergency response plan would be effected.

The existing land uses were previously contemplated and evaluated by the County in an EIR that assessed the potential for growth and development throughout the County. Potential for growth was also evaluated by the City of Grass Valley Southern Sphere of Influence Planning and Annexation Project EIR in relation to land uses within the existing sphere boundaries. Any new development is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents, such as the EOP.

All future development in the County, City, or SOI area requiring discretionary approval also would undergo site specific CEQA review on a project-by-project basis. As part of this process, all projects would be reviewed through the development review process and evaluated to ensure compliance with the EOP. This would ensure that future projects comply with and are consistent with all emergency evacuation plans and protocols. This would be done prior to the issuance of any permits at the City or County level. Thus, impacts would be less than significant, and no mitigation is required.

*g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

**Less than Significant Impact.** The project would update the boundaries of the near term SOI, long term SOI, and AOI based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The lands within the project boundaries carry land use designations as shown in the County General Plan, which are the same or similar to those in the City General Plan. The proposed project would not result in changes to any land use designations or result in a greater unanticipated development density or a higher intensity use that would place existing or new residents or structures in locations prone to wildfire. While the project area contains land areas that are designated as very high fire hazard severity zones, the SOI Plan Update does not propose or change any existing planning efforts and does not include any plans for development, nor would it authorize or entitle any development or project, that would result in any new uses or population growth in areas that are prone to experiencing wildfire. Any new development is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents, including those related to wildfire safety and evacuation planning.

The existing land uses were previously contemplated and evaluated by the County in an EIR that assessed the potential for growth and development throughout the County. However, because the precise nature and extent of future development in the project areas is not known, future changes in these areas and the effects they may have related to wildfire hazards cannot be determined as part of this document at this time. It is known, however, that the update to the SOI would not have any environmental impacts in this regard because it would only result in updates to sphere boundaries with no direct physical changes to the environment.

All future development in the County, City, or SOI area requiring discretionary approval also would be subject to NCGP policies, Nevada County zoning ordinance, and local City regulations as applicable. As part of this process, all projects would be reviewed through the project development review process which would include evaluation of effects from wildfire. Each project also would undergo site specific CEQA review on a project-by-project basis. This project-by-project evaluation would ensure compliance with programs, regulations, and guidelines related to wildfire and minimize wildfire hazards. Thus, the proposed project would not result in either direct or indirect impacts to wildfire. Impacts would be less than significant, and no mitigation is required.

Cumulative Impacts

**Less Than Significant Impact.** The proposed project would not require and does not include the use, storage, handling, transport, or disposal of any hazardous or potentially hazardous materials. The proposed project would update the near term SOI, long term SOI, and AOI boundaries, but does not include any development, nor would it extend services to any area not already planned for development. As discussed above, the proposed project involves updates to the SOI based on existing development patterns, likely development areas, and logical service areas according to the City and County General Plans. Any future project that would be served by one of the service providers would undergo the City or County planning and review process and require additional project-level CEQA review, as needed. This would document and evaluate potential impacts related to hazards and hazardous materials, as well as emergency evacuation and wildfire, and reduce impacts to less than significant. Thus, the proposed project would not combine with any past, present, or reasonably foreseeable project to create a cumulative impact associated with hazards and hazardous materials.

#### 4.10 Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			<b>X</b>	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			<b>X</b>	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site?			<b>X</b>	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			<b>X</b>	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			<b>X</b>	
iv. Impede or redirect flood flows?			<b>X</b>	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			<b>X</b>	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

**Less Than Significant Impact.** Hydrology, waste discharges, and water quality is managed by the RWQCB, and specifically the Central Valley Regional Water Quality Control Board (CVRWQCB) in the vicinity of the SOI Plan area. The SOI Plan area is characterized by hilly with steep to gently sloping terrain, with perennial and intermittent streams in a forested environment. The proposed project would not directly implement any development proposals, new construction, new entitlements, or improvements, and it would not change any existing land use designations in any of these areas. The proposed project would not result in any direct impacts to water quality or result in the direct violation of a water quality standard or waste discharge requirements.

Impacts to water quality standards can result from uncontrolled runoff and discharge from grading, excavation, and other earthmoving activities that have the potential to cause substantial erosion to occur. If erosion is not prevented or contained during construction, sediments, and particulates, along with other contaminants found on the project site, could be conveyed off-site and into downstream waters, resulting in water quality degradation and the subsequent violation of water quality standards.

All future development within the City after annexation would be subject to the City’s design review and other entitlement processes , including CEQA analysis. As part of the CEQA analysis, the potential for impacts to hydrology and water quality would be considered, and as discussed above, proper permitting and water quality protection measures would be incorporated as conditions of project approval or as project-specific mitigation. This would include the requirements that disturbances to parcels greater than one-acre would be required to obtain a Construction General Permit and implementation of a storm water pollution prevention plan (SWPPP), which would include best management practices (BMPs) designed to reduce potential impacts from water degradation and storm water runoff. Construction BMPs may include, but are not limited to, stabilization of construction entrances, straw wattles on embankments, and sediment filters on existing inlets. BMPs would be installed and verified pursuant to the nonpoint source practices and procedures as required by the City’s Public Works Department.

Other smaller projects, whether in the City, County, or SOI, would be required to comply with all applicable local level storm water pollution prevention requirements which closely mirror and include similar measures as the formal SWPPP projects. This includes preparation, implementation, and participation with both the NPDES General Permit and the Construction General Permit, including the SWPPP and BMPs, to reduce potential impacts to water quality to acceptable levels. As a result, impacts associated with water quality in this regard and wastewater discharge requirements would be less than significant.

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

**Less Than Significant Impact.** Existing development within the SOI and AOI areas is sparse and generally consists of rural residential, undeveloped properties, open space, and limited commercial uses. The potential for groundwater recharge from these areas is substantial due to the general lack of impervious surfaces. If substantial development occurs within the proposed project area, the potential for groundwater recharge could be reduced. The SOI Plan Update does not propose any new development nor would it result in the construction of infrastructure or adjust service boundaries such that it would induce growth within the SOI or AOI areas. If approved, the proposed project would not result in any entitlements for development or change existing NCGP Land Use or zoning designations. In this regard, direct impacts to groundwater recharge would not occur and mitigation would not be required.

Future annexation and development of the SOI and AOI areas would be subject to the City's review and regulation and would be evaluated when development plans are submitted, and/or application(s) filed. It also is anticipated that any new development in these areas would be sufficiently sized to require the incorporation of LIDs. LIDs would use biofiltration and stormwater retention methods such as vegetated swales, water retention and detention basins, and other landscaped drainage features to maximize the potential for groundwater infiltration.

All future development after annexation within the SOI and AOI areas would be subject to the City's design review and other entitlement processes, including CEQA analysis. As part of the CEQA analysis, the potential for impacts to groundwater recharge would be considered, and as discussed above, proper permitting and inclusion of water protection measures would be incorporated as conditions of project approval or as project-specific mitigation.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site?*
  - ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?*
  - iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
  - iv) *Impede or redirect flood flows?*

**Less than Significant Impact.** Regarding the potential for erosion, the proposed project does not propose, nor would it result in any construction activities. The proposed project would not result in any activities or new uses that alter the drainage patterns of any site because it does not propose nor would it permit or authorize any development. The proposed project would not result in on or off-site siltation or erosion,

increase the rate of volume of any runoff, exceed capacity of stormwater systems, create polluted runoff, or impede or redirect flood flows.

The lands within the project boundaries currently carry land use designations as shown in the County General Plan, which are the same or similar to those in the City General Plan. As discussed above, the proposed project would not result in changes to any land use designations, result in a greater density of development, or a higher intensity use that would create a situation that could result in a violation of any of the above thresholds or criteria. The existing land uses were previously contemplated and evaluated by the County in an EIR that assessed the potential for growth and development throughout the County. Any new development is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents, including those related to protection of water quality.

Future improvements, whether in the City, County, or within the SOI area, would be subject to City or County General Plan policies, the applicable Development Code, as well as RWQCB regulations that limit environmental impacts through CEQA compliance. This could include obtaining appropriate and required NPDES permits, and development of a SWPPP with BMPs that could be tailored to the project, depending on the size and location of development. As part of this process, all projects would be reviewed through the City project development review process. This would ensure compliance with all applicable and aforementioned programs, regulations, and guidelines related to water quality, thus ensuring these conditions are minimized. Impacts would be less than significant, and mitigation is not required.

*d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

**Less than Significant Impact.** As discussed above, the proposed project would update the Grass Valley near term SOI, long term SOI and area of interest (AOI) based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, City of Grass Valley, and Nevada County. The project as proposed does not include any development nor would it authorize or entitle any development. Thus, while some areas within the SOI are adjacent to existing small rivers and lakes, it would not place any new structures or infrastructure in these areas. Further, seiches are generally associated with larger bodies of water, such as large lakes, and there are not such areas within the SOI area that are anticipated to be affected by seiche. Lastly, the SOI Plan update area is greater than 100 miles from the Pacific Ocean and inundation from a tsunami would not impact the proposed project.

All future projects would undergo site specific CEQA review on a project-by-project basis which would evaluate the potential for impacts to occur at the time actual project and/or improvements are proposed. The proposed project would not change or alter any land uses such that it would result in new uses within areas prone to or that would increase the potential for impacts to water quality from flooding or seiche. Impacts would be less than significant, and mitigation is not required.

*e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**Less than Significant Impact.** As discussed above, the proposed project would not result in development nor does it propose any specific project approval. The proposed project would not increase the demand for water from ground water sources, nor would it result in the creation of any impervious surfaces that

would reduce the potential for ground water recharge. The proposed project also does not propose expansion of any wastewater treatment facility, nor would it directly result in the extension of wastewater service lines into any unserved areas. Indirectly, the proposed project also would not encourage future development as the project has been designed to accommodate future and planned development in accordance with the City General Plan and logical service areas.

As part of all future annexations, the City would evaluate annexations and project conformance with RWQCB plans and policies, City guidelines, and for CEQA compliance. Projects would be evaluated for NPDES permits, and incorporation of SWPPP's, BMP's, and other requirements of the Basin Plan, including permitting for septic systems (should they be proposed), and on-site water retention required by MS4 permits. This would ensure that all future projects do not conflict with a water quality control plan. In regard to a sustainable ground water management plan, the SOI Plan Update would likely result in future extension of water lines into currently unincorporated areas. This would have the likely effect of reducing reliance on ground water wells. All future projects requiring discretionary approval would undergo a project-by-project evaluation that would ensure compliance with all applicable and aforementioned programs, regulations, and guidelines related to water quality. Impacts would be less than significant, and mitigation is not required.

#### Cumulative Impacts

**Less Than Significant Impact.** Cumulative impacts to hydrology and water quality could occur as new development, redevelopment, and existing uses are ongoing within the watershed. Based on past and existing growth trends, and land use planning documents such as the City General Plan and the County General Plan, the growth in the county is not anticipated to be substantial and would not add significantly to urbanization. The proposed project does not include any new development, could not result in new ground disturbances, new impervious surfaces, and the potential to increased erosion and impacts to downstream receiving waters. Future developments in the watershed would be required to comply with the SWRCB and CVRWQB. Depending on the size of future projects, they would be required to obtain and comply with all required water quality permits, develop a Water Quality Control Plan as needed, prepare, and implement SWPPPS, and implement BMPs, to minimize runoff, erosion, and storm water pollution. Additionally, because the proposed project does not propose any new development and would not increase unplanned development, it would not make a cumulative contribution to water quality impacts taken in conjunction with past, present, and reasonably foreseeable projects. Thus, impacts would be less than significant in this regard and mitigation is not required.

### 4.11 Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community?			<b>X</b>	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			<b>X</b>	

*a) Physically divide an established community?*

**Less than Significant Impact.** The proposed project would update the near term SOI, long term SOI, and AOI boundaries based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The proposed project does not include any development, nor would it authorize or entitle any development or project that would result in any new uses that have the potential to physically divide an established community. The lands within the project boundaries carry land use designations as shown in the County General Plan, which are similar to or the same as the City General Plan. The proposed project would not result in changes to any land uses designations, result in a greater density of development, or a higher intensity use that could violate listed threshold. Any new development after annexation is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents, which account for orderly and logical growth by design. Thus, the proposed project would not result in the physical division of a community.

As discussed above, the proposed project would not result in changes to any land uses, result in a greater density of development or a higher intensity use. The proposed project creates a logical boundary for the SOI and does not create neighborhoods or community islands. In fact, one of the LAFCo policies is to minimize the potential for creation of city Islands (areas of city land detached from other city areas). The project boundary includes areas that could be logically served and uses natural and man-made features to define boundaries when feasible and appropriate. The proposed project would not result in a division of an established community and would not result in the physical division of a community, commercial district, or other area that has a unique social or economic identity.

Prior to any annexation and subsequent development, all projects would be reviewed by the City, would obtain City approval, and be approved by LAFCo. LAFCo has a robust policy document related to the review of annexations and would follow these requirements to ensure approval of future City annexations within the project boundaries would not physically divide a community. Additionally, if an annexation is proposed and LAFCo determines it would violate the statutory policies of the Cortese-Knox-Hertzberg

Local Government Reorganization Act of 2000 (CKHA), or the boundaries could not be suitably adjusted to meet the criteria, the application could be denied. This review process would be a part of the eventual CEQA review, as required, and conformance with the listed standard evaluation methodology would help ensure that future impacts are reduced or eliminated.

*b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

**Less than Significant Impact.** LAFCo is responsible for determining the boundaries of cities and special districts within its area of responsibility and jurisdiction. One of the ways this is done is by using SOI plans along with its own locally adopted guidelines (the Nevada County LAFCo operates under the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000, located at Section 56000 and following in the Government Code). Under the provisions of the Act, LAFCo has a mandate of:

- Discouraging urban sprawl;
- Preservation of prime agricultural land and open space;
- Assuring provision of efficient local government services; and
- Encouraging orderly growth and development of local agencies.

LAFCo's responsibilities include review of and action on proposals for:

- Formation of new local public agencies
- Changes in boundaries of existing local agencies;
- Changes in services provided by special districts; and
- Other changes of organization of local agencies (e.g. consolidations and dissolutions).

The proposed project would update the service boundaries in the near term SOI, long term SOI, and AOI based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The proposed project would not alter, nor does it propose any changes to, any land use, land use plan, policy or regulations. The project is intended to recognize existing service areas, and where appropriate, adjust the sphere boundaries to enable service to areas already designated and zoned for specific uses.

As discussed above, although the precise nature and extent of future development is not known, future development is planned and is anticipated to occur in accordance with the existing City General Plan land use designations, zoning, and other applicable planning documents and regulations. Future environmental review would be completed at the time actual project and/or improvements are proposed and would address any subsequent project-level impacts.

It is important to note that LAFCo has a specific policy related to environmental consequences. This policy states that LAFCo shall operate in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000. LAFCo shall assess the environmental consequences of its actions and decisions and take actions to avoid or minimize a project's adverse environmental impacts, if feasible, or may approve a project despite significant effects because it finds overriding considerations exist. To comply with CEQA, the Commission has adopted the State CEQA Guidelines for the Implementation of the California Environmental Quality Act (California Code of Regulations, Title 14, Chapter 3, Sections 15000 et seq.) to ensure the Commission's policies are consistent with the most current version and

interpretation of the law. While this attention has been given to the proposed project, the same considerations would be given to future annexation proposals to similarly reduce the potential for environmental impacts associated with inconsistencies with land use and planning documents.

Lastly, impacts from all potential future projects would be evaluated on a project-by-project basis, and future development would consider the existing development patterns during the planning review and approval process. In addition, all future projects within the service areas would undergo site-specific CEQA review as required. Thus, the proposed project would neither directly nor indirectly conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No mitigation is required.

#### Cumulative Impacts

**Less Than Significant Impact.** Cumulative impacts to land use could occur as new development, redevelopment, and existing uses are ongoing and result in unplanned changes to land uses and growth. Based on past and existing growth trends, and land use planning documents such as the City and County General Plan, the growth in the county is not anticipated to be substantial and would not add significantly to urbanization outside the confines of planning in the City or County General Plan or different from the allowable densities and uses prescribed in the County zoning ordinance. Because the proposed project does not include any new development nor would it result in extension of infrastructure, taken in conjunction with past, present, and reasonably foreseeable projects, impacts to land use, including physical division of a community and conflicts with applicable planning documents, would be less than significant.

#### 4.12 Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			X	

- a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?, and*
- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

**Less than Significant Impact.** The proposed project would update the boundaries of the near term SOI, long term SOI, and AOI based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The project does not proposed any infrastructure or construction that would preclude mineral extraction from any known or designated significant mineral resource zone.

All future projects within the project area would undergo City or County level planning and review and site specific CEQA review, as required. As needed, future planning would account for any areas with mineral resources. Thus, the proposed project would not and does not have the potential to result in impacts to mineral resources in this regard. Impacts would be less than significant, and no mitigation is required.

#### Cumulative Impacts

**Less Than Significant Impact.** As described above, the proposed project consists of updates to the SOI and AOIs. The SOI Plan Update areas are based on logical service areas and planned growth, but the project itself would not authorize or enable any new development, or change any land uses delineating a mineral resource in a local general plan, specific plan or other land use plan. Thus, taken in sum with past, present, and reasonably foreseeable projects, the proposed project would not make a cumulative contribution to impacts to mineral resources. Cumulative impacts would be less than significant, and mitigation is not required.

### 4.13 Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

b) *Generation of excessive groundborne vibration or groundborne noise levels?*

**Less than Significant Impact.** Noise is typically defined as unwanted sound because of its potential to disrupt sleep, to interfere with speech communication, and to damage hearing. A typical noise environment consists of a base of steady “background” noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. Construction activities are often associated with unwanted noise as they use machinery, such as heavy equipment, jackhammers, and trucks, that are inherently noise producing. Operational noise impacts are typically less intrusive but can still generate unwanted noise typically from delivery trucks and HVAC equipment that is audible to nearby uses. In addition, some specific land uses, such as major highways, airports, and railways, can generate unwanted sources of noise.

The proposed project would update the service boundaries of the near term SOI, long term SOI, and AOI areas based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The land within the project boundaries carries land use designations

as shown in the County General Plan, which are the same or similar to those in the City General Plan. Development is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents. The project as proposed would not extend any infrastructure or construction that would generate temporary or permanent noise. The proposed project would not result in changes to any land uses, result in a greater density of development, or a higher intensity use that would create additional noise or vibration. The proposed project also would not result in any new or different use that would change the ambient noise environment. The proposed project would not have any direct environmental impacts because it would only result in updates to sphere boundaries with no direct physical changes to the environment.

Future development, consistent with the densities and intensities anticipated in the buildout of the land use plans applicable to those areas, would not result in new or expanded facilities. As new areas are developed, all the potential future projects would undergo City level planning and review and site specific CEQA review to determine their potential impacts to noise and vibration. This would ensure all future projects conform with all applicable regulations pertaining to noise and vibration such that hours of construction are limited, and both temporary and permanent noise generating uses do not exceed any applicable thresholds. Thus, the proposed project would not and does not have the potential to result in impacts to noise and vibration in this regard. Impacts would be less than significant, and no mitigation is required.

*c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**Less Than Significant Impact.** The Nevada County Airport is located at 13083 John Bauer Avenue in Grass Valley, California. Portions of the near term SOI area and the existing City boundary does fall within the Airport Influence area of the airport. Because the project only consists of updates to the SOI boundaries and AOI boundaries and no development is proposed, the project would not result in any new uses that have the potential to result in an exposure of people to excessive noise levels.

An Initial Study was prepared for the Nevada County Airport Land Use Compatibility Plan in 2011. This evaluation led to the preparation of a Negative Declaration and finding of no identified significant impacts. The purpose of the Compatibility Plan was to minimize the public's exposure to excessive noise and safety hazards within areas around the airport. In accordance with PUC Section 21675(a), the noise contours used in the compatibility plan reflected the long-term (at least 20 years) potential noise impacts of the airport and reflect 60,000 potential annual aircraft operations by 2030.

The Compatibility Plan established criteria that reduce the potential exposure of people to excessive aircraft-related noise by limiting residential densities (dwelling units per acre) and noise-sensitive land uses in locations exposed to noise higher than 60 dB CNEL. These areas are denoted by Zones B1 and B2 in the plan.

In addition, all future projects in this and other areas would undergo environmental review at the time a project and/or improvements are proposed. Future improvements would be subject to all applicable Federal Aviation Regulations and would be reviewed for conformance to the Nevada County Airport Land

Use Compatibility plan, associated noise thresholds, as well as City and County General Plan policies pertaining to airport operations. This would be in addition to all applicable CEQA compliance and permitting. Thus, future development in these areas consistent with and at intensities anticipated in the buildout of the General Plan would not result in new impacts. No mitigation is required.

#### Cumulative Impacts

**Less Than Significant Impact.** As discussed above, the proposed project would not result in any new use that would generate noise or vibration in exceedance of an existing threshold, nor would the project increase the severity of a noise generated from any existing location. Taken in consideration with past, present, and reasonably foreseeable projects, the proposed project would not make a substantial contribution to the noise environment. Therefore, the proposed project would not cause either a new cumulative impact to occur, nor an increase in the severity of a cumulative impact from any other project or existing use.

#### 4.14 Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

*a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Less than Significant Impact.** The proposed project would update the boundaries of the near term SOI, long term SOI, and AOI based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The project as proposed would not include any infrastructure or facilities resulting in impacts on the environment or that would result in population growth. The lands within the project boundaries carry land use designations as shown in the County General Plan, which are the same or similar to those in the City General Plan. The proposed project would not result in changes to any land uses designations, result in a greater density of development or a higher intensity use that would result in population growth. Development is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents which considers and provides for existing models of anticipated growth.

The existing land uses were previously contemplated and evaluated by the County in an EIR that assessed the potential for growth and development throughout the County. The City General Plan EIR also previously evaluated the development potential within the existing SOI boundaries. Thus, the updates to the SOI boundary would not induce growth such that a violation of any of the above thresholds or criteria would occur.

All future development within the SOI area would be subject to the City’s planning and review process and site specific CEQA review to determine their potential to generate population in violation of the listed thresholds. This would ensure all future projects conform with all applicable regulations pertaining to the provision of public services. Thus, the proposed project would not and does not have the potential to

result in either direct or indirect impacts to utility services in this regard. Impacts would be less than significant, and no mitigation is required.

b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**Less than Significant Impact.** The proposed project would update the near term SOI, long term SOI, and AOI boundaries based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The project does not propose any new development nor would it permit or authorize development. The proposed project would not and does not have the potential to result in the displacement of any area currently used for housing. Impacts would not occur, and no mitigation is required.

Future development consistent with the densities and intensities anticipated in the buildout of the City General Plan would undergo City level planning and review and site specific CEQA review to determine their potential to be located in an area that would displace existing residents. This would ensure all future projects conform with all applicable regulations pertaining to the provision of replacement housing should that be necessary. All subsequent projects would be required to undergo individual CEQA review as require. Thus, the proposed project would not and does not have the potential to result in either direct or indirect impacts to utility services in this regard. Impacts would be less than significant, and no mitigation is required.

#### Cumulative Impacts

**Less Than Significant Impact.** The proposed project is consistent with the County and City General Plans, associated land uses, Development Code, and would not change any existing land uses or entitlements or encourage new development. The proposed project does not include any development applications, and would not facilitate or encourage any past, present, or future projects that would encourage or result in population growth or result in the displacement of any existing housing. Impacts would be less than significant, and mitigation is not required.

#### 4.15 Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			<b>X</b>	
ii) Police protection?			<b>X</b>	
iii) Schools?			<b>X</b>	
iv) Parks?			<b>X</b>	
v) Other public facilities?			<b>X</b>	

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

- i) Fire protection?*
- ii) Police protection*
- iii) Schools*
- iv) Parks*
- v) Other public facilities*

**Less than Significant Impact** The proposed project would update the boundaries of the near term SOI, long term SOI, an AOI based on logical growth patterns as anticipated and planned for by Nevada County

LAFCo, Nevada County, and the City of Grass Valley. The project does not propose any new development nor would it permit or authorize development. The lands within the project boundaries carry land use designations as shown in the County General Plan, which are the same or similar to those in the City General Plan. The proposed project would not result in changes to any land use designation, result in a greater density of development or a higher intensity use that would create additional demand for the listed public services. The proposed project would not result in any new uses or population growth such that new or physically altered governmental facilities or buildings would be used to provider services, or increases in manpower would be needed. Hence, the proposed project would not affect the ability of listed service providers to maintain acceptable service ratios, response times or other performance objectives for any of the listed public services. Development is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents.

The update of the City SOI would not result in any development and does not include any entitlements that would result in new projects that would increase demand for the use of fire services, police services, schools, or parks such that new facilities that could have an impact on the environment would occur. As areas are annexed into and become part of the City, they would require permitting and their own environmental review in accordance with CEQA. Because the precise nature and extent of future development in the SOI areas are not known at this time, the future demand and need for new public service locations cannot be determined. As new areas are developed and as each project is proposed, they would undergo site specific CEQA review on a project-by-project basis. This would include Nevada County LAFCo level planning and review and site specific CEQA review to determine the potential for impacts to public services to occur. This would ensure all future projects conform with all applicable regulations pertaining to the provision of these services. Thus, the proposed project would not and does not have the potential to result in impacts to public services in this regard. Impacts would be less than significant, and no mitigation is required.

#### Cumulative Impacts

**Less Than Significant Impact.** As described above, the proposed project consists of updates to the City's SOI and AOI. The areas are based on logical service areas and planned growth, but the project itself would not authorize or enable any new development that would create or induce growth and thereby increase demands on public service providers. Thus, taken in sum with past, present, and reasonably foreseeable projects, the proposed project would not make a cumulative contribution to increase demand for public services such that new and unplanned facilities would be needed. Cumulative impacts would be less than significant, and mitigation is not required.

#### 4.16 Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?, and*
- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**Less than Significant Impact.** The proposed project would update the near term SOI, long term SOI, and AOI based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The proposed project does not include any development, nor would it authorize or entitle any development or project, that would result in any new uses or population growth that would increase demand for recreational amenities. Thus, the proposed project would not result in any new demand for recreational resources or result in an increased demand such that substantial deterioration, or exacerbation of exiting deteriorated conditions would occur from project induced increased use.

Currently, recreation and park services are funded through the City’s General Fund and Measure E sales tax funding. This revenue is used to fund new facilities as well as maintenance of the existing City’s park and recreation facilities that consist of 7 developed parks, 5 with playgrounds. In sum, the City has approximately 108 acres of developed parkland. The City provides approximately 8.0 acres of parks per 1,000 residents and is consistent with the national recreation and park standard of 6 to 10 acres per 1,000 people.

As areas are annexed into and become part of the City, they would require permitting and their own environmental review in accordance with CEQA. Because the precise nature and extent of future development in the SOI areas are not known at this time, the future demand and need for new parks or

the potential for exacerbation of existing parks is not known. It is anticipated that the City and County would continue to establish new parks, continue with maintenance of existing parks, and create other new recreational facilities and uses for members of the public. As these new areas and uses are developed, and as each project is proposed, they would undergo site specific CEQA review on a project-by-project basis. This would include, as applicable, Nevada County LAFCo level planning and review and site specific CEQA review to determine the potential for impacts to these resources to occur. This would ensure all future projects conform with all applicable regulations pertaining to the provision of these services. Thus, the proposed project would not and does not have the potential to result in impacts to public services in this regard. Impacts would be less than significant, and no mitigation is required.

#### Cumulative Impacts

**Less Than Significant Impact.** The proposed project is consistent with associated land use planning documents, Development Code, and would not change any existing land uses or entitlements or encourage new development. The proposed project does not include any development applications, and would not facilitate or encourage any past, present, or future projects that would encourage or result in population growth resulting in an increased use of recreational facilities resulting in the need for additional recreational facilities. The proposed project would not result in the construction of or add to an existing or future demand for new recreational resources which could result in impacts to the environment. Impacts would be less than significant, and mitigation is not required.

#### 4.17 Transportation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

*a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

**Less than Significant Impact.** A potentially significant impact to traffic and circulation would occur if the proposed project would conflict with or obstruct implementation of the applicable plans, policies, or ordinances related to transportation, circulations, and transit. The proposed project does not include any proposal for new development and would not entitle any projects that would directly result in any construction activities. The SOI Plan Update also does not propose any infrastructure, such as roadways or utilities, that would directly increase or could support an increase in vehicle trips. The proposed project, therefore, would not result in any increases of traffic or use of the circulation system or result in any physical changes to the circulation system that would alter its patterns of use.

The project would not result in any direct changes to any existing land uses or change any land use regulations or designations. Such changes could occur upon the initiation of a new project or if a modification to land uses is proposed as part of a future annexation. Future annexation and development of the project area would be subject to the City’s review and regulation when development plans are submitted, and/or application(s) filed. At that time the City would determine if projects are consistent with applicable transportation programs, plans, ordinances, or policies and require changes to project design if needed. Thus, impacts in this regard are less than significant.

*b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

The California Environmental Quality Act (CEQA) guidelines recently underwent revisions that took effect on July 1, 2020. As part of the revision, transportation impacts are to be evaluated using vehicle miles traveled (VMT) instead of the traditional Level of Service (LOS). VMT is a measure of the actual miles that an individual in their vehicle travel as opposed to LOS which measures the relative flow of vehicles as determined by potential delays and the time it requires to travel from one point to the next. As part of the CEQA update, jurisdictions were given until July 1, 2020 to implement new thresholds of significance based on the guidance to use VMT (specific threshold guidelines are shown in State CEQA Guidelines § 15064.3).

The SOI Plan Update, however, does not propose, nor would it directly result in any construction or development within the project areas. It would not result in the construction of new uses that would generate vehicle trips, and hence result in increased VMT, and would not have any impacts to travel within the City. The proposed project is limited to an update of the SOI boundary within which future projects may occur as land is annexed to the City. The transportation impacts of future projects would be evaluated by the City using VMT in accordance with the listed CEQA guideline. Because the precise nature and extent of future development in the SOI areas is not known, future changes in these areas and the effects they may have related to VMT cannot be determined at this time. To account for these trips, additional analysis and individual CEQA review would be required at the time formal development applications are made and when the nature of the final projects are known. Thus, for the purposes of the proposed project, impacts would be less than significant.

*c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The City boundaries and the SOI area includes hilly and mountainous terrain with some narrow and winding roadways with limited sight radius and limited nighttime lighting. These conditions can increase the potential for accidents and other vehicle collisions. The project does not propose, nor would it directly result in, any construction or development within the project area. Implementation of the proposed project would not directly result in any road development that would increase a hazard due to design features or incompatible uses.

If new development is proposed in these areas, it is anticipated that the new development would not require substantial new roadway development and that new driveways, or short new local roadways, would connect with existing roads. Additionally, all future roads would be required to comply with applicable City zoning codes and design standards determined by the City Engineer. Annexations would be needed to enable future projects approved by the City and would be evaluated on a project-by-project basis. This would include an evaluation of conformance with the listed City development regulations, any Caltrans roadway design requirements, and approval by the City Engineer. Any roadway improvements made as part of a future annexation would be required to meet all roadway design standards. Review would include a site-specific evaluation and CEQA to determine if the proposed project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). If a determination is made, the engineer would require modifications to the plan or implementation of mitigation such as placement of signage, speed

restrictions, or lighting to reduce the impacts. Therefore, impacts in this regard would be less than significant. No mitigation is required.

*d) Result in inadequate emergency access?*

**Less Than Significant Impact.** The project does not propose the development, construction, or improvement of any roadways as part of the SOI Plan Update. Because no specific land use plan is defined, apart from establishing the updated SOI boundary, existing land uses are anticipated to remain unchanged and would not be directly affected by the proposed project. As areas containing roadways that are currently County maintained are annexed, depending on the location and connectivity of the roadway, the City and County would determine if the roadway would remain under county control or if the City would assume responsibilities. The SOI Plan Update would not directly cause any additional or immediate demand for emergency access within or adjacent to existing roadway infrastructure.

It is reasonable to anticipate that due to future annexations and associated land development, additional roadways and roadway capacity would be needed in some areas to accommodate emergency access. This is anticipated to increase the demand for circulation and roadway services. As discussed above, all new roadways and connections to existing roadways would be reviewed by the City Engineer to ensure that all safety standards are met. This would include an evaluation of turning radius, roadway width, weight capacity, and inclusion of emergency vehicle turn-a-rounds, etc., are included for all future project designs. Therefore, in conformance with all the listed code requirements and City review and approval, impacts of future projects would be less than significant. No mitigation is required.

Cumulative Impacts

**Less Than Significant Impact.** The proposed project would not result in any new development, would not modify any land use plans, or result in an increase in density or intensity of development such that any traffic would be generated, roadways would be constructed, or design hazards would be created or exacerbated. As noted above, the proposed project would not generate any traffic and therefore, it would not result in any vehicle miles traveled. Accordingly, because the project does not include any new uses that would affect traffic volumes, it does not have the potential to impede any emergency evacuation plan or emergency access within any of the SOI or AOI areas. Thus, taken in sum with past, present, and reasonably foreseeable projects, the proposed project would not result in any cumulative impacts in this regard. Impacts would be less than significant, and mitigation is not required.

#### 4.18 Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			X	

a) *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

**Less than Significant Impact.** Historical resources can also include areas determined to be important to Native Americans that qualify as tribal cultural resources as defined in Public Resources Code (PRC) Section 21074 (sites, landscapes, historical, or archeological resources). The requirements for consultation requests and this section of the CEQA checklist were implemented by Senate Bill 18 (SB 18) and Assembly Bill 52 (AB-52). SB-18 requires local governments (city and county) to consult with Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process.

AB 52 went into effect on July 1, 2015 and requires CEQA lead agencies to engage in early consultation with California Native American Tribes on all projects. AB 52 created this new CEQA resource: Tribal Cultural Resources, which include sites, features, places, cultural landscapes, sacred place, objects, or archeological resources with cultural value to a California Native American Tribe that is listed or eligible for listing in the national, California or local registers. AB 52 requires lead agencies to consider whether a project may cause a substantial adverse change in the significance of a Tribal Cultural Resource and to consider a tribe's cultural values when determining the appropriate environmental assessment, impacts and mitigation.

As discussed in Section 4.5, *Cultural Resources*, the proposed project does not propose any construction activities and would not entitle any new development that has the potential to impact any tribal cultural or archaeological resources. Similarly, the proposed project would not result in any impacts to a site, feature, place, or cultural landscape that is geographically defined by size and scope of the landscape as a sacred place, or object with cultural value to a California Native American Tribe. Should future development occur after annexation, CEQA review that would occur on a project-by-project basis to analyze and address impacts.

AB 52 letters were sent on October 17, 2022 to inform Native American Tribes of the Grass Valley SOI Plan Update. Tribes and representatives that had previously requested to be notified and who were sent letters include: Colfax-Todd's Valley Consolidated Tribe, Nevada City Rancheria Nisenan Tribe, Shingle Springs Band of Miwok Indians, T'si Akim Maidu Tribal Council, United Auburn Indian Community of the Auburn Rancheria (UAIC), and the Washoe Tribe of Nevada and California. Representative Anna Starkey of the UIAC responded to the AB 52 letter on November 3, 2022 stating that the tribe is aware of tribal cultural resources and areas of cultural sensitivity with the Grass Valley SOI Plan Update area.

Included in the letter, the UAIC recommended a number of measures to lessen the potential for impacts. This included consultation to occur early and often to identify areas of cultural sensitivity, implementation of avoidance and preservation measures, as well as mitigation to account for unanticipated discovery of unknown resources for all projects that may occur within the SOI update area. The letter also requested consultation between Tribal Representatives and the CEQA lead agency to develop measures for long term management of any discovered resource and to ensure its integrity. The update of the City SOI does not include any development, any proposals for development, new construction, new entitlements, or

infrastructure improvements, and would not change any existing land use designations. Thus, the proposed project would not result in or approve any new development that would result in any impacts to any tribal cultural resources.

Further, all future projects would undergo environmental review at the time actual projects and/or improvements are proposed. Future improvements would be subject to a conformance review with the General Plan policies, Zoning Ordinances, and compliance with all applicable tribal cultural standards and regulations at the state level. All projects, as applicable, would undergo CEQA review which would analyze environmental impacts, including those related to tribal cultural resources. This would occur on a project-by-project basis as part of the application permitting and development review process. Compliance with all applicable and aforementioned programs, regulations, and guidelines related to tribal cultural resources would reduce impacts to less than significant, and mitigation is not required.

### Cumulative Impacts

**Less Than Significant Impact.** For tribal cultural resources, impacts are site-specific and not generally subject to cumulative impacts unless multiple projects impact a common resource, or an affected resource extends off-site, such as a historic townsite or district. The cumulative analyses for historical, archaeological, and tribal cultural resources considers whether the proposed project, in combination with the past, present, and reasonably foreseeable projects, could cumulatively affect any common cultural or paleontological resources.

The proposed project, however, consists of an update to the City SOI Plan and does not include any project that would have the potential to affect a tribal or cultural resource. Thus, in consideration of the combination with other past, present, and reasonably foreseeable projects in the City and County, the proposed project would not make a cumulative contribution to the potential for impacts. In addition, all future projects in the SOI also would be required to comply with all applicable State, federal, County, and local regulations concerning preservation, salvage, or handling of cultural resources. Therefore, the project's contribution to cumulative impacts would be less than significant.

#### 4.19 Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

**Less than Significant Impact.** Growth within the City has been slow over the last two decades. Between census years 2010 to 2020, the City's population grew by 1.0 percent annual growth rate. As of January 1,

2022, the population in the City of Grass Valley was estimated by the California Department of Finance at 13,617 persons. This represents a decline of 2.8 percent since the 2020 U.S. Census. More recently, according to the California Department of Finance (CDOF), the population from 2021 to 2022 decreased by 0.4 percent. Although some additional growth has occurred in the last 10 years, the trend of slow growth is not anticipated to change substantially. Based on the anticipated growth rate, it is not anticipated that there will be substantial population increases within or around the City such that a large demand for utility services will increase. This is anticipated to help ensure a consistent provision of services by utility providers.

The proposed project would not require or result in the relocation or construction of any new water, wastewater, storm drainage, power, natural gas, or telecommunication service lines or facilities. The proposed project would adjust the SOI boundary, which does not include any improvements, or implement any development proposals, new construction, or new entitlements for development that would require public services or extension of any utilities. The SOI and AOI boundaries are based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley. The proposed project would not change any existing land use designations in any area or make updates. The project would not result in any impacts to utilities or services.

All annexation projects would be subject to a City lead CEQA review which would require projects to show all wastewater improvements and ensure adequate capacity exists. If expansion of the WWTP or other facilities would be needed, these improvements also would be subject to CEQA review. These facts and requirements for additional review would ensure these impacts are less than significant.

#### Water and Wastewater

Within the proposed project area, properties use a combination of private on-site-wastewater-treatment systems (OWTS), such as septic tanks and leach fields, and receive potable water from the Nevada Irrigation District (NID) or use private well water. Due to the relative low density uses within the SOI area, some areas lack a substantial network of sewer and water infrastructure. At this time, it is not known if as areas are annexed, they would maintain their private services or if those areas would need to be connected to the City provided wastewater services, City water, or in most cases water from the Nevada Irrigation District (NID). The proposed project would not result in a direct expansion or extension of any water or wastewater infrastructure or any other associated facilities that could result in impacts to the environment or encourage development in previously unserved areas. It should be noted that under the proposed project, there is no proposal and there would be no expansion or extension of any sewer lines or wastewater treatment plant, or any other associated facilities. Nonetheless, with eighty-two percent of the parcels in the SOI area already being developed, the majority of which generally use private septic systems, the balance of undeveloped land, as it is developed, is anticipated to be adequately served by the City's wastewater treatment plant (WWTP). The City's current WWTP permitted average dry weather flow capacity is 2.78 MGD, and its current average flow volume is approximately 1.07 MGD. Accordingly, the City's wastewater treatment plant can accommodate between 4,000 and 4,800 equivalent dwelling units (EDUs) based on average annual flows and has sufficient capacity to serve the City's population within the long-term sphere planning horizon (next 20 years).

If future development occurs in these areas, as the applications are received, the development proposals for these areas would be subject to the City's review and regulation. All future projects in the SOI area

would be subject to a City lead CEQA review and the development review process, which would require projects to show all water and wastewater improvements and ensure adequate capacity exists. If, through future planned environmental review, expansion of the NID facilities would be needed, these improvements also would be subject to CEQA review. These facts and requirements for additional review would ensure these impacts are less than significant.

#### Stormwater

The proposed project area encompasses a portion of unincorporated county land that is largely rural in nature with numerous undeveloped parcels. These locations are not characteristic of more densely developed areas where stormwater runoff becomes more focused due to the large number of impervious surfaces. Because the land within the SOI area is largely undeveloped, and a robust stormwater drainage system has not been built, a large volume of rainwater and stormwater is able to infiltrate the undeveloped ground surface. Water that does fall on impervious surfaces, such as roads, is typically conveyed to roadside ditches or vegetated and natural drainages. Water that falls on homes and businesses in less densely developed areas would be conveyed to adjacent vegetated areas of the properties and allowed to infiltrate.

The proposed project would not result in a direct expansion or extension of any stormwater infrastructure, or any other associated drainage facilities, that could result in impacts to the environment or encourage development in previously unserved areas. Future development that could occur within the sphere boundaries is not certain and there are no defined projects or development footprints, plans, or applications. Therefore, the specific nature of future development is unknown and future demand for stormwater facilities is unknown. However, projects that do occur could be subject to NPDES permits due to their size and would implement a SWPPP incorporating BMP's. For smaller projects, less than one-acre, the City's development code for grading and erosion control would apply which carries very similar requirements as the NPDES.

To ensure appropriate stormwater controls are put in place, as part of any future annexation process, subsequent projects would be subject to a City lead CEQA review and the development review process. This would require projects to show stormwater improvements and ensure adequate capacity exists. If it is determined that expansion of stormwater drainage capacity or off-site facilities would be needed, subsequent environmental review would be required and subject to CEQA. These facts and requirements for additional review would ensure these impacts are less than significant.

#### Electricity, Natural Gas, and Telecommunications

The areas within the proposed project would continue to be served by PG&E for electric and natural gas services. Numerous small to large phone companies, such as AT&T, provide phone service to the unincorporated areas. Under the proposed project, there would be no direct expansion or extension of any of these services or extension of lines that could induce or encourage development leading to additional off-site impacts. Future development of these areas is not certain and there are no defined project boundaries or development footprints, plans, or applications, so it is not possible and would be speculative to guess as to where improvements may occur. Future projects within the SOI area would be subject to a City lead CEQA review. As part of that review, and as part of the development review process,

an evaluation of availability of these services, and potential impacts associated with any extension, would be required. If needed, mitigation or a plan to reduce impacts would be developed. These facts and requirements for additional review would ensure these impacts are less than significant.

- b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?, and*
- c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?, and*
- d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?, and*
- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

**Less than Significant Impact.** The SOI area does not include highly urbanized land uses and would not conflict with a zoning or other regulatory document concerning scenic quality in these areas. The SOI area generally consists of rural and low-density development, undeveloped properties, open space and limited commercial uses that do not have a particularly high demand for water, wastewater, solid waste, or other services based on the overall area. The proposed project would update the near term SOI, long term SOI, and AOIs and adjust some of the associated boundaries, but the plan does not propose, nor would it directly result in, any construction or development or new infrastructure that could induce development resulting in increased demand for these services.

The SOI and AOI boundaries are based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, Nevada County, and the City of Grass Valley, which consider the provision of such services during planning efforts. Thus, the project would not result in any impacts to utilities or services. As properties area annexed into the City and developed, water and wastewater services could be changed and become the responsibility of the City. However, the specific nature of these developments is unknown and future demand for these services is unknown. There are numerous variables such as if the properties area already developed and have private water wells and OWTS, or if they are served by NID, which also provides water for the City to supply, or if new developments are even of a density and in a location that would make it cost effective to extend services, including wastewater service to be treated at the City WWTP. Because of these uncertainties, it would be speculative to assume services would be provided.

Regarding solid waste management, the areas within the SOI would be served by Waste Management which provides both residential and business services and collects trash, recycling, and green waste. As discussed above, under the proposed project there are no development proposals and there are no applications for projects or development entitlements. Thus, the project would not result in any impacts to this service or remaining landfill capacities. It should be noted that much of the SOI areas already are developed and would already be served by Waste Management. Nonetheless, future development within the SOI area could require new waste management services, but because development and specific densities are uncertain and there are no defined project boundaries or development footprints, plans, or applications, it is unknown what the demand would be. Similar to above, this renders an analysis of the impacts of potential future impacts speculative and they are not included to this document.

Therefore, as part of the annexation and development review process, all future annexations would be subject to subsequent CEQA review and the development review process. This would include an evaluation of conformance with applicable waste reduction laws, such as AB 939, and an evaluation of the capacity of water and wastewater services if they are provided to development as it occurs. Thus, the proposed project would not result in any direct conflicts with any federal, state, or local rule, regulation, or law related to solid waste, or provision of water or wastewater services, and impacts would be less than significant.

#### Cumulative Impacts

**Less Than Significant Impact.** As described above, the proposed project consists of updates to the City SOI Plan Update. The SOI and AOI areas are based on logical service areas and planned growth, but the project itself would not authorize or enable any new development that would create or induce growth and thereby increase demands on utility service providers. Thus, taken in sum with past, present, and reasonably foreseeable projects, the proposed project would not make a cumulative contribution to increase demand for utility services, such that new and unplanned facilities would be needed. Cumulative impacts would be less than significant, and mitigation is not required.

## 4.20 Wildfire

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			<b>X</b>	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			<b>X</b>	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			<b>X</b>	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			<b>X</b>	

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?, and*
- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?, and*
- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?, and*
- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**Less than Significant Impact.** The project would update the near term SOI, long term SOI, and AOI areas based on logical growth patterns as anticipated and planned for by Nevada County LAFCo, City of Grass Valley, and Nevada County. The proposed project does not include any development, nor would it authorize or entitle any development or project, that would result in any new uses or population growth in areas that are designated as fire hazard severity zones, would have conditions that create a higher potential for uncontrolled wildfire, or that are under the guidance of an emergency evaluation plan.

The project area contains lands identified in both Local Responsibility Areas (LRA) and State Responsibility Areas (SRA). In addition, the SOI contains areas designated as very high fire hazard severity zones (VHFHSZ). Some of the locations within or close to the project area also contain steep slopes, are prone to strong winds, have vegetation patterns that could make them prone to wildfires, or have aftereffects of wildfire, such as slope instability, flooding, and landslides.

The proposed project would not directly implement any development proposals, new construction, new entitlements, or improvements, and it would not change any existing land use designations such that greater density uses would occur within these areas. Any new development is anticipated to occur in accordance with existing City General Plan land use designations, zoning, and other applicable planning documents, including those related to wildfire safety and evacuation planning. The proposed project would not directly require additional maintenance of any infrastructure, including roads, fuel breaks, emergency water sources, power lines or other utilities, that could exacerbate fire risks or result in any other temporary impacts to the environment. While the proposed project would result in an update to the Grass Valley SOI Plan, it does not include any immediate changes to the availability of any emergency services or changes to any emergency plans.

Future projects annexed to the City from the SOI could be located within a VHFHSZ and would be subject to the City's review and regulation. All projects would have to show conformance to fire access requirements, and as areas are annexed, the City and the County would work together regarding the provision of emergency services and help ensure emergency responses remains cohesive. Development in these areas would be required to comply with all IBC and CBC requirements, the State Board of Forestry and Fire Protection 2018 Strategic Fire Plan, goals and policies of the NCGP, development standards of the City Development Code, City of Nevada City Disaster Plan, as well as CALFIRE defensible space demands. All areas within the project boundaries would maintain the benefit of being served by fire stations within the Joint Operational Agreement (JOA), which includes the Grass Valley Fire Department (GVFD), Nevada City Fire Department (NCFD), and Nevada County Consolidated Fire Department (NCCFD), as well as surrounding and regional fire departments should a wildfire occur. The project boundary also falls within the Grass Valley, Nevada City, and CAL FIRE Mutual Threat Agreement (MTA), which would enable CAL FIRE to respond to all reported vegetation fires.

Upon implementation of all future projects or other infrastructure improvements or any work needed for site specific improvements, all projects would be required to comply with CBC requirements that limit the potential for construction to start fires. This would include conformance to guidance on "hot work" (i.e. welding, torches, etc.) that could increase the risk of starting a fire. All other applicable elements of the CBC as well as all other applicable measures in the IBC related to fire prevention would be required. It should be noted that the project as proposed would not require the installation or maintenance of any roads, fuel breaks, water sources, or utility extensions.

Future development would be consistent with the densities and intensities anticipated in the buildout of the City and County General Plans, as the uses are the same or similar and would not result in new or expanded facilities. Future projects requiring discretionary approval would undergo site-specific CEQA review as required. These reviews would ensure that future projects comply with and are consistent with, as applicable, Wildfire Hazard Reduction and Preparedness Plan, the State Board of Forestry and Fire Protection 2018 Strategic Fire Plan, goals and policies of the applicable planning documents and Development Code, as well as CALFIRE defensible space demands. This would include a project-by-project evaluation to ensure compliance with programs, regulations, and guidelines, including those requiring reduction of fuel loads and creation/maintenance of defensible space; use of fire-resistant building materials (a type of building material that resists ignition of sustained flaming combustion); and ensuring structures use ignition resistant materials and include eave and attic ventilation; etc. Additionally, the City would be required to ensure that all projects would conform to all applicable requirements and standards regarding fire evacuation routes. Therefore, the proposed project would not result in impacts to wildfire.

#### Cumulative Impacts

**Less Than Significant Impact.** The proposed project in conjunction with past, present, and reasonably foreseeable projects would not make a cumulative contribution to any impacts associated with wildfire. As discussed above, the proposed project would not result in any development, and does not include any development applications, and would not provide any entitlements to development. The proposed project would not result in direct or indirect impacts as it recognizes current planning efforts based on logical growth patterns. In addition, all future projects planned within the County would be subject to all plan review and approval as listed above including CEQA review of a project-by-project basis. This would help ensure there are no conflicts with emergency and evacuation planning efforts or any other primary or secondary effects of wildfire. Therefore, cumulative impacts would be less than significant.

#### 4.21 Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Does the project:</b>				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

*a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

**Less than Significant Impact.** As evaluated in this IS/ND the update of the City SOI does not include any development, any proposals for development, new construction, new entitlements, or infrastructure improvements, and would not change any existing land use designations. Thus, the proposed project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish

or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. In addition, all future projects would undergo environmental review at the time actual projects and/or improvements are proposed. Future improvements would be subject to a conformance review with General Plan policies, Zoning Ordinances, and compliance with all applicable regulations at the state level. All projects, as applicable, would undergo CEQA review which would analyze environmental impacts. This would occur on a project-by-project basis as part of the application permitting and development review process. Compliance with all applicable and aforementioned programs, regulations, and guidelines would reduce impacts to less than significant, and mitigation is not required.

*b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

**Less than Significant Impact.** As discussed above, the proposed project does not propose or permit any new development, nor would it change any existing land use designations or result in a change of zoning. In the case of the proposed project, the SOI includes lands that, if undeveloped or developed lands are annexed, they would be logically served by the City or other utility providers for services such as water and wastewater and public services such as fire protection.

Therefore, while future annexations of areas within SOI could result in impacts if future development occurs or from extension of connection of services, the development would occur in accordance with City planning regulations including the General Plan, development code, grading ordinance, etc., and would be subject to the appropriate level of project-specific environmental review. Thus, approval of the SOIs identified areas, that could be logically served by existing providers, is based on development plans that have been previously contemplated or are already built within the allowances of the respective general plans and zoning. Thus, cumulative impacts associated with past, present, and reasonably foreseeable future projects would not be cumulatively considerable.

*c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Less than Significant Impact.** Section 4.3, Air Quality and Section 4.13, Noise analyses potential impacts to human beings from the implementation of the proposed project. It was found that because the project does not propose any new development, permit or authorize development, nor would it change any existing land use designations or result in a change of zoning, there would be no adverse effects to human beings. Further, all future projects within the SOI and AOI areas would be subject to review in separate environmental documents and required to conform to State regulations, the applicable planning documents, Development Code, and land use development codes to mitigate for future project-specific impacts. Therefore, the proposed project would not either directly or indirectly cause substantial adverse effects on human beings.

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