

**NOTICE OF AVAILABILITY FOR PUBLIC REVIEW AND NOTICE OF INTENT TO ADOPT A  
PROPOSED MITIGATED NEGATIVE DECLARATION**

**Nevada County, California**

**TO:**

|   |   |
|---|---|
| Building Department – Nicholas McBurney         | Nevada County Principal Planner                     |
| Public Works Engineering – Kidd Immel           | Nevada County Consolidated Fire District            |
| Environmental Health – Nicole Johnson           | City of Grass Valley – Amy Wolfson                  |
| District III Supervisor – Lisa Swarthout        | Economic Development – Kimberly Parker              |
| Northern Sierra Air Quality Management District | COB – Jeff Thorsby                                  |
| CEO – Alison Lehman                             | Nevada County Transportation Commission             |
| District III Commissioner – Terry McAteer       | Nevada Irrigation District (NID)                    |
| Nevada County Airport Land Use Commission       | Assessor – Rolf Kleinhans                           |
| Air Resources Control Board                     | Fire Protection Planner – Dan Collins               |
| Bear Yuba Land Trust                            | Nevada City Rancheria Nisenan Tribe                 |
| Sierra Nevada Group/Sierra Club                 | CA Department of Parks and Recreation               |
| County Counsel – Sims Ely/Doug Johnson          | North Central Information Center                    |
| Nevada County LAFCO                             | FREED   |
| Federation of Neighborhood Associations         | Nevada County Sheriff – Sam Brown                   |
| CNPS - Redbud Chapter                           | PG&E  |
| Nevada County Airport Manager                   | CA Department of Fish & Wildlife                    |
| Native American Heritage Commission             | United Auburn Indian Community                      |
| T’si Akim Maidu Tribal Council                  | Shingle Springs Band of Miwok Indians               |
| US Fish & Wildlife Service                      | Wawona Madrono Homeowners Association               |
| Caltrans Aeronautics                            | Central Valley Regional Water Quality Control Board |

**Date:** July 28, 2025

**File Number(s):** PLN24-0118; DVP24-3; MGT25-0006; EIS24-0009

**Applicant:** Eric Koch  
13084 John Bauer Avenue  
Grass Valley, CA 95945

**Project Location:** The project is located at 13837 & 13881 Park Court, Grass Valley, CA 95945, approximately 0.2 miles southwest of the intersection of Loma Rica Drive and Charles Drive in unincorporated western Nevada County. **APN(s):** 006-920-015 & 006-920-016.

**Project Description:** The project is an application for a Development Permit and Steep Slopes Management Plan application proposing the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016; both parcels are owned by the project applicant. The proposed warehouse building is accessed directly off of Park Court, a paved private road with a 60-foot easement, and will be constructed with pre-engineered charcoal colored metal panels with a PDVF finishing and includes pre-engineered galvalume colored metal panels with a PVDF finishing for the roof. The proposed metal warehouse building will be for 20% light industrial manufacturing usage for the fabrication of metal cabinets, furniture, and decorative steel development and manufacturing activities and 80% warehousing usage for the storage of the completed manufactured items.

The warehouse building proposes twenty-eight (28) windows with aluminum frames that will be painted dark bronze with five (5) pre-engineered steel overhead doors that will be painted charcoal with a PDVF finishing. The trim, three (3) entrance doors, gutters, and downspouts will all be painted charcoal with a PDVF finishing. There will be eight (8) total asphalt parking stalls including seven (7) standard stalls and one (1) van ADA accessible stall with a concrete pathway that serves the entrance to the new warehouse building. The asphalt will extend around the entire warehouse building to provide a driving area for trucks and other vehicles. The proposed project includes one (1) bicycle rack that can accommodate two (2) total bicycles adjacent to the concrete pathway at the building entrance. There will be one (1) six (6) foot high wood screened trash enclosure to serve both parcels associated with the proposed project, and there will be a six (6) foot high solid fencing along the entire southern property line to provide visual screening of the proposed project area.

The preliminary landscaping plan includes the utilization of existing oak trees to retain the natural vegetation as well as three (3) total proposed shade trees within the parking area consisting of both Trident Maple and Honeycrisp Apple trees. The proposed landscaping also includes thirty-five (35) total medium sized shrubs consisting of a mix between Sentinell Vine Hill Manzanita, Bush Anemone, and Eve Case Coffeberry shrubs and twenty-four (24) total large shrubs consisting of a mix between Claremont Flowering Currant and Black Beauty Elderberry shrubs along the proposed fencing along the southern property line. Additionally, nine (9) total screening shrubs consisting of a mix between Dr. Hurd Common Manzanita and Western Redbud Multi-trunk shrubs north of the previously mentioned shrubs and fencing for additional screening on the higher sloped area.

Additionally, the commercial outdoor storage area will consist solely of a gravel area for the storage of commercial vehicles, which is screened by existing vegetation and steep slopes. The proposed Steep Slopes Management Plan is for the grading activities required for the proposed new 12,000 square foot metal warehouse building within slopes that currently exceed 30% slope.

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**PUBLIC REVIEW:** As a lead agency, in accordance with CEQA, Nevada County is distributing the Draft Initial Study/Mitigated Negative Declaration IS/MND to interested public and regulatory authorities for review and comment for a period of 31-days. Nevada County is inviting comments and concerns regarding the IS/MND during the public review period spanning **August 8, 2025 to September 8, 2025 at 5:00 p.m.** Final action on the proposed MND will be taken by the Nevada County Planning Commission after the completion of the public review period at a duly noticed public hearing.

**DOCUMENT AVAILABILITY:** The Draft Initial Study/Mitigated Negative Declaration is available for review on Nevada County's website at <https://www.nevadacountyca.gov/994/Environmental-Documents>. Hardcopies may be reviewed at the Nevada County Planning Department, 950 Maidu Avenue, Suite 170, Nevada City, CA 95959.

Koch Industrial Warehouse & Contractor's Equipment Storage Yard Project  
PLN24-0118; DVP24-3; MGT25-0006; EIS24-0009

Written comments should be sent to the following address: Zachary Ruybal, Associate Planner, Nevada County Planning Department, 950 Maidu Avenue Suite 170, Nevada City, CA 95959 - Email: [zachary.ruybal@nevadacountyca.gov](mailto:zachary.ruybal@nevadacountyca.gov); on or before **September 8, 2025 at 5:00 p.m.**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970," as amended to date, a Draft Mitigated Negative Declaration has been prepared because no substantial evidence exists, as indicated in the attached Initial Study, that the proposed project may have a significant environmental effect that is not mitigated to a level of less than significance.

Prepared by:

  
\_\_\_\_\_  
Zachary Ruybal, Associate Planner

August 8, 2025  
\_\_\_\_\_  
Date

# Initial Study

## Koch Industrial Warehouse & Commercial Storage Yard Project

Nevada County, California

**To:**

|  |   |
|--|---|
| Building Department – Nicholas McBurney                                | Nevada County Principal Planner                     |
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| Caltrans Aeronautics   | Wawona Madrono Homeowners Association               |
|  | Central Valley Regional Water Quality Control Board |

**Date:** August 28, 2025

**Prepared by:** Zachary Ruybal, Associate Planner  
Nevada County Planning Department  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959  
(530) 470-2488  
[zachary.ruybal@nevadacountyca.gov](mailto:zachary.ruybal@nevadacountyca.gov)

**File Number:** PLN24-0118; DVP24-3; MGT25-0006; EIS24-0009

**Assessor Parcel Number:** 006-920-015 & 006-920-016

**Zoning District:** M1-SP (Light Industrial with a Site Performance Combining District)

**General Plan Designation:** IND (Industrial)

**Project Location:** 13837 & 13881 Park Court, Grass Valley, CA 95945, approximately 0.2 miles southwest of the intersection of Loma Rica Drive and Charles Drive in unincorporated Western Nevada County.

## **Project Site & Surrounding Land Uses:**

The project parcels, 13837 & 13881 Park Court (APNs: 006-920-015 & 006-920-016), are approximately 4.1 acres and 3.5 acres in size, and are located in an unincorporated area of Grass Valley, CA, approximately 0.2 miles southwest of the intersection of Loma Rica Drive and Charles Drive. The project parcel is accessed via Park Court from Charles Drive, approximately 0.3 miles south of the Nevada County Airport. The project parcels are zoned M1-SP (Light Industrial with a Site Performance Combining District) and have an IND (Industrial) General Plan designation. Both parcels are undeveloped and do not have any permanent structures at this time. Currently there is a septic permit under review for a new septic system to serve APN: 006-920-015 and a “Will Serve” letter from the Nevada Irrigation District (NID) has been received for treated water service, and the project site will be served by PG&E for electricity. The subject parcels are surrounded by industrial development to the west, north, and east, and with residential development downslope to the south of the subject parcels and overall project area. The project parcels are bordered by five (5) parcels zoned Light Industrial with a Site Performance Combining District (M1-SP) to the north, east, and west, and five (5) parcels zoned Residential Agricultural with a minimum parcel size of 3.00 acres (RA-3) to the south. All five (5) of the parcels directly surrounding the project parcels to the north, east, and west have been developed with commercial and industrial uses, while the five (5) parcels to the south have all been developed with residential, rural, and accessory structures.

The project parcel farmland is designated as both “Urban and Built-Up Land” and “Other Land” and is located in an area best characterized as a Mixed Conifer Forest with a Ponderosa Pine and Incense Cedar Alliance. Ponderosa pine and incense cedar trees dominate the tree community throughout the subject parcels. The open areas of the subject parcels, including a majority of the proposed project disturbance areas, are dominated by gravel and equipment given both parcels are used for commercial storage by the project applicant. The general topography of the subject parcel is characterized as relatively flat within the central section of the parcel with drainage from north to south and from west to east. From the central section of both parcels, the drainage is to the east given the moderate to steep slopes to the east of the existing graded areas within the overall project area. However, along the western section of the project area along Charles Drive and Park Court, the drainage is east to west given the graded areas within both subject parcels are located slightly upslope and therefore, drainage from those western areas would be to the west. The average elevation within the subject parcels and overall project area is approximately 3,050 feet above mean sea level (MSL) with the highest elevation within the northeastern section of the overall project area (northern subject parcel) being approximately 3,070 feet above MSL and with the lowest elevation within the eastern section of the overall project area downslope from the existing graded areas within both subject parcel (approximately 2,995 feet above MSL). Figure 1 on page 3 below shows the subject project parcel, surrounding properties, and the zoning of the area.

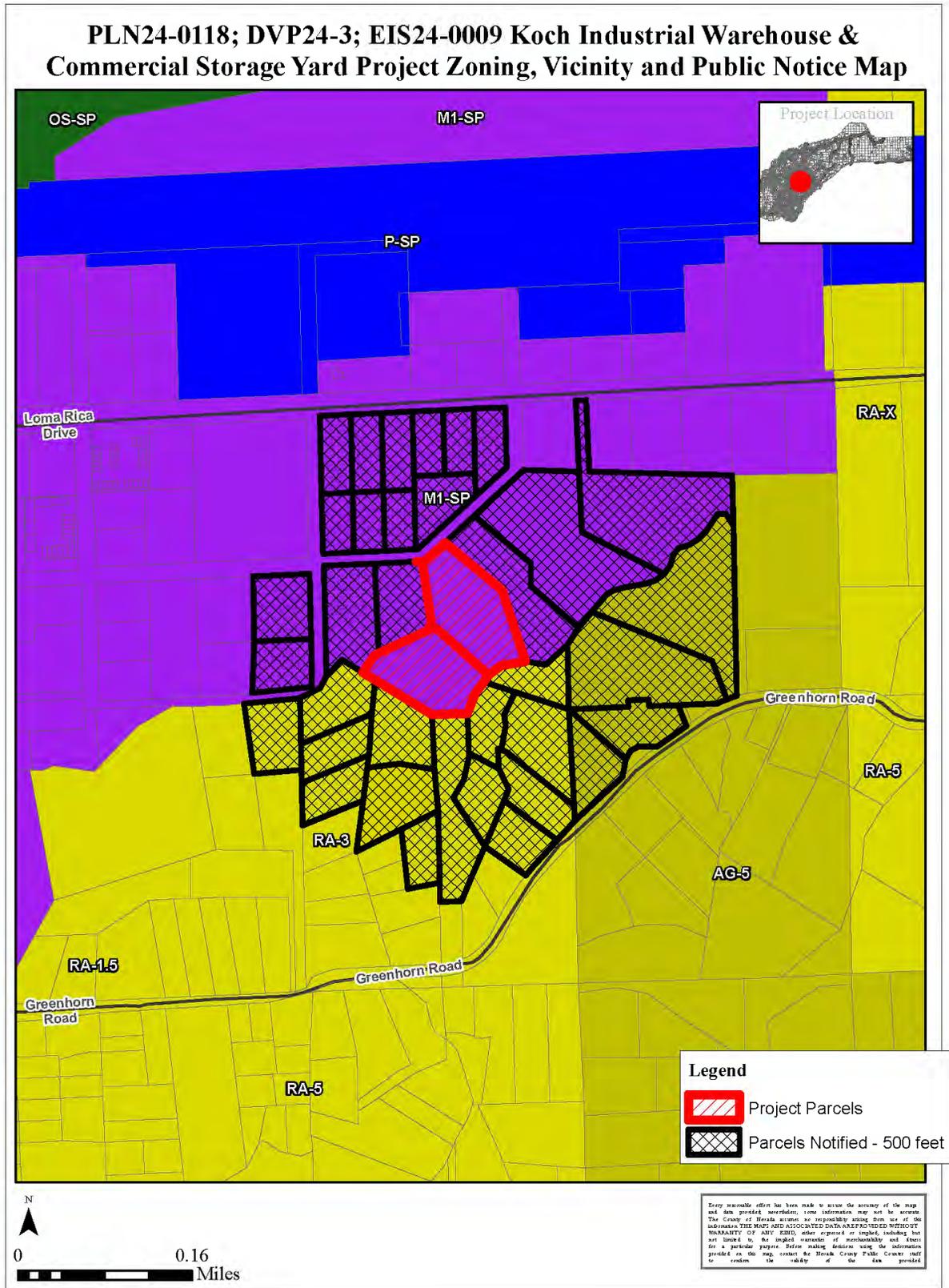


Figure 1 – Zoning, Noticed Parcels, and Vicinity Map

## Project Description:

A Development Permit and Steep Slopes Management Plan application proposing the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016; both parcels are owned by the project applicant. The proposed warehouse building is accessed directly off of Park Court, a paved private road with a 60-foot easement, and will be constructed with pre-engineered charcoal colored metal panels with a PDVF finishing and includes pre-engineered galvalume colored metal panels with a PVDF finishing for the roof. The proposed metal warehouse building will be for 20% light industrial manufacturing usage for the fabrication of metal cabinets, furniture, and decorative steel development and manufacturing activities and 80% warehousing usage for the storage of the completed manufactured items.

The warehouse building proposes twenty-eight (28) windows with aluminum frames that will be painted dark bronze with five (5) pre-engineered steel overhead doors that will be painted charcoal with a PDVF finishing. The trim, three (3) entrance doors, gutters, and downspouts will all be painted charcoal with a PDVF finishing. Figure 4 shown on page 7 provides the proposed color renderings and materials for the proposed industrial structure. There will be eight (8) total asphalt parking stalls including seven (7) standard stalls and one (1) van ADA accessible stall with a concrete pathway that serves the entrance to the new warehouse building. The asphalt will extend around the entire warehouse building to provide a driving area for trucks and other vehicles. The proposed project includes one (1) bicycle rack that can accommodate two (2) total bicycles adjacent to the concrete pathway at the building entrance. There will be one (1) six (6) foot high wood screened trash enclosure to serve both parcels associated with the proposed project, and there will be a six (6) foot high solid fencing along the entire southern property line to provide visual screening of the proposed project area.

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Additionally, the commercial outdoor storage area will consist solely of a gravel area for the storage of commercial vehicles, which is screened by existing vegetation and steep slopes. The proposed Steep Slopes Management Plan is for the grading activities required for the proposed new 12,000 square foot metal warehouse building within slopes that currently exceed 30% slope.

Figure 2 on page 5 below shows a close up of the proposed Site Plan and Figure 3 on page 6 shows aerial imagery of the project parcels.

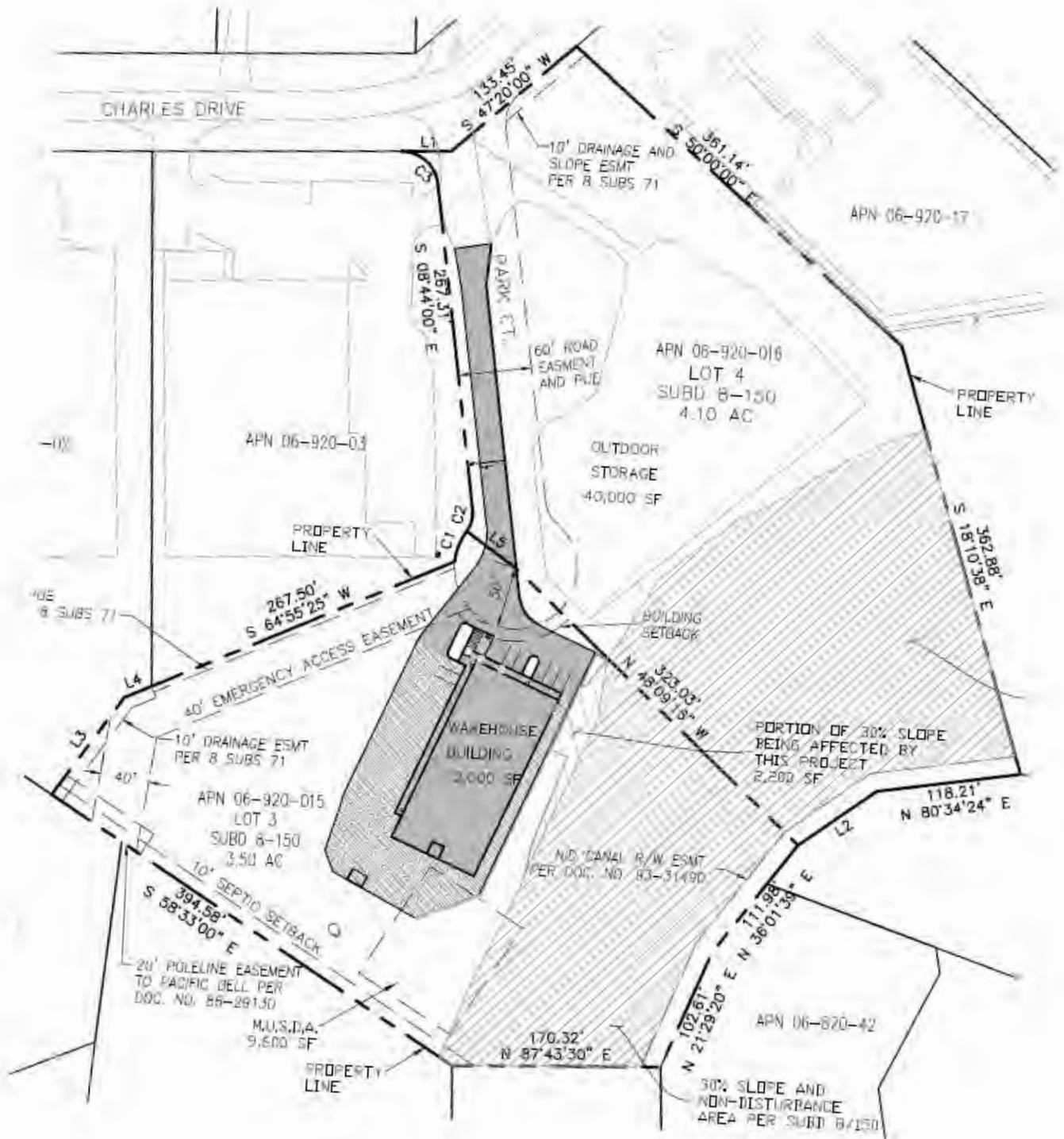


Figure 2 – Proposed Project Site Plan (Close Up)



**Figure 3 – Project Site Aerial Imagery**



Figure 4 – Color Renderings

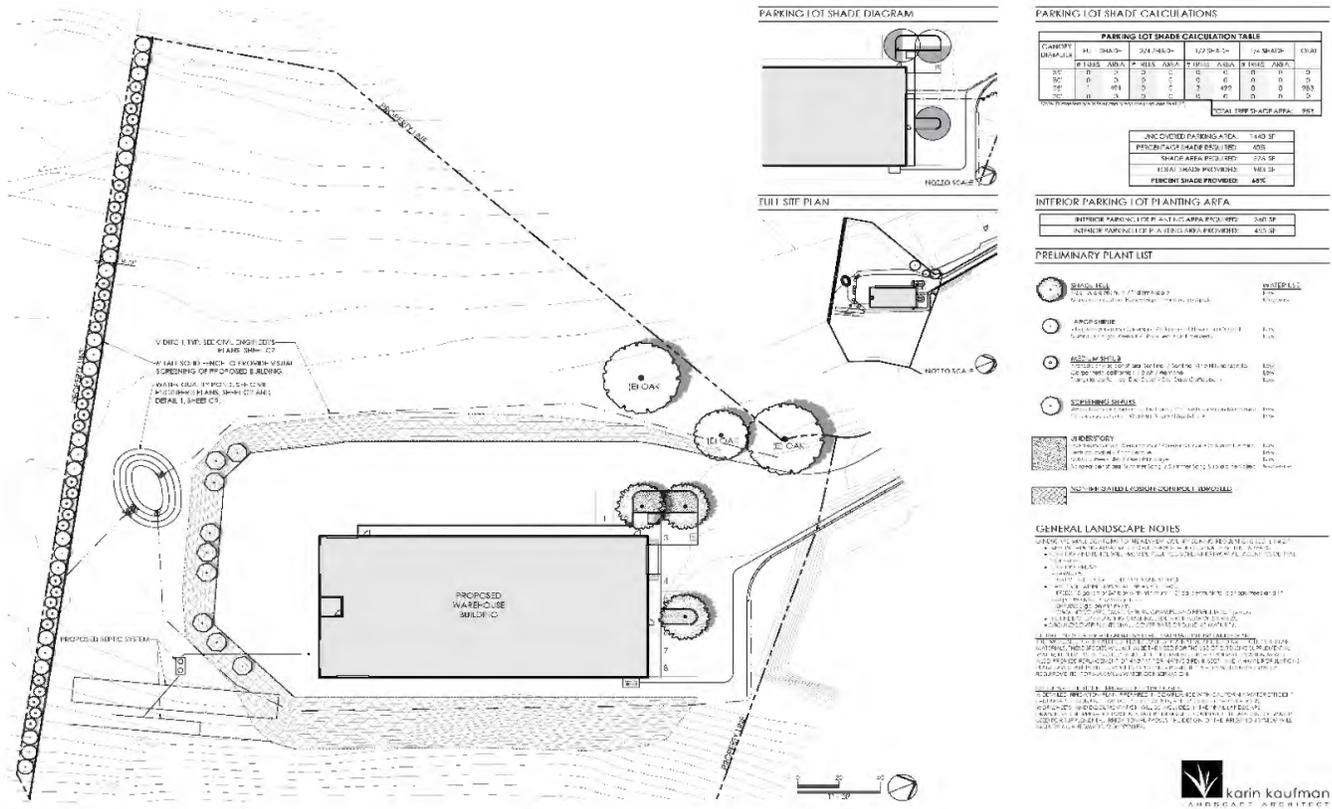


Figure 5 – Landscape Plan



**Other Permits that May be Necessary:**

1. Building and Grading Permits– Nevada County Building Department
2. Encroachment Permits – Nevada County Public Works Department
3. Septic System Permits – Nevada County Environmental Health Department
4. Stormwater Pollution Prevention Plan (SWPPP) – California State Water Resources Control Board
5. National Pollutant Discharge Elimination System (NPDES) – California State Water Resources Control Board

**Relationship to Other Projects:**

None.

**Consultation with Native American Tribes:**

Pursuant to Assembly Bill 52, tribal consultation began July 26, 2024. Native American tribes traditionally and culturally affiliated with the project area were notified of the project and invited to consultation. No consultation was requested.

# Summary of Impacts and Proposed Mitigation Measures

## Environmental Factors Potentially Affected:

All of the following environmental factors have been considered. Those environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less Than Significant with Mitigation" as indicated by the checklist on the following pages.

|   |                                   |   |  |   |  |
|---|-----------------------------------|---|--|---|--|
|   | 1. Aesthetics                     |   | 2. Agricultural and Forestry Resources | ✓ | 3. Air Quality                         |
| ✓ | 4. Biological Resources           | ✓ | 5. Cultural Resources                  |   | 6. Energy                              |
| ✓ | 7. Geology and Soils              |   | 8. Green House Gas Emissions           | ✓ | 9. Hazards and Hazardous Materials     |
|   | 10. Hydrology and Water Quality   |   | 11. Land Use and Planning              |   | 12. Mineral Resources                  |
| ✓ | 13. Noise                         |   | 14. Population and Housing             |   | 15. Public Services                    |
|   | 16. Recreation                    |   | 17. Transportation                     | ✓ | 18. Tribal Cultural Resources          |
| ✓ | 19. Utilities and Service Systems |   | 20. Wildfire                           | ✓ | 21. Mandatory Findings of Significance |

## Recommended Mitigation Measures:

The following measures shall be implemented, and where appropriate, included as a note on construction plans as outlined in each.

### **3. AIR QUALITY:**

**Mitigation Measure 3A: Reduce Emissions During Construction.** The following are the minimum mitigation measures designed to help reduce project emissions related to construction. These measures shall be included as a note on all plans prior to issuance of all grading, improvement, and building permits:

1. The mobile off-road construction equipment in use at any time on the project shall be equipped with Tier 4 engines.
2. Construction equipment idling time shall be limited to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). All construction equipment shall also be maintained and properly tuned in accordance with manufacturer's specifications. Clear signage shall be provided for construction workers at all access points.
3. In addition to these measures, all statewide air pollution control regulations shall be followed, including Airborne Toxic Control Measures (which may be accessed at <https://ww2.arb.ca.gov/resources/documents/airborne-toxic-control-measures>).

**Timing:** Prior to map recordation and prior to issuance of Grading/Improvement/Building permits

**Reporting:** Agency approval of the Parcel Map for recordation and future permit issuance

**Responsible Agency:** Planning Department / NSAQMD

**Mitigation Measure 3B: Use Alternative Methods to Open Burning for Vegetation Disposal.** The following note shall be included on all grading and improvement plans: "Open burning of site-cleared vegetation is prohibited. Among suitable alternatives are chipping, grinding, hauling to an approved disposal site, cutting for firewood, and conversion to biomass fuel."

**Timing:** Prior to map recordation and prior to issuance of Grading/Improvement/Building permits

**Reporting:** Agency approval of the Parcel Map for recordation and future permit issuance

**Responsible Agency:** Planning Department / NSAQMD

**Mitigation Measure 3C: Prepare a Dust Control Plan.** Prior to issuance of grading and improvement permits, submit a Dust Control Plan to Northern Sierra Air Quality Management District, if more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed, and gain their approval. The disturbance of natural surface area includes any clearing or grading. Include the approved Dust Control Plan on the project plans using clear phrasing and enforceable conditions, under its own heading. Provide evidence of NSAQMD approval to Nevada County with permit application submittal. The plan shall include but not be limited to the following measures, which shall also be included on all construction plans:

1. The construction contractor shall implement all dust control measures in a timely manner during all phases of project construction.
2. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.
3. All land clearing, grading, earth moving, and excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour.

4. All inactive disturbed portions of the disposal site shall be covered, seeded, or watered until a suitable cover is established per the requirements of the grading plan.
5. All material transported off-site shall be either sufficiently watered, or securely covered, or a freeboard of two feet shall be maintained in the bed of the transport vehicle to prevent fugitive dust emissions.
6. The construction contractor shall water the disposal site during initial site preparation and grading.
7. The construction contractor shall water unpaved construction roads for regular stabilization of dust emissions.
8. The construction contractor shall limit vehicle speeds on unpaved roads to a speed of 15 mph.
9. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as needed to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.

**Timing:** *Prior to map recordation and prior to issuance of Grading/Improvement/Building permits*

**Reporting:** *Agency approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department / NSAQMD*

**Mitigation Measure 3D: Mitigate any Asbestos Discovered During Construction.** If serpentine, ultramafic rock or naturally occurring asbestos are discovered during construction or grading, the District shall be notified within 24 hours, and specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations must be strictly complied with.

**Timing:** *Prior to map recordation and prior to issuance of Grading/Improvement/Building permits*

**Reporting:** *Agency approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department / NSAQMD*

#### **4. BIOLOGICAL RESOURCES:**

**Mitigation Measure 4A: Avoid Impacts to Nesting Birds.**

The following note shall be added to all improvement/grading/construction plans:

Impacts to nesting raptors, including special-status avian or bat species, and migratory birds can be avoided by removing vegetation before the start of the nesting season, or delaying removal until after the end of the nesting season.

1. If construction is to take place during the nesting season (February 1 - August 31), including any ground disturbance, preconstruction surveys for nesting raptors, migratory birds and special-status bats shall be conducted within 7 days prior to the beginning of construction activities by a California Department of Fish and Wildlife (CDFW) approved biologist and in accordance with California and Federal requirements.

2. Tree removal and construction shall not take place during the breeding season (February 1 –August 31), unless supported by a report from the qualified biologist verifying that birds, including raptors, are not nesting in the trees proposed for removal or disturbance.
3. If active nests are found, temporary nest disturbance buffers shall be established; a quarter-mile buffer for nesting raptors and, a 200-foot buffer if active migratory bird nests are found.
4. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an onsite biologist/monitor experienced with raptor behavior, shall be retained by the project proponent to monitor the nests, and shall, along with the project proponent, consult with the CFWD to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated biologist/monitor shall be onsite daily while construction related activities are taking place and shall have the authority to stop work if raptors are exhibiting agitated behavior. In consultation with the CDFW and depending on the behavior of the raptors, over time the biologist/monitor may determine that monitoring is no longer necessary, due to the raptors' acclimation to the activities.
5. Any trees containing nests that must be removed as a result of development shall be removed during the non-breeding season. However, the project proponent shall be responsible for off-setting the loss of any nesting trees. The project proponent and biologist/monitor shall consult with CDFW and the extent of any necessary compensatory mitigation shall be determined by CDFW. Previous recommended mitigation for the loss of nesting trees has been at a ratio of three trees for each nest tree removed during the non-nesting season.

**Timing:** *Prior to building permit issuance and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 4B: Establish Environmentally Sensitive Areas (ESA's).** Sensitive biological resources, as shown on the Site Plan, shall be mapped, and identified as ESAs on all future improvement/grading/construction plans to ensure their protection from future disturbance. These resources include two drainage channels, protected landmark oak groves, the landmark oak tree, and slopes in excess of 30%. The setback from the two drainage channels shall be delineated as 50-feet from the highwater mark. The following note shall be included: "No disturbance is allowed within areas delineated as Environmentally Sensitive Areas, unless a Management Plan is approved."

**Timing:** *Prior to map recordation and prior to issuance of Grading/Improvement/Building permits*

**Reporting:** *Approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department*

## 5. CULTURAL RESOURCES:

**Mitigation Measure 5A. Halt work and contact the appropriate agencies if human remains or cultural materials are discovered during project construction.** All equipment operators and employees involved in any form of ground disturbance at any phase of project improvements shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately and the Nevada County Planning Department, United Auburn Indian Community of the Auburn Rancheria, and any other interested and affected tribe shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources are involved, Native American organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. A note to this effect shall be included on the grading and construction plans for each phase of this project.

**Timing:** *Prior to the issuance of Building/Grading/Improvement permits and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

## 7. GEOLOGY AND SOILS:

**7A: Limit the Amount of Earthwork to be Completed During the Wet Season.** As much as possible the earthwork portion of this project is to be completed during extended periods of dry weather. If earthwork is completed during the wet season (October 15th to April 15th) it will be necessary to take extra precautionary measures to protect subgrade soils. Wet season earthwork shall require additional mitigation measures, including diversion of surface runoff around exposed soils and draining of ponded water on the site. Once subgrades are established, exposed soils shall be protected from construction traffic.

**Timing:** *Prior to issuance of Grading/Improvement/Building permits*

**Reporting:** *Approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department*

**Mitigation Measure 7B: Implement all Erosion Control Measures.** To protect water quality and aquatic life in neighboring waterways and to ensure the integrity of the topographic changes, the following measures shall be implemented prior to, during, and after construction:

1. During construction, Best Management Practices ( BMP's ) for temporary erosion control shall be implemented to control any pollutants that could potentially affect the quality of storm water discharges from the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in accordance with California State Water Resources Control Board (SWRCB) requirements. This SWPPP includes the implementation of BMP's for Erosion Control, Sediment Control, Tracking Control, Wind Erosion Control, Waste Management and Materials Pollution Control.
2. Topsoil shall be removed and stockpiled for later reuse prior to excavation activities. Topsoil shall be identified by the soil-revegetation specialist who will identify both extent and depth of the topsoil to be removed.
3. Upon completion of grading, stockpiled topsoil shall be combined with wood chips, compost and other soil amendments for placement on all graded areas. Revegetation shall consist of native seed mixes only. The primary objectives of the soil amendments and revegetation is to create site conditions that keep sediment on site, produce a stable soil surface, resist erosion and are aesthetically similar to the surrounding native forest ecosystem.
4. Geo-fabrics, jutes or other mats may be used in conjunction with revegetation and soil stabilization.

These erosion and sediment control notes will be shown on the roadway improvement plans and grading plans. Erosion control Best Management Practice's (BMPs) will also be shown on the plans with the final design for County review and approval.

**Timing:** *Prior to, during, and after the issuance of Grading/Improvement/Building permits.*

**Reporting:** *Approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department and Building Department*

**Mitigation Measure 7C: Limit Heavy Equipment from Accessing Steep Slope Areas.** Limit or avoid heavy equipment from accessing steep slope portions of the property and disturbed areas. Do not drive vehicles or heavy equipment on steep slopes. Keep all personal vehicles on the access road, pad area, or offsite and walk onto the property. Maintain heavy equipment on the access road or pad area and use excavator arms to access and remove material from steep slopes. If areas of steep slopes must be accessed by equipment, mini-excavators or hand removal shall be used.

**Timing:** *Throughout construction activities for all Grading/Improvement/Building permits*

**Reporting:** *Approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department and Building Department*

**Mitigation:** See Mitigation Measures 5A, and 18A.

## 9. HAZARDS AND HAZARDOUS MATERIALS:

**Mitigation:** See Mitigation Measures 7A-7C.

### 13. NOISE:

**Mitigation Measure 13A. Limit construction work hours to 7:00 AM to 7:00 PM:** During grading and construction, work hours shall be limited from 7:00 AM to 7:00 PM, Monday – Saturday; no work is permitted on Sundays. Prior to issuance of grading and building permits, improvement plans shall reflect hours of construction. This shall be included as a Note on the Tentative Parcel Map and all future improvements plans.

**Timing:** *Prior to map recordation and prior to issuance of Grading/Improvement/Building permits*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

### 18. TRIBAL CULTURAL RESOURCES:

**Mitigation Measure 18A: Unanticipated Tribal Cultural Resources.** The following mitigation measures shall be required and shall be included as notes on all future site plans: If any suspected Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

**Timing:** Prior to issuance of Grading/Improvement/Building permits and throughout construction

**Reporting:** Planning Department Approval of Grading and Construction Permits

**Responsible Agency:** Planning Department & United Auburn Indian Community (UAIC)

**Mitigation:** See Mitigation Measures 5A

**19. UTILITIES AND SERVICE SYSTEMS:**

**Mitigation Measure 19A: Appropriately Dispose of Vegetative and Toxic Waste:** Industrial toxic waste (petroleum and other chemical products) is not accepted at the McCourtney Road transfer station and if encountered, shall be properly disposed of in compliance with existing regulations and facilities. This mitigation measure shall be included as a note on all improvement plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

**Timing:** Prior to issuance of Grading/Improvement/Building permits and during construction

**Reporting:** Agency approval of permits or plans

**Responsible Agency:** Nevada County Planning Department

**21. MANDATORY FINDINGS OF SIGNIFIGANCE**

See all Mitigation Measures listed above.

**Mitigation and Monitoring Matrix:**

| MEASURE # | MONITORING AUTHORITY         | IMPLEMENTATION TIMING   |
|-----------|------------------------------|---|
| 3A        | Planning Department / NSAQMD | Prior to map recordation & issuance of grading/improvement/building permits |
| 3B        | Planning Department / NSAQMD | Prior to map recordation & issuance of grading/improvement/building permits |
| 3C        | Planning Department / NSAQMD | Prior to map recordation & issuance of grading/improvement/building permits |
| 3D        | Planning Department / NSAQMD | Prior to map recordation & issuance of grading/improvement/building permits |
| 4A        | Planning Department          | Prior to map recordation & issuance of grading/improvement/building permits |
| 4B        | Planning Department          | Prior to map recordation & issuance of grading/improvement/building permits |
| 5A        | Planning Department          | Prior to map recordation & issuance of grading/improvement/building permits |

|     |   |   |
|-----|---|---|
| 7A  | Planning Department / Building Department | Prior to issuance of Grading/Improvement/Building permits                         |
| 7B  | Planning Department / Building Department | Prior to, during, and after the issuance of grading/improvement/building permits. |
| 7C  | Planning Department / Building Department | Prior to, during, and after the issuance of grading/improvement/building permits. |
| 13A | Planning Department                       | Prior to map recordation & issuance of grading/improvement/building permits       |
| 18A | Planning Department                       | Prior to map recordation & issuance of grading/improvement/building permits       |
| 19A | Planning Department                       | Prior to map recordation & issuance of grading/improvement/building permits       |

## **Initial Study and Checklist**

## Introduction:

This checklist is to be completed for all projects that are not exempt from environmental review under the California Environmental Quality Act (CEQA). CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except “No Impact” responses that are adequately supported by noted information sources. Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. This Initial Study uses the following terms to describe the level of significance of adverse impacts. These terms are defined as follows.

- **No Impact:** An impact that would result in no adverse changes to the environment.
- **Less than Significant Impact:** An impact that is potentially adverse but does not exceed the thresholds of significance as identified in the impact discussions. Less than significant impacts do not require mitigation.
- **Less than Significant with Mitigation:** An environmental effect that may cause a substantial adverse change in the environment without mitigation, but which is reduced to a level that is less than significant with mitigation identified in the Initial Study.
- **Potentially Significant Impact:** An environmental effect that may cause a substantial adverse change in the environment; either additional information is needed regarding the extent of the impact to make the significance determination, or the impact would or could cause a substantial adverse change in the environment. A finding of a potentially significant impact would result in the determination to prepare an EIR.

### 1. Aesthetics:

**Existing Setting:** The project parcels are both currently undeveloped. The average elevation within the subject parcels and overall project area is approximately 3,050 feet above mean sea level (MSL) with the highest elevation within the northeastern section of the overall project area (northern subject parcel) being approximately 3,070 feet above MSL and with the lowest elevation within the eastern section of the overall project area downslope from the existing graded areas within both subject parcel (approximately 2,995 feet above MSL). The project parcels are both zoned Light Industrial with a Site Performance Combining District (M1-SP) and the character of the surrounding area is best represented as both industrial and rural residential, as all of the surrounding parcels are developed with industrial uses and rural residential uses. The southwestern property line of APN: 006-920-015 has an existing 5 foot tall wire deer fence running along it separating the project parcel with the closest residentially zoned parcel. The project area is located in an area best characterized as a Mixed Conifer Forest with a Ponderosa Pine and Incense Cedar Alliance. Ponderosa pine and incense cedar trees dominate the tree community throughout the subject parcels.

The open areas of the subject parcels, including a majority of the proposed project disturbance areas, are dominated by gravel and equipment given both parcels are used for commercial storage by the project applicant. The general topography of the subject parcel is characterized as relatively flat within the central section of the parcel with drainage from north to south and from west to

east. From the central section of both parcels, the drainage is to the east given the moderate to steep slopes to the east of the existing graded areas within the overall project area. However, along the western section of the project area along Charles Drive and Park Court, the drainage is east to west given the graded areas within both subject parcels are located slightly upslope and therefore, drainage from those western areas would be to the west.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Have a substantial adverse effect on a scenic vista?  |                                |                                       | ✓                            |           | A, L                          |
| b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  |                                |                                       |                              | ✓         | A, L, 27                      |
| 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 points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? |                                |                                       | ✓                            |           | A                             |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  |                                |                                       | ✓                            |           | A, 18                         |

**Impact Discussion:**

1a,c,d A scenic vista is typically considered to be a view that possesses visual and aesthetic qualities of high value to the public. Scenic vistas can provide views of natural features or significant structures and buildings. The proposed project is not anticipated to result in an adverse effect on a scenic vista, degrade the visual character of the site or its surroundings, or to create a new source of substantial light or glare. The proposed project is for the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016, for which both parcels are owned by the project applicant. Due to the project site being located within an industrial area where the surrounding parcels have already been developed with other industrial uses, the visual character of the parcels nor their surroundings would experience an adverse effect and would keep consistent with the surrounding uses and character of the general area. Additionally, public views would not be adversely impacted due to the fact that this area is a designated industrial area that is meant for the type of development proposed, and as a part of the proposed project, the applicant will provide landscaping that will provide additional screening and buffering between the parcels zoned RA-3 and the project parcels along the existing 5 foot tall wire deer fencing. Therefore, in order to ensure that adequate screening is being provided between the project parcels and the closest

residentially zoned parcel, a Condition of Approval will be implemented that requires a minimum five (5')-foot wide landscaped area shall be provided adjacent to the existing fence. Additionally, the proposed project is not anticipated to result in a significant new source of light or glare, as any and all lighting would be required to be fully shielded and downward facing the eliminate light pollution to the greatest possible. Due to the reasons discussed above, the project would result in **less than significant** impacts to public views, scenic vistas, and the general character of the area.

- 1b The proposed project is not anticipated to result in significant damage to scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. There are currently two officially designated State Scenic Highways in Nevada County, Highway 89 north of Truckee and the six miles of Highway 20 between the Skillman Flat Campground to just east of Lowell Hill Road. This is northeasterly of Nevada City, not in the vicinity of the project parcel. State Highway 49 and State Highway 174 are considered eligible state scenic highways by the California Department of Transportation (2011). State Highway 49 is approximately 2.0 direct miles (as the crow flies) from the project area and State Highway 174 is approximately 1.3 direct miles (as the crow flies) from the project area; there is no visibility of the property from the highway due to existing topographic features blocking the view. Therefore, the proposed project would have **no impact** on scenic resources within a state scenic highway.

**Mitigation Measures:** None required.

## 2. Agricultural and Forestry Resources:

**Existing Setting:** The project parcels are mapped entirely within an important farmland designation of both “Urban and Built-Up Land” and “Other Land” and do not contain any Farmland of Statewide or Local Importance. Both the General Plan and Zoning designations for the project parcel are Industrial and Light Industrial with a Site Performance Combining District, and both parcels are currently undeveloped. Additionally, the project parcels are located within the Loma Rica Industrial Area Plan, which provides further clarification that these parcels are meant for Industrial activities.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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? |                                |                                       |                              | ✓         | A, L, 7                       |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?   |                                |                                       |                              | ✓         | A, 18, 34                     |

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource 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))? |                                |                                       |                              | ✓         | A, L, 18                      |
| d. Result in the loss of forest land or conversion of forest land to non-forest use?  |                                |                                       |                              | ✓         | L, 18                         |
| 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?  |                                |                                       |                              | ✓         | A, L, 7                       |

**Impact Discussion:**

2a,b The project parcels are mapped entirely within an important farmland designation of both “Urban and Built-Up Land” and “Other Land” and do not contain any Farmland of Statewide or Local Importance, and will not result in a conversion of Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project will not propose a change in zoning that will conflict with or convert existing zoning for agricultural use, as the proposed project is solely for the construction and operation of an industrial warehouse and contractor’s equipment storage yard in an area already zoned for industrial uses and does not include any project action would change the existing zoning designation of either parcel. The California Land Conservation Act of 1965 (Williamson Act) enables counties and cities to designate agricultural preserves and offer preferential taxation based on a property’s agricultural use value rather than on its market value. Neither the subject parcel nor adjacent properties are under a Williamson Act contract, and due to the project parcels both having a General Plan designation of Industrial and Zoning designations of Light Industrial with a Site Performance Combining District, the project parcels would not qualify for a William Act contract. With no Williamson Act contracts on or near the property and the project parcels inability to qualify for Williamson Act contract(s), the proposed project is anticipated to have a **no impact** on a Williamson Act contract(s).

2c,d,e The proposed project does not result in the loss or conversion of forest land to non-forest use. The property is not zoned Forest or Timber Production Zone, so potential impacts to forest uses are anticipated to have **no impact**.

**Mitigation Measures:** None required.

### 3. Air Quality:

**Existing Setting:** Nevada County is located in the Mountain Counties Air Basin (MCAB). The MCAB includes the central and northern Sierra Nevada Mountain range with elevations ranging from

several hundred feet in the foothills to over 6,000 feet above mean sea level along the Sierra Crest. The MCAB generally experiences warm, dry summers and wet winters. Ambient air quality in the air basin is generally determined by climatological conditions, the topography of the air basin, and the type and amount of pollutants emitted.

The Northern Sierra Air Quality Management District has responsibility for controlling air pollution emissions including “criteria air pollutants” and “toxic air pollutants” from direct sources (such as factories) and indirect sources (such as land-use projects) to improve air quality within Nevada County. To do so, the District adopts rules, regulations, policies, and programs to manage the air pollutant emissions from various sources, and also must enforce certain statewide and federal rules, regulations and laws.

The Federal Clean Air Act of 1971 established national ambient air quality standards (NAAQS). These standards are divided into primary and secondary standards. Primary standards are designed to protect public health and secondary standards are designed to protect plants, forests, crops, and materials. Because of the health-based criteria identified in setting the NAAQS, the air pollutants are termed “criteria” pollutants. California has adopted its own ambient air quality standards (CAAQS). Criteria air pollutants include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and particulate matter. CAAQS include the NAAQS pollutants, in addition to visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. A nonattainment area is an area where a criteria air pollutant’s concentration is above either the federal and/or state ambient air quality standards. Depending on the level of severity, a classification will be designated to a nonattainment area. Failure of a state to reach attainment of the NAAQS by the target date can trigger penalties, including withholding of federal highway funds. Table 1 shows the current attainment/nonattainment status for the federal and state air quality standards in Nevada County.

Nevada County has two federally recognized air monitoring sites: The Litton Building in Grass Valley (fine particulate matter, also called PM2.5, and ozone) and the fire station in downtown Truckee (PM2.5 only). For eight-hour average ozone concentrations, Nevada County is serious nonattainment for both the 2008 and 2015 state and federal ozone standards of 75 and 70 parts per billion, respectively (Table 1). Unlike other pollutants, ozone is not typically released directly into the atmosphere from any sources. Ozone is created by the interaction of Nitrogen Oxides and Reactive Organic Gases (also known as Volatile Organic Compounds) in the presence of sunlight, especially when the temperature is high. The major sources of Nitrogen Oxides and Reactive Organic Gases, known as ozone precursors, are combustion sources such as factories, automobiles and evaporation of solvents and fuels. Ozone is mainly a summertime problem, with the highest concentrations generally observed in July and August, when the days are longest, especially in the late afternoon and evening hours. Ozone is considered by the California Air Resources Board to be overwhelmingly transported to Nevada County from the Sacramento Metropolitan area and, to a lesser extent, the San Francisco Bay Area. This recognition of overwhelming transport relieves Nevada County of CAAQS-related requirements, including the development of CAAQS attainment plan with a “no-net-increase” permitting program or an “all feasible measures” demonstration.

For particulate matter, ambient air quality standards have been established for both PM10 and PM2.5. California has standards for average PM10 concentrations over 24-hour periods and over the course of an entire year, which are 50 and 20 µg/m<sup>3</sup>, respectively. (The notation “µg/m<sup>3</sup>” means micrograms of pollutant per cubic meter of ambient air.) For PM2.5, California only has a standard for average PM2.5 concentrations over a year, set at 12 µg/m<sup>3</sup>, with no 24-hour-average standard. Nevada County is in compliance with all of the federal particulate matter standards, but like most California counties it is out of compliance with the state PM10 standards. Particulate-matter is identified by the maximum particle size in microns as either PM2.5 or PM10. PM2.5, is mostly smoke and aerosol particles resulting from woodstoves and fireplaces, vehicle engines, wildfires, and open burning. PM-10 is a mixture of dust, combustion particles (smoke) and aerosols from sources such as surface disturbances, road sand, vehicle tires, and leaf blowers.

**Table 1: Attainment Status by Northern Sierra Air Quality Management District of State and Federal Air Quality Standards.** In addition, the entire district is either Attainment or Unclassified for all State and Federal NO<sub>2</sub>, SO<sub>2</sub>, Pb, H<sub>2</sub>S, visibility reducing particles, sulfates, and vinyl chloride standards.

| Pollutant               | State Designation   | Federal Designation   |
|-------------------------|---|---|
| Ozone (O <sub>3</sub> ) | Nevada County: Non-attainment (due to overwhelming transport) | <u>2008 O<sub>3</sub> Standard (75 ppb)</u><br>Western Nevada County: Serious Non-attainment;   |
|                         |   | <u>2015 O<sub>3</sub> Standard (70 ppb)</u><br>Western Nevada County: Serious Non-attainment;   |
| PM <sub>10</sub>        | Nevada County: Non-attainment                                 | Unclassified  |
| PM <sub>2.5</sub>       | Nevada County: Unclassified                                   | <u>2012 Annual Standard (12µg/m<sup>3</sup>)</u><br>Nevada County:<br>Unclassifiable/Attainment |
|                         |   | <u>2012 24-hour Standard (35µg/m<sup>3</sup>)</u><br>Unclassifiable/Attainment                  |
| CO                      | Nevada: Unclassified  | Unclassifiable/Attainment   |

Ultramafic rock and its altered form, serpentine rock (or serpentinite), both typically contain asbestos, a cancer-causing agent. Ultramafic rock and serpentine are likely to exist in several areas of western Nevada County. The area of the project site is not mapped as an area that is likely to contain ultramafic rock (California Department of Conservation, 2000). Natural occurrences of asbestos are more likely to be encountered in, and immediately adjacent to areas of ultramafic rock.

An evaluation and further discussion of related project impacts related to greenhouse gas emissions is provided in Section 8 of this Initial Study.

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan?   |                                |                                       |                              | ✓         | A, G                          |
| 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? |                                | ✓                                     |                              |           | A, G, 33                      |
| c. Expose sensitive receptors to substantial pollutant concentrations?  |                                |                                       |                              | ✓         | A, G, L, 33                   |
| d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?   |                                |                                       |                              | ✓         | A, G                          |

**Impact Discussion:**

3a Nevada County’s General Plan, Chapter 14 Air Quality Element, contains numerous policies to protect air quality in Nevada County. With the exception of General Plan Air Quality Element Policy 14.7A, which requires compliance with Northern Sierra Air Quality Management District Rule 226, the Nevada County General Plan Air Quality Element policies are intended to apply to development that generates new residents or new employees. By assessing air pollution and emissions associated with the proposed project and recommending mitigation measures based on Thresholds of Significance established by the Northern Sierra Air Quality Management District (NSAQMD), the project as proposed would comply with Northern Sierra Air Quality Management District regulations. The proposed project would not conflict with or obstruct the implementation of an applicable air quality plan; therefore, **no impact** is anticipated on the potential adoption or implementation of an air quality plan.

3b The project is not anticipated to result in a cumulatively considerable net increase of criteria pollutants. Western Nevada County is in non-attainment for the Federal 8-hour ozone standard, and the entirety of Nevada County is in non-attainment for the State 1- and 8-hour ozone standards and PM10 standards. While most of the ozone in the County is transported from urban areas to the southwest, PM10 sources primarily come from within the County. PM10 violations in winter are largely due to wood smoke from the use of woodstoves and fireplaces, while summer and fall violations often occur during forest fires or periods of open burning.

Regulation 226 of the Northern Sierra Air Quality Management District (NSAQMD) requires a dust control plan if more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed. The resultant parcels would contain residential and rural accessory improvements and would gain access via driveway alignments off Scenic Drive. Driveway improvements serving the proposed parcels are not anticipated to exceed one acre, thus not trigger the requirement for a Dust Control Plan. Therefore, a dust control plan is not required by the NSAQMD at this time. Reasonable precautions may include watering vehicle traffic areas, as well as any stockpiled material, and limiting traffic speeds

during construction. Such methods will be required to be noted on the improvement plans prior to approval. Additionally, to ensure compliance with NSAQMD regulations, Mitigation Measure 7C has been included that requires that if more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed, prior to issuance of grading and improvement permits, submit a Dust Control Plan to Northern Sierra Air Quality Management District and gain their approval. The proposed project if the amount of grading exceeds the NSAQMD threshold of 1-acre. Reasonable precautions may include watering vehicle traffic areas, as well as any stockpiled material, and limiting traffic speeds during construction. Such methods will be required to be noted on the improvement plans prior to approval.

The California Emissions Estimation Model (CalEEMod) provides a means to estimate potential emissions associated for both construction and operation of land use projects. Estimated construction impacts were determined using the parameters specific to this proposed land division and conservative CalEEMod defaults and the results are outlined below in both Table 1 and Table 2. The Northern Sierra Air Quality Management District (NSAQMD) established thresholds of significance for assessing and mitigating air quality impacts of land use projects, as shown in the tables provided below. Level A requires the most basic mitigations, projects falling within the Level B range require more extensive mitigation and Level C requires the most extensive mitigations. Table 1, below, shows that estimated project construction related pollution levels would fall within NSAQMD Level A thresholds.

| <b>Table 1. Project Construction Air Quality Impacts (Unmitigated)</b>                       |                          |                             |
|--|--------------------------|-----------------------------|
| <b>Pollutant</b>   | <b>NSAQMD Threshold*</b> | <b>Project Impact</b>       |
| <b>NOx</b>   | < 24 lbs/day             | 5.90 lbs/day (1.07 tons/yr) |
| <b>ROG</b>   | < 24 lbs/day             | 0.99 lbs/day (0.18 tons/yr) |
| <b>PM10</b>  | < 79 lbs/day             | 1.11 lbs/day (0.20 tons/yr) |
| <b>CO</b>  | N/A                      | 7.82 lbs/day (1.43 tons/yr) |
| *These thresholds are "Level A" in NSAQMD's <i>Guidelines</i> . CalEEMod Version 2022.1.1.29 |                          |                             |

Mitigation Measure 3A is proposed to reduce emissions during project construction (increased particulate matter from diesel and dust and increase hydrocarbon release for the synthesis of ozone) from heavy equipment used for grading, brush chipping, and other construction activities. Table 2, below, shows resultant operational impacts are within NSAQMD Level A. These emissions are associated with energy use, landscape equipment (stationary sources) and mobile sources associated with vehicle use.

| <b>Table 2. Project Operational Air Quality Impacts (Unmitigated)</b> |                          |                             |
|---|--------------------------|-----------------------------|
| <b>Pollutant</b>  | <b>NSAQMD Threshold*</b> | <b>Project Impact</b>       |
| <b>NOx</b>  | < 24 lbs/day             | 0.38 lbs/day (0.07 tons/yr) |
| <b>ROG</b>  | < 24 lbs/day             | 0.39 lbs/day (0.07 tons/yr) |
| <b>PM10</b>   | < 79 lbs/day             | 0.32 lbs/day (0.06 tons/yr) |

|  |     |                             |
|--|-----|-----------------------------|
| <b>CO</b>  | N/A | 2.29 lbs/day (0.42 tons/yr) |
| *These thresholds are “Level A” in NSAQMD’s Guidelines. CalEEMod Version 2022.1.1.29 |     |                             |

In order to ensure the project remains within the operational levels identified above, and to ensure that it does not contribute cumulatively considerable net increases in criteria pollutants that would substantially deteriorate ambient air quality or violate air quality standards, Mitigation Measures 3A reduces operational emissions, minimizing impacts through mitigation measures designed to help reduce project emissions related to construction. Additionally, Mitigation Measure 3B has been included which requires that during construction activities, the applicant shall use alternatives to open burning of vegetative material on the project site, unless deemed infeasible by the Air Pollution Control Officer. Further, while mapping does not indicate that the site is likely to contain serpentine, ultramafic rock or naturally occurring asbestos, a Condition of Approval has been included that requires NSAQMD notification in the event of their discovery. Therefore, with implementation of these mitigation measures, the potential for this project to violate any air quality standards during either the construction or the operational phases would be ***less than significant with mitigation.***

3c,d The proposed project includes the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and the commercial outdoor equipment storage area will consist solely of a gravel area for the storage of commercial vehicles. Small scale industrial warehousing uses are not anticipated to generate substantial pollutant concentrations, nor are there sensitive receptors in the immediate area of the proposed parcels. Sprouts and Blossoms Farm Preschool appears to be the closest sensitive receptor, located approximately 2.7 driving miles to the southeast from the closest project parcel. The proposed project is proposed within an area designated for industrial uses and structures and industrial uses are the primary use for the land use and zoning designations. Therefore, ***no impacts*** related to exposing sensitive receptors to substantial pollutant concentrations are anticipated as a result of this land division and ***no impacts*** related to the generation of emissions that could affect a substantial amount of people are anticipated.

**Mitigation Measures:** To offset potentially adverse air quality impacts associated with the project activities, the following mitigation measures shall be required and shall be included in the improvement plans for the project:

**Mitigation Measure 3A: Reduce Emissions During Construction.** The following are the minimum mitigation measures designed to help reduce project emissions related to construction. These measures shall be included as a note on all plans prior to issuance of all grading, improvement, and building permits:

1. The mobile off-road construction equipment in use at any time on the project shall be equipped with Tier 4 engines.
2. Construction equipment idling time shall be limited to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of

Regulations [CCR]). All construction equipment shall also be maintained and properly tuned in accordance with manufacturer’s specifications. Clear signage shall be provided for construction workers at all access points.

3. In addition to these measures, all statewide air pollution control regulations shall be followed, including Airborne Toxic Control Measures (which may be accessed at <https://ww2.arb.ca.gov/resources/documents/airborne-toxic-control-measures>).

**Timing:** *Prior to map recordation and prior to issuance of Grading/Improvement/Building permits and throughout construction*

**Reporting:** *Agency approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department / NSAQMD*

**Mitigation Measure 3B: Comply with Open Burning Prohibitions.** Use alternatives to open burning of vegetative material on the project site, unless deemed infeasible by the Air Pollution Control Officer. Treat cleared vegetation by legal means other than open burning, such as chipping, shredding, grinding, use as firewood, and conversion to biomass fuel. Open burning of site-cleared vegetation shall be permitted only upon Northern Sierra Air Quality Management District (NSAQMD) approval of documentation showing alternatives are unobtainable or economically infeasible. Obtain an approval letter from NSAQMD prior to approval of improvement or grading plans for road, driveway or future residential construction indicating the approved method of cleared vegetation disposal. Note such methods on any project plans prior to approval. At no time shall open burning of materials generated by this project occur at another site unless approved in advance by the NSAQMD.

**Timing:** *Prior to map recordation and prior to issuance of Grading/Improvement/Building permits and throughout construction*

**Reporting:** *Agency approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department / NSAQMD*

**Mitigation Measure 3C: Prepare a Dust Control Plan.** Prior to issuance of grading and improvement permits, submit a Dust Control Plan to Northern Sierra Air Quality Management District, if more than one (1) acre of natural surface area is to be altered or where the natural ground cover is removed, and gain their approval. The disturbance of natural surface area includes any clearing or grading. Include the approved Dust Control Plan on the project plans using clear phrasing and enforceable conditions, under its own heading. Provide evidence of NSAQMD approval to Nevada County with permit application submittal. The plan shall include but not be limited to the following measures, which shall also be included on all construction plans:

1. The construction contractor shall implement all dust control measures in a timely manner during all phases of project construction.
2. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard.
3. All land clearing, grading, earth moving, and excavation activities on the project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 miles per hour.

4. All inactive disturbed portions of the disposal site shall be covered, seeded, or watered until a suitable cover is established per the requirements of the grading plan.
5. All material transported off-site shall be either sufficiently watered, or securely covered, or a freeboard of two feet shall be maintained in the bed of the transport vehicle to prevent fugitive dust emissions.
6. The construction contractor shall water the disposal site during initial site preparation and grading.
7. The construction contractor shall water unpaved construction roads for regular stabilization of dust emissions.
8. The construction contractor shall limit vehicle speeds on unpaved roads to a speed of 15 mph.
9. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as needed to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.

**Timing:** Prior to map recordation and prior to issuance of Grading/Improvement/Building permits

**Reporting:** Agency approval of the Parcel Map for recordation and future permit issuance

**Responsible Agency:** Planning Department / NSAQMD

**Mitigation Measure 3D: Mitigate any Asbestos Discovered During Construction.** If serpentine, ultramafic rock or naturally occurring asbestos are discovered during construction or grading, the District shall be notified within 24 hours, and specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations must be strictly complied with.

**Timing:** Prior to map recordation and prior to issuance of Grading/Improvement/Building permits

**Reporting:** Agency approval of the Parcel Map for recordation and future permit issuance

**Responsible Agency:** Planning Department / NSAQMD

## 4. Biological Resources:

**Existing Setting:** The 7.6-acre project area (including both APNs: 006-920-015 & 006-920-016)) lies in the Sierra Nevada foothills. The general topography of the subject parcel is characterized as relatively flat within the central section of the parcel with drainage from north to south and from west to east. From the central section of both parcels, the drainage is to the east given the moderate to steep slopes to the east of the existing graded areas within the overall Project area. However, along the western section of the project area along Charles Drive and Park Court, the drainage is east to west given the graded areas within both subject parcels are located slightly upslope and therefore, drainage from those western areas would be to the west. Average elevation within the subject parcels and overall project area is approximately 3,050 feet above mean sea level (MSL) with the highest elevation within the northeastern section of the overall project area (northern subject parcel) being approximately 3,070 feet above MSL and with the lowest elevation within the eastern section of the overall Project area downslope from the existing graded areas within both subject parcel (approximately 2,995 feet above MSL).

The subject parcel is surrounded by commercial development to the west, north, and south, and with residential development downslope to the east of the subject parcels and overall project area. The project biologist, Greg Matuzak, describes the project site as an area best characterized as a Mixed Conifer Forest with a Ponderosa Pine and Incense Cedar Alliance. The dominant forested plant community within the subject parcel is Mixed Conifer Forest with a Ponderosa Pine and Incense Cedar Alliance with the areas containing trees within the subject parcels. Prior to 2020, much of the subject parcels was covered in woodland; however, based on the high densities of conifers rather than native oaks and other hardwood species, landmark groves do not and did not occur within the subject parcels and overall Project area. The open areas of the subject parcels, including a majority of the proposed project disturbance areas, are dominated by gravel and equipment given both parcels are used for commercial storage by the project applicant. The trees and woodland within both parcels that has been removed was completed in 2020 and the existing grading was completed by 2020 as well. The subject parcel does not contain any wetlands that would be regulated by the state or federal government. None of the soil types mapped within the proposed areas of disturbance within the subject parcels are listed by NRCS as a hydric soil within Nevada County. However, there is an existing NID canal at the toe of the slope to the east of the project area. However, no proposed disturbance or development will occur downslope to the east adjacent to the existing NID canal. All proposed ground disturbance will remain well greater than the required 100 feet for upslope non-disturbance buffers to NID ditches and canals.

**Special Status Species:**

A current review of the California Natural Diversity Data Base and database information provided by the United States Fish and Wildlife Service were used for special status species consideration, as part of the Biological Resources Inventory. Special-status species were considered for this Biological Resources Assessment is based on a current review of the California Natural Diversity Data Base (CNDDB), California Native Plant Society (CNPS), and database information provided by the United States Fish and Wildlife Service (USFWS) for the proposed project area. The database searches did reveal twenty-two (22) species and includes eight (8) wildlife species and fourteen (14) plant species within the Grass Valley USGS Topo Quad. Of the plant species previously documented within the Grass Valley USGS Topo Quad, spicate calycadenia, Scadden Flat checkerbloom, Pine Hill Flannelbush, finger rush, chaparral sedge, brownish beaked-rush, dubious pea, and Stebbins' morning-glory would be defined as potential special-status species given that CNPS List 4 species are watch list species and are not protected under CEQA. California black rail, coast horned lizard, yellow breasted chat, Townsend's big eared bat, California spotted owl, olive-sided flycatcher, willow flycatcher, and yellow warbler are the wildlife species previously documented within the Grass Valley USFW Topo Quad. However, the assessment below does not include the yellow warbler, willow flycatcher, yellow-breasted chat, and California black rail given that these species require aquatic resources (wetlands and/or riparian habitat) and those habitats are not located within the Project area. The assessment below is based on the potential special-status species that have the potential to occur in the greater Grass Valley, western Nevada County area and to determine whether the subject parcel and overall project area contains the suitable habitat requirements for any of those species to be present within or adjacent to the proposed areas of disturbance. A total of twelve (12) special status species have been identified within three miles of the project area, and these species are discussed in detail within this Biological Resources Assessment below:

- Brandegee's Clarkia (*Clarkia biloba* ssp. *brandegeae*)
- Scadden Flat Checkerbloom (*Sidalcea stipularis*)
- Pine Hill Flannelbush (*Fremontodendron decumbens*)
- Dubious Pea (*Lathyrus sulphureus* var. *argillaceus*)
- Brownish Beaked-Rush (*Rhynchospora capitellata*)
- Stebbins' Morning Glory (*Calystegia stebbinsii*)
- Chaparral Sedge (*Carex xerophila*)
- Finger Rush (*Juncus digitatus*)
- Spicate Calycadenia (*Calycadenia spicata*)
- Townsend's Big-Eared Bat (*Corynorhinus townsendii*)
- Coast Horned Lizard (*Phrynosoma blainvillii*)
- California Spotted Owl (*Strix occidentalis occidentalis*)

Brandegee's Clarkia (*Clarkia biloba* ssp. *brandegeae*):

Brandegee's Clarkia inhabits chaparral, cismontane woodland, and lower montane coniferous/mixed conifer forest habitats. It is most often found in road cuts between 75 and 915 meters above MSL. The species has been documented within the Grass Valley USGS Topo Quad where the project area is located. During the field survey this species was not identified within the subject parcels and no suitable habitat for this species is located within the subject parcel. Given that this species is most likely found on or near road cuts on north facing slopes, the likelihood of this species occurring within the subject parcels is considered very low given the subject parcel does not include any road cuts.

Scadden Flat Checkerbloom (*Sidalcea stipularis*):

Scadden Flat Checkerbloom inhabits marshes and swamps. It is found in wet montane marshes fed by springs, normally between 700 and 740 meters above MSL. This species has been previously identified within the Grass Valley Topo Quad where the project area is located. However, the species was not identified during field surveys and suitable habitat for this species does not occur within the project area given that marsh and swamp habitat does not occur within the Project area.

Pine Hill Flannelbush (*Fremontodendron decumbens*):

Pine Hill Flannelbush inhabits rocky ridges on gabbro and serpentine soils within chaparral and cismontane woodlands. This species is endemic to these soil types and is normally documented between 425 and 760 meters above MSL. This species has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. The species was not identified during field surveys and suitable habitat for this species does not occur within the project area given a lack of gabbro and serpentine soils within the project area.

Dubious Pea (*Lathyrus sulphureus* var. *argillaceus*):

Dubious Pea inhabits lower and upper montane coniferous forest and cismontane woodlands, normally between 150 and 305 meters above MSL. This species has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. However, the species was not identified during field surveys and suitable habitat for this species does not occur within

the project area given the presence of non-native annual grassland within and adjacent to the project area woodland understory.

Brownish Beaked-Rush (*Rhynchospora capitellata*):

Brownish Beaked-Rush inhabits meadows and seeps, marshes and swamps, and it is found in upper and lower montane coniferous forests, normally between 45 and 2000 meters above MSL. This species is normally identified on mesic sites and has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. The species was not identified during field surveys and suitable habitat for this species does not occur within the project area.

Stebbins' Morning Glory (*Calystegia stebbinsii*):

Stebbins' morning glory inhabits chaparral and cismontane woodland. It is found in red clay soils of the pine hill formation on gabbro or serpentine soils in open areas, normally between 180 and 725 meters above MSL. This species has been previously identified within the Grass Valley Topo USGS Quad where the project area is located. The species was not identified during field surveys and suitable habitat for this species does not occur within the project area given the appropriate soils are not present.

Chaparral Sedge (*Carex xerophila*):

Chaparral Sedge inhabits openings within chaparral habitat, cismontane woodland, and lower montane coniferous forests. This species is found in areas containing serpentine and gabbroic microhabitats between 1,400 and 2,525 feet above MSL. This species has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. Suitable habitat and soil types for the species is not present within the project area and therefore, the project would have no impact on the species.

Finger Rush (*Juncus digitatus*):

Finger Rush inhabits open chaparral habitat surrounded by mixed oak/conifer woodland on low gradient, north-facing, and vernal moist slopes. This species is also associated with sandy clay loam soil within substrates underlain by granitic bedrock. This species has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. However, the species was not identified during the field survey and suitable habitat for this species does not occur within the subject parcel. Therefore, the development proposed within the subject parcel would have no impact on this species.

Spicate Calycadenia (*Calycadenia spicata*):

Spicate Calycadenia is an annual herb plant species that is native to the State of California. The species inhabits slopes within foothill woodlands and valley grassland habitats. This species has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. However, the species was not identified during the field survey and suitable habitat for this species does not occur within the subject parcel given a lack of the required slopes within the project area that the species requires. Therefore, the development proposed within the project area would have no impact on this species.

Townsend's Big-Eared Bat (*Corynorhinus townsendii*):

This species inhabits lower montane coniferous forest areas where abandoned buildings and structures occur for roosting. This species has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. This species has been identified west of the project area within the Visitor Center of the Empire Mine State Historic Park. However, the species was not identified during field survey and suitable habitat for this species does not occur within the project area given there are no abandoned structures within the project area.

Coast Horned Lizard (*Phrynosoma blainvillii*):

The Coast Horned Lizard occurs in open sandy areas, scattered low bushes, chaparral, manzanita, and oak woodland habitats. It is found in the Sierra Nevada foothills from Butte County to Kern County and throughout the central and southern California coast. Coast horned lizards forage on the ground in open areas, usually between shrubs and often near ant nests. The species relies on camouflage for protection. Predators and extreme heat are avoided by burrowing into loose soil. Periods of inactivity and winter hibernation are spent burrowed in the soil under surface objects such as logs or rocks, in mammal burrows, or in crevices. They inhabit mostly open country, especially sandy areas, washes, flood plains and windblown deposits in a wide variety of habitats and can be found at elevations up to 8,000 feet (2,438 meters). There is no potential suitable habitat within the project area for the coast horned lizard given the lack of rockier and sandy areas that this species requires. This species has been previously identified within the Grass Valley Topo Quad where the project area is located. Given the project area contains a lack of rockier and open areas, it is not likely this species would occur within the project area. No Coast Horned Lizards were observed during the December 23<sup>rd</sup>, 2024 site visit of the project area.

California Spotted Owl (*Strix occidentalis occidentalis*):

The California spotted owl (CSO) is a California Species of Special Concern by the California Department of Fish and Wildlife (CDFW) and the species is proposed for listing as threatened on the federal Endangered Species Act (ESA). The species is not listed or proposed for listing on the California State ESA (CESA). In California, the CSO is generally evaluated at a habitat management level for the United States Forest Service, United States Park Service, California State Parks, and for commercialization of timber resources with the Sierra Pacific Industries (SPI). This species has been previously identified within the Grass Valley USGS Topo Quad where the project area is located. Given the project area contains scattered trees with a mix of native oak trees and a lack of old growth coniferous forests with adequate understory with old growth trees and snags for prey items, this species would not occur within the project area. No CSO were observed during the December 23<sup>rd</sup>, 2024 site visit of the project area. Lastly, the California spotted owl nests where the prey base is large enough to ensure food resources for themselves and any offspring they may produce within a given home range. The California Spotted Owl will only nest within old growth forest with large trees that provide suitable cavity structures for the species. Therefore, given the project area contains almost no understory, which is a requirement for the development of a sufficient prey base for the species, and the project area does not contain the age stratification of trees required for the species, the project area is insufficient for the species to develop active nesting sites. This species only nests in areas with sufficient prey base requiring understory cover for such prey items and this species requires older to old growth trees with large cavities for nesting and both requirements do not occur within the project area. This species is known to nest in Nevada County where sufficient large, conifers and stratification are present.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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? |                                | ✓                                     |                              |           | A, K, 19,                     |
| 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?  |                                | ✓                                     |                              |           | A, K, L, 19,                  |
| 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?   |                                |                                       |                              | ✓         | A, K, L, 10, 19               |
| 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?   |                                |                                       | ✓                            |           | A, L, 19, 35                  |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  |                                | ✓                                     |                              |           | A, 19,                        |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan?  |                                |                                       |                              | ✓         | A, 18, 19                     |

**Impact Discussion:**

4a,d The proposed project includes the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and the commercial outdoor equipment storage area on APN: 006-920-016 will consist solely of a gravel area for the storage of commercial vehicles. The project is not anticipated to result in any 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 Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) because the proposed project disturbance areas within the subject parcel do not contain any jurisdictional wetlands or “waters of the U.S.” and it does not contain any stream or related riparian habitat that would be regulated by CDFW.

the project area does not contain suitable habitat for any known special-status species documented within the USGS Grass Valley Topo Quad where the project area is located or for any other special-status plant or wildlife species. Given the lack of such suitable habitat for special-status plant and wildlife species, the proposed development within the subject parcel would have no impact on any special-status species or sensitive habitats. Similarly, the project is not anticipated to substantially interfere with the movement of any native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites because the subject parcels do not contain any known major deer migration corridors, known deer holding areas, nor critical deer fawning areas given the high levels of disturbance and development within and adjacent to the subject parcels and proposed project area.

A historical evaluation of the subject parcel was conducted in 1999 by Marcus H. Bole & Associates, which included the development of a Biological Inventory (dated March 15, 1999). The existing Biological Inventory that covers the subject parcels was originally developed for a single, large 43.3-acre parcel. The existing Biological Inventory identifies the areas within both the northern and southern parcels within the overall Project area covered under this Biological Resources Assessment. Based on the results of the existing Biological Inventory (March 15, 1999) that no special-status species. An updated project specific biological report by Greg Matuzak with Greg Matuzak Environmental Consulting, LLC was prepared for the project parcels in December of 2024. The database searches did reveal fourteen (14) special status plant species, including Spicate Calycadenia, Scadden Flat Checkerbloom, Pine Hill Flannelbush, Finger Rush, Chaparral Sedge, Brownish Beaked-Rush, dubious pea, and Stebbins' Morning-Glory, previously recorded within 3 miles of the project area.

Additionally, the CNDDDB database search revealed eight (8) special-status wildlife species, including California Black Rail, Coast Horned Lizard, Yellow Breasted Chat, Townsend's Big-Eared Bat, California Spotted Owl, Olive-Sided Flycatcher, Willow Flycatcher, and Yellow Warbler are the wildlife species that have been previously identified within 3 miles of the subject parcel. However, the assessment below does not include the yellow warbler, willow flycatcher, yellow-breasted chat, and California black rail given that these species require aquatic resources (wetlands and/or riparian habitat) and those habitats are not located within the project area. None of these species were observed during field surveys. In addition, there is no Designated Critical Habitat (DCH) for any plant or wildlife species protected by USFWS within 3 miles of the project area. Known occurrences of special-status plants have been documented within 3 miles of the project area and though the project area does contain marginal suitable habitat for special-status plant species, no special-status plant species were documented within the project area during site surveys conducted on December 23, 2024. The project area is within the range of a number of special-status animal species that are of concern to the United States Fish and Wildlife Service and California Department of Fish and Wildlife, however, none of these species have been recorded within or near the project area. Loss of limited numbers of common species of plants or animals, as could occur due to further development of the property, is not a significant impact under current CEQA guidelines pertaining to biological resources. However, the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (FGC)

§3513 prohibit take of migratory birds, which is defined to include destruction of active nests (presumed to contain eggs or nestlings). Compliance with the MBTA requires that no grading, brush clearing (mechanized or otherwise), or tree removal occur during the nesting season without a nesting bird survey that confirms that no occupied nests are present. Further, the MBTA requires contingent mitigation actions if nests are present, so Mitigation Measure 4A requires a nesting survey prior to any disturbance to avoid impacts to potentially nesting raptors and migratory birds.

Per the Migratory Deer Ranges Nevada County General Plan map, the project area is located in an area identified as containing Deer Winter Range. The field survey did not record any observations of deer. The project area does not contain any known major deer migration corridor, known deer holding area, nor any known critical deer fawning area. With implementation of these mitigation measures, the proposed project is anticipated to have **no impact** on the loss of any special-status plant or animal species in this area, and impacts related to wildlife movement and disturbance of local wildlife would be **less than significant with mitigation**.

- 4b,c The field survey conducted by the project biologist on December 23, 2024, identified that there are no aquatic resources within the project area, of the subject parcel. At the toe of the slope to the east of the project area runs an existing Nevada Irrigation District (NID) canal, the Chicago Park Canal. The NID canal is connected to the Yuba Reservoir, an NID reservoir that is used to store water and to send it for deliveries within NID's conveyance system. Little Greenhorn Creek runs along the western property line on APN: 006-920-015. However, within the overall project area, there are no streams, drainages, wetlands, ponds, or other aquatic resources. The NID canal located downslope to the east of the Project area is located much greater than 100 feet from any proposed or existing disturbance within the project area and therefore, no impacts within the non-disturbance buffer to the upslope side of the NID canal will be disturbed. The project proposes a Steep Slopes Management Plan (MGT25-0006) for the proposed grading in areas with slopes greater than 30%. The grading activities in these areas exceeding 30% slope are only for a small portion of concrete for an ADA pathway and for an infiltration trench for drainage, and therefore the overall impact would be very minimal. The Steep Slopes Management Plan provides Best Management Practices (BMPs) and mitigation measures for construction activities within slopes in excess of 30%, which will be included as Mitigation Measures, 7A-7C, for the proposed project to ensure that substantial erosion of the loss of topsoil will be mitigated accordingly.

Further, Mitigation Measure 4B is proposed, requiring aquatic resources, landmark oak groves, the landmark oak tree, and slopes in excess of 30% to be delineated as Environmentally Sensitive Areas with non-disturbance buffers on all future grading and improvements plans. With the implementation of standard Conditions of Approval in combination with Mitigation Measures 7A-7C and 4A-4B, project impacts to riparian habitat, wetlands, timber resources (landmark oak groves and landmark oak tree) or other sensitive natural communities are anticipated to be **less than significant with mitigation**. There are no wetlands identified on the project parcel; therefore, the project will have **no impact** through direct removal, filling, or hydrological interruption of these resources.

- 4e The project area is located in an area best characterized as Mixed Conifer Forest with a Ponderosa Pine and Incense Cedar Alliance. The dominant forested plant community within the subject parcel is Mixed Conifer Forest with a Ponderosa Pine and Incense Cedar Alliance with the areas containing trees within the subject parcels. The understory is dominated by mountain misery (*Chamaebatia foliolosa*) as well as upland grasses and forbs, both native and non-native. Mixed Conifer Forests can expand over broad ranges of topography and elevation and consist of a diverse assemblage of vegetation. The species within this alliance type create varying structures and spatial patterns. Tree species found in mixed conifer forests exhibit a wide range of tolerance to shade and low-impact fire. Water availability is a major driver of Mixed Conifer Forest ecosystem distribution and conditions, as well as topography, soil (depth and texture), and solar insolation. In moisture limited forests, uncharacteristic increases in tree density commonly facilitate bark beetle (family Scolytinae), mistletoe (*Phoradendron* spp.), and root disease mortality. Additionally, Mixed Conifer Forests have been significantly impacted by logging, fire suppression, gold mining, and population growth. Given the existing disturbance within the subject parcels and the heavy development adjacent to the subject parcels, this vegetation community is a degraded forested habitat with small stature trees for the most part.

Based on site specific field survey, the subject parcels do not contain any landmark oak trees or landmark groves as defined by Title 12, Chapter 4, Section 12.04.215 of the Nevada County Code. Previous removal of trees and woodland has occurred within both of the subject parcels, but none of the existing trees or trees removed contained a diameter at breast height of greater than 24 inches. Therefore, an Oak Resources Management Plan is not required for review and approval of the proposed project. With that said, in order to ensure that local policies or ordinances protecting biological resources are complied with, Mitigation Measure 4B is included, which requires that all sensitive biological resources shall be mapped, and identified as ESAs on all future improvement/grading/construction plans to ensure their protection from future disturbance. These resources include two drainage channels, protected landmark oak groves, the landmark oak tree, and slopes in excess of 30%.

Nevada County has a number of local policies and ordinances that protect sensitive resources, including deer habitat; rare, threatened, and endangered species and their habitats; timber resources; and watercourses, wetlands, and riparian areas and steep slopes. With the exception of the areas identified as steep slopes (slopes in excess of 30%), there are no other environmentally sensitive areas on either of the project parcels. Migratory birds would be protected through proposed Mitigation Measure 4A as discussed above (4a,d); and Mitigation Measure 4B as discussed above (4e) is proposed to protect all Environmentally Sensitive Areas, including watercourses, wetlands, riparian areas and steep slopes.

Therefore, with the implementation of the recommended Conditions of Approval and Mitigation Measures 4A-4B, conflicts with local policies and ordinances protecting biological resources are expected to be ***less than significant with mitigation***.

- 4f The subject property is not part of a Habitat Conservation Plan or any other adopted conservation plans; therefore, the project would have **no impacts** or conflicts with adopted conservation plans.

**Mitigation Measure 4A: Avoid Impacts to Nesting Birds.** The following note shall be added to all improvement/grading/construction plans:

Impacts to nesting raptors, including special-status avian or bat species, and migratory birds can be avoided by removing vegetation before the start of the nesting season, or delaying removal until after the end of the nesting season.

1. If construction is to take place during the nesting season (February 1 - August 31), including any ground disturbance, preconstruction surveys for nesting raptors, migratory birds and special-status bats shall be conducted within 7 days prior to the beginning of construction activities by a California Department of Fish and Wildlife (CDFW) approved biologist and in accordance with California and Federal requirements.
2. Tree removal and construction shall not take place during the breeding season (February 1 –August 31), unless supported by a report from the qualified biologist verifying that birds, including raptors, are not nesting in the trees proposed for removal or disturbance.
3. If active nests are found, temporary nest disturbance buffers shall be established; a quarter-mile buffer for nesting raptors and, a 200-foot buffer if active migratory bird nests are found.
4. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an onsite biologist/monitor experienced with raptor behavior, shall be retained by the project proponent to monitor the nests, and shall, along with the project proponent, consult with the CFWD to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated biologist/monitor shall be onsite daily while construction related activities are taking place and shall have the authority to stop work if raptors are exhibiting agitated behavior. In consultation with the CDFW and depending on the behavior of the raptors, over time the biologist/monitor may determine that monitoring is no longer necessary, due to the raptors' acclimation to the activities.
5. Any trees containing nests that must be removed as a result of development shall be removed during the non-breeding season. However, the project proponent shall be responsible for off-setting the loss of any nesting trees. The project proponent and biologist/monitor shall consult with CDFW and the extent of any necessary compensatory mitigation shall be determined by CDFW. Previous recommended mitigation for the loss of nesting trees has been at a ratio of three trees for each nest tree removed during the non-nesting season.

**Mitigation Measure 4B: Establish Environmentally Sensitive Areas (ESA's).** Sensitive biological resources, as shown on the Site Plan, shall be mapped, and identified as ESAs on all future improvement/grading/construction plans to ensure their protection from future disturbance.

These resources include two drainage channels, protected landmark oak groves, the landmark oak tree, and slopes in excess of 30%. The following note shall be included: “No disturbance is allowed within areas delineated as Environmentally Sensitive Areas, unless a Management Plan is approved.”

**Timing:** Prior to map recordation and prior to issuance of Grading/Improvement/Building permits

**Reporting:** Approval of the Parcel Map for recordation and future permit issuance

**Responsible Agency:** Planning Department

## 5. Cultural Resources:

**Existing Setting:** A complete records search was conducted by the North Central Information Center (NCIC) of the California Historical Resources Information System in 1999 for cultural resource site records and survey reports in Nevada County, within a 1/4-mile radius of the proposed project area, for a previous Final Map (FM99-001) application. As a part of the Final Map application, it was determined that the overall project area has a low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area. Since the recordation of the Final Map, numerous of the parcels have been developed already with industrial uses, and therefore it is anticipated that the proposed project would not have any adverse impacts of tribal cultural resources. Additionally, given the extent of known cultural resources and patterns of local history, there is low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area.

Prehistoric use and occupation focused on major surface water sources and other natural resource areas, with particular emphasis given to stream confluences and to ecotones created at the interface of foothill/valley lands. Generally, environmental conditions within the region have remained stable throughout the past 8-10,000 years, although minor fluctuations in overall precipitation and temperature regime have been documented, and these may have influenced prehistoric patterns of land use and settlement. In this part of Nevada County, archaeologists locate prehistoric-period habitation sites “along streams or on ridges or knolls, especially those with southern exposure.” (Moratto 1984:290) This region is known as the ethnographic-period territory of the Nisenan, also called the Southern Maidu. The Nisenan maintained permanent settlements along major rivers in the Sacramento Valley and foothills; they also periodically traveled to higher elevations (Wilson and Towne 1978:387-389). Given extent of known cultural resources and the environmental setting, there is low potential for locating prehistoric-period cultural resources in the immediate vicinity of the proposed project area.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?      |                                | ✓                                     |                              |           | A, J, 22                      |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? |                                | ✓                                     |                              |           | A, J, 22                      |

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| c. Disturb any human remains, including those interred outside of formal cemeteries? |                                | ✓                                     |                              |           | A, J, 22                      |

**Impact Discussion:**

5a-c As a part of the proposed project application, it was determined that the overall project area has a low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area. Since the recordation of the English Mountain Park Phase Two Final Map, numerous of the parcels have been developed already with industrial uses, and therefore it is anticipated that the proposed project would not have any adverse impacts of tribal cultural resources. Additionally, given the extent of known cultural resources and patterns of local history, there is low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area. Given the extent of known cultural resources and the environmental setting, there is low potential for locating indigenous-period/ethnographic-period cultural resources within the proposed project area. This conclusion is based on the extent of known cultural resources and patterns of local history for the area.

Given the extent of known cultural routes and patterns of local history, there is low potential for locating historic-period cultural resources within the proposed project area; however, discovery is still possible. Given that there is some amount of ground disturbance required for this project, there is a potential for unanticipated discovery of cultural resources, including historic, prehistoric, and paleontological resources, during project construction. Consistent with Title 12, Chapter 4, Section 12.04.206 of the Nevada County Code, the Tentative Parcel Map is required to include the following:

*Any person who, in the process of project activities, discovers any cultural resources and/or human remains within the project area shall cease from all project activities within at least 200 feet of the discovery. A qualified professional shall be notified to assess any discoveries and develop appropriate management recommendations for cultural resource treatment. In the event that human remains are encountered, the sheriff-coroner shall be notified immediately upon discovery. In the event that Native American human remains are encountered, the Native American Heritage Commission or the most likely descendants of the buried individual(s) who are qualified to represent Native American interests shall be contacted. Specific treatment of Native American human remains shall occur consistent with State law.*

While cultural resource discovery has been determined to be highly unlikely, Mitigation Measure 5A has been included, which requires that work shall be halted and proper notification and consultation shall be required if any artifacts, cultural resources, or human remains are discovered during construction. With the implementation of Mitigation Measure 5A, impacts to cultural resources are expected to be **less than significant with mitigation**.

**Mitigation Measures:** To offset potentially adverse cultural or historical resources impacts associated with the construction activities, the following mitigation measure shall be required:

**Mitigation Measure 5A. Halt work and contact the appropriate agencies if human remains or cultural materials are discovered during project construction.** All grading and construction plans shall include a Note outlining the requirements provided below to ensure that any cultural resources discovered during project construction are properly managed. These requirements including the following: All equipment operators and employees involved in any form of ground disturbance shall be trained to recognize potential archeological resources and advised of the remote possibility of encountering subsurface cultural resources during grading activities. If such resources are encountered or suspected, work within 100 feet shall be halted immediately and the Nevada County Planning Department shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner be contacted. Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, Public Resources Code 5097.98 and California Code of Regulations Section 15064.5(e), all work must stop in the immediate vicinity of the find and the Nevada County Coroner must be notified. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in California Environmental Quality Act Sections 15064.5(d) and (e) shall be followed. If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment.

**Timing:** *Prior to the issuance of Building/Grading/Improvement permits and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

## 6. Energy

**Existing Setting:** On February 12, 2019, the Nevada County Board of Supervisors approved the Energy Action Plan (EAP) as the County’s unincorporated area’s roadmap for expanding energy-efficiency, water-efficiency, and renewable-energy, and the cost-savings that accompany these efforts. The EAP is focused on operations of structures, infrastructure that generates energy, and efficient use of water. Both project parcels are currently undeveloped and do not having existing power, however there are existing PG&E utility poles that would allow for future connection.

|                    |                                |                                       |                              |           |                               |
|--------------------|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--------------------|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|

|   |  |  |   |   |      |
|---|--|--|---|---|------|
| a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation? |  |  | ✓ |   | A    |
| b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   |  |  |   | ✓ | A, D |

**Impact Discussion:**

- 6a The proposed project is not anticipated to result in significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during either the construction or the operational phase of the project. Only APN: 006-920-015 is proposed to have any development, and would consist of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing. APN: 006-920-016 is proposed to be used as a contractors equipment yard for the storage of commercial related vehicles and equipment. Electricity is currently available to the property via an existing utility pole and overhead electric service to provide for future connection to electricity (PG&E), however the proposed project includes running underground electric from the new transformer near the intersection of Park Court and Charles Drive to the project site. Operationally, energy needs for one (1) industrial warehouse structure and one (1) commercial equipment storage yard are low. Future improvements, if any, would be required to meet energy standards in place at the time of their construction. The scale of the project along with requirements to meet energy standards for both construction equipment and materials will ensure that the use of energy resources would not be excessive and therefore, the project would have a **less than significant impact**.
  
- 6b The proposed project would not conflict with any state or local plans for renewable energy or energy efficiency. Permits would be required in order to construct the future improvements on the proposed project parcels. As part of the building permit review, all equipment and structures would be required to meet energy standards identified in the California Building Code. Likewise, the project would not obstruct or prevent plans for renewable energy or efficiency. Therefore, the project would have **no impact** to state or local plans for renewable energy or energy efficiency.

**Mitigation:** None required.

## 7. Geology and Soils:

**Existing Setting:** The soils of the project site are mapped as mainly Aiken loam, 2 to 9 percent slopes, N Low-Mid Montane and Aiken loam, 15 to 30 percent slopes, N Low Mid Montane. The average elevation within the subject parcels and overall project area is approximately 3,050 feet above mean sea level (MSL) with the highest elevation within the northeastern section of the overall project area (northern subject parcel) being approximately 3,070 feet above MSL and with the lowest elevation within the eastern section of the overall project area downslope from the existing graded areas within both subject parcel (approximately 2,995 feet above MSL). The general topography of the subject parcel is characterized as relatively flat within the central section

of the parcel with drainage from north to south and from west to east. From the central section of both parcels, the drainage is to the east given the moderate to steep slopes to the east of the existing graded areas within the overall project area. However, along the western section of the project area along Charles Drive and Park Court, the drainage is east to west given the graded areas within both subject parcels are located slightly upslope and therefore, drainage from those western areas would be to the west.

According to the *Geologic Map of the Chico Quadrangle, California, 1:250,000* (G.J. Saucedo and D.L. Wagner, 1992) the property is located in an area mapped as Miocene-Pliocene Volcanic Rock (andesite pyroclastic). The Miocene and Pliocene epochs were from approximately 23 to 2 million years ago. The Alquist-Priolo Earthquake Fault Zoning Act was adopted in 1972 to prevent the construction of buildings in areas where active faults have surface expression. Ground or fault rupture is generally defined as the displacement that occurs along the surface of a fault during an earthquake. The project site is not within an Alquist-Priolo Earthquake Fault Zone and there are no known faults that cross through the project site. The project parcel has been determined to not be within any Earthquake Fault Zone. Generally, western Nevada County is located in the low intensity zone for earthquake severity. The project site is located within Seismic Zone I—the Low Intensity Zone of the Modified Mercalli scale—meaning the site has a low risk for strong ground motion (Nevada County, 1991).

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A)  |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|--------------------------------|
| a. Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury or death involving: <ul style="list-style-type: none"> <li>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.</li> <li>ii. Strong seismic ground shaking?</li> <li>iii. Seismic-related ground failure including liquefaction?</li> <li>iv. Landslides?</li> </ul> |                                |                                       | ✓                            |           | A, L, 5, 6, 12, 16, 29, 30, 31 |
| b. Result in substantial soil erosion or the loss of topsoil?  |                                | ✓                                     |                              |           | A, D, 25, 32, 38               |
| 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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?   |                                | ✓                                     |                              |           | A, D, 12, 25, 30, 31, 32, 38   |
| d. Be located on expansive soil creating substantial direct or indirect risks to life or property?   |                                |                                       | ✓                            |           | A, D, 25, 30, 31, 32           |

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? |                                |                                       |                              | ✓         | A, C, 11                      |
| f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  |                                | ✓                                     |                              |           | A, L                          |

**Impact Discussion:**

7a,c,d The proposed project is not anticipated to result in adverse effects due to unstable soils or cause significant erosion. The project site is not within an Alquist-Priolo Earthquake Fault Zone and there are no known faults that cross through the project site; however, the project site is located approximately 0.6-miles northeast of Pre-Quaternary faults, which are older than 1.6 million years. The project site is located within Seismic Zone I, the Low Intensity Zone of the Modified Mercalli scale, meaning the site has a low risk for strong ground motion and thus the project is not anticipated to result in earthquake related impacts. Aiken loam, 15 to 30 percent slopes, N Low Mid Montane is in the northwestern area of the site and comprises about one-third of the property. The soil survey describes this soil type as being well drained colluvium and/or residuum derived from andesitic conglomerate and/or tuff breccia. The soil profile typically consists of organic material from 0 to 4 inches, loam from 4 to 33 inches, clay loam from 33 to 68 inches and bedrock from 68 to 78 inches. Aiken loam, 2 to 9 percent slopes, N Low-Mid Montane is in the southeastern area of the site and comprises about two-thirds of the property. The soil survey describes this soil type as being well drained Colluvium over residuum weathered from andesitic tuff breccia. The soil profile typically consists of loam from 0 to 29 inches, clay loam from 29 to 64 inches and bedrock from 64 to 68 inches. Building permits will be required for all earthwork, which would require compliance with the Nevada County grading standards outlined in Title 14, Chapter 12, Section 14.12.060 of the Nevada County Code. Building permits would also require compliance with the California Building Code (CBC) and the Nevada County Code requirements to ensure protection during seismic events. The Steep Slopes Management Plan, which provides Best Management Practices (BMPs) and Mitigation Measures for construction activities within slopes in excess of 30%, will be included as Mitigation Measures 7A-7C for the proposed project to ensure that substantial erosion of the loss of topsoil will be mitigated accordingly. Therefore, impacts to standard permit requirements are expected to be **less than significant**. Additionally, due to the proposed project including a Steep Slopes Management Plan (MGT25-0006) in order to mitigate the potential impacts to slopes in excess of 30%, Mitigation Measures 7A-7C will ensure that the potential impacts to project soils and potential impacts with unstable earth conditions will reduce the impact to be **less than significant with mitigation**.

7b The proposed project consists of the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and the

commercial outdoor equipment storage area on APN: 006-920-016 will consist solely of a gravel area for the storage of commercial vehicles. While the proposed project includes a Steep Slope Management Plan (MGT25-0006) for a small amount of grading in slopes that exceed 30%, the grading within areas exceeding 30% would be very minor in nature and would only be for the accommodation of an ADA pathway along the eastern portion of the proposed project area and for a new infiltration trench for drainage. The Steep Slopes Management Plan, which provides Best Management Practices (BMPs) and Mitigation Measures for construction activities within slopes in excess of 30%, will be included as Mitigation Measures 7A-7C for the proposed project to ensure that substantial erosion or the loss of topsoil will be mitigated accordingly. All work would be required to be in compliance with Nevada County grading standards and/or the California Building Code, requiring erosion control measures as needed to ensure that activities do not result in substantial erosion. The Department of Public Works has included a condition of approval that clearly states that the applicant shall submit grading and drainage plans, along with a supporting Hydrology and Hydraulics analysis prepared by a registered civil engineer. The analysis must demonstrate that the proposed project will result in no net increase in stormwater runoff and shall fully comply with the requirements of Nevada County Land Use and Development Code Section 16.12. It shall evaluate all relevant aspects of the project's drainage system, including culvert and pipe sizing, inlet and outlet dimensions, invert elevations, freeboard for the design storm, and the capacity of proposed detention or retention basins, infiltration systems, water quality treatment measures, and any other required stormwater mitigation features. The hydrologic analysis must also compare post-development peak runoff to pre-development peak runoff at all discharge points from the site. The grading plan shall show proposed grading for structures, parking areas, and any stormwater detention facilities. Additionally, while a Steep Slopes Management Plan has been applied for and work areas are located mostly outside of steep slopes, Mitigation Measure 4B requires that all Environmentally Sensitive Areas (ESA) shall be delineated on all future grading and improvement plans to avoid impacts to all Environmentally Sensitive Areas, including but not limited to slopes in excess of 30%, which will be implemented as a part of the proposed project. Further, any future non-habitable structures will require building permits and will not be able to be constructed on slopes steeper than 30% without an updated Steep Slopes Management Plan. With the implementation of Conditions of Approval, and Mitigation Measures 7A-7C, these measures will ensure that the potential impacts to soils erosion, or to disturbance within steep slopes resulting from the proposed project are anticipated to be ***less than significant with mitigation***.

- 7e The project site does not have soils incapable of adequately supporting septic systems. While the project parcels are both undeveloped, recent soils testing for APN: 006-920-015 has confirmed onsite soils are capable of adequate sewage disposal by going through the OSSE permit process (EH24-0075), which received Final in April of 2024, and has a current permit application in for a new septic system that is currently in the "corrections" phase. Additionally, APN: 006-920-016 does not propose any development and will remain a graveled commercial storage yard, and therefore no Environmental Health permits are required nor have been applied for at this time. Any potential future industrial construction activities on APN: 006-920-016 would require an individual septic system. Based on recent soils testing confirmation and Final permits, as well as the Environmental Health

Department team reviewing the submittal and finding no adverse impacts, the project would have **no impact** relative to a lack of soils for sewage disposal.

- 7f There are no known paleontological resources or unique geological features in or around the project parcel. However, because ground disturbance is anticipated to bring the proposed driveways up to required standards, or that associated with potential future development within building envelopes, Mitigation Measures 5A and 18A would require work to halt in the event that there is an unanticipated discovery of paleontological resources. Direct or indirect damage to paleontological resources is anticipated to be **less than significant with mitigation**.

**Mitigation Measures:** To protect water quality and aquatic life in neighboring waterways and to ensure the integrity of the topographic changes, the following Mitigation Measures shall be implemented during and after construction. The required mitigation measures include, but are not limited to:

**7A: Limit the Amount of Earthwork to be Completed During the Wet Season.** As much as possible the earthwork portion of this project is to be completed during extended periods of dry weather. If earthwork is completed during the wet season (October 15th to April 15th) it will be necessary to take extra precautionary measures to protect subgrade soils. Wet season earthwork shall require additional mitigation measures, including diversion of surface runoff around exposed soils and draining of ponded water on the site. Once subgrades are established, exposed soils shall be protected from construction traffic.

**Timing:** Prior to issuance of Grading/Improvement/Building permits

**Reporting:** Approval of the Parcel Map for recordation and future permit issuance

**Responsible Agency:** Planning Department and Building Department

**Mitigation Measure 7B: Implement all Erosion Control Measures.** To protect water quality and aquatic life in neighboring waterways and to ensure the integrity of the topographic changes, the following measures shall be implemented prior to, during, and after construction:

1. During construction, Best Management Practices ( BMP's ) for temporary erosion control shall be implemented to control any pollutants that could potentially affect the quality of storm water discharges from the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in accordance with California State Water Resources Control Board (SWRCB) requirements. This SWPPP includes the implementation of BMP's for Erosion Control, Sediment Control, Tracking Control, Wind Erosion Control, Waste Management and Materials Pollution Control.
2. Topsoil shall be removed and stockpiled for later reuse prior to excavation activities. Topsoil shall be identified by the soil-revegetation specialist who will identify both extent and depth of the topsoil to be removed.
3. Upon completion of grading, stockpiled topsoil shall be combined with wood chips, compost and other soil amendments for placement on all graded areas. Revegetation shall consist of native seed mixes only. The primary objectives of the soil amendments and revegetation is to create site conditions that keep sediment on site, produce a stable soil

surface, resist erosion and are aesthetically similar to the surrounding native forest ecosystem.

4. Geo-fabrics, jutes or other mats may be used in conjunction with revegetation and soil stabilization.

These erosion and sediment control notes will be shown on the roadway improvement plans and grading plans. Erosion control Best Management Practice's (BMPs) will also be shown on the plans with the final design for County review and approval.

**Timing:** *Prior to, during, and after the issuance of Grading/Improvement/Building permits.*

**Reporting:** *Approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department and Building Department*

**Mitigation Measure 7C: Limit Heavy Equipment from Accessing Steep Slope Areas.** Limit or avoid heavy equipment from accessing steep slope portions of the property and disturbed areas. Do not drive vehicles or heavy equipment on steep slopes. Keep all personal vehicles on the access road, pad area, or offsite and walk onto the property. Maintain heavy equipment on the access road or pad area and use excavator arms to access and remove material from steep slopes. If areas of steep slopes must be accessed by equipment, mini-excavators or hand removal shall be used.

**Timing:** *Throughout construction activities for all Grading/Improvement/Building permits*

**Reporting:** *Approval of the Parcel Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department and Building Department*

## **8. Greenhouse Gas Emissions:**

**Existing Setting:** Global climate change refers to changes in average climatic conditions on the earth as a whole, including temperature, wind patterns, precipitation, and storms. Global warming, a related concept, is the observed increase in the average temperature of the earth's surface and atmosphere. One identified cause of global warming is an increase of greenhouse gases (GHGs) in the atmosphere. Greenhouse gases (GHGs) are those gases that trap heat in the atmosphere. GHGs are emitted by natural and industrial processes, and the accumulation of GHGs in the atmosphere regulates the earth's temperature. Events and activities, such as the industrial revolution and the increased combustion of fossil fuels (e.g. gasoline, diesel, coal, etc.), are believed to have contributed to the increase in atmospheric levels of GHGs. GHGs that are regulated by the State and/or EPA are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>) and nitrous oxide (NO<sub>2</sub>). Emission inventories typically focus on GHG emissions due to human activities only, and compile data to estimate emissions from industrial, commercial, transportation, domestic, forestry, and agriculture activities. CO<sub>2</sub> emissions are largely from fossil fuel combustion and electricity generation. Agriculture is a major source of both methane and NO<sub>2</sub>, with additional methane coming primarily from landfills. Most HFC emissions come from refrigerants, solvents, propellant agents, and industrial processes, and persist in the atmosphere for longer periods of time and have greater effects at lower concentrations compared to CO<sub>2</sub>. Global warming adversely impacts air quality, water supply, ecosystem balance, sea level rise (flooding), fire hazards, and causes an increase in health-related problems.

To reduce emissions of greenhouse gases, the California Legislature enacted AB 32 (Núñez and Pavley), which is referred to as the California Global Warming Solutions Act of 2006 (September 27, 2006). AB 32 provided initial direction on creating a comprehensive, multiyear program to limit California’s GHG emissions at 1990 levels by 2020, and initiate the transformations required to achieve the state’s long-range climate objectives. In April 2015, the California Air Resources Board issued Executive Order B-30-15 to set an interim target goal of reducing GHG emissions to 40 percent below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80 percent below 1990 levels by 2050 as set forth in EO S-3-05. SB 32, enacted in 2016, codified the 2030 the emissions reduction goal of CARB Executive Order B-30-15.

In addition, the Governor signed Senate Bill 97 in 2007 directing the California Office of Planning and Research to develop guidelines for the analysis and mitigation of the effects of greenhouse gas emissions and mandating that GHG impacts be evaluated in CEQA documents. CEQA Guidelines Amendments for GHG Emissions were adopted by OPR on December 30, 2009. The Northern Sierra Air Quality Management District (NSAQMD) has prepared a guidance document, Guidelines for Assessing Air Quality Impacts of Land Use Projects, which includes mitigations for general air quality impacts that can be used to mitigate GHG emissions when necessary. Continuing to reduce greenhouse gas emissions is critical for the protection of all areas of the state, but especially for the state’s most disadvantaged communities, as those communities are affected first, and, most frequently, by the adverse impacts of climate change, including an increased frequency of extreme weather events, such as drought, heat, and flooding.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                    |                                |                                       | ✓                            |           | A, G, 20                      |
| b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? |                                |                                       | ✓                            |           | A, G, 20                      |

**Impact Discussion:**

8a,b The proposed project is not expected to generate greenhouse gases that would result in significant environmental impacts or that would be in conflict with plans for greenhouse gas reductions. Carbon dioxide (CO<sub>2</sub>) is the main component of greenhouse gases, and vehicles are a primary generator of CO<sub>2</sub>. The proposed project is not expected to generate greenhouse gases that would result in significant environmental impacts or that would be in conflict with plans for greenhouse gas reductions. The proposed project is located in the Sierra Nevada Foothills, within a rural area surrounded by low-density general agricultural properties, and overall GHG outputs are expected to be minimal. California is divided geographically into air basins for the purpose of managing the air resources of the State on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. Nevada County and Placer County are both within the Mountain

Counties Air Basin. Nevada County is within the jurisdiction of the Northern Sierra Air Quality Management District (NSAQMD), but the NSAQMD has not adopted thresholds of significance for greenhouse gases. However, Placer County Air Pollution District (APCD) has adopted thresholds of significance for greenhouse gases. Due to greenhouse gas emissions being not only a regional, but also a global concern, with the similarities between neighboring air districts, it was determined that the Placer APCD thresholds are a relevant standard for the determination of significance. The thresholds adopted by Placer County APCD include a bright-line threshold of 10,000 metric tons of Carbon dioxide equivalent per year and a De Minimis level of 1,100 metric tons of carbon dioxide per year (MT CO<sub>2</sub>e/yr). A De Minimis Level for the operational phases of 1,100 MT CO<sub>2</sub>e/yr represents an emissions level which can be considered as less than cumulatively considerable and be excluded from the further GHG impact analysis.

The overall GHG impact is expected to remain at a level that is **less than significant**, due to several factors including but not limited to: the proposed project and potential future improvements will apply standard building permit requirements ensuring any new structures meet energy efficiency standards; adherence to mitigation measure 3A which requires 50% of equipment to utilize Tier 1 engines or clear, and equipment idle times to be less than five (5) minutes; and because the proposed development is an industrial project located within an area specifically designated for industrial uses and structures pursuant to the Loma Rica Industrial Area Plan, which is consistent with both the existing General Plan and zoning densities in this area.

**Mitigation Measures:** None required.

## 9. Hazards and Hazardous Materials:

**Existing Setting:** The project site is not within or adjacent to any hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control, 2019). The Nevada County Airport is located approximately 0.3 miles north of the project parcels, and the project parcels are both located within the boundaries of the Nevada County Airport Land Use Compatibility Plan. The project parcels in their current conjuration are not developed with any permanent structures, however the project parcels are surrounded by parcels with mostly industrial uses and structures, with a handful of residential or rural uses and structures. The project area is in a very high fire hazard severity zone as designated by Cal Fire. The project is not located within ¼ mile of an existing or proposed school, is located within the Loma Rica Industrial Area Plan general area, and the closest residence is approximately 80-feet from the southwestern property boundary line.

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? |                                |                                       | ✓                            |           | C                             |

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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?  |                                |                                       | ✓                            |           | C                             |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  |                                |                                       |                              | ✓         | A, L                          |
| 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, create a significant hazard to the public or the environment?  |                                |                                       |                              | ✓         | C, 24                         |
| 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 for people residing or working in the project area? |                                |                                       | ✓                            |           | A, L                          |
| f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  |                                |                                       |                              | ✓         | H, M                          |
| g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?  |                                | ✓                                     |                              |           | H, M, 38                      |

**Impact Discussion:**

9a,b The proposed project does not include routine transport, use or disposal of hazardous materials. Small quantities of hazardous materials could be stored, used, and handled during construction. The hazardous materials anticipated for use are small volumes of petroleum hydrocarbons and their derivatives (e.g., gasoline, oils, lubricants, and solvents) required to operate the construction equipment. These relatively small quantities would be below reporting requirements for hazardous materials business plans and would not pose substantial public health and safety hazards through release of emissions or risk of upset. Safety risks to construction workers for the proposed project would be reduced by compliance with Occupational Safety and Health Administration standards. Additionally, as a Condition of Approval, the Nevada County Department of Environmental Health requires that if the business activities by the applicant and/or the facility operator involve usage or storage of hazardous materials or generation of hazardous wastes, the applicant and/or the facility operator shall adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in California Health and Safety Code Section 25500 - 25519 and 25100 - 25258.2 including the electronic reporting requirement to the California Environmental Reporting System (CERS). CERS | California Environmental Reporting System. This includes the applicant

and/or facility operator applying for and obtaining a permit for the storage of hazardous materials and the generation of hazardous wastes from the Nevada County Department of Environmental Health (NCDEH), the Certified Unified Program Agency (CUPA). The Department of Public Works has included a Condition of Approval stating that Dischargers whose project disturbs one or more acres or where projects less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, shall be required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2022-0057-DWQ. The Construction General Permit shall require the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Additionally, the Department of Public Works has also included another Condition of Approval requiring that the final drainage design shall comply with General Plan Chapter 11: Water Element by incorporating water quality treatment measures consistent with Policy 11.6A to minimize pollutant discharge to surface waters. Acceptable methods include biotreatment (low-impact development) or, where appropriate, mechanical systems such as oil, grease, and silt traps. Mechanical systems must be designed by a registered civil engineer and include a legally enforceable maintenance mechanism in accordance with Policy 3.19C. Therefore, with the implementation of Conditions of Approval, the project related hazard impacts relative to routine transport, use, disposal, or emission of hazardous substances to the public or environment would be **less than significant**.

- 9c The proposed project site is not located adjacent to, or within a quarter mile of, any schools. Therefore, the project would have **no impact** relative to the handling or emitting of hazardous materials in close proximity to a school.
- 9d The proposed project area is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, there would be **no impact**.
- 9e The Nevada County Airport is located approximately 0.3 miles north of the project parcels, and the project parcels are both located within the boundaries of the Nevada County Airport Land Use Compatibility Plan. The project parcels are located in Nevada County Airport Compatibility Zone D pursuant to the Nevada County Airport Land Use Compatibility Plan and are subject to the policies located within the plan. The proposed project was sent to the Nevada County Transportation Commission, the Nevada County Airport Land Use Commission, the Nevada County Airport Manager, and the Air Resources Control Board and each agency determined that the proposed project is in compliance with the Nevada County Airport Land Use Compatibility Plan and would not have any adverse impacts related to the creation of safety hazards for people residing or working in the project area. Therefore, due to the proximity of the proposed project site to a private airstrip or airport and the determinations made by the other reviewing agencies, the proposed project would not result in a safety hazard to people working or residing in the area; and a **less than significant** impact would occur.
- 9f The proposed project is not anticipated to interfere with an adopted emergency response plan or emergency evacuation plan, nor would it expose people or structures to a

significant risk of loss, injury or death involving wildland fires. The subject property is served by the Nevada County Consolidated Fire District, in an area designated by CalFire as a Very High Fire Severity Zone area. The Nevada County Office of the Fire Marshal and Nevada County Consolidated Fire District have reviewed the project proposal and did not comment on any adverse impacts to emergency response or evacuation plans. The County Office of Emergency Services does not publish emergency evacuation plans; however, the Nevada County Sheriff's Department has verified that there are no emergency response plans or emergency evacuation plans for the project area. The proposed project would not impair or physically interfere with emergency response and evacuation plans, resulting in **no impact**.

- 9g The proposed project, upon approval, could allow for the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016. While APN: 006-920-015 will have one industrial structure on it, the surrounding area will all be graveled and all vegetation besides required landscaping will be compliant with defensible space requirements. Additionally, APN: 006-920-016 is not proposing any structures and will be solely a graveled area for storage, which would not propose any threat to people or structures. All future improvements would require applicable Planning Permits and Building Permits and conformance with Title 14 of the Nevada County Code for building and grading standards. As a condition in the project Conditions of Approval, the applicant would be required to provide defensible space around all structures consistent with California Public Resources Code 4291, which requires up to 100 feet of fuels treatment or to the property line, whichever is closer. Additionally, as another Condition of Approval, due to the Very High Fire Severity Zone designation, a Fire Protection Plan from the Nevada County Fire Marshal would be required. The project proposes a Steep Slopes Management Plan (MGT25-0006) for the proposed grading in areas with slopes greater than 30%. The grading activities in these areas exceeding 30% slope are only for a small portion of concrete for an ADA pathway and for an infiltration trench for drainage, and therefore the overall impact would be very minimal. The Steep Slopes Management Plan provides Best Management Practices (BMPs) and mitigation measures for construction activities within slopes in excess of 30%, which will be included as Mitigation Measures, 7A-7C, for the proposed project to ensure that substantial erosion of the loss of topsoil will be mitigated accordingly. With the implementation of all applicable Conditions of Approval and Mitigation Measure 7A-7C, the proposed project would have a **less than significant impact with mitigation** in regard to exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

**Mitigation Measures:** See **Mitigation Measures 7A-7C**.

## **10. Hydrology and Water Quality:**

**Existing Setting:** The natural parcel runoff is from west to east within both subject parcels given the topography of the overall Project area. This includes moderate to steeper slopes within the

eastern sections of both subject parcels. At the toe of the slope to the east of the project area runs an existing Nevada Irrigation District (NID) canal, the Chicago Park Canal. The NID canal is connected to the Yuba Reservoir, an NID reservoir that is used to store water and to send it for deliveries within NID’s conveyance system. Little Greenhorn Creek runs along the western property line on APN: 006-920-015. However, within the overall project area, there are no streams, drainages, wetlands, ponds, or other aquatic resources.

The project corridor is not located within or near a 100-year flood hazard zone according to the Federal Emergency Management Agency’s (FEMA) Flood Information. The Federal Emergency Management Agency identifies the area as Zone X, which is an area determined to be outside of the 500-year flood or protected by levee from 100-year floods. The project is not in a tsunami or seiche zones.

The California State Water Resources Control Board regulates stormwater discharges from construction sites because of its potential to mobilize pollutants and discharge into waterbodies or watersheds. By regulating these discharges, the State Water Board is preserving, enhancing, and restoring California’s waterbodies and its resources.

Sustainable management of groundwater basins is overseen by the Department of Water Resources (DWR) and State Water Resources Control Board (SWRCB) via the Sustainable Groundwater Management Act (SGMA). This project is not located within any groundwater basins or priority basins identified by the DWR Bulletin 118, or the SGMA Basin Prioritization Dashboard. The nearest DWR Bulletin 118 basins are the North and South Yuba Subbasins of the Sacramento Valley Basin (5-21.60 and 5-021.61, respectively). No Groundwater Sustainability Agency, no Groundwater Sustainability Plan, and no sustainability criteria or goals have been established for the underlying aquifer of this project.

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?                              |                                |                                       | ✓                            |           | A, C, D, I                    |
| b. Substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin? |                                |                                       | ✓                            |           | A, C                          |

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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:<br>i) Result in substantial erosion or siltation on- or off-site;<br>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site;<br>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; or<br>iv) impede or redirect flood flows? |                                |                                       | ✓                            |           | A, D, 9, 19                   |
| d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?   |                                |                                       |                              | ✓         | A, L, 9, 13                   |
| e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?   |                                |                                       |                              | ✓         | A, D                          |
| f. Place housing within a 100-year flood hazard area as mapped on a federal Flood hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  |                                |                                       |                              | ✓         | A, L, 9, 13                   |
| g. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?  |                                |                                       |                              | ✓         | A, L, 13                      |

**Impact Discussion:**

10a,c The proposed project is not anticipated to negatively affect water quality standards or waste discharge requirements, nor is it anticipated to contribute amounts that could exceed drainage system capacity. The Chicago Park Canal runs just along the edge of the eastern and southeastern property line of the project parcels and Little Greenhorn Creek runs along the western property line of APN: 006-920-015; however, the construction and grading activities proposed are well outside the required non-disturbance buffers. Due to the proposed project area being so far from any water features, the proposed project would have no impact on any water features or drainage patterns on the project parcels. The proposed project includes the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a commercial contractor equipment storage yard for the storage of commercial related vehicles and equipment on APN: 006-920-016. Additionally, APN: 006-920-016 is not proposing any structures and will be solely a graveled area for storage, which would not propose any threat

to people or structures. While the proposed project includes a Steep Slope Management Plan (MGT25-0006) for a small amount of grading in slopes that exceed 30%, the grading included will also be for an infiltration trench for drainage. Additionally, any work conducted within the right of way will require an encroachment permit from the Nevada County Department of Public Works. Standard erosion control measures will be required to ensure that this work, and any future improvements within proposed building envelopes, does not result in offsite erosion or deposition of sediment into water features. The Department of Public Works has included a Condition of Approval stating that Dischargers whose project disturbs one or more acres or where projects less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, shall be required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Oder No. 2022-0057-DWQ. The Construction General Permit shall require the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). Additionally, the Department of Public Works has also included another Condition of Approval requiring that the final drainage design shall comply with General Plan Chapter 11: Water Element by incorporating water quality treatment measures consistent with Policy 11.6A to minimize pollutant discharge to surface waters. Acceptable methods include biotreatment (low-impact development) or, where appropriate, mechanical systems such as oil, grease, and silt traps. Mechanical systems must be designed by a registered civil engineer and include a legally enforceable maintenance mechanism in accordance with Policy 3.19C. As another good faith measure to ensure drainage is being addressed adequately, another Condition of Approval from the Department of Public Works requires that the applicant maintain all drainage facilities constructed as part of the project through a permanent, legally enforceable mechanism such as, but not limited to, a CSA, CSD, or recorded covenant. Prior to grading or improvement permit issuance, the applicant shall demonstrate that a legally enforceable mechanism for long-term maintenance of such facilities has been provided.

Based on the above discussion, the proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality, alter the existing drainage pattern of the site or area, or contribute amounts that could exceed drainage system capacity or alter existing drainage patterns. Therefore, the impacts to water quality and drainage patterns would be **less than significant**.

10b The proposed project would not result in a substantial decrease in groundwater supplies, interfere with groundwater recharge or conflict with water quality/groundwater management plans. The applicant has received a “Will Serve” letter from the Nevada Irrigation District (NID), and therefore proposed and future improvements will rely on the Nevada Irrigation District (NID) for treated water service. The proposed project is not anticipated to substantially decrease groundwater supplies or interfere with groundwater recharge. Therefore, the proposed project is anticipated to have a **less than significant** impact on groundwater supplies and recharge.

10d-g There is no flood hazard or designated flood zone on the project parcels. Furthermore, the proposed project is not within a tsunami or seiche zone, and it does not conflict with or obstruct the implementation of a water quality control plan. The proposed project does not

expose people or structures to a significant risk of loss or injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. Therefore, there would be **no impact** associated with flooding, tsunamis or seiches, water quality control plans, or a sustainable groundwater management plan.

**Mitigation Measures:** None required.

## 11. Land Use and Planning:

**Existing Setting:** The project parcels, 13837 & 13881 Park Court, (APNs: 006-920-016 & 006-920-015) are located in an unincorporated area of Grass Valley, CA, approximately 0.2 miles southwest of the intersection of Loma Rica Drive and Charles Drive. The proposed parcels will both be accessed directly off of Park Court, a paved private road that directly connects to Charles Drive, a County Maintained Road. The project biologist describes the land as an area best characterized as a Mixed Conifer Forest with a Ponderosa Pine and Incense Cedar Alliance. Ponderosa pine and incense cedar trees dominate the tree community throughout the subject parcels.

The project parcels are both currently undeveloped. The average elevation within the subject parcels and overall project area is approximately 3,050 feet above mean sea level (MSL) with the highest elevation within the northeastern section of the overall project area (northern subject parcel) being approximately 3,070 feet above MSL and with the lowest elevation within the eastern section of the overall project area downslope from the existing graded areas within both subject parcel (approximately 2,995 feet above MSL). At the toe of the slope to the east of the project area runs an existing Nevada Irrigation District (NID) canal, the Chicago Park Canal. The NID canal is connected to the Yuba Reservoir, an NID reservoir that is used to store water and to send it for deliveries within NID’s conveyance system. Little Greenhorn Creek runs along the western property line on APN: 006-920-015. However, within the overall project area, there are no streams, drainages, wetlands, ponds, or other aquatic resources.

The project parcels are zoned M1-SP (Light Industrial with a Site Performance Combining District) and have an IND (Industrial) General Plan designation. Both parcels are undeveloped and do not have any permanent structures at this time. The subject parcels are surrounded by industrial development to the west, north, and east, and with residential development downslope to the south of the subject parcels and overall project area. The project parcels are bordered by five (5) parcels zoned Light Industrial with a Site Performance Combining District (M1-SP) to the north, east, and west, and five (5) parcels zoned Residential Agricultural with a minimum parcel size of 3.00 acres (RA-3) to the south. All five (5) of the parcels directly surrounding the project parcels to the north, east, and west have been developed with commercial and industrial uses, while the five (5) parcels to the south have all been developed with residential, rural, and accessory structures.

| Would the project:                             | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Physically divide an established community? |                                |                                       |                              | ✓         | A, L, 17, 18                  |

|  |  |  |   |              |
|--|--|--|---|--------------|
| 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? |  |  | ✓ | A, B, 18, 19 |
|--|--|--|---|--------------|

**Impact Discussion:**

11a The proposed project would not physically divide an established community. The subject parcels are located in an established industrial area designated in the Loma Rica Industrial Area Plan off of Park Court, which directly connect to Charles Drive. The proposed project consists of the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016. Since the proposed project would include industrial development on a parcel zoned Light Industrial and not within an established residential community, the proposed project would not physically divide an established community, and thus **no impact** is anticipated.

11b The purpose of the Light Industrial zoning designation is to provide areas for the production, repairing, distribution, and warehousing of goods and equipment, along with supporting businesses and services. Uses should provide for buffering from adjacent land uses to minimize incompatibility and should have convenient, controlled access to arterial or major collector roads without passing through residential areas. Additionally, Industrial (IND) General Plan designations are intended to provide for areas in which goods are produced, distributed and warehoused, along with supporting business and service uses. Locations within this designation should be able to provide buffering from adjacent land uses to minimize incompatibility, and should have convenient, controlled access to arterial or major collector roads without passing through residential areas.

The proposed project includes the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a commercial contractors equipment storage yard for the storage of commercial related vehicles and equipment on APN: 006-920-016. The proposed warehouse building is accessed directly off of Park Court, a paved private road with a 60-foot easement and will be for 20% light industrial manufacturing usage for the fabrication of metal cabinets, furniture, and decorative steel development and manufacturing activities and 80% warehousing usage for the storage of the completed manufactured items. Additionally, the commercial outdoor storage area will consist solely of a gravel area for the storage of commercial vehicles, which is screened by existing vegetation and steep slopes. The preliminary landscaping plan includes the utilization of existing oak trees to retain the natural vegetation as well as three (3) total proposed shade trees within the parking area consisting of both Trident Maple and Honeycrisp Apple trees. The proposed landscaping also includes thirty-five (35) total medium sized shrubs consisting of a mix between Sentinnel Vine Hill Manzanita, Bush Anemone, and Eve Case Coffeberry shrubs and twenty-four (24) total large shrubs consisting of a mix between Claremont Flowering Currant and Black Beauty Elderberry shrubs along the proposed fencing along the southern property line to provide screening

from the parcels to the south zoned for residential and rural uses. Additionally, the proposed project includes nine (9) total screening shrubs consisting of a mix between Dr. Hurd Common Manzanita and Western Redbud Multi-trunk shrubs north of the previously mentioned shrubs and fencing for additional screening on the higher sloped area from the project parcels to the residentially zoned parcel. Due to the slope, the existing fencing, and the proposed landscaping screening, there will be a less than significant impact to the visual characteristics of the area and the screening requirements of the Nevada County Code.

The project parcels are located in an established industrial area designated in the Loma Rica Industrial Area Plan, and therefore are subject to Appendix D: Design Guidelines Checklist of the Loma Rica Industrial Area Plan, which already includes the integration of the Design Guidelines identified in the Western Nevada County Design Guidelines. The proposed project is mostly compliant with the Area Plan, and Conditions of Approval from the Planning Department regarding the final design of the proposed structure will be included. Due to the reasons listed above, the proposed project is in compliance with the requirements set forth in the Nevada County Code, Loma Rica Industrial Area Plan, and any environmental impacts related to land use policy inconsistency and land use incompatibility are considered ***less than significant***.

**Mitigation Measures:** None required.

## **12. Mineral Resources:**

**Existing Setting:** Mineral resources, particularly gold, have played a major role in the history of Nevada County. Since 1849, when gold was first discovered in the area, to the years preceding World War II, most of the County's population was economically supported, directly or indirectly, by the local gold mining industry. Other metals produced in the County since 1880 include silver, copper, lead, zinc, chromite, and small amounts of tungsten and manganese. Industrial minerals include barite, quartz for silicon production, and small amounts of limestone, asbestos, clay, and mineral paint. Also, significant deposits of sand, gravel, and rock types suitable for construction aggregate are exposed throughout the County. (Mineral Land Classification of Nevada County, State Division of Mines and Geology, 1990).

In order to promote the conservation of the state's mineral resources, and ensure adequate reclamation of mined lands, the Surface Mining and Reclamation Act of 1975 (SMARA) was enacted. SMARA requires that the State Geologist classify land in California for its mineral resource potential. Local governments are required to incorporate the mineral and classification reports and maps into their general plans and consider the information when making land use decisions.

Areas subject to mineral land classification studies are divided into various Mineral Resource Zone (MRZ) categories that reflect varying degrees of mineral potential. Mineral deposits of all types which are designated MRZ-2a or MRZ-2b, are used for areas underlain by mineral deposits where geologic data indicate that significant measured or indicated (MRZ-2a) or inferred (MRZ-2b) resources are present. The project area is not mapped within a Mineral Resource Zone (MRZ), or area of known valuable mineral deposits.

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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?                                |                                |                                       |                              | ✓         | A, 1                          |
| 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? |                                |                                       |                              | ✓         | A, 1                          |

**Impact Discussion:**

12a-b The proposed project is not mapped within a known mineral resource area or MRZ and would not change existing land uses on the project site. None of the project parcels contain known or designated mineral resources. Therefore, the proposed project would have **no impact** on mineral resources.

**Mitigation Measures:** None required.

### 13. Noise:

**Existing Setting:** The project parcels are currently both undeveloped parcels and are located in an unincorporated area of Grass Valley, CA, approximately 0.2 miles southwest of the intersection of Loma Rica Drive and Charles Drive. The project parcels are accessed directly off of Park Court, an existing paved private road within a 60 foot wide easement that directly connects to Charles Drive, an existing paved County Maintained Road. The subject parcels are surrounded by industrial development to the west, north, and east, and with residential development downslope to the south of the subject parcels and overall project area. The project parcels are bordered by five (5) parcels zoned Light Industrial with a Site Performance Combining District (M1-SP) to the north, east, and west, and five (5) parcels zoned Residential Agricultural with a minimum parcel size of 3.00 acres (RA-3) to the south. All five (5) of the parcels directly surrounding the project parcels to the north, east, and west have been developed with commercial and industrial uses, while the five (5) parcels to the south have all been developed with residential, rural, and accessory structures.

The existing ambient noise environment at the project site is defined primarily by commercial and industrial operations at varying businesses to the north of the project site, and the traffic from Charles Drive and those noises that commonly accompany industrial, rural, and residential uses. The Nevada County Airport is located approximately 0.3 miles north of the project parcels, and the project parcels are both located within the boundaries of the Nevada County Airport Land Use Compatibility Plan. The project parcels are located in Nevada County Airport Compatibility Zone D.

As noted in Nevada County General Plan Policies 9.1.2.a through 9.1.2.h, there are various adjustments to the County’s noise limits which are to be applied if certain conditions are satisfied.

The policies most applicable to this project are Policy 9.1.1.a, 9.1.2.b, 9.1.2.d and 9.1.2.e. The adjusted noise level standards applied to the project are summarized below:

1. 9.1.2.a Compliance with the above standards shall be determined by measuring the noise level based on the mean average of not less than three (3) 20-minute measurements for any given time period. Additional noise measurements may be necessary to ensure that the ambient noise level is adequately determined.
2. 9.1.2.b Where two different zoning districts abut, the standard applicable to the lower, or more restrictive, district plus 5 dBA shall apply.
3. 9.1.2.d If the measured ambient level exceeds that permitted, then the allowable Policy 9.1.2 noise exposure standard shall be set at 5 dBA above the ambient.
4. 9.1.2.e Because of the unique nature of sound, the County reserves the right to provide for a more restrictive standard than shown in the Exterior Noise Limits table contained in this policy. The maximum adjustment shall be limited to be not less than the current ambient noise levels and shall not exceed the standards of this policy or as they may be further adjusted by Policy 9.1.2.b. Imposition of a noise level adjustment shall only be considered if one or more of the following conditions are found to exist:
  - a. The noise contains a very high or low frequency, is of a pure tone (a steady, audible tone such as a whine, screech, or hum), or contains a wide divergence in frequency spectra between the noise source and ambient level.
    - i. The noise is impulsive in nature (such as hammering, riveting, or explosions), or contains music or speech.
  - b. The noise source is of a long duration.
  - c. Unique characteristics of the noise receptor when the ambient noise level is determined to be 5 dBA or more below the Policy 9.1.2 standard for those projects requiring a General Plan amendment, rezoning, and/or conditional use permit. In such instances, the new standard shall not exceed 10 dBA above the ambient or the Policy 9.1.2 standard, whichever is more restrictive.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess standards established in the local General Plan or noise ordinance, or applicable standards of other agencies? |                                | ✓                                     |                              |           | A, 17, 18, 39                 |
| b. Generation of excessive ground borne vibration or ground borne noise levels?  |                                |                                       | ✓                            |           | A, 18, 39                     |

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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? |                                |                                       |                              | ✓         | A, L                          |

**Impact Discussion:**

13a,b The project application included an Environmental Noise Assessment, prepared by Don Bollard with Bollard Acoustical Consultants, Inc. As part of the noise study, to quantify the existing ambient noise environment in the project vicinity, a continuous 24-hour noise level measurement was conducted at the project site from January 8<sup>th</sup>, 2025, through January 9<sup>th</sup>, 2025. The measurements were taken from the southern portion of the project site, which is the primary location on the property where the most noise will be produced that would affect any residential areas. The average existing ambient noise levels ranged from 43 to 45 dBA Leq, while the maximum existing ambient noise levels ranged from 52 to 62 dBA Lmax. The main noise-generating features of the project are the construction of the industrial building for manufacturing and warehousing, metal fabrication noise generation, truck reverse warning system noise generation, and on-site traffic noise generation. The project proposes hours of operation from 7:00 a.m. to 7:00 p.m. and includes the fabrication of metal cabinets inside of the warehouse. The primary noise source associated with metal cabinet fabrication have been identified as the use of metal grinders used to remove slag and smooth edges following welding. It is unlikely that there will be a permanent substantial increase in ambient noise levels in the project vicinity because the proposed project construction and operation hours would be limited to Mitigation Measure 13A. The nearest residence that could be considered sensitive in regard to noise is approximately 275 feet away to the project site area, which would allow the noise generated by the new proposed project area to dissipate as well as the metal fabrication being conducted within a completed enclosed structure that would limit any sound exposure in excess of the standards identified in the Nevada County Code. Additionally, Mitigation Measure 13A is recommended to limit construction work to the hours of 7 AM to 7 PM Monday through Saturday.

To quantify noise levels associated with grinder use within the proposed warehouse, Bollard Acoustical Consultants conducted two short-term (60 second) noise surveys at the project site on January 7, 2025. Two separate grinding wheels were tested on a Milwaukee M18 Fuel Grinder: 1) cut off wheel, and 2) grinding wheel. The measurements were recorded at a distance of 50 feet from the noise source. The measured grinder noise level data was projected to the property line of the nearest noise sensitive receptor based on a 6 dBA decrease in sound levels per each doubling of distance from the noise source. To represent the worst-case scenario, the distance from the nearest facade of the proposed structure to the residential property line of the RA-3 property was used – approximately 120 feet. The calculations conservatively estimate that the noise attenuation provided by

the metal structure would be approximately 15 decibels. The results of the noise level projections indicate that at the property line, the cut off wheel and grinding wheel would have a projected noise level of 51 dBA Lmax, which is compliant with the 60 dBA Lmax associated with the RA-3 zoned parcels to the south. As a result, the impact associated with noise from grinder operations inside the warehouse is considered to be less than significant.

Noise level data previously collected by Bollards Acoustical Consultants for truck reverse warning systems indicates that average levels of approximately 80 dBA Lmax can be expected at a distance of 30 feet. The reference level data was projected to the property line of the nearest noise-sensitive receptor based on a 6 dBA decrease in noise level per each doubling of distance from the noise source. The provided project site plan shows that most of the truck/parking activity would occur at the north end of the project site. For the purposes of this calculation, the distance to the furthest south parking spot was used – approximately 200 feet. The results of the calculations indicate that the predicted noise levels at the RA-3 property line due to reverse warning system noise is approximately 64 dBA Lmax. This level is in compliance with the adjusted County noise level standard of 71 dBA Lmax. As a result, the impact associated with noise generated from truck reverse warning systems is considered to be less than significant. As a means of determining potential noise exposure due to project parking area activities, Bollards Acoustical Consultants utilized specific parking lot noise level measurements. Specifically, a series of individual noise measurements were conducted of multiple vehicle types arriving and departing a parking area, including engines starting and stopping, car doors opening and closing, and persons conversing as they entered and exited the vehicles. The results of those measurements revealed that individual parking lot movements generated mean noise levels of approximately 70 dBA Sound Exposure Level (SEL) at a reference distance of 50 feet. The maximum noise level associated with parking lot activity typically did not exceed 65 dBA Lmax at the same reference distance. To compute hourly average (Leq) noise levels generated by parking activities, the approximate number of hourly operations in any given area and distance to the effective noise center of those activities must be known or assumed. As previously mentioned, the project site plans indicate that the parking area contains approximately 15 parking stalls. For the purpose of this analysis, it was conservatively assumed that all 15 stalls could fill or empty during a given peak hour (worst-case).

$$\text{Peak Hour Leq} = 70 + 10 \cdot \log(N) - 35.6$$

Where 70 is the SEL for a single vehicle parking operation, N is the number of parking operations in a peak hour, and 35.6 is 10 times the logarithm of the number of seconds in an hour. Using the information provided above, parking activity noise exposure at the property line of the closest noise-sensitive parcel was calculated. The results of the calculations indicated that the predicted noise levels at the property line due to on-site traffic operations at the worst-case hour is approximately 34 dBA Leq. This level is well below the adjusted County noise level standard of 55 dBA Leq. As a result, the impact associated noise generated from on-site traffic is considered to be less than significant. The conclusion section of the Environmental Noise Assessment prepared by Bollard

Acoustical Consultants, Inc. concludes that noise generated at the Park Court Warehouse project would result primarily from three separate project components: metal fabrication, truck reverse warning systems, and on-site traffic. All three of the noise-producing components are predicted to be in compliance with the adjusted Nevada County noise standards. As a result, the impact associated with noise generated from this project is considered to be less than significant.

In order to ensure that the dBA Leq and dBA Lmax for both daytime and nighttime hours will not exceed noise levels of 55 dB Leq and 71 dB Lmax from 7:00 a.m. to 7:00 p.m. and 50 dB Leq from 7:00 p.m. to 10:00 p.m. at the project site property lines, a Condition of Approval will be included that in order to comply with the Nevada County exterior noise standards, the proposed project shall implement the following:

1. Daytime (7:00 a.m. to 7:00 p.m.) sound system output shall not exceed 55 dBA Leq and 75 dBA Lmax at the project site property lines from the specific sound system location only in order to comply with Nevada County noise standards.
2. Evening (7:00 p.m. to 10:00 p.m.) sound system output shall not exceed 50 dBA Leq and 65 dBA Lmax at the project site property lines from the specific sound system location only in order to comply with Nevada County noise standards.

With the implementation of Mitigation Measure 13A and all Conditions of Approval, the proposed project is anticipated to result in **less than significant** noise impacts; and **less than significant** construction related noise impacts **with mitigation**.

- 13c The Nevada County Airport is located approximately 0.3 miles north of the project parcels, and the project parcels are both located within the boundaries of the Nevada County Airport Land Use Compatibility Plan. The project parcels are located in Nevada County Airport Compatibility Zone D pursuant to the Nevada County Airport Land Use Compatibility Plan and are subject to the policies located within the plan. The proposed project was sent to the Nevada County Transportation Commission, the Nevada County Airport Land Use Commission, the Nevada County Airport Manager, and the Air Resources Control Board and each agency determined that the proposed project is in compliance with the Nevada County Airport Land Use Compatibility Plan and would not have any adverse impacts on exposing people to excessive noise levels. Given the Nevada County Transportation Commission, the Nevada County Airport Land Use Commission, the Nevada County Airport Manager, and the Air Resources Control Board and each agency determined that the proposed project is in compliance with the Nevada County Airport Land Use Compatibility Plan, and the distance to the Nevada County Airport, the project would result in **no impacts** related to airport noise and would not expose people residing or working in the project area to excessive noise levels.

**Mitigation Measures:** To offset potential construction related noises, the following mitigation measures shall be required and shall be included as notes on the supplemental data sheets that record concurrently with the parcel map:

**Mitigation Measure 13A. Limit construction work hours to 7:00 AM to 7:00 PM:** During grading and construction, work hours shall be limited from 7:00 AM to 7:00 PM, Monday – Saturday; no work is permitted on Sundays. Prior to issuance of grading and building permits, improvement plans shall reflect hours of construction. This shall be included as a Note on the Tentative Parcel Map and all future improvements plans.

**Timing:** Prior to map recordation and prior to issuance of Grading/Improvement/Building permits

**Reporting:** Agency approval of permits or plans

**Responsible Agency:** Planning Department

## 14. Population and Housing:

**Existing Setting:** The subject parcels are surrounded by industrial development to the west, north, and east, and with residential development downslope to the south of the subject parcels and overall project area. The project parcels are bordered by five (5) parcels zoned Light Industrial with a Site Performance Combining District (M1-SP) to the north, east, and west, and five (5) parcels zoned Residential Agricultural with a minimum parcel size of 3.00 acres (RA-3) to the south. All five (5) of the parcels directly surrounding the project parcels to the north, east, and west have been developed with commercial and industrial uses, while the five (5) parcels to the south have all been developed with residential, rural, and accessory structures.

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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)? |                                |                                       | ✓                            |           | A, 17, 18                     |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   |                                |                                       | ✓                            |           | A, 17, 18                     |

### Impact Discussion:

14a-b The proposed project consists of the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016; both parcels are owned by the project applicant. Pursuant to the proposed project there would be a very limited impact to population growth in the area due to the project not increasing density in any way. Therefore, the proposed project would have a **less than significant impact** related to these potential issues, as the potential increase in population would be considered minor in nature. Additionally, the proposed project would not displace substantial numbers of existing people or housing due to the project including the construction of an industrial warehouse structure for manufacturing and not any type

of project that could increase the density of the area. Therefore, the proposed project would have a **less than significant impact** related to these issues.

**Mitigation Measures:** None required.

## 15. Public Services:

**Existing Setting:** The following services are provided within the project corridor:

**Fire:** The Nevada County Consolidated Fire District provides fire protection services to the project parcel.

**Police:** The Nevada County Sheriff Department provides law enforcement services.

**Schools:** The project site is within the Grass Valley Elementary School District and Nevada Joint Union High School District 4.

**Parks:** The project is within the Grass Valley/Nevada City Recreation Benefit Zone.

**Water:** The project site will be served by Nevada Irrigation District (NID) for treated water.

**Sewer:** Sewage disposal is by individual private septic systems.

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Result in substantial adverse physical impacts associated with the provision of or 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 following the public services: |                                |                                       |                              |           |                               |
| i) Fire protection?   |                                |                                       | ✓                            |           | H, M                          |
| ii) Police protection?  |                                |                                       | ✓                            |           | A                             |
| iii) Schools?   |                                |                                       | ✓                            |           | A, L, P                       |
| iv) Parks?  |                                |                                       | ✓                            |           | A, L                          |
| v) Other public services or facilities?   |                                |                                       | ✓                            |           | A, B, L                       |

### Impact Discussion:

15a The proposed project is not anticipated to have significant impacts on fire protection or law enforcement services because of the low-density nature of this project. Additionally, due to the fact this proposed project is for the construction of one new industrial building, there would be no impact on the density within the area and the only additional traffic would be temporary and minor for construction, and then operation related traffic would be minimal due to the main use being for manufacturing and the secondary use being a storage yard. Therefore, this impact is considered **less than significant**. The proposed project would not impact schools, or public recreational facilities because the project would not result in a substantial increase in population that would require schools, parks, and other public services and facilities. School, fire mitigation, and recreation impact fees

are in place and applicable at the time of building permit issuance to offset the incremental impact on these services. These impact fees were collected for existing residences during the permitting process. School and fire mitigation impact fees would also be applied to dwelling units on all parcels if future owners choose to develop them with the adequate permitting.

The proposed parcels are intended for industrial uses and improvements and will be served by the Nevada Irrigation District (NID) for treated water. Both parcels are currently undeveloped, and since APN: 006-920-016 will not be developed and will be permitted as a commercial contractors equipment storage yard, only APN: 006-920-015 where the new industrial warehouse structure will be located has conducted an OSSE and has a current permit in for a new septic system. The project would not impact sewer services because the project does not require these services, as APN: 006-920-015 will be served by a private on-site septic system and APN: 006-920-016 will be used for outdoor storage only. Therefore, there would be a **less than significant impact** as a result of the project approval of the proposed project.

**Mitigation Measures:** None required.

## 16. Recreation:

**Existing Setting:** The project parcels are not located within a designated Park and Recreation District, however they are located within the Grass Valley/Nevada City Recreation Benefit Zone. The project parcels are located within the Loma Rica Industrial Area Plan general area, which is an area meant for industrial development and uses and not recreational. The Nevada County General Plan recommends the level of service for recreation needs as three acres per each 1,000 persons, countywide.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. 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? |                                |                                       | ✓                            |           | A                             |
| b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                        |                                |                                       | ✓                            |           | A                             |
| c. Conflict with established recreation uses of the area, including biking, equestrian and/or hiking trails?   |                                |                                       | ✓                            |           | A, L                          |

**Impact Discussion:**

16a-c The proposed project is not anticipated to result in negative impacts to recreational facilities, trigger the need for new facilities, or conflict with established facilities. The minimal potential increase in temporary population resulting from the proposed project would not result in negative impacts to existing recreational facilities, nor trigger the need for new facilities. The proposed project includes the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016. These parcels are located within an established industrial area designated by the Loma Rica Industrial Area Plan and both the General Plan and Zoning designations for both parcels includes Industrial, therefore no adverse impacts to any recreation is anticipated. There are no existing recreational facilities on the subject parcel, and there will be no impact to existing local biking, equestrian, or hiking trails caused by the project. Due to the minimal potential increase to temporary population, the lack of existing facilities onsite or in close proximity, and no trigger of needing new facilities or conflicting with established facilities, the proposed project would have a **less than significant impact** related to recreational facilities and established recreational uses of the area.

**Mitigation Measures:** None required.

## 17. Transportation:

**Existing Setting:** The project parcel is accessed directly off of Park Court, a short private road that directly connects to Charles Drive, a county maintained road, from a proposed Fire Safe Standard Access Road, not to exceed 10% slope. Charles Drive and Park Court are both classified as Local Roads, and the nearest connecting Major Collector Road is Loma Drica Drive. Both parcels are currently undeveloped, but the access roads are already mostly existing and paved. The small portions of proposed access roads are designed to completely avoid sensitive resources. Figure 2 shows the property and the existing and proposed access.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle or pedestrian facilities?           |                                |                                       |                              | ✓         | A, B                          |
| b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?  |                                |                                       |                              | ✓         | A, B, 37                      |
| c. Substantially increase hazards due to a geometric design feature (e.g., a sharp curve or dangerous intersection) or incompatible uses (e.g., farm equipment)? |                                |                                       | ✓                            |           | A, H, M, 38                   |
| d. Result in inadequate emergency access?  |                                |                                       | ✓                            |           | H, M, 38                      |

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| e. Result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians, including short-term construction and long-term operational traffic? |                                |                                       | ✓                            |           | A, H, M                       |

**Impact Discussion**

17a,b The proposed project consists of the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016; both parcels are owned by the project applicant. The proposed warehouse building is accessed directly off of Park Court, a paved private road with a 60-foot easement, that directly connects to Charles Drive, a county maintained road. The proposed project would not conflict with any program plan, ordinance, or policies regarding transit, roadway, bicycle, or pedestrian facilities. The proposed project parcels are located within the Route 3 – Loma Rica Loop route map, and the closest transit services as shown on the route map are approximately 0.3 miles north of the project area and would not be affected by the proposed project. The potential increase in traffic resulting from the proposed project would be insignificant in nature and therefore there would be **no impacts** relating to conflicts with traffic review.

The proposed project area is outside of the Community Areas and Proposed Trail Corridor Study Areas identified in the Western Nevada County Non-Motorized Recreational Trails Master Plan, and there are no trails that currently pass through the project area, so bicycle and pedestrian movement will not be affected. The closest transit services as shown on the route map are approximately 0.3 miles north of the project area and would not be affected by the proposed project. Therefore, the project would have **no impact** on any policies regarding transit, roadway, bicycle, or pedestrian facilities.

17c,e The proposed project would not result in an increase in hazards due to incompatible uses, or due to a geometric design feature either during construction or during future occupation of the properties. A Steep Slopes Management Plan (MGT25-0006) for the proposed grading in areas with slopes greater than 30%, which provides best management practices and mitigation measures for construction activities within slopes in excess of 30% in Mitigation Measures 7A-7C, to ensure that substantial erosion of the loss of topsoil will be mitigated accordingly. The proposed grading activities for vehicular purposes will not be located within any areas that exceed 30% grade and all of the vehicular access areas will be located within an area that is already flat and mostly graded. The applicant provided a Truck Turning Diagram, which was reviewed by the Nevada County Department of Public Works and found to be adequate for the design purposes of vehicular access for both ingress and egress. As a condition of approval, the Department of Public Works will require an encroachment permit for sight distance improvements, if required for the new encroachment, which includes a sight distance exhibit and analysis for the encroachments onto the public right of way using the County's procedures for measurements in Standard

Drawing A-6. Encroachment permits include review of Traffic Control Plans and/or other safety measures to ensure the work does not result in hazards during construction, and the Traffic Control Plan shall be approved by the County prior to commencement of work. The Department of Public Works included a condition of approval requiring that Park Court shall be improved to meet Local Class 1 Road Standards, pursuant to County Standard Drawing A-1. Another condition of approval from the Department of Public Works requires that all new driveways must conform to the County's Local Class 1 Road Standards, as shown in the County's Standard Drawings. Additionally, a condition of approval regarding the traffic mitigation fees will be required to be complied with, as well as creating and establishing the authority for imposing and charging a Road Improvement Fee with the unincorporated territory of Nevada County, will be levied at the issuance of building permits for each parcel. Therefore, with the application of these standard Conditions of Approval, project impacts due to geometric design and traffic hazards for both short-term construction and long-term operational traffic would be a **less than significant impact**.

- 17d The proposed project, upon approval, would allow for the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and a contractors equipment yard for the storage of commercial related vehicles and equipment on APN: 006-920-016. The proposed driveway improvements are required to be consistent with Nevada County Local Road Standards, and the proposed grading for any of the vehicular access roads will be at a minimal to due previous grading activities within those areas. Both parcels are accessed via Park Court, a paved private road that directly connects to Charles Drive, a County maintained road. The Nevada County Department of Public Works, Nevada County Office of the Fire Marshal, and Nevada County Consolidated Fire District all reviewed the proposed project and approved the project with conditions, as the proposed project would have a minimal impact on emergency access. A Condition of Approval would require that all proposed driveways must conform to the County's Local Class 1 Road Standards, as shown in the County's Standard Drawings. Compliance with the standards must be shown on plans. Any driveway and road improvements within the County right of way shall require an Encroachment Permit from the County prior to any work within the right of way. Additionally, another Condition of Approval that requires the proposed project create and maintain a 10 foot wide vegetative fuel modification zone along both sides of the proposed driveways, measured from the shoulder, by removing any vegetation that contributes to a significant risk of fire. These improvements would provide better access for emergency personnel such that there would be adequate facilities for emergency personnel to arrive and for occupants to exit. Additionally, as a Condition of Approval, due to the High Fire Severity Zone designation, a Fire Protection Plan from the Nevada County Fire Marshal would be required. Therefore, the project would have a **less than significant impact** relative to resulting in inadequate emergency access.

**Mitigation Measures:** None required.

## **18. Tribal Cultural Resources:**

**Existing Setting:** Assembly Bill 52 (Chapter 532, Statutes 2014) required an update to Appendix G (Initial Study Checklist) of the CEQA Guidelines to include questions related to impacts to tribal cultural resources. Changes to Appendix G were approved by the Office of Administrative Law on September 27, 2016. Tribal Cultural Resources include sites, features, and places with cultural or sacred value to California Native American Tribes. See Section 5 for additional information regarding tribal resources.

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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: <ul style="list-style-type: none"> <li>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), or</li> <li>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.</li> </ul> |                                | ✓                                     |                              |           | J, 22                         |

**Impact Discussion:**

18a The proposed project includes the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and the commercial outdoor equipment storage area on APN: 006-920-016 will consist solely of a gravel area for the storage of commercial vehicles. The subject parcels are surrounded by industrial development to the west, north, and east, and with residential development downslope to the south of the subject parcels and overall project area. The project parcel was determined to fall within the areas identified by the United Auburn Indian Community (UAIC), Tsi’ Akim Maidu, Nevada City Rancheria Nisenan Tribe, and Shingle Springs Band of Miwok Indians as ancestral lands. An initial distribution of the project application was sent to all organizations and the Native American Heritage Commission on July 24, 2024. A Final Map application was approved back in 2005, and as a part of the application an

Archeological Survey was conducted that determined there was a low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area. Since the recordation of the Final Map, numerous of the parcels have been developed already with industrial uses, and therefore it is anticipated that the proposed project would not have any adverse impacts of tribal cultural resources. Additionally, given the extent of known cultural resources and patterns of local history, there is low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area.

As discussed in Section 5, in a previous records search from a prior project (Final Map) the North Central Information Center identified no known cultural resources on the project site. Similar to the discussion in Section 5, there is still the potential for onsite grading could uncover cultural resources of importance to the California Native American Tribes identified above. Due to the chance that onsite grading could uncover cultural resources of importance to California Native American Tribes, Mitigation Measure 18A has been included, which requires work to halt if cultural resources are discovered and for local tribes to be notified.

The inadvertent discovery of archaeological resources during project implementation could be a potentially significant impact. While cultural resource discovery has been determined to be unlikely, Mitigation Measure 5A is proposed that would require construction to be halted and local tribes to be notified in the unlikely event that there is a discovery of cultural resources, including historic, prehistoric, tribal, and paleontological resources. Additionally, Mitigation Measure 18A is proposed which would require that a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area be immediately notified if any suspected Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities. All work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. With these protections in place, impacts to Tribal Cultural Resources would be *less than significant with mitigation*.

**Mitigation Measures:** To offset potentially adverse cultural or historical resources impacts associated with the construction activities, the following mitigation measures shall be required and shall be included as notes on all future site plans.

**Mitigation Measure 18A: Unanticipated Tribal Cultural Resources.** The following mitigation measures shall be required and shall be included as notes on all future site plans: If any suspected Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the

resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

**Timing:** Prior to issuance of Grading/Improvement/Building permits and throughout construction

**Reporting:** Planning Department Approval of Grading and Construction Permits

**Responsible Agency:** Planning Department

**Mitigation:** See Mitigation Measures 5A.

## 19. Utilities and Service Systems:

**Existing Setting:** Both project parcels are currently undeveloped and do not having existing power, however there are existing PG&E utility poles that would allow for future connection. All of the surrounding parcels have been developed with industrial uses and structures or residential and rural uses and structures, all of which have been supplied power through PG&E.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Require or result in the relocation or the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? |                                |                                       | ✓                            |           | A, D                          |
| b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?  |                                |                                       | ✓                            |           | A                             |

| Would the project:  | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| 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? |                                |                                       | ✓                            |           | C                             |
| 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 goals?   |                                | ✓                                     |                              |           | A, C                          |
| e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  |                                | ✓                                     |                              |           | B, C                          |

**Impact Discussion:**

19a-c The proposed project is anticipated to have a minimal impact relative to extension of utilities to serve the project. Currently both project parcels are currently undeveloped and do not having existing power, however there are existing PG&E utility poles that would allow for future connection. The proposed parcels are intended for industrial improvements, and due to the proposed project only including proposed development on APN: 006-920-015, the electrical extension will be minimal, and the parcel is within the Nevada Irrigation District (NID) service boundaries and a “Will Serve” letter from NID was provided with the application documents to confirm the parcel would utilize NID for treated water. An OSSE was completed for APN: 006-920-015, and there is a current septic permit that is currently in the “corrections” phase, that will need to be approved prior to the issuance of Building and Grading permits. Due to APN: 006-920-016 remaining undeveloped and being utilized as a gravel lot for commercial storage, no Environmental Health permits are required nor have been applied for at this time. Electrical service currently serves the general project area as all of the surrounding parcels are developed with PG&E as their electrical service. Both project parcels are currently undeveloped and do not having existing power, however there are existing PG&E utility poles that would allow for future connection by PG&E. No wastewater treatment facilities or the expansion of existing facilities are proposed or required for the proposed project; however, the proposed project does propose the addition of a new propane tank to serve the new 12,000 square foot industrial structure. Additionally, any additional storm drainage runoff generated by the project would be required to be kept on site and would not affect any off-site drainage facilities. Therefore, the proposed project is anticipated to have a **less than significant** impact related to utility/service extension.

19d,e The proposed project would not result in an increase in solid waste that would be in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste goals. Construction is required for the new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, however no construction is required for the commercial outdoor storage yard proposed on APN: 006-920-016. These

construction activities could result in solid waste in the form of construction materials or vegetative debris. Nevada County provides solid waste collection through a franchise for collection and disposal of waste and recyclables for both residential and non-residential areas. Waste Management is the current holder of this contract; refuse and recyclables in this area of the County are typically hauled to the McCourtney Road Transfer Station, located at 14741 Wolf Mountain Road. All solid waste refuse is later hauled to out-of-County landfills, most of which are in the State of Nevada under contract with Waste Management Systems, Inc. There are no known capacity issues with any Waste Management facilities. Any waste generated would be required to comply with federal, state, and local statutes, and regulations related to solid waste. Although the Project could increase the total waste generation in the area, the incremental contribution of the Project could be reasonably accommodated by the landfill. Mitigation Measure 19A requires solid waste debris generated during construction activities including vegetation and industrial waste such as glues, paint, and petroleum products to be appropriately disposed of to avoid potentially adverse landfill and solid waste disposal impacts. Therefore, impacts related to disposal of construction debris would be **less than significant with mitigation**.

**Mitigation Measures:** To offset potentially adverse impacts related to construction waste, the following mitigation measure is recommended:

**Mitigation Measure 19A: Appropriately Dispose of Vegetative and Toxic Waste:** Industrial toxic waste (petroleum and other chemical products) is not accepted at the McCourtney Road transfer station and if encountered, shall be properly disposed of in compliance with existing regulations and facilities. This mitigation measure shall be included as a note on all improvement plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

**Timing:** *Prior to issuance of Building/Grading/Improvement permits and during construction*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Nevada County Planning Department*

## 20. Wildfire:

**Existing Setting:** The project parcel is within the Nevada County Consolidated Fire District and falls within a Very High Fire Hazard Severity Zone as designated by CalFire. The project parcels are accessed directly off of Park Court, an existing paved private road within a 60 foot wide easement that directly connects to Charles Drive, an existing paved County Maintained Road. The project area is located approximately 5.6 driving miles southwest of the existing Nevada County Consolidated Fire District fire station 86, which is located at 12237 Banner Lava Cap Road in Nevada City, CA. The Safety Element of the Nevada County General Plan addresses wildfire hazards in Nevada County and has several policies to improve fire safety. Nevada County has also adopted a Local Hazard Mitigation Plan (LHMP) that was updated in May 2018. Additionally, there is a Community Wildfire Protection Plan for Nevada County that was updated in April 2016.

The Nevada County Office of Emergency Services published a Wildfire Evacuation Preparedness Action Plan in 2020. The plan highlights five initiatives to reduce wildfire risk in Nevada County:

1. Create safer evacuation routes countywide to save lives.
2. Improve early warning systems and emergency communications to reach everyone.
3. Establish defensible space around our homes and neighborhoods by reducing hazardous vegetation and encouraging voluntary compliance with defensible space standards.
4. Provide a coordinated approach to wildfire response preparedness through planning, community engagement, and project implementation.
5. Enhance critical infrastructure needed to respond to wildfires such as evacuation route improvements, water storage, fire hydrants, communication systems, and green waste facilities.

| Would the project:   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|--|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Substantially impair an adopted emergency response plan or emergency evacuation plan?   |                                |                                       | ✓                            |           | A, H, M, 23                   |
| b. Due to slope, prevailing winds, or other factor, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?  |                                |                                       | ✓                            |           | A, B, H, M, 18, 19, 38        |
| 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? |                                |                                       | ✓                            |           | A, H, M, 38                   |
| 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?  |                                |                                       | ✓                            |           | A, H, M, 9, 31                |

**Impact Discussion**

20a,c The proposed project is not anticipated to conflict with emergency plans or result in negative environmental impacts due to infrastructure installation. The Safety Element of the Nevada County General Plan addresses wildfire hazards in Nevada County and has several policies to improve fire safety. The Safety Element discusses the importance of ingress and egress by roadways, and Policy FP-10.7.3 requires that a condition of development is to maintain private roads, including the roadside vegetation. Nevada County has also adopted a Local Hazard Mitigation Plan (LHMP) that was updated in May 2018. Objective 3.6 of the LHMP is to improve communities’ capabilities to prevent/mitigate hazards by increasing the use of technologies. Goal 4 of the LHMP is to reduce fire severity and intensity, with Objective 4.4 to promote the implementation of fuel management on private and public lands. A condition of approval from the Nevada County

Deputy Fire Marshal will require vegetation clearance around structures that meets the minimum requirements of Public Resources Code Section 4291. Additionally, as another Condition of Approval, due to the High Fire Severity Zone designation, a Fire Protection Plan from the Nevada County Fire Marshal would be required. The proposed warehouse building is accessed directly off of Park Court, an existing paved private road within a 60-foot easement. Park Court directly connects to Charles Drive, a paved County Maintained Road, and therefore the proposed project is anticipated to have a very minimal impact on the environment. A Condition of Approval provided by the Nevada County Fire Marshal to reduce the fire risk is that the applicant shall be required to create and maintain a 10 foot wide vegetative fuel modification zone along both sides of any new driveway, measured from the shoulder, by removing any vegetation that contributes to a significant risk of fire. Therefore, with the implementation of the recommended Conditions of Approval, the project impacts relative to compliance with emergency plans, impacts relative to increased fire risk, and impacts to the environment through the minimal work along these existing routes would be a ***less than significant impact***.

20b,d The proposed project consists of the construction of a new approximately 12,000 square foot warehouse building on a new concrete foundation to be used for furniture, cabinets and decorative steel development and manufacturing on APN: 006-920-015, and the commercial outdoor equipment storage area on APN: 006-920-016 will consist solely of a gravel area for the storage of commercial vehicles. The proposed Steep Slopes Management Plan is for the grading activities required for the proposed new 12,000 square foot metal warehouse building within slopes that currently exceed 30% slope; however, the areas in excess of 30% slope proposed for grading will be for the accommodation of a concrete ADA pathway along the eastern portion of the proposed structure and the infiltration trench for drainage. There will be no other project activities proposed within slopes in excess of 30%. All of the proposed vehicular access ways and parking areas are located within an already flat non vegetated area, and therefore the project would have a very minimal impact on slope instability nor the uncontrollable spread of wildfire. Therefore, the proposed project would not result in altered slopes that would increase wildfire risks or expose people or structures to significant risks such as landslides or flooding. All proposed buildings and project activities avoid areas mapped as steep slopes. Additionally, all future improvements would require building permits and conformance with requirements including but not limited to maximum impervious surface coverage on each of the parcels, the prohibition of increasing stormflow onto offsite parcels, and adequate erosion control measures. Therefore, with the implementation of the recommended Conditions of Approval mentioned above, the proposed project that would result in two large parcels to contain existing and proposed improvements is anticipated to have a ***less than significant*** relative to the spread of wildfire and fire risks.

**Mitigation Measures:** None required.

## 21. Mandatory Findings of Significance:

|   | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact | Reference Source (Appendix A) |
|---|--------------------------------|---------------------------------------|------------------------------|-----------|-------------------------------|
| a. Does the project 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 major periods of California's history or prehistory? |                                | ✓                                     |                              |           |                               |
| b. Does the project have environmental effects that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of the project are considered when viewed in connection with the effects of past, current, and probable future projects.)   |                                |                                       | ✓                            |           |                               |
| c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?  |                                | ✓                                     |                              |           |                               |

### Impact Discussion:

21a,c This draft Initial Study/Mitigated Negative Declaration evaluates the potential impact the proposed project could have on the environment. Compliance with existing federal, state, and local regulations and mitigation measures identified in this Initial Study will reduce all potential impacts of the proposed project to a less than significant level. As discussed in Sections 1 through 20 above, the proposed land division would comply with all local, state, and federal laws governing general welfare and environmental protection. Project implementation during construction and operation could result in potentially adverse impacts to air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, noise, tribal cultural resources, and utilities/service systems. Due to the possible impacts to nesting birds, mitigation has been added to reduce potential impacts if construction occurs during nesting season. Although cultural, tribal cultural, and paleontological resources are not known in the project area, mitigation has been added to halt work if resources are discovered. To minimize the disruption to surrounding parcels during the construction, mitigation has been included to limit construction to daytime hours on Monday through Saturday and mitigation has been added to reduce potentially adverse impacts related to construction waste. Each of the potential adverse impacts are mitigated to levels that are **less than significant levels with mitigation**, as outlined in each section.

- 21b A project's cumulative impacts are considered significant when the incremental effects of the project are "cumulatively considerable," meaning that the project's incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects. Reasonably foreseeable projects that could have similar impacts to the proposed project include other anticipated projects within the project vicinity that could be constructed or operated within the same timeframe as the project. All of the proposed project's impacts, including operational impacts, can be reduced to a less-than-significant level with implementation of the mitigation measures identified in this Initial Study and compliance with existing federal, state, and local regulations. Therefore, the proposed project would have ***less than significant*** environmental effects that are individually limited but cumulatively considerable.

**Mitigation Measures:** To offset potentially adverse impacts to air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, noise, tribal cultural resources, and utilities/service systems, see Mitigation Measures 3A-3D, 4A-4B, 5A, 7A-7C, 13A, 18A and 19A.

# Recommendation of the Project Planner

On the basis of this initial 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 a "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.

  
\_\_\_\_\_  
Zachary Ruybal, Associate Planner

July 28, 2025  
Date

## Appendix A – Reference Sources

- A. Planning Department
  - B. Department of Public Works
  - C. Environmental Health Department
  - D. Building Department
  - E. Nevada Irrigation District
  - F. Natural Resource Conservation Service/Resource Conservation District
  - G. Northern Sierra Air Quality Management District
  - H. North San Juan Fire Protection District
  - I. Regional Water Quality Control Board (Central Valley Region)
  - J. North Central Information Service, Anthropology Department, CSU Sacramento
  - K. California Department of Fish & Wildlife
  - L. Nevada County Geographic Information Systems
  - M. California Department of Forestry and Fire Protection (Cal Fire)
  - N. Nevada County Transportation Commission
  - O. Nevada County Agricultural Advisory Commission
  - P. Grass Valley School District/Nevada Joint Union School District (D-1)
  - Q. Nevada County Connects
- 
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  - 2. State Department of Fish and Game. *Migratory Deer Ranges*, 1988.
  - 3. State Department of Fish and Game. *Natural Diversity Data Base Maps*, as updated.
  - 4. Cal Fire. *Fire Hazard Severity Zone Map for Nevada County*, 2007. Adopted by CalFire on November 7, 2007, and amended April 2024. Available at: [http://www.fire.ca.gov/wildland\\_zones\\_maps.php](http://www.fire.ca.gov/wildland_zones_maps.php).
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  - 15. County of Nevada. *Nevada County General Plan Noise Contour Maps*, 1993.
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23. Nevada County. *Local Hazard Mitigation Plan Update*. August 2017. <https://www.mynevadacounty.com/DocumentCenter/View/19365/Nevada-County-LHMP-Update-Complete-PDF?bidId=>.
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32. United States Department of Agriculture, Web Soil Survey, <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.
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