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## PLANNING COMMISSION MEMORANDUM #2 ADDITIONAL COMMENTS FOR HOLIDAY MARKET PROJECT

**FILE NOS:** PLN24-0089; GPA24-0003;  
RZN24-0003; DVP24-2; MGT24-0011; EIS24-0007

**HEARING DATE:** December 2, 2025

**APPLICANT/OWNER:** North State Grocery, Inc. (Holiday Market) *SG*

**REPRESENTATIVE:** Richie Morgan

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### ADDITIONAL COMMENTS RECEIVED:

Attached are additional public comments staff received after the "Supplemental Information" memorandum was emailed to Planning Commissioners last week (November 26<sup>th</sup>).

Attachment 1 is a letter from Mitchell Chadwick, representing the applicant (North State Grocery, Inc.). This letter is in response to the previous letter received from Remy Moose Manley, who represents the Lake Wildwood Association.

Attachment 2 includes additional public comment letters received from November 25<sup>th</sup> through this morning, December 2<sup>nd</sup>.

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### ATTACHMENTS:

1. Mitchell Chadwick letter addressing comments in Remy Moose Manley letter, dated December 1, 2025
2. Additional public comment letters received (November 25 – December 2)



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December 1, 2025

**VIA ELECTRONIC MAIL**

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**Re: North State Grocery, Inc. – Holiday Market (Penn Valley) Draft Initial Study / Mitigated Negative Declaration**

Dear Mr. Geiger:

I represent North State Grocery Inc. (“Holiday”), in its efforts to bring an accessible, full-service grocery store to the Penn Valley area, and the County’s proposed adoption of an Initial Study/Mitigated Negative Declaration (“MND”) (EIS24-0007) for the new Holiday Market (the “Project”). This letter also responds to the missive from Remy Moose Manley LLP (the “RMM Letter”), sent on behalf of the Lake Wildwood Association in advance of the December 2, 2025 Planning Commission Meeting. The RMM Letter is attached hereto and incorporated herein by this reference as “Exhibit A.”

The claims found in the RMM Letter consist of an easily-refuted parade of horrors relying solely on conjecture and scare tactics, and in no way establishes a “fair argument” that any substantial evidence exists that the Project may cause a significant environmental impact. As outlined below, the RMM Letter misconstrues the requirements of the California Environmental Quality Act (“CEQA”), ignores required mitigation, and ultimately fails to point to or provide any substantial evidence in the record that an Environmental Impact Report (“EIR”) is required. As discussed below, the County’s MND is valid, and an EIR is not required for the Project.

As outlined further below, the RMM Letter intentionally misconstrues CEQA’s standards for both the “fair argument” and “substantial evidence” tests. Additionally, the aspersions cast by the RMM Letter at each resource area, including the author’s pure conjecture and imagined impacts, are unsupported by the administrative record. In contrast, the record fully supports the analysis and conclusions of the County’s MND.

**I. Speculation does not Constitute Substantial Evidence.**

At the outset, it is important to note that an initial study is a “preliminary analysis,” and is not required to include the same level of detail of an EIR.<sup>1</sup> As begrudgingly acknowledged by the RMM Letter, a Lead Agency, may adopt a mitigated negative declaration for a Project where: 1) the applicant agrees to project revisions before the proposed negative declaration and initial study are released, and those revisions avoid or clearly mitigate potential environmental effects so that no significant impact would occur; and 2) there is no *substantial evidence* that the revised project may have a significant effect on the environment.<sup>2</sup> Additionally, where as here, the Project, as modified by the applicant, will avoid or reduce potentially significant environmental effects to a less than significant level.<sup>3</sup>

While the RMM Letter also notes that substantial evidence “means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached;”<sup>4</sup> the letter omits the rest of the CEQA Guideline. Specifically, that substantial evidence does *not* include “[a]rgument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment.”<sup>5</sup> In other words, substantial evidence is predicated upon facts, reasonable assumptions predicated upon facts, and expert opinions.<sup>6</sup> Complaints, fears, and suspicions do *not* constitute substantial evidence.<sup>7</sup>

Unfortunately, for the Lake Wildwood Association, the RMM Letter consists of nothing more than a laundry-list of complaints, piled on suspicions of imagined problems with a few fears thrown in for good measure. As one court noted, “in the absence of a *specific factual foundation* in the record, dire predictions by nonexperts regarding the consequences of a project do not constitute substantial evidence.”<sup>8</sup> Put another way, the County may “may reject an opinion if it is unsupported by the facts from which it is derived.”<sup>9</sup> The County, has discretion to determine

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<sup>1</sup> 14 Cal. Code Regs. §§ 15365, 15063 subd. (a)(2).

<sup>2</sup> Pub. Resources Code, § 21080, subd. (c)(2) [emphasis added.]

<sup>3</sup> 14 Cal. Code Regs. §15369.5.

<sup>4</sup> 14 Cal. Code Regs. § 15384 subd., (a) [emphasis added.]

<sup>5</sup> *Id.*

<sup>6</sup> 14 Cal. Code Regs. § 15384 subd., (b).

<sup>7</sup> Joshua Tree Downtown Business Alliance v. County of San Bernardino (2016) 1 Cal.App.5th 677, 690.

<sup>8</sup> *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1418. [emphasis added; internal citations omitted;] see also *Clews Land & Livestock v City of San Diego* (2017) 19 Cal.App.5th 161, 195 [neighbors’ predictions about project’s traffic impacts were not supported by specific factual foundation.]

<sup>9</sup> *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504.

whether evidence offered by those claiming a fair argument exists meets CEQA's definition of "substantial evidence."<sup>10</sup> The RMM Letter does not do so here.

As acknowledged by the Lake Wildwood Association's counsel's own CEQA book:

"[T]he law and common sense preclude uncritical acceptance of opinions or testimony offered—whether by experts or by lay persons—as “substantial evidence” of the alleged significant adverse environmental effects of a project. Agencies often receive such opinions or testimony at the eleventh-hour of the project approval process from opponents of controversial development proposals;”<sup>11</sup>

The RMM Letter unwittingly proves the above rule: it is near the “eleventh-hour” of Project approval, and in lieu of substantial evidence in the record, the RMM Letter provides only lay opinions, guesses and complaints of imagined impacts. The RMM Letter contains neither facts nor evidence, only argument and speculation.

## **II. The RMM Letter's Slight-Of-Hand Discussion of Aesthetics.**

The RMM Letter claims the Project may result in a significant environmental impact on aesthetics because it will replace some trees and vegetation with a building and a parking lot.<sup>12</sup> Supposedly, this is all it takes to “drastically degrade the visual character of the site and the quality of public views of the site and its surroundings.”<sup>13</sup> Although, aesthetics is an inherently subjective component of environmental review, the RMM Letter does not assert *why*, nor explain exactly *how* the Project will supposedly degrade the visual character of the site—just that it does. Without more, this assertion constitutes pure argument and fails to provide substantial evidence of a significant impact to aesthetic resources. Instead, it presents an unsupported opinion, suggesting that the potential removal of the trees at the Project site simply *must* result in significant environmental impacts.

The RMM Letter's assertions do not withstand the sunlight of actual facts from the record, and where facts and context are introduced, the letter's arguments fail. The Project is not located in a pristine forest, rather it is located directly between two existing commercial uses – a self-storage facility to the north and a shopping mall complex to the south. Both of these uses are immediately adjoining the Project site. The Project is located approximately 0.25 mile north of the Pleasant Valley Road/State Route 20 intersection and views of the Project site are predominantly seen travelling north and south along Pleasant Valley Road.<sup>14</sup> The portion of State

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<sup>10</sup> *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928.

<sup>11</sup> Remy, Michael H., Tina A. Thomas, James G. Moose & Whitman F. Manley, *Guide to CEQA*, p. 255 (11th ed. 2007)

<sup>12</sup> See RMM Letter, p. 4.

<sup>13</sup> *Id.*

<sup>14</sup> MND, pp. 23-24.

Highway 20 that runs through Penn Valley is not a listed scenic highway, and is not listed as such by the State Department of Transportation (“Caltrans”) nor the Nevada County General Plan.<sup>15</sup> Placing a relatively small grocery store between a commercial storage facility and shopping mall complex can in no way be considered a catastrophic degradation of scenic resources—especially as the Project is appropriately conditioned with landscaping and architectural requirements to reduce any visual impacts to less-than-significant levels.<sup>16</sup>

The RMM Letter next notes there are no visual simulations of the Project. However, the MND contains a comprehensive site plan; North, South, East, and West elevation renderings; and a comprehensive landscape plan.<sup>17</sup> The RMM Letter fails to cite any statute, regulation, guideline or court case requiring visual simulations as a necessary component of a legally-adequate MND. It is truly hard to believe that the Lake Wildwood Association is really concerned with a minor alteration of the existing aesthetics of the Project site, but is instead pursuing the aesthetics argument to accomplish its goal of stopping the Project. As noted by a court in a recent case: “CEQA aesthetics review should not be used to secure social or economic rather than aesthetic environmental goals.”<sup>18</sup> Furthermore, the significance of an environmental impact, including, aesthetics should be considered “in light of the context where it occurs.”<sup>19</sup>

The RMM Letter also states the MND does not provide enough information regarding the supposed potential impacts of signage, including light and glare.<sup>20</sup> Nevertheless, the RMM Letter does not point to any fact within the MND, administrative record or outside evidence, or even a reasonable assumption about grocery store signage that would create a fair argument that a significant environmental impact exists. In fact, the MND specifically contemplates where the monument sign will exist on-site, and provides mitigation for signage, requiring Mitigation Measure 1A and 1B, which provide that all lighting shall be shielded and downward facing and that final review and approval of a photometric plan, including all sign lighting is required.<sup>21</sup> An Initial Study does not need to amount to a “full-blown EIR based on expert studies of all potential environmental impacts.”<sup>22</sup>

Finally, any potential impact to aesthetics has been reduced through the imposition of project design and mitigation measures which will be made binding conditions of approval. Perimeter landscaping across the northern, southern, and western property boundaries will be fully

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<sup>15</sup> MND, p. 25.

<sup>16</sup> See *id.* at pp. 5-6, 25.

<sup>17</sup> MND, pp. 4-7.

<sup>18</sup> *Protect Niles v. City of Fremont* (2018) 25 Cal.App.5th 1129, 1142.

<sup>19</sup> *San Francisco Beautiful v. City and County of San Francisco* (2014) 226 Cal.App.4th 1012, 1026 [internal citations omitted.]

<sup>20</sup> *Id.*

<sup>21</sup> See MND, p. 26.

<sup>22</sup> *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 688.

incorporated into the Project.<sup>23</sup> All along Pleasant Valley Road, street-front landscaping will be installed, including planting 17 new trees and the avoidance and incorporation of 19 existing trees on the Project site.<sup>24</sup> Existing trees and vegetation will also remain on the eastern boundary of the Project to screen views of the Project from residences.<sup>25</sup> While the RMM Letter's assertion that "[existing trees and vegetation] will all be removed and replaced," is simply not true, and seriously mischaracterizes the Project.<sup>26</sup> Rather than catastrophically changing the character of the surrounding area, the Project brings the property more in line with the area's existing uses.

As a last, and somewhat desperate argument, and in spite of substantial evidence in the administrative record, the RMM Letter points to an old EIR analyzing three Dollar General Stores,<sup>27</sup> in three separate locations spread throughout the County, as if it were somehow in the same situation as the current Project. Rather than dignify the absurdity with an extensive analysis of the many factual and distinguishing differences between the two projects, it should be noted that each project proposal brought before the County contains unique circumstances and characteristics, and to require an EIR for one project, simply because a completely different project with its own unique circumstances needed one, would create a never-ending cycle of CEQA review. Similar to apples and oranges, both projects have superficial similarities, as they are retail stores that sell groceries, but the situations, locations, community settings, designs and imposed conditions are entirely different.

### **III. There is no Substantial Evidence of Unmitigated Air Quality or GHG Impacts.**

The RMM Letter contends that the air quality modeling includes assumptions that are not explained or supported and alleges "analytical gaps" and "inconsistencies." Like the rest of the RMM Letter, this discussion is not only unfounded, but completely misses the point of the fair argument standard. The letter neither provides any additional evidence, such as an expert opinion or consultant report of its own, nor does it point to any evidence in the record that the Project actually *would* result in a significant environmental impact. As with the rest of its arguments, the RMM Letter relies only on questions and unsubstantiated non-expert opinions.

Regardless, all of the RMM Letter's questions have been fully answered by the further explanation prepared by Raney Planning and Management's Memorandum attached hereto and incorporated herein by this reference as Exhibit B (the "Raney Memo.") Specifically, the RMM Letter appears extremely worried about the following: 1) a discussion of where "materials [construction export materials] would go or how many truck trips would be required;" 2) "the discussion of construction and operational emissions;" 3) consistency with the State

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<sup>23</sup> MND, p. 25.

<sup>24</sup> *Id.* at p. 6.

<sup>25</sup> *Id.*

<sup>26</sup> See RMM Letter, p. 4.

<sup>27</sup> See *Id.* at p. 5.

Implementation Plan (“SIP”) for western Nevada County; 4) the data from the Traffic Memo; 5) cumulative impacts; and 6) quantification of GHG produced by the Project.<sup>28</sup>

As discussed below, the MND accurately describes Project’s potential transportation impacts, and the Raney Memo appropriately answers the RMM Letter’s assertions.

1) all modeling assumptions are included within the Raney Memo; the model assumes each one-way hauling trip would be 20 miles; 2) the MND accurately describes the NSAQMD, its attainment status, relevant thresholds, and the Project’s expected outputs; 3) the Project does not exceed the NSAQMD thresholds of significance, thus it is not be considered to conflict or obstruct implementation of the SIP; 4) trips were adjusted based on the Project-specific trip rate analysis by GHD consultants; 5) the NSAQMD’s individual thresholds of significance take into account the levels at which a project’s individual emissions could be considered cumulatively significant; the Project is below these thresholds and is therefore not cumulatively considerable; and 6) the NSAQMD has not adopted GHG thresholds, and the proposed project’s mobile source GHG emissions can also be screened out of further analysis due to it being a local-serving retail use.

Nowhere within this discussion does the RMM Letter assert facts or point to evidence in the record indicating that the Project would result in significant impacts. Rather the RMM Letter simply demands that certain analyses be done, and seemingly ignores the comprehensive analysis found in the record. This is exactly the type of analysis, or lack thereof, that constitutes “dire prediction by nonexperts” that is excluded from substantial evidence.<sup>29</sup> Furthermore, members of the public may provide “opinion evidence where special expertise is not required,” but interpretation of “technical or scientific information requires an expert evaluation” and does not constitute substantial evidence.<sup>30</sup> The RMM Letter does not contain expert opinion refuting fact or modeling assumptions within the Air Quality or GHG discussions, nor does it point to any specific facts or evidence disproving such. Like the rest of the RMM Letter, the air quality discussion only questions and speculates. It does not provide evidence or any facts asserting that the Project will result in a significant impact, and thus, there is no “fair argument” that one exists.

#### **IV. There is no Substantial Evidence of Transportation Impacts.**

The RMM Letter contains multiple assertions that the November 6, 2024 Transportation resource discussion of the MND and the Traffic Impact Analysis Memorandum, prepared by GHD (the “Traffic Memo”) is somehow inadequate. The RMM Letter not only conflates MNDs and EIRs,

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<sup>28</sup> See RMM Letter, pp. 5-7.

<sup>29</sup> See, supra, note 8.

<sup>30</sup> See *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 690-691.

but also seeks exhaustive analysis not required by CEQA. Nevertheless, all transportation impacts are well disclosed and where needed, are adequately mitigated.

a. *The MND Accurately Describes the Project's Environmental Settings.*

The RMM Letter asserts that the Traffic Memo does not sufficiently establish the “baseline” conditions for the Project in regards to traffic because it uses traffic data from 2022.<sup>31</sup> An initial study is not required to include the level of detail commiserate with an EIR.<sup>32</sup> As discussed above, an initial study is a “preliminary analysis,” which shall identify the “project’s environmental setting.”<sup>33</sup> The existing environmental setting is comprehensively discussed and disclosed in the MND.

While there is no requirement or year in which the MND or the Traffic Memo must choose its data, it must still accurately describe the “project’s environmental setting.” Here, the MND accurately describes the Project’s location and existing environmental setting – along Pleasant Valley Road, approximately 0.25 mile north of the State Highway 20 and Pleasant Valley Road intersection. It critically analyzes five intersections providing access to the Project site as well as three roadway segments, and considers the AM and PM peak hour traffic conditions under existing conditions, near-term conditions, and future-term conditions.<sup>34</sup>

A traffic comparison count between 2022-2025, performed by GHD, shows 2025 traffic levels at these intersections and roadways are similar to 2022 and have largely *decreased* since 2022<sup>35</sup> – directly refuting the unsupported opinion that “traffic in the study area has increased substantially since 2022.”<sup>36</sup> This data was analyzed by GHD consultants, who determined that the data presented is accurate, and that it would not change the findings of the Traffic Memo.<sup>37</sup> In sum, the data analyzed accurately reflects the existing environmental setting of the Project. As a result, the MND effectively assesses the Project’s environmental conditions and mitigates accordingly. The MND discusses these conditions along with trips expected to be generated by the Project, discloses the impacts of the Project, and the appropriate mitigation to bring the surrounding intersections within an acceptable level of service.<sup>38</sup> As discussed throughout the MND, only one intersection would actually be impacted by the Project, but appropriate mitigation would be applied reducing the impact to less than significant levels.<sup>39</sup>

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<sup>31</sup> See RMM Letter, p. 7.

<sup>32</sup> 14 Cal Code Regs. § 15063, subd. (a)(2).

<sup>33</sup> 14 Cal Code Regs. §§ 15365, 15063, subd. (d)(2).

<sup>34</sup> See MND, pp. 77-78; see also Traffic Memo, p. 2.

<sup>35</sup> See GHD, Existing Traffic Counts (2025 vs. 2022).

<sup>36</sup> RMM Letter, p. 7.

<sup>37</sup> See November 6, 2025, Email from P. Galloway to Steve Geiger, et. al.

<sup>38</sup> See MND, p. 79-83.

<sup>39</sup> *Id.* at 83.

b. *Traffic Impacts, if any, will be Mitigated.*

The RMM Letter contends that the Project is inconsistent with the Nevada County General Plan because the Project would cause an unacceptable Level of Service (“LOS”) for roadways near the Project.<sup>40</sup> This is not true. The acceptable LOS for roadways near the Project is LOS D.<sup>41</sup> The MND accurately discloses that Project would result in the Pleasant Valley Road and Commercial Avenue operating at LOS E.<sup>42</sup> However, with mitigation, including re-striping of westbound Commercial Avenue, the LOS would improve back to LOS D, and thus consistent with the baseline conditions and an acceptable LOS required for roadways within the Project area.<sup>43</sup> As discussed above, as traffic counts are reduced for this intersection from as compared to 2022, the analysis would not change and the impact would still be less than significant.<sup>44</sup> Accordingly, the Project would be compatible with the Nevada County General Plan because it would not cause an unacceptable LOS on any roadway.

c. *The Traffic Memo Meets the Traffic Impact Analysis Guidelines.*

To dispute this analysis, the RMM Letter attempts to argue that the Traffic Memo, is somehow invalid because it allegedly does not conform with Nevada Traffic Impact Analysis Guidelines (“TIAG”).<sup>45</sup> The RMM Letter asserts that “In addition, according to the TIAG, traffic counts cannot be more than two years old.”<sup>46</sup> Again, the RMM Letter misleads its audience by not disclosing the full provision in the TIAG. According to the TIAG, the Traffic Memo must be updated only if “existing analysis is more than two years old *and* conditions have changed and/or the proposed project has changed.”<sup>47</sup> As discussed above, conditions have not changed, and thus, the analysis has not changed either.<sup>48</sup> The RMM Letter further asserts that the day picked for data by the Traffic Memo is inadequate because it is not during the “public-school period.”<sup>49</sup> To the contrary, all but one school in western Nevada County, where the Project is located, had started their school year at the time this data was collected.<sup>50</sup> Likewise, the RMM Letter does not capture the nuance between the Traffic Memo and the “traffic study,” as contemplated by the

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<sup>40</sup> See RMM Letter, p. 10.

<sup>41</sup> MND, p. 78.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.* at p. 86.

<sup>44</sup> See, supra, notes 36 and 37.

<sup>45</sup> See RMM Letter p. 7.

<sup>46</sup> *Id.* at p. 7.

<sup>47</sup> See TIAG, p. 3.

<sup>48</sup> See, supra, note 36.

<sup>49</sup> See RMM Letter, p. 8.

<sup>50</sup> See Nevada County Superintendent of Schools, 2022–2023 Western Nevada County Schools Calendar (May 2022), available at <https://nevco.org/wp-content/uploads/2022/06/2022-2023-Countywide-School-Calendar.pdf> [as of Nov. 26, 2025]

TIAG, and attempts to impose the requirements of traffic studies on the Traffic Memo.<sup>51</sup> The TIAG imposes stricter requirements upon traffic studies, rather than traffic memos.<sup>52</sup> Again, the RMM Letter does not allege why this purported non-compliance creates a fair argument towards an environmental impact and veers into the realm of non-expert evaluation of a technical memorandum. The RMM Letter does not provide any new or supporting facts for why certain impacts may occur or for CEQA purposes, why certain data must be replaced.

As mentioned above, the Traffic Memo was routed to the Nevada County Transportation Commission and Caltrans. Only Caltrans provided comments regarding the Traffic Memo; the Traffic Memo was revised in accordance with those comments, and Caltrans had no further comments on the revised version.<sup>53</sup>

d. *The Traffic Memo is not an Initial Study nor a Mitigated Negative Declaration.*

The TIAG provides guidance for traffic studies and memorandum prepared by the County, while the MND, is required to analyze said studies in the larger context of the Project and its location. The arguments advanced by the RMM Letter conflate the purposes of CEQA and the MND with that of the TIAG. For example, the RMM Letter states “The discussion of emergency access is a single sentence: ‘Emergency access is adequately provided through the project access driveways from Pine Shadows Lane and the northerly extension of Commercial Avenue.’ The Traffic Memo does not explain why the access is ‘adequate’ or how emergency access issues would be handled on-site.”<sup>54</sup>

As discussed above, the MND accurately explains why it is adequate. The MND, which is the true document analyzing the environmental impacts of the Project, states that the Project would add a 30-foot wide entrance/exit to the site along Pine Shadows Lane and a 40-foot-wide entrance/exit at Commercial Avenue.<sup>55</sup> The access points were designed to meet Nevada County design standards and reviewed by Penn Valley Fire Protection District, the Nevada County Department of Public Works, Caltrans and the Nevada County Fire Prevention Planner/CalFire, which did not identify any impacts to emergency access.<sup>56</sup>

Likewise, the RMM Letter asserts the Traffic Memo does not discuss the Project’s impacts on “fire safety, evacuation routes/plans, compliance with the ADA, residential neighborhood impacts, or potential noise and air quality impacts that could result from increased traffic, including construction equipment and delivery trucks.” That is the extent of the discussion.

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<sup>51</sup> See e.g., RMM Letter, p. 9 [“According to the County’s TIAG, traffic studies must include a discussion of any unusual circumstances anticipated during construction.”]

<sup>52</sup> See TIAG, p. 4.

<sup>53</sup> See MND, p. 82.

<sup>54</sup> See RMM Letter, p. 10.

<sup>55</sup> See MND, p. 86.

<sup>56</sup> *Id.*

however. There is no further assertion using facts or even speculation as to how this would relate to an environmental impact. It should be noted that Noise Impacts, Air Quality Impacts, and emergency access impacts are discussed within the MND.<sup>57</sup>

- e. *An Initial Study/Mitigated Negative Declaration does not Need to Include Every Conceivable Project Detail and Analysis Regarding Traffic.*

The RMM Letter, at times, demands that certain information be included in the MND, like evaluating golf-cart trips, and requests the County provide a “worst-case analysis.”<sup>58</sup> Curiously, in a letter with a multitude of citations, there is no corresponding citation here pointing to the CEQA requirement that there be a “worse-case analysis” – because there is none. In fact, case law states the exact opposite - that CEQA, and even an EIR are not required “to analyze a worst case scenario.”<sup>59</sup> Simply put, the impacts of the Project upon traffic were analyzed, compiled, and mitigated. The Project was not built for the exclusive convenience of the Lake Wildwood Association.

Regarding VMT screening, the RMM Letter contends that a project-specific analysis must be considered in conjunction with the screening criteria.<sup>60</sup> As noted by the MND, CEQA Guidelines § 15064.3(b)(1) states a project may be significant if it creates an increase in VMT above the applicable threshold.<sup>61</sup> The County picked the thresholds of significance based on guidance from Caltrans and the Governor’s Office of Land Use and Climate Innovation.<sup>62</sup> As noted within the MND, the Project was correctly screened out of further VMT analysis based on it being under 50,000 square feet and “local-serving” – the applicable thresholds.<sup>63</sup> Nothing more is required by CEQA. In addition, the MND did consider further Project specifics, specifically, the Project being within a “low vehicle travel area.”<sup>64</sup>

Instead, despite meeting the screening criteria, the RMM Letter demands that a Project-specific analysis be completed, despite no fact is provided within the RMM Letter that changes the Project to a non-local serving use and or makes it incompatible with the screening criteria. The RMM Letter cites to the *Cleveland National Forest Foundation v. County of San Diego* case to assert a Project-specific analysis is required.<sup>65</sup> However, this case concerned the establishment of programmatic VMT thresholds for projects on a county-wide basis, in which the court

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<sup>57</sup> See e.g., MND pp. 28, 86, 99.

<sup>58</sup> See RMM Letter, p. 8.

<sup>59</sup> *High Sierra Rural Alliance v. County of Plumas* (2018) 29 Cal.App.5th 102, 122 [internal quotations omitted.]

<sup>60</sup> See RMM Letter, p. 10

<sup>61</sup> 14 Cal. Code Regs. § 15064.3 subd., (b)(1).

<sup>62</sup> MND, p. 84.

<sup>63</sup> See MND, pp. 84-85.

<sup>64</sup> *Id.*

<sup>65</sup> RMM Letter, p. 11.

determined San Diego county did not evaluate these thresholds effects' on county-wide transportation.<sup>66</sup> Thus, the case is a widely different situation to the singular Project at-issue here.

**V. Again, there is no Substantial Evidence of a Utilities Impact.**

The RMM Letter contends the MND defers the analysis of “impacts caused by sewer connections and related infrastructure” but does not articulate what about the Project causes an impact on this resource area. Contrary, to the RMM Letter, the MND actually does analyze this impact – the fact is, there is none. The Project was reviewed by Nevada County Sanitation District No. 1, who indicated it has sufficient capacity to accommodate the Project.<sup>67</sup> Again, the level of detail necessary for an Initial Study will not be the same as an EIR. The MND accurately describes its impacts (the Project would generate wastewater equivalent to 8 dwelling units),<sup>68</sup> and concludes based on analysis from the expert government entity on the subject that there is sufficient capacity for the Project, resulting in no impact. Nothing further is required.

**VI. The RMM Letter Cannot Assume Blight.**

The RMM Letter contends that the MND fails to analyze the impact caused by vacating the existing Holiday Market which, according to the RMM Letter, could potentially lead to blight. Again, the RMM Letter contains no reference to what these other “impacts” would be or “why” blight would be caused by the vacation. “As defined by CEQA, urban decay is a relatively extreme economic condition.”<sup>69</sup> This discussion only seeks to cause further delay of the Project and does provide anything informational for the record.

For the reasons discussed herein, we respectfully request that the County certify the MND and approve the Project. The RMM Letter has not introduced any evidence of a potential impact of the Project, and only seeks to muddy the waters.

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<sup>66</sup> See *Cleveland National Forest Foundation v. County of San Diego* (2025) 110 Cal.App.5th 948, pp. 956-957, 964.

<sup>67</sup> MND, p. 95.

<sup>68</sup> *Id.*

<sup>69</sup> *Placerville Historic Preservation League v. Judicial Council of California* (2017) 16 Cal.App.5th 187, 197.

Sincerely,

MITCHELL CHADWICK LLP



G. Braiden Chadwick

**Exhibit A**  
**(“The RMM Letter”)**



REMY | MOOSE | MANLEY  
LLP

Christopher L. Stiles  
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November 17, 2025

By Email

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Re: North State Grocery, Inc. – Holiday Market (Penn Valley) Project Draft Initial Study / Negative Declaration

On behalf of the Lake Wildwood Association, we submit the following comments on the Initial Study / Mitigated Negative Declaration (MND) for the “North State Grocery, Inc. – Holiday Market (Penn Valley) Project” (the Project). As explained below, the MND is inadequate in numerous areas. Because there is substantial evidence supporting a fair argument that the Project may result in significant environmental impacts, the County must prepare a full Environmental Impact Report (EIR).

We are also providing comments on the Penn Valley Holiday Market Traffic Impact Analysis Memorandum (Traffic Memo), dated November 6, 2024. The Traffic Memo is fatally defective for numerous reasons and does not meet the requirements of the County’s Traffic Impact Analysis Guidelines (TIAG). Even with its shortcomings, the Traffic Memo and the MND acknowledge the Project will increase traffic congestion and cause other transportation-related impacts, which will adversely impact both residents and visitors alike. But the County has not identified sufficient mitigation to address these impacts, which as explained below, will likely be even worse than disclosed in the reports.

The Lake Wildwood Association does not oppose a new Holiday Market in Penn Valley, but the County must ensure that the public and the decisionmakers are fully informed, and that all the Project’s impacts are adequately analyzed, disclosed, and mitigated to the fullest extent feasible. The County has not fulfilled this obligation.

1. The “fair argument” standard purposely sets a low threshold for requiring an EIR.

A lead agency may rely on a negative declaration only where “[t]here is *no* substantial evidence, in light of the whole record before the lead agency, that the project *may* have a significant effect on the environment.” (Pub. Resources Code, § 21080, subd. (c)(1), italics added; see also *id.* § 21082.2, subd. (a).) Where a negative declaration is not possible, a mitigated negative declaration (MND) is sometimes an option, but only where mitigation measures integrated into the project will “avoid the effects or mitigate the effects to a point where *clearly* no significant effect on the environment would occur” and still “there is no substantial evidence, in light of the whole record before the lead agency, that the project, as revised, may have a significant effect on the environment.” (Pub. Resources Code, § 21080, subd. (c)(2), italics added.)

The flip side of these legal standards is that an EIR is *required* “[i]f there is [any] substantial evidence, in light of the whole record before the lead agency, that the project *may* have a significant effect on the environment.” (*Id.*, subd. (d), italics added; see also *id.* § 21082.2, subd. (d).) Stated another way, an EIR is required whenever any substantial evidence in the record supports a “*fair argument*” that significant impacts *may* occur. Even if other substantial evidence supports the opposite conclusion, the agency nevertheless must prepare an EIR. (CEQA Guidelines, § 15064, subd. (f)(1); see, e.g., *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75 (*No Oil I*); *Friends of “B” Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1000–1003; see also *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319; *Save the Plastic Bag Coalition v. City of Manhattan Beach* (2011) 52 Cal.4th 155, 171-172.)

“In the CEQA context, substantial evidence ‘means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.’” (*Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714, 730, quoting CEQA Guidelines, § 15384, subd. (a).) As the courts have recognized, even non-expert lay testimony or evidence can be enough to trigger an EIR. (See, e.g., *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928 (*Pocket Protectors*); *Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 173; *Keep Our Mountains Quiet, supra*, 236 Cal.App.4th 714.)

The “fair argument” standard purposely creates a “low threshold” for requiring preparation of an EIR “in order to maximize environmental protections and thereby fulfill the purposes inherent in CEQA.” (*Georgetown Preservation Society v. County of El Dorado* (2018)

30 Cal.App.5th 358, 370; see also *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 310 (*Sundstrom*); *Citizens Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754; *Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1331; *Save the Agoura Cornell Knoll v. City of Agoura Hills* (2020) 46 Cal.App.5th 665, 676.) The fair argument standard is founded upon the principle that, because adopting a negative declaration has a “terminal effect on the environmental review process” (*Citizens of Lake Murray Area Assn. v. City Council* (1982) 129 Cal.App.3d 436, 440), an EIR is necessary to “substitute some degree of factual certainty for tentative opinion and speculation” and to resolve “uncertainty created by conflicting assertions” (*No Oil I, supra*, 13 Cal. 3d at p. 85).

As one court put it, “[t]hese legal standards reflect a preference for requiring an EIR to be prepared.” (*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 332.) EIRs must be prepared in “doubtful case[s],” so that agencies do not make decisions “without the relevant data or a detailed study of it.” (*No Oil I, supra*, 13 Cal. 3d at p. 84.) “It is the function of an EIR, not a negative declaration, to resolve conflicting claims, based on substantial evidence, as to the environmental effects of a project.” (*Pocket Protectors, supra*, 124 Cal.App.4th at p. 935.)

As the California Supreme Court explained long ago, a project need not have an “momentous effect of semi-permanent duration” to require an EIR. (*No Oil I, supra*, 13 Cal.3d at p. 87.) Rather, an agency must prepare an EIR “whenever it perceives some substantial evidence that [a] project may have a significant effect environmentally.” (*Id.* at p. 85.) An EIR is required even if substantial evidence in the record supports a conclusion that significant impacts will not occur, if a “fair argument” supports the opposite conclusion. (*Id.* at p. 75.)

When there is conflicting evidence on the extent of the environmental effects of a project, the lead agency must conclude that the effects may be significant and prepare an EIR. (*Pocket Protectors, supra*, 124 Cal.App.4th at p. 935; *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1317-18; CEQA Guidelines, § 15064, subd. (g).) In the context of reviewing an MND, “neither the lead agency nor a court may ‘weigh’ conflicting substantial evidence to determine whether an EIR must be prepared in the first instance.” (*Pocket Protectors, supra*, 124 Cal.App.4th at p. 935.) Where such substantial evidence is presented, “evidence to the contrary is not sufficient to support a decision to dispense with preparation of an EIR and adopt a negative declaration, because it could be ‘fairly argued’ that the project might have a significant environmental impact.” (*Sundstrom, supra*, 202 Cal.App.3d at p. 310.)

“While a fair argument of environmental impact must be based on substantial evidence, mechanical application of this rule would defeat the purpose of CEQA where the local agency

has failed to undertake an adequate initial study. The agency should not be allowed to hide behind its own failure to gather relevant data.” (*Id.* at p. 311.) “CEQA places the burden of environmental investigation on government rather than the public. If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.” (*Ibid.*)

As explained below, there is at least a fair argument that the Holiday Market Project may have a significant environmental impact in numerous resource areas. Therefore, the County must require an EIR for the Project.

## 2. Aesthetics

As noted above, lay testimony regarding non-technical subjects like aesthetics is sufficient to require an EIR.

While the MND acknowledges the Project will result in a change in the appearance of the site, it concludes that aesthetic impacts will be less than significant or non-existent, apparently because the Project will incorporate contemporary design standards and landscaping in accordance with County requirements. But this conclusion is not supported and there is ample substantial evidence supporting a fair argument that the Project may result in significant aesthetics impacts.

First, the lack of any photographs or visual simulations of existing or future conditions makes it virtually impossible for the public or the decision makers to understand the magnitude of the Project’s aesthetic impacts. In any event, it is readily apparent that the Project may have significant impact. The large site—which spans approximately 5.5-acres—is predominantly located along one of the County’s main thoroughfares and is therefore a significant public viewpoint for residents and visitors. The site is currently occupied well over a hundred mature trees and other vegetation, including Landmark Groves and Landmark Oak trees, with a small residence and a few small accessory buildings that are mostly shielded from public view. This will all be removed and replaced with a 30,711 square-foot building and a surface parking lot. Replacing a mostly natural wooded landscape with a giant block-shaped building and an asphalt parking lot will drastically degrade the visual character of the site and the quality of public views of the site and its surroundings. The fact that the Project will meet the County’s design and landscaping requirements does not change this fact. (See *Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal.App.5th 358.)

The County's prior analysis for a proposed Dollar General Store provides a useful comparison. There, the County prepared an EIR for three proposed Dollar General Stores, each comprising barely one acre, and each having only 9,100 square feet of building area (compared to 5.5 acres and 30,711 square feet of building area for the proposed Holiday Market Project).<sup>1</sup> Like the proposed site at issue here, the proposed Alta Sierra site was located on a main throughfare, resulting in high visibility. The surrounding area was characterized by commercial developments (including storage units), single-family homes, and areas of vacant undeveloped land. The EIR noted that the site was surrounded by asphalt or pavement on all four sides, with existing commercial development to the north and south and roads to the east and west. Although that project included landscaping and design consistent with County requirements, and mitigation to improve aesthetics, the EIR concluded that "[e]ven with these measures [] development of the Alta Sierra site as proposed would substantially change the existing visual character of the site," and therefore, the impact was significant and unavoidable. The conditions here are very similar, except the aesthetic and visual quality impacts would be substantially worse given the much larger size of the proposed Project.

The County's Dollar General EIR also concluded that aesthetic impacts would be significant and unavoidable for the proposed Rough and Ready location under similar circumstances. The change in views and visual quality would be even more drastic here.

The MND does not provide enough information to be able to assess whether signage would result in potential aesthetics impacts, including light and glare. The MND indicates that size and design details of the proposed project signage are currently being worked on and a comprehensive sign program that is consistent with Nevada County Code requirements will be required to be submitted to the Planning Department for review and approval. The County cannot defer this analysis. More importantly, without this information, there is a fair argument that the Project may have a significant impact.

### 3. Air Quality and Greenhouse Gas (GHG) Emissions

The air quality modeling includes a number of assumptions that are not explained or supported and there are numerous analytical gaps and inconsistencies. For example, the MND states that 2,306 sq. ft. of building materials and 21,945 cubic yards of soil would be exported from the site during construction. But the MND does not identify where these materials would go or how many truck trips would be required. Standard dump trucks carry 10-16 cubic yards,

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<sup>1</sup> See excerpts from the Dollar General EIR included as Attachment 1.

which means there would be at least 1,372 truck trips just to remove soil from the site. How far would those trips be? Would it go to a landfill or other type of facility? This information is necessary to analyze and understand the Project's air quality and GHG impacts. This information is also necessary to analyze other impacts related to the disposal of waste, including whether there is capacity in the local system. The Utilities and Services Systems section of the MND does not mention construction waste.

The discussion of construction and operational emissions include almost no analysis or explanation whatsoever, making it virtually impossible for the public or decisionmakers to understand the Project's impacts. Presenting raw numbers and bare conclusions without sufficient explanation does not foster public participation or informed decision-making and does not meet the requirements of CEQA.

Although the MND notes that there is a State Implementation Plan (SIP) for western Nevada County, it does not explain whether the Project is consistent with the SIP. According to the NSAQMD Guidelines, an SIP takes precedence over the thresholds of significance identified in the Guidelines.

The MND states that the air quality modeling included adjustments consistent with project-specific trip rate data provided by GHS for the proposed project but does not identify what those adjustments were (there is a footnote "1" indicated on page 31, but there is no footnote). Assuming the data is based on the Traffic Memo, the data is fundamentally flawed and severely undercounts trips and other relevant data points as explained below in the Transportation section. It is also unclear whether the air quality analysis includes the increased emissions caused by the degraded level of service that will occur at several intersections and roadways. This analysis must be redone with realistic trip counts and traffic assumptions to be able to assess the Project's air quality impacts.

The analysis also assumes that there would be no cumulative significant impacts because the Project-specific impacts would be less than significant. That is not how CEQA works. In fact, CEQA requires cumulative impacts analyses specifically for this purpose, so it can be determined whether a project in combination with other projects would result in a significant impact even though the impacts of the individual project may be less than significant.

Finally, the analysis of GHG impacts is severely flawed. Although the MND expressly acknowledges that "the primary source of GHG emissions for the project would be mobile

source emissions,” the analysis does not quantify those emissions and excludes them entirely from the impact assessment. As explained below in the Transportation section, the assumption that the Project will result in a reduction in VMT is unsupported and erroneous. The analysis must also consider delivery trucks and other mobile source emissions in addition to passenger vehicles. According to the MND, the project would require seven medium and seven heavy trucks on Fridays alone, not including deliveries on other days of the week. Adding what the MND itself describes as the Project’s “primary source” of GHG emissions to the other sources of emissions identified in the MND will very likely cause the Project to exceed the threshold of significance. The County should also explain why the identified threshold of significance is appropriate for this Project.

#### 4. Transportation

Both the transportation analysis in the MND and the Traffic Memo upon which it is based suffer numerous defects and the conclusions are either not adequately supported or are contrary to fact, or both.

First, the data used for the traffic analysis is outdated and does not meet the requirements of the County’s TIAG or CEQA. The Traffic Memo identifies Year 2022 as “existing conditions,” and uses 2022 conditions as the point of comparison to identify Project impacts. In CEQA terms, this is called the “baseline.” Under CEQA, when an agency prepares an MND, the baseline must reflect conditions that exist at the time the MND is prepared. Since the County is required to prepare an EIR, for all the reasons explained in this letter, the baseline must reflect conditions that exist when the County issues the Notice of Preparation (NOP), which has not yet occurred. Thus, using 2022 as the baseline would not meet CEQA’s requirements in any scenario. The other points of comparison (i.e., Year 2024 as future “near term” conditions and Cumulative Year 2042 conditions) are similarly off base and unhelpful for analyzing the Project’s impacts under CEQA or the TIAG.

In addition, according to the TIAG, traffic counts cannot be more than two years old. Here, the traffic counts are much older than two years. Even if the County claims the TIAG only requires traffic data to be collected within two years of the traffic study completion and not the CEQA analysis, which is illogical, the TIAG also requires updated analysis if the existing analysis is more than two years old and conditions have changed and/or the proposed project has changed. Here, traffic in the study area has increased substantially since 2022 as the County continues to recover from the Covid pandemic when traffic levels were depressed. Moreover,

traffic is normally heavier on Fridays and Weekends when the owners of second homes and relatives of full-time residents come to visit. By the Holiday Market's own admission, car traffic is heavier on weekends. There has also been a significant difference in the type of school traffic travelling on Pleasant Valley Road compared to 2022. Further, it does not appear that the Traffic Memo contemplated a Starbucks, which alone will fundamentally change the analysis, including more trips and more VMT as just two examples, and will affect both the traffic and air quality/GHG analysis.

It also appears that the Traffic Memo used outdated methodology and modeling tools. For example, the Traffic Memo cites the Highway Capacity Manual (HCM) 6th Edition (2016), but it should have followed the methodology in the most recent version of the HCM (a 7th Edition), which was released in 2022. The Traffic Memo also calculates daily and peak hour project trip generation using the Institute of Transportation Engineers (ITE) Publication Trip Generation Manual (11th Edition), while a new edition (12th Edition) was published in August 2025. The analysis must be redone using up-to-date methodology.

The Traffic Memo and MND also rely on insufficient data. For example, the Traffic Memo relies on data (e.g., traffic counts) collected on a single Tuesday in August 2022 during the AM peak and PM peak periods. According to the County's TIAG: "In general, the peak hour trip generation shall be that of a typical weekday and shall coincide with the peak hour of the roadway system (not the peak hour of the generator); however, there may be instances where a unique project use requires an analysis during different time frames." The TIAG further specifies that Peak Hour traffic counts shall be conducted between 7:00am to 9:00 am and 4:00 pm to 6:00 pm on a Tuesday, Wednesday or Thursday during the normal public-school period (i.e. September to May). Although Tuesday is one of the days identified in the TIAG, the chosen date was not within the permissible September-to-May window. Even more important, however, is that the TIAG acknowledges that a single-day traffic count, even on the specified days, is not always appropriate particularly if traffic that day does not reflect typical conditions. As already noted, the traffic counts do not reflect typical conditions and, as a result, the analysis underestimates traffic impacts. For this type of project in this area, the analysis must also consider weekend traffic. And the County should also require a worst-case analysis so that the decision-makers and the public can understand the real severity of the traffic impacts that will result from the Project.

Although the discussion of traffic modeling is far from transparent, there are some obvious flaws regarding the modeling inputs and trip generation assumptions. For example, the

modeling does not accurately reflect the fact that many trips to the current location are via golf cart or other non-auto modes that will turn into vehicle trips for the new location. The Traffic Memo appears to subtract trips from the existing store from the trip generation calculations for the new location, but that appears to be based on square footage (e.g., subtracting the trips generated by 12,870 square feet of supermarket use [current location] from the trips generated by 30,268 square feet of supermarket use [new location]). The methodology fails to reflect the unique facts that exist for this Project and must be redone to account for the project-specific circumstances.

According to the County's TIAG, traffic studies must include a discussion of any unusual circumstances anticipated during construction. Proposed transportation facility closures, construction signage, haul routes, impacts to public facilities, safety features, and detours must also be included in the analysis. Here, the Traffic Memo and the MND fail to adequately address construction-related impacts.

The Traffic Memo's discussion of site access and on-site circulation does not address all of the specific items identified in the County's TIAG. Specifically, the TIAG requires that the discussion of on-site circulation include "descriptions of the proposed access points, turn prohibitions, number of lanes proposed, on-site transit stop locations, driveway throat depth, parking supply/demand/parking aisle circulation, on-site pedestrian circulation, bicycle parking, on/off-site delivery truck circulation and any other applicable circulation issues." While the Traffic Memo discusses some of these topics, it is very general. Notably, the Traffic Memo does not specifically discuss delivery truck circulation.

Under the County's TIAG, traffic studies must also include a discussion of potential safety impacts. The TIAG specifies that the discussion should include fire safety and emergency access, and compliance with the Americans with Disabilities Act (ADA), and "may also include an analysis of residential neighborhoods impacts, discussion on potential noise and air quality impacts, etc." Here, the discussion of safety impacts in the Traffic Study is cursory and not well supported. For example, Section 13 (Summary, Mitigation, and Recommendations) states the identified mitigation will improve safety, but the discussion is conclusory.

As another example, Section 13.4 (On-Site Circulation) identifies only one potential safety impact that would be caused by the northerly extension of Commercial Drive to Pine Shadows Lane, which would divide the Holiday Market's main parking field from the supermarket building. Although Section 13.1 identifies mitigation for this impact, the Traffic

Memo does not explain why the mitigation would be effective or why other safety impacts would not occur.

The discussion of emergency access is a single sentence: "Emergency access is adequately provided through the project access driveways from Pine Shadows Lane and the northerly extension of Commercial Avenue." The Traffic Memo does not explain why the access is "adequate" or how emergency access issues would be handled on-site.

The Traffic Memo also does not discuss the project's impact on fire safety, evacuation routes/plans, compliance with the ADA, residential neighborhood impacts, or potential noise and air quality impacts that could result from increased traffic, including construction equipment and delivery trucks.

According to the County's TIAG, "if the project traffic causes an intersection or roadway segment to worsen from an acceptable LOS to an unacceptable LOS or is distributed to an intersection or roadway segment currently operating at an unacceptable LOS, the project impacts must be mitigated to an acceptable LOS to remain consistent with Nevada County General Plan Circulation Element Policies LU-4.1.1 and 4.1.2." Since the Project will cause or at least contribute to worsening LOS to an unacceptable level at certain intersections and roadways segments under certain scenarios, and will not be mitigated to an acceptable LOS, the Project is not consistent with the County's Circulation Element.

As noted in the MND and the Traffic Memo, CEQA is focused primarily, although not exclusively, on VMT-related impacts. The MND and the Traffic Memo, however, improperly omit any discussion of the Project's VMT impacts. The Traffic Memo concludes that, based on technical guidance from the Office of Planning and Research (OPR), now the Governor's Office of Land Use and Climate Innovation (LCI), "the project would likely be screened out," meaning further VMT analysis would not be required. The cited guidance indicates that "local serving" retail development, as opposed to "regional serving" retail development, tends to shorten trips and reduce VMT by adding opportunities into the urban fabric and improving retail destination proximity, and therefore, lead agencies generally may presume such development creates a less-than-significant transportation impact. The County's analysis stops there. But the guidance also states that lead agencies should also consider "any project-specific information, such as market studies or economic impacts analyses that might bear on customers' travel behavior." And the County's own TIAG acknowledges that projects that meet the screening criteria still might not be screened out if there are unique project factors that may create VMT.

Here, the County improperly relies on screening criteria to ignore the Project's VMT impacts. For example, the County is not adding a new retail opportunity for local residents but instead is moving an existing retail opportunity to a different location, resulting in new trips and further travel distances for customers. Notably, the courts have recently been critical of agencies for relying on OPR's guidance without accounting for project- or location-specific information. (See *Cleveland National Forest Foundation v. County of San Diego* (2025) 110 Cal.App.5th 948 [rejecting use of OPR's recommended VMT thresholds without considering local conditions].) The analysis also ignores VMT related to the proposed Starbucks, which will generate additional trips and VMT unique from shoppers at the grocery store. The Project's VMT impacts must be properly quantified and adequately analyzed in an EIR.

The MND also fails to address how the increased traffic will affect emergency response times and evacuation routes.

Finally, it is unclear whether the impacts resulting from the mitigation measures have been included in the analysis. This comment applies for all resource categories in the MND.

#### 5. Utilities and Service Systems

The MND improperly defers the analysis of impacts caused by sewer connections and related infrastructure. The County cannot defer this analysis. Since these are required elements of the Project, they cannot be segmented and analyzed separately (See *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209 ["CEQA forbids 'piecemeal' review of the significant environmental impacts of a project."].)

#### 6. Additional impacts that are not analyzed

The MND also fails to consider other potential impacts that could result from the Project. Most notably, the MND fails to analyze the impacts caused by vacating the existing Holiday Market site. For example, it is reasonably foreseeable that the property could sit vacant and cause blight.

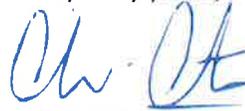
\* \* \*

Thank you for the opportunity to review and comment on the Draft MND. For all the reasons explained above, the County must require an EIR for the Project and require an updated

Steve Geiger, Senior Planner  
Nevada County Planning Department  
November 17, 2025  
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traffic analysis. This is the only way the public and the decision-makers can be fully informed, consistent with both the letter and spirit of CEQA. To reiterate, the Lake Wildwood Association does not oppose a new Holiday Market in Penn Valley. The problem is that the Project's impacts have not been adequately analyzed, disclosed, and mitigated. This includes the Project's transportation and traffic impacts, which have been given short shrift, and for which the County has not identified an adequate solution.

Very truly yours,



Chris Stiles

cc: Christopher Boyd ([Chrisb@lwwa.org](mailto:Chrisb@lwwa.org))

Attachments:

Attachment 1 – Excerpts from Nevada County Dollar General EIR

# Attachment 1

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## **4.0 AESTHETICS**

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This section addresses the existing visual resources at each of the project sites and vicinity, and discusses the potential impacts of the proposed project on aesthetics and light/glare.

### 4.0 GENERAL ENVIRONMENTAL CONDITIONS AND REGULATIONS

#### 4.0.1 ENVIRONMENTAL SETTING

##### Regional Scenic Resources

Visual resources that characterize Nevada County include the rolling vistas of foothills, valleys, mountains, meadows, forests, wetlands, and habitats unique to the Sierras. Scenic views within the county include mountain peaks such as Castle Peak, vistas of Donner Lake, and the gorge of the South Fork of the Yuba River. The county is predominantly rural in character, with development concentrated in Nevada City, Grass Valley, and Truckee. The scenic values and aggregate appearance of all the cities, towns, and suburban areas define the aesthetic quality of Nevada County. Outside of these communities, residences are scattered throughout the county. In addition, land use patterns and areas preserved as open space contribute significantly to the county's aesthetic quality. The ownership and operation of forests by the US Forest Service in the Tahoe National Forest and the open lands under the control of the Bureau of Land Management also preserve a significant portion of the county for permanent scenic quality (Nevada County 1996a, p. 18-1).

##### Scenic Highways

According to the General Plan, scenic routes in the county include Interstate 80 (I-80) and State Routes (SR) 49, 89, 174, and 267 for the entire length of the county; SR 20 from SR 49 to I-80; and Donner Pass Road from the I-80 intersection at Soda Springs to Donner State Memorial Park (Nevada County 1996b, p. 163).

According to the California Department of Transportation (Caltrans) Scenic Highway Mapping System, while I-80, SR 20, SR 49, SR 89, and SR 174 are eligible state scenic highways, the only officially designated state scenic highway in Nevada County is SR 20 from Skillman Flat Campground to a half mile east of Lowell Hill Road (Caltrans 2015).

In addition, the County has adopted a scenic corridor ordinance that applies a Scenic Corridor (SC) combining district to applicable properties along the SR 49 and SR 20 corridors. None of the project sites are identified as being within the SC combining district.

##### Light and Glare

There are two typical types of light intrusion. First, light emanates from the interior of structures and passes through windows. Second, light projects from exterior sources, such as street lighting, security lighting, and landscape lighting. "Light spill" is typically defined as the presence of unwanted and/or misdirected light on properties adjacent to the property being illuminated. Light introduction can be a nuisance to adjacent residential areas and diminish the view of the clear night sky. In addition, if the light is uncontrolled, it can disturb wildlife in natural habitat areas.

Perceived glare is the unwanted and potentially objectionable sensation as observed by a person when looking directly into the light source of a luminaire. Glare also results from sunlight reflection off flat building surfaces, with glass typically contributing the highest degree of reflectivity.

## 4.0 AESTHETICS

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### 4.0.2 REGULATORY FRAMEWORK

#### State

##### California Scenic Highway Program

The California Scenic Highway Program intends to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to scenic highways. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. Cities and counties can nominate eligible scenic highways for official designation by identifying and defining the scenic corridor of the highway. The municipality must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes.

SR 49, which is located 0.1 mile west of the Alta Sierra project site, and SR 20, located 0.3 mile north of the Penn Valley site, are eligible for designation as state scenic highways (Caltrans 2015).

#### Local

##### Nevada County General Plan

The Nevada County General Plan includes policies intended to protect the visual character of the county and promote visually attractive development through appropriate site and architectural design. The Aesthetics Element includes policies that are designed to protect scenic resources and reduce light and glare impacts. General Plan Aesthetics Element project-related policies include the following:

- Policy 18.6 Discretionary development in Rural Regions and in Community Regions near the Community Boundary shall, wherever possible, preserve natural landmarks and avoid ridge-line placement of structures.
- Policy 18.7 Encourage protection of scenic corridors wherever feasible.
- Policy 18.11 New Commercial, Industrial and Multiple Family development shall utilize fixtures and light sources that minimize nighttime light pollution.

##### Nevada County Land Use and Development Code

###### Section L-II 2.7.7 – Scenic Corridor Combining District (SC)

The Nevada County Land Use and Development Code, Chapter II, Article 2.0, Section L-II 2.7.7, includes regulations applicable in the Scenic Corridor combining district. The purpose is to protect and preserve the scenic resources of areas adjacent to highways and roads that have been identified as having high scenic quality and requiring protection for the benefit of residents and visitors.

###### Chapter II, Article 4.0 – Comprehensive Site Development Standards

Chapter II, Article 4.0 provides regulations to guide the design, location, and development of new land uses and the alteration of existing uses in the unincorporated county. The standards assist in furthering numerous Nevada County General Plan goals, objectives, and policies that provide for the preservation and enhancement of Nevada County's rural quality and small-town character.

They also assist in promoting General Plan provisions for maintaining the county's high quality natural landscape and scenic resources, as well as protecting existing historic resources.

Division L-II 4.2 – Community Design Standards

The County's community design standards are intended as a framework to assist in understanding the County's goals and objectives for high quality development. They provide design interpretations for commercial, industrial, and residential development. The community design standards address building height, building setbacks, height limits for fencing and hedges located within yard setbacks, landscaping requirements, parking lot design standards, requirements for permanent open space and maximum impervious surfaces, equipment screening, and signage standards.

Section L-II 4.2.8 – Lighting

Chapter II, Article 4.0, Section L-II 4.2.8 establishes standards to provide for efficient, safe, and attractive outdoor lighting while minimizing nighttime light pollution and energy waste. This section of the code requires all discretionary projects that propose to install outdoor lighting to submit a lighting plan. The code section also requires all outdoor light fixtures to be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways and requires the use of fixtures with high efficiency lamps. Light poles in the rural zoning districts, including the proposed project sites, are restricted to a maximum height of 15 feet.

Section L-II 4.2.10 – Permanent Open Space/Maximum Impervious Surface

Chapter II, Article 4.0, Section L-II 4.2.10 was established to conserve and maintain the natural and historic beauty of Nevada County, to promote soil conservation, surface water quality and groundwater recharge, to enhance residential and commercial areas, and to ensure permanent open space and maximum impervious surfaces for all development. Permanent open space is required in all commercial, industrial, multiple-family, public, and recreational zoning districts. For projects that are one acre or more in size and located at less than 4,000 feet elevation, the requirement is a minimum of 15 percent of the total site acreage.

Section L-II 4.3.17 – Watercourses, Wetlands and Riparian Areas

Chapter II, Article 4.0, Section L-II 4.3.17 was established to preserve the integrity and minimize the disruption of watersheds and watercourses. The section establishes minimum non-disturbance buffers along various types of waterbodies in which development may not occur unless a Management Plan is prepared by a qualified biologist or botanist that avoids or minimizes impacts to the resource.

Section L-II 5.3 – Design Review

Chapter II, Article 5.0, Section 5.3 outlines a procedure by which new development is reviewed for compatibility with surrounding development, natural resources, and/or historic features within the project area. Design review ensures that a proposed development project reflects and retains the rural and historic, small-town character of the county; ensures each community's unique character, identity, and distinctiveness; encourages visual relief through varied forms, patterns, and styles unified through landscaping, screening, and selected architectural features; and retains natural landforms and native landscaping, protects sensitive environmental resources, and encourages open space. Design review is required for all development permits and use permits for commercial, industrial, and multi-family projects, for structural changes to the exterior of

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commercial or industrial buildings, and for exterior visual changes to a project approved by a previous land use permit, unless specifically exempted in a specific section or article of Chapter II of the Land Use and Development Code.

### Western Nevada County Design Guidelines

The Western Nevada County Design Guidelines include a menu of design concepts and techniques to assist project developers in enhancing the character of Nevada County by encouraging the highest level of design quality while at the same time providing the flexibility necessary to promote economic viability. The guidelines promote new development that encourages a sense of place and that adds to community identity by inviting pedestrian activity, i.e., placing buildings closer to roads, limiting building size to a human scale, clustering buildings, placing parking behind buildings, breaking up parking lots with trees and walkways, and creating clearly visible entries and public places (Nevada County 2002).

### 4.0.3 IMPACT METHODOLOGY

#### **Standards of Significance**

The impact analyses below are based on the following State CEQA Guidelines Appendix G thresholds of significance, which state that a project would have a significant aesthetic impact if it would:

- 1) Have a substantial adverse effect on a scenic vista.
- 2) Substantially damage or fail to protect and preserve scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- 3) Substantially degrade the existing visual character or quality of the site and its surroundings, including failing to promote and provide for aesthetic design in new development which reflects existing character.
- 4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

#### **Methodology**

The following analyses are based on field observations, aerial photography, and review of the topographic conditions from GIS maps and Google Earth for the project sites and surrounding areas. For the purposes of this analysis, proposed site plans, building elevations, and photosimulations were used to determine how the projects would alter the existing conditions on the sites. The County's General Plan, site development standards, and applicable design guidelines were reviewed to determine what visual elements have been deemed valuable by the community. The analysis focuses on the manner in which development could alter the visual elements or features that exist in or near the project site, within the visual range or view corridor of each project.

The analysis further considers whether the anticipated alterations to the visual character of the sites would constitute a substantial adverse effect on existing views and scenic resources, which would result in a significant environmental impact. The determination of which changes to the visual environment cross a threshold of "substantial adverse effect" or degradation is based on

the criteria described in the following methodology summary. Following professionally accepted practice in visual analysis, visual impacts are defined as a consequence of three primary factors:

- The existing scenic quality of an area;
- The level of viewer exposure and concern with visual change; and
- The level of actual visual change caused by the project.

The overall visual sensitivity of each location is first established based on existing visual quality, viewer exposure, and viewer concern. These factors are then considered together with the level of expected visual change or contrast, and significance. Visual change is an overall measure of contrast in basic visual attributes such as form, line, color, and texture as a result of the proposed project. Thus, a substantial adverse effect can occur when viewers with high levels of overall visual sensitivity (i.e., high viewer concern and visual exposure, in settings of high existing visual quality) encounter high levels of visual change (contrast) or scenic view obstruction as a result of the proposed project.

### Thresholds Not Evaluated

There are no state-designated scenic highways in any of the project areas and none of the sites can be seen from a county-designated scenic highway. The sites are not located in the SC combining district. Therefore, the proposed projects would have no effect on scenic resources within a state scenic highway. There would be no impact relative to Standard of Significance 2, and this impact is not further evaluated for any of the project sites.

## **4.1 ALTA SIERRA SITE**

### **4.1.1 PROJECT-SPECIFIC SETTING**

#### **Visual Character of the Site**

The Alta Sierra project site is located in the western Sierra Nevada foothills between Alta Sierra Drive and Little Valley Road and consists of three parcels. The 1-acre parcel on which the store would be constructed is vacant, is covered entirely with hardwood and conifer trees, and is situated on a hillside that generally slopes to the south. The septic system tight line and leach field would be constructed on two parcels immediately north of the store site which are developed with commercial uses. Elevations on the store parcel range from approximately 1,994 feet in the north to 1,964 feet near the southeastern and southwestern property corners. The site can be seen from Alta Sierra Drive and Little Valley Road, as well as from surrounding properties.

A Management Plan for Oak Resources was prepared for the project site (Costella 2015). According to this plan, the canopy cover within the proposed store site includes approximately 74 oak trees, of which 71 are black oaks and 3 are small valley oaks (Costella 2015, p. 4). The County does not identify the site as being within a scenic corridor or a scenic viewshed, nor is the site located along a state scenic highway.

Photographs of the Alta Sierra project site from a series of key viewpoints in the vicinity, as well as a map showing the location of these viewpoints, are provided in **Figures 4.0-1** through **4.0-5**.

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### Visual Character of Surrounding Uses

The area surrounding the Alta Sierra site is characterized by commercial developments, a scattering of single-family homes, and areas of vacant undeveloped land. The store site is surrounded by asphalt or pavement on all four sides, with existing commercial development to the north and south of the site and Alta Sierra Drive and Little Valley Road to the west and east, respectively. West of Alta Sierra Drive are two undeveloped parcels. Other uses to the west include single-story commercial development, with a personal storage facility, a real estate office, and the Oak View Center. Directly east of Little Valley Road is a developed residential parcel. The next closest residential dwelling is approximately 100 feet from the northeastern property boundary and approximately 400 feet from the proposed building. Rural residential uses dominate the landscape east of Little Valley Road, including the Alta Sierra residential subdivision. To the south of the project site is the Alta Sierra Market. To the north of the project site is another developed property with three commercial buildings. Farther north/northwest along Alta Sierra Drive are other commercially developed properties consisting of a variety of uses, including but not limited to a gas station, a bike shop, a pizza parlor, and a specialty wine shop.

### Light and Glare

Given the rural character of the Alta Sierra site and the surrounding area, it is expected that only minimal nighttime lighting is visible on or near the site associated with existing residences and vehicles traveling on area roadways. Similarly, there is minimal daytime glare visible in the area associated with glass and other reflective building materials and vehicle windows.

#### 4.1.2 REGULATORY FRAMEWORK

There are no additional regulations, policies, or standards that pertain to the Alta Sierra site other than those described in Subsection 4.0.2, above.

#### 4.1.3 IMPACTS AND MITIGATION MEASURES

### Adversely Affect a Scenic Vista and/or Substantially Degrade the Visual Character of the Site (Standards of Significance 1 and 3)

**Impact 4.1.1(AS)** Development of the Alta Sierra project site as proposed would convert vacant land to commercial development. Such a conversion would fundamentally alter the visual character of the site. **(Significant and Unavoidable)**

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. While the General Plan does not establish specific scenic vistas in the county, it does identify visual resources that characterize Nevada County. These include the rolling vistas of foothills, valleys, mountains, meadows, forests, wetlands, and habitats unique to the Sierras. Additionally, scenic views within the county are identified as mountain peaks such as Castle Peak, vistas of Donner Lake, and the gorge of the South Fork of the Yuba River (Nevada County 1996a, p. 18-1).

Implementation of the proposed project would convert the approximately 1-acre store site from a wooded, undeveloped state to a commercial development. New uses would include a 9,100-square-foot, 27-foot-high commercial building; 20,260 square feet of surfaced area with 34

parking spaces;<sup>1</sup> two concrete block screening/retaining walls along the eastern and southern sides of proposed building and parking lot that would vary in height with the natural topography from 6 to 12 feet high; and 7,481 square feet of landscaped area. Proposed building elevations are shown in **Figure 2.0-11**. Further, development of the project would impact 85 oak trees, including four landmark oak trees on the site and the site of the proposed off-site sewer improvements on two adjacent parcels. The specifics on the oak tree impact and mitigation are discussed in Section 6.0, Biological Resources. All of these activities would affect the visual character of the site and adjacent parcels.

As shown on **Figure 2.0-5**, the project site is located between Alta Sierra Drive and Little Valley Road, with Alta Sierra Drive a main thoroughfare, resulting in high visibility from both approaches. The project site is set within a cluster of small-scale commercial retail operations surrounded by rural, wooded properties. Immediately north of site is a single-story, multi-tenant commercial center. These structures are set back from Alta Sierra Drive and appear as low-rise, single-story buildings set among trees. From Little Valley Road, views of these buildings are largely blocked by existing trees and vegetation. Farther north are heavily wooded rural residential properties. Immediately east of the site is Little Valley Road and a developed residential property located at the bottom of a small hill below the grade of the project site on the east side of the roadway. Rural residential uses dominate the landscape east of Little Valley Road, including the Alta Sierra residential subdivision. Immediately south of the project site is the Alta Sierra Market, with scattered rural residential properties located farther south. Alta Sierra Market is readily visible from the Alta Sierra Drive/Little Valley Road intersection. However, the building is single-story with a low roof and is not visually prominent. Immediately west of the project site is Alta Sierra Drive and an undeveloped, wooded parcel. Farther north/northwest along Alta Sierra Drive are other commercially developed properties consisting of a variety of uses. The project site is located within an established commercial center, and its development with a commercial use would be a logical expansion of the center and would be visually compatible with existing uses as viewed from Alta Sierra Drive. However, the project would be visually inconsistent with the scale and style of the existing structures and the nearby residential uses as viewed from Little Valley Road.

**Figure 4.0-1** shows the location of a series of key viewpoints of the project site from the surrounding area. Photographs of the site in its existing condition, along with a visual simulation of the proposed development at each of these viewpoints, are provided in **Figures 4.0-2** through **4.0-5**. As shown, the proposed development would be clearly visible from viewpoints A and B but would be visually compatible with the adjacent commercial development and would not result in a substantial change in views. Viewpoint C represents views from the existing residential property located immediately east of the site as well as for motorists traveling northbound on Little Valley Road, which provides access to residential properties to the north and east. As shown in the figure, views at this viewpoint would change dramatically due to the scale of the proposed building and screening/retaining walls and the site's elevation above the roadway. This viewpoint shows an 18.5-foot building façade atop a retaining wall that is up to 12 feet in height, representing up to 30 feet of solid wall that would be visible along Little Valley Road. From viewpoint D, the proposed development would be almost entirely obscured by the existing trees and vegetation on the northeastern corner of the site and the adjacent parcel.

Per Section L-II 5.3, Design Review, of the Nevada County Zoning Regulations, the proposed project must be reviewed for consistency with applicable, adopted design standards, including the Western Nevada County Design Guidelines (WNCDG), prior to issuance of development permits. The WNCDG encourages environmentally sensitive site design that is consistent with the

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<sup>1</sup> Surfaced area includes parking lot and driveway paved areas, hardscape surrounding building, sidewalks, ramps, and curbs.

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overall architectural character of the project and community. Consistent with the WNCDG, the Alta Sierra project includes building materials and colors that would blend with the surrounding environment and landscape and help to screen the urban nature of the proposed building. The project features some architectural details along the side and rear exterior walls and screening/retaining wall including low stone veneer columns and an awning. However, the project does not incorporate sufficient architectural features such as windows, structural bays, roof overhangs, and other details to visually break up the appearance of the proposed exterior walls on some of the façades, particularly the walls of the proposed building facing Little Valley Road. The project also fails to comply with the WNCDG by proposing a building with a flat roofline, failing to use a height and scale that is compatible with that of surrounding development, and by failing to design the building as a group of simple forms to reduce its overall bulk.

**MM AS-4.1.1a** requires the addition of architectural features on the eastern and southern exterior walls and along the roofline to further break up the mass of the 30-foot-high structure. To provide further screening of the project site from the adjacent uses, particularly the residential uses to the east, the project proponent would be required to provide a 10-foot-wide landscape buffer in accordance with the Nevada County Code. The proposed landscaping plan shows the retention of eight oak trees and two pine trees along the east edge of the site and extensive landscaping along its entire perimeter with the exception of the access point on Alta Sierra Drive. **MM AS-4.1.1b** would require the project contractor to protect these and other trees on the site to ensure they are successfully retained after construction. In addition, as described previously, the project applicant has proposed two screening/retaining walls just inside of the landscape buffer. However, as proposed, a 30-foot-wide gap would occur between the two walls, which would not provide adequate screening of the site from the residential uses east of Little Valley Road. To further screen the project, mitigation measure **MM AS-4.1.1c** requires the addition of a third wall or extension of the currently proposed walls to close the gap.

The project would also include open space per County requirements and landscaping throughout the site that would serve as an additional buffer for adjacent uses. Implementation of mitigation measures **MM AS-4.1.1a** through **AS-4.1.1d** would reduce the project's anticipated visual impacts by requiring the addition of architectural features to further break up exterior walls and screening/retaining walls, requiring existing mature trees to be preserved, requiring a continuous wall to better screen the site from the adjacent roadway and residential uses, and requiring more aesthetically-pleasing signage.

Even with these measures, however, development of the Alta Sierra site as proposed would substantially change the existing visual character of the site particularly when viewed from the residential area to the east. As shown in the visual simulations in **Figures 4.0-2** through **4.0-5**, the combined retaining wall and rear façade of the building would still result in a substantial degradation of public views from Little Valley Road. The site is considered to be visually sensitive, as neighbors and community members consider the existing wooded character of the site to be of high visual quality, numerous public comments have been received on the project expressing concern with the change in visual character, and there is a substantial level of visual change caused by the project from a wooded, undeveloped condition to a developed state. Given the substantial degradation and change of public views of a visually sensitive site, this would be a significant impact. A reduced-size project would likely be able to reduce the severity of this impact. However, the design of such a change to the project would be subject to design and fiscal constraints that are beyond the scope of this Draft EIR. Therefore, a reduced project alternative is addressed in Chapter 16.0, Alternatives of this Draft EIR, for consideration by the Planning Commission. Given the area available for landscaping and size of the facades, additional landscaping would likely not reduce the perceived scale of the building from Little

Valley Road. No other mitigation measures are available to eliminate or substantially reduce this impact; therefore, this impact would be **significant and unavoidable**.

#### Mitigation Measures

**MM AS-4.1.1a** The proposed building design shall be modified to better comply with the Western Nevada County Design Guidelines to create greater visual interest and to break up the mass of building and the roofline. Design modifications could include the incorporation of structural bays, roof overhangs, awnings, and other details along the buildings eastern and southern exterior walls as well as varying the roofline so that it transitions from the height of adjacent buildings to the maximum height of the proposed building and articulating the flat roofline with cornices. No windows shall be added to the buildings eastern or southern exterior walls.

*Timing/Implementation:* Prior to approval of improvement plans

*Enforcement/Monitoring:* Nevada County Planning Department

**MM AS-4.1.1b** The 17 existing mature trees on the project site and off-site improvement area that will be retained after construction shall be identified on all grading and improvement plans as "trees to be retained." Prior to grading permit issuance, the Planning Department shall verify that this requirement has been met. Additionally, the developer shall flag the trees in the field that will be retained following construction and shall provide and maintain adequate protection measures for the trees for the duration of all site construction activities. These measures shall include providing highly visible protective barriers around the trees such plastic construction fencing and prohibiting vehicle access and storage of materials, equipment or waste within the protective barriers. The Building Department shall verify that the trees to be retained have been properly marked in the field and protected during the first grading inspection. Construction personnel shall be made aware of these protected trees and the significance of the field markings and protection measures by the general contractor prior to commencing construction activities to minimize potential direct and indirect impacts.

*Timing/Implementation:* Prior to grading permit issuance and throughout construction

*Enforcement/Monitoring:* Nevada County Building Department and Planning Department

**MM AS-4.1.1c** To minimize potential conflicts between the commercial use of this site and existing residential uses east of Little Valley Road, the developer shall revise project plans to either (1) add a third six foot tall split block face wall designed consistently with other existing walls in the area that will fill the gap shown on the preliminary plans or (2) connect the two proposed screen walls to completely screen the parking lot area. Prior to issuance of final occupancy, the Planning Department shall verify in the field that the wall has been constructed consistent with the approved plans.

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*Timing/Implementation:* Prior to grading permit issuance and throughout construction

*Enforcement/Monitoring:* Nevada County Building Department and Planning Department

**MM AS-4.1.1d** The developer shall revise project plans and elevations to include the use of channel letter signage. Cabinet-style signage shall be prohibited. Prior to issuance of final occupancy, the Planning Department shall verify in the field that project signage is consistent with the approved plans.

*Timing/Implementation:* Prior to approval of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

### Create New Sources of Light and Glare (Standard of Significance 4)

**Impact 4.1.2(AS)** Development of the Alta Sierra project site as proposed would introduce new sources of light and glare. **(Less than Significant with Mitigation Incorporated)**

The Alta Sierra project would introduce a variety of building materials to the site. Glass, roofing, and car windshields, among others, have the potential to reflect light and create glare visible for some distance from the site. However, as discussed under Impact 4.1.1 (AS) above, the proposed project would be reviewed for consistency with the Western Nevada County Design Guidelines prior to issuance of a development permit. The guidelines require that new projects avoid bare metal, highly reflective surfaces (glass, metallic paint, etc.), illuminated roofing, and high contrast or brightly colored glazed tile. Compliance with the design guidelines would substantially reduce the potential for glare from the proposed project. Impacts from glare would be **less than significant**.

The Alta Sierra project would also introduce new sources of light that currently do not exist on the project site. The nearest residential uses sensitive to light and glare in the project area are located on lots to the east and southeast. The closest home is located approximately 100 feet from the subject property line to the east. Other homes are within 180 to 600 feet of the project site. The plans for the proposed project identify multiple downward-facing wall light fixtures mounted along the parapets of the building, as well as two pole-mounted lights in the parking lot. The proposed signage would be externally illuminated. The Nevada County Zoning Ordinance's standards for exterior lighting require such lighting to be shielded and directed downward to prevent the light source or lens from being visible from adjacent properties and roadways. The project developer has submitted a site lighting plan (**Figure 4.0-6**). This plan includes a photometric detail showing the amount of light spill from each individual light. Based on a review of this plan, the majority of the lighting from the project site will be kept within the property boundaries, but there are three areas where light is shown to spill off-site. Therefore, this impact would be **potentially significant**.

The County's Land Use and Development Code Section L-II 4.2.8(D)(2) states that "all outdoor lighting fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways..." According to the site lighting plan submitted by the applicant, all light fixtures are designed to meet International Dark Sky requirements, including being fully shielded. With shielded lighting, the Alta Sierra project would be consistent with the County Lighting Ordinance and would not be anticipated to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. However, implementation of mitigation measures **MM AS-4.1.2a** and **MM AS-4.1.2b** would be necessary to ensure that project lighting would not expose adjacent properties and roadways to substantial

light or glare, consistent with the Nevada County Land Use and Development Code. With mitigation, this impact would be **less than significant**.

Mitigation Measures

**MM AS-4.1.2a** Prior to building permit issuance, the developer shall submit a final Site Lighting Plan/Photometric Detail that demonstrates that all light spill will be retained on the project site. Potential methods for reducing light trespass onto neighboring roads and properties include replacing the two 400-watt light fixtures located on the southwest and southeast corners of the building with light fixtures of lesser wattage and/or providing additional screening of those features. Additionally, for the northern parking lot lighting, similar or alternative methods, such as reducing the wattage of the lighting fixture or moving the pole farther into the interior of the site, shall be utilized to ensure all new lighting and glare is kept on site. The developer shall install and maintain all lighting consistent with the approved Final Site Lighting Plan. Prior to issuance of final occupancy, the Planning Department shall perform a site visit, during the dark hours, to verify that the installed lighting does not trespass onto neighboring roads or properties.

*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

**MM AS-4.1.2b** All lighting for advertising must meet the County Lighting and Signage Ordinance requirements. Internally illuminated signage shall be prohibited. All lighting for exterior signage or advertising shall be top mounted light fixtures which shine light downward directly onto the sign. Said lighting shall be fully shielded consistent with International Dark Sky standards. Prior to building permit issuance, the applicant shall submit a final signage plan that eliminates any reference to internally lighted signage and provides details for establishing top mounted lighting for both the monument and wall signs. Additionally, any proposed sign lighting shall be shown and taken into account in the photometric detail in the revised project site lighting plan as required by mitigation measure MM AS-4.1.2a. Prior to issuance of final occupancy, the Planning Department shall perform a site inspection to ensure that the sign lighting is installed consistent with this mitigation measure and the County Zoning Code standards.

*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

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### 4.2 PENN VALLEY SITE

#### 4.2.1 PROJECT-SPECIFIC SETTING

##### **Visual Character of the Site**

The Penn Valley site is in the Sierra Nevada foothills approximately 6 miles west of Grass Valley on a 1.2-acre portion of a 5.95-acre parcel. The general topography of the property is characterized by slightly rolling and flat terrain. Average elevation in the project area is approximately 1,400 feet above mean sea level. The change in grade over the project site is approximately 7 feet.

Vegetation on the site is dominated by annual grassland and a scattering of trees, including valley oak, Oregon ash, white alder, and arroyo willow along the perimeter of the site. In addition, Squirrel Creek is located on the 5.95-acre parcel, but not within the proposed 1.2-acre project area. The area between the stream and proposed development includes flat terrain that is vegetated primarily with non-native grass species. An unnamed drainage on the northern border of the project site flows into Squirrel Creek.

The Penn Valley site is located in an area with commercial development, some small-lot single-family homes, and areas of vacant land. The County does not identify the site as being within a scenic corridor or a scenic viewshed, nor is the site located along a state scenic highway.

Photographs of the Penn Valley site from two key viewpoints in the vicinity, as well as a map showing the location of these viewpoints, are provided in **Figures 4.0-7** through **4.0-9**.



Source: MPA Architects, Inc., 2016



Not To Scale

**FIGURE 4.0-1**  
Alta Sierra Site Key Viewpoints Location Map

**Michael Baker**  
INTERNATIONAL



For comparative purposes, site photographs are shown in perspective in the general exhibits, at different points of the project area. These illustrations are subject to change and are intended to provide the reader with information on the form, function, and scale of any proposed improvements within the project area.

Source: MPA Architects, Inc., 2016

**FIGURE 4.0-2**  
Alta Sierra Site Viewpoint A

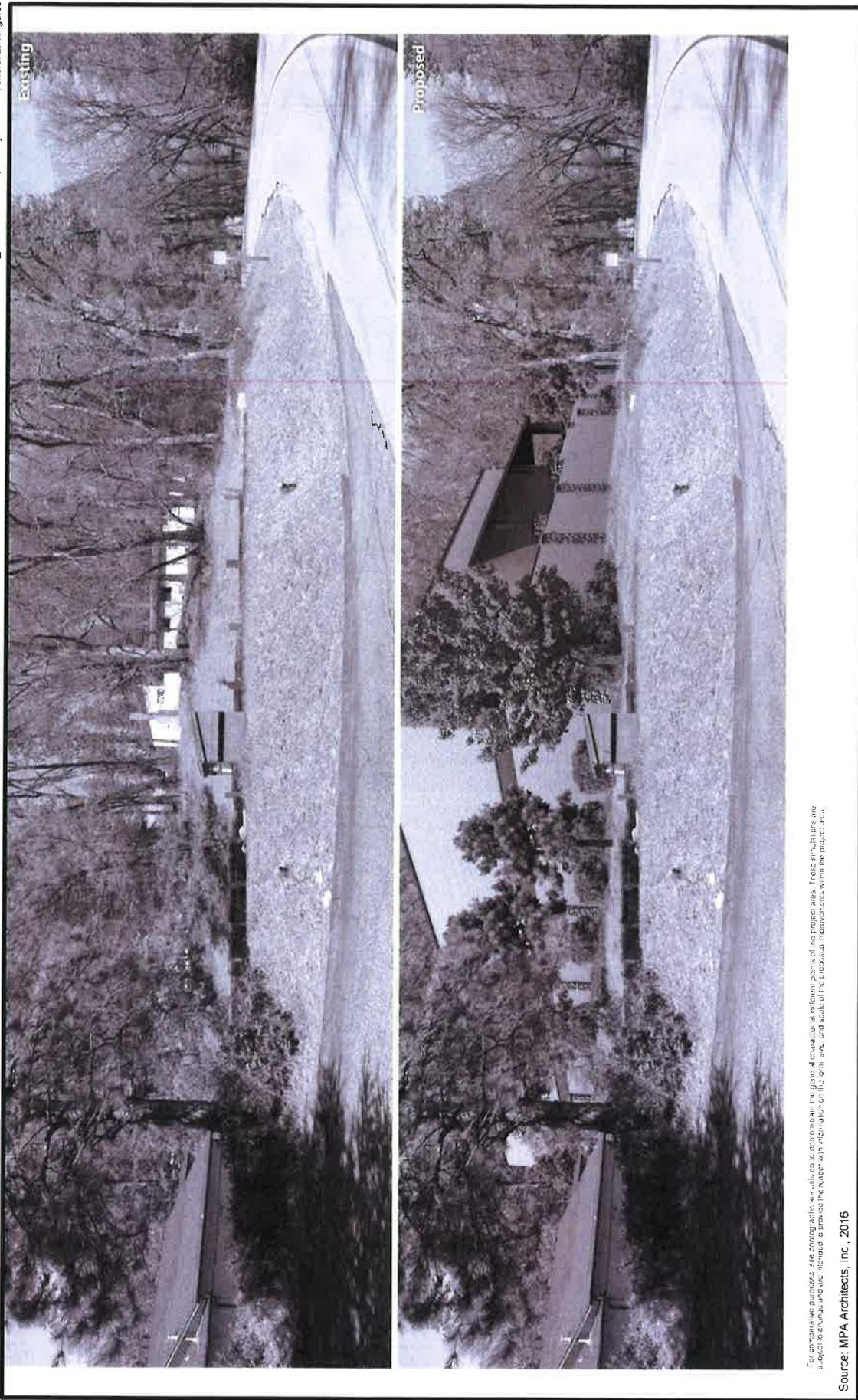


If all comparative purposes, this photograph was taken at different points of the project area. These simulations are subject to change and are intended to provide the reader with information on the form, size, and scale of the proposed improvements within the project area.

Source: MPA Architects, Inc., 2016

**FIGURE 4.0-3**  
Alta Sierra Site Viewpoint B

**Michael Baker**  
INTERNATIONAL



**FIGURE 4.0-4**

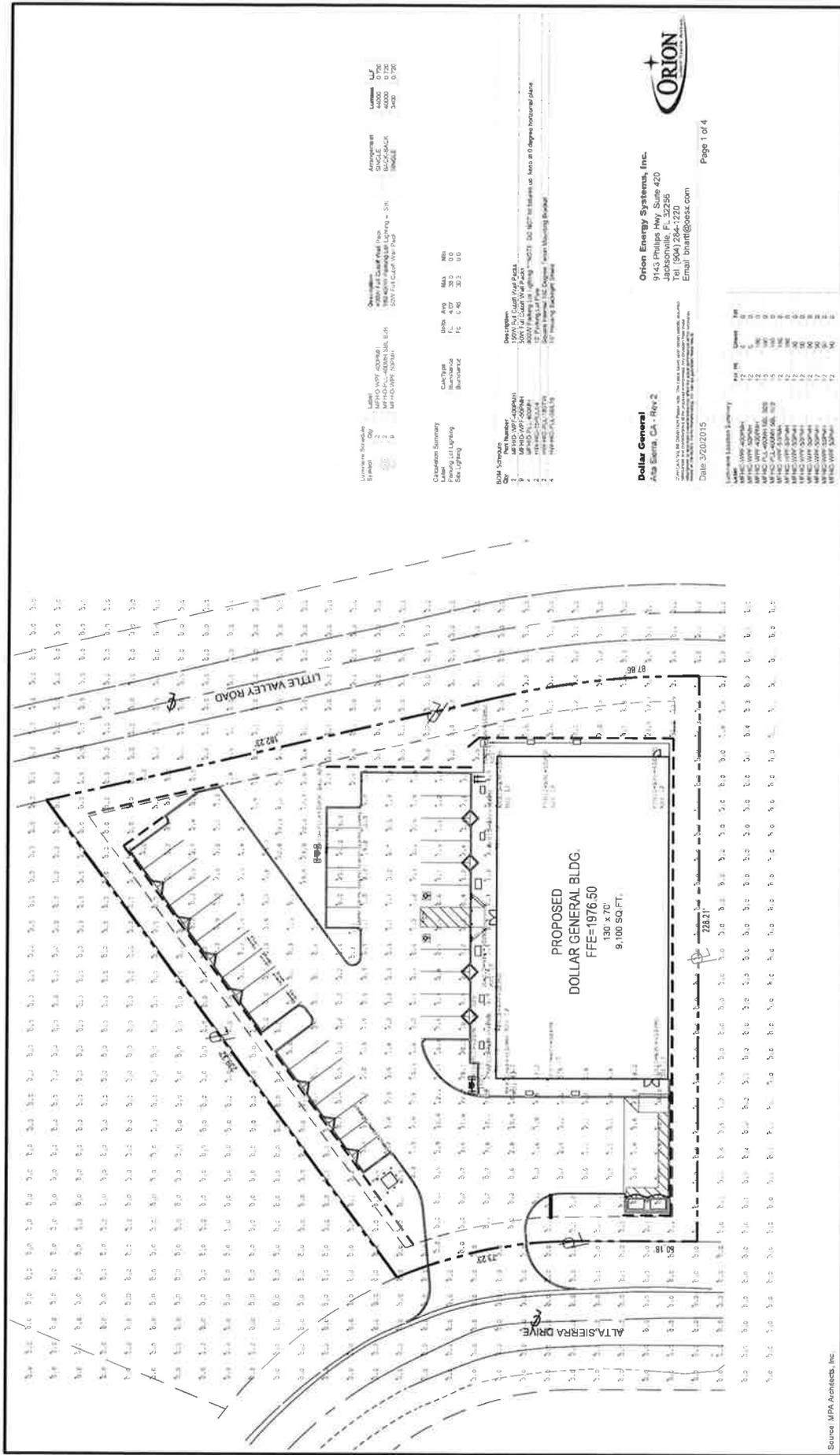
Alta Sierra Site Viewpoint C

**Michael Baker**  
INTERNATIONAL



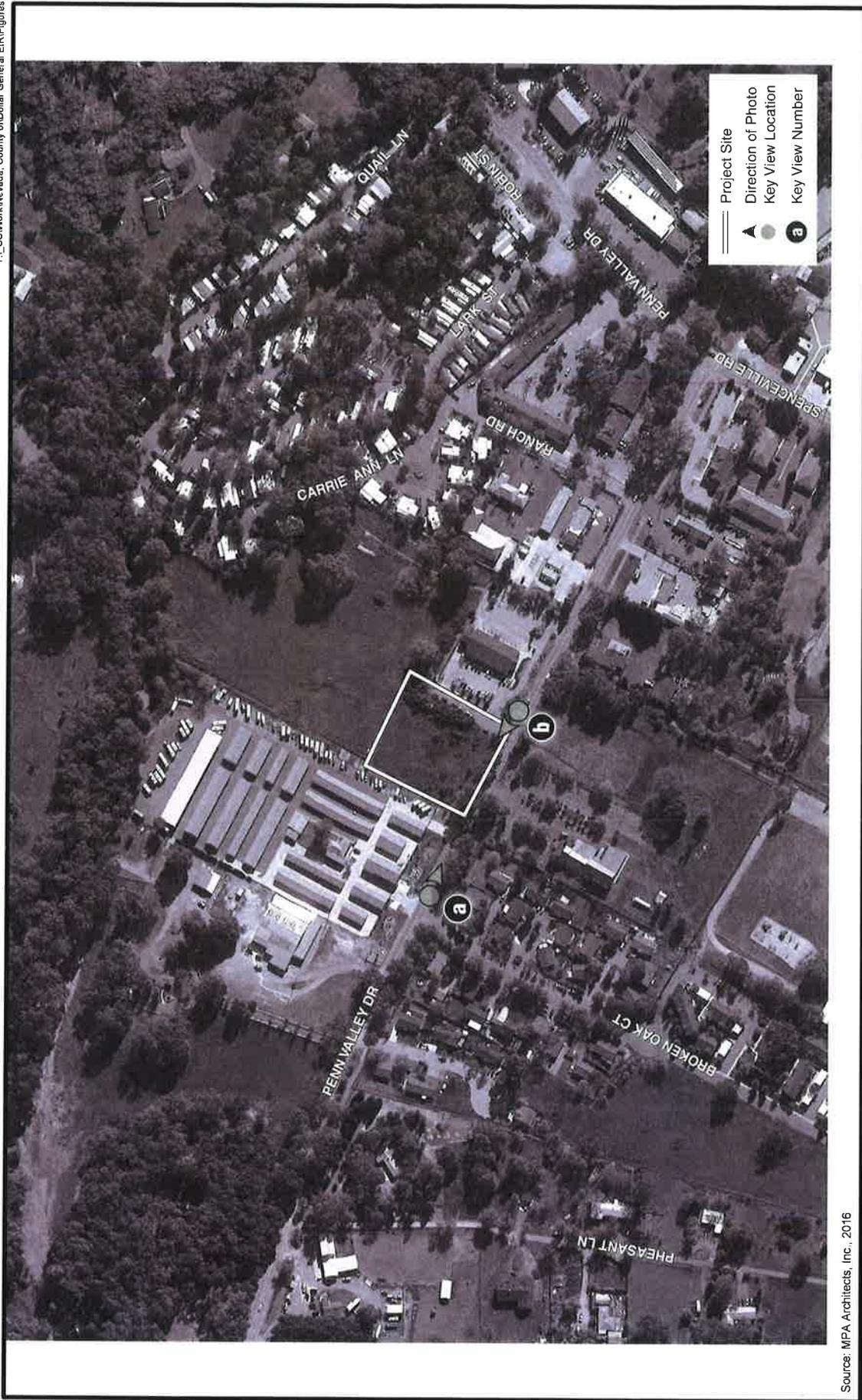
**FIGURE 4.0-5**  
Alta Sierra Site Viewpoint D

**Michael Baker**  
INTERNATIONAL



**FIGURE 4.0-6**  
 Proposed Lighting Plan – Alta Sierra  
 Michael Baker  
 INTERNATIONAL

Not To Scale



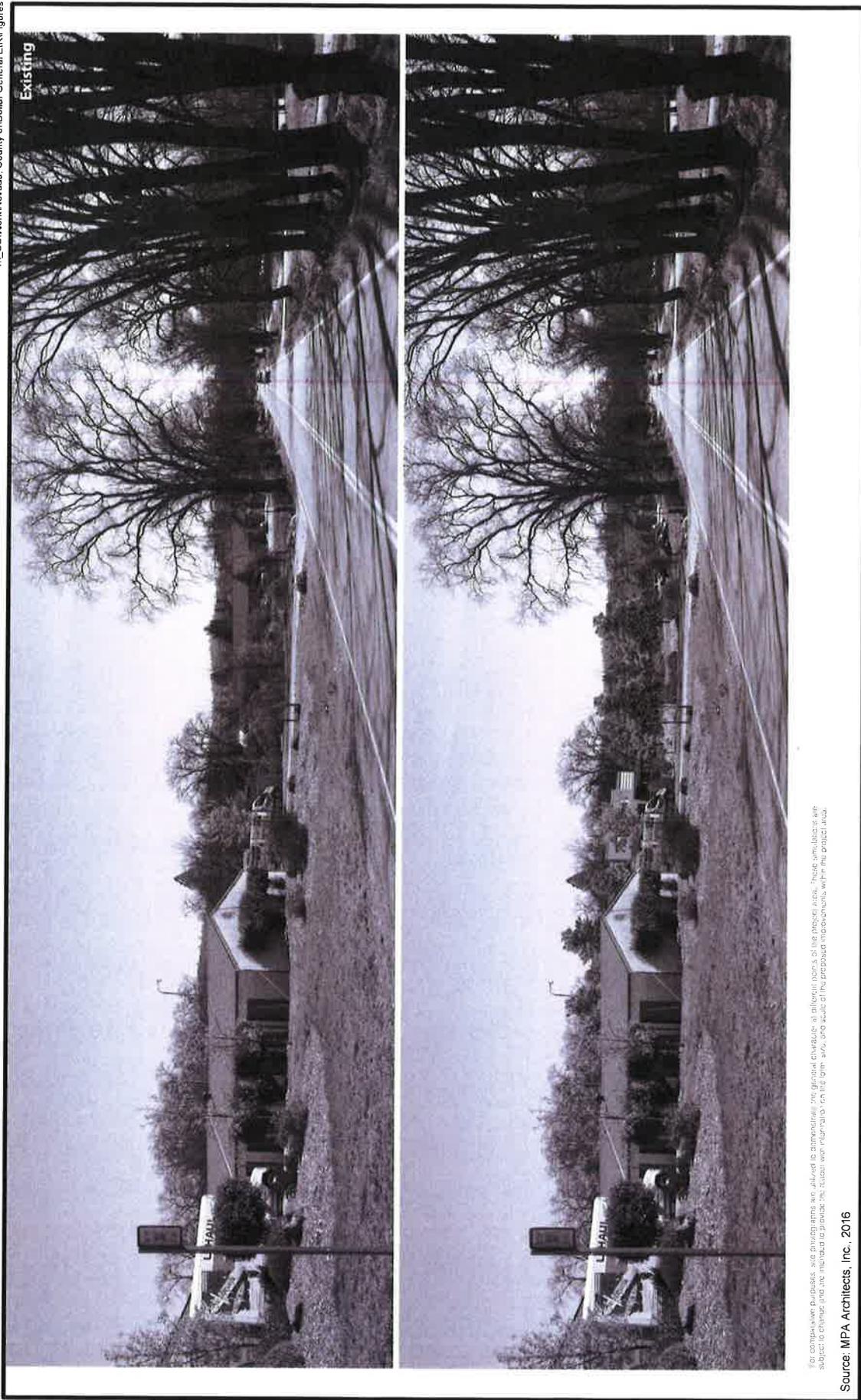
Source: MPA Architects, Inc., 2016



Not To Scale

**FIGURE 4.0-7**  
Penn Valley Site Key Viewpoints Location Map

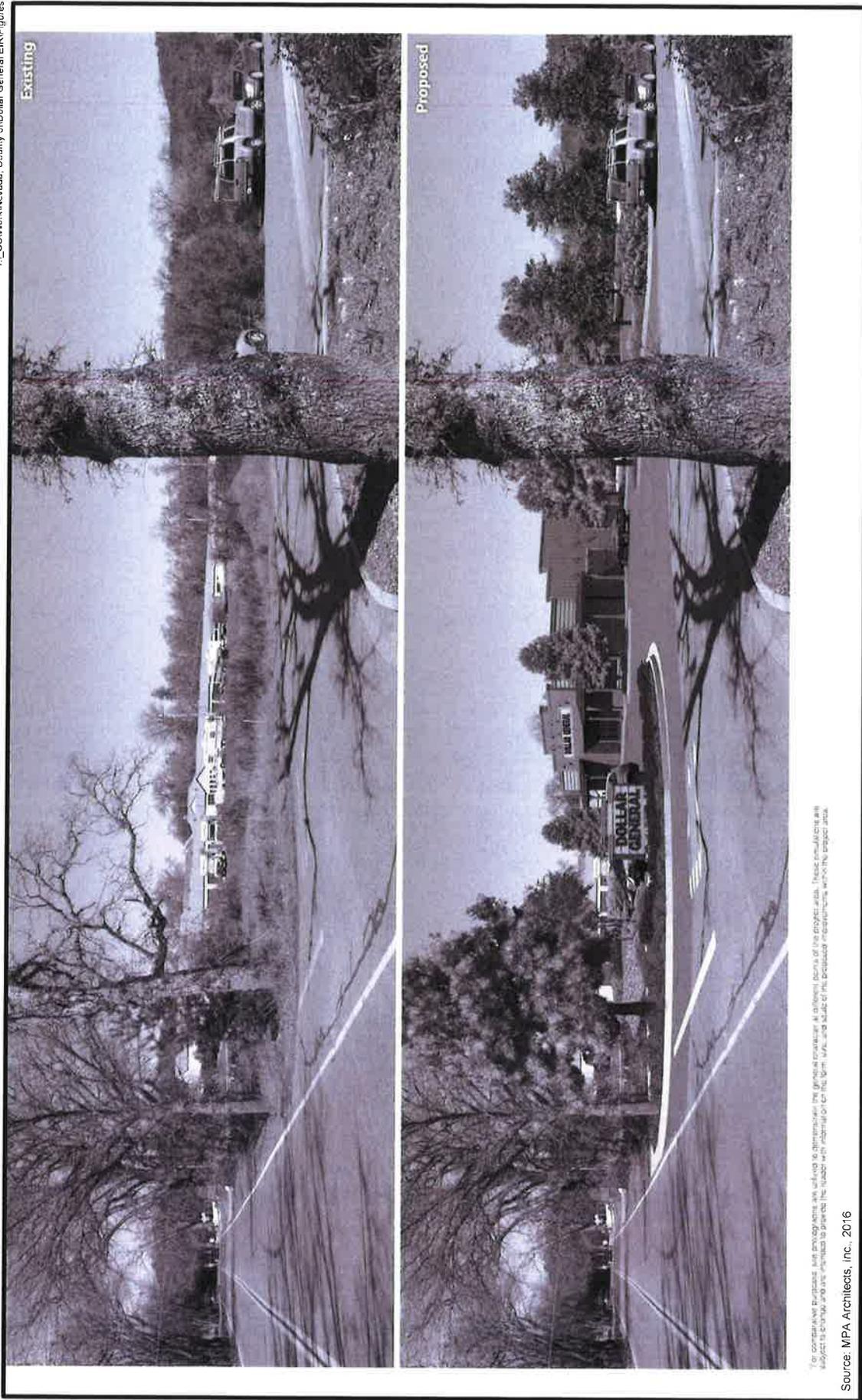
**Michael Baker**  
INTERNATIONAL



**FIGURE 4.0-8**

Penn Valley Site Viewpoint A

**Michael Baker**  
INTERNATIONAL



If you cannot view the proposed and existing views, we would recommend the general contractor at various points of the project area. These points are all subject to change and are intended to provide the best view of the proposed infrastructure within the project area.

Source: MPA Architects, Inc., 2016

**FIGURE 4.0-9**  
Penn Valley Site Viewpoint B

**Michael Baker**  
INTERNATIONAL

### Visual Character of Surrounding Uses

As shown in **Figure 2.0-6**, the project site is located in an area with existing development. To the south is Penn Valley Drive, with the Penn Valley Seventh-day Adventist Church and the Penn Valley Gardens residential subdivision farther to the south. A US Post Office, a gas station, and the Penn Valley Shopping Center are located east of the site. Northeast of the site is vacant land, followed by the Creekside Village mobile home park. Directly north of the site is vacant land and SR 20. Penn Valley Mini Storage is located west of the site.

### Light and Glare

The Penn Valley site is located adjacent to a US Post Office and the Penn Valley Mini Storage. Farther east of the site are a gas station and the Penn Valley Shopping Center. All of these uses may generate daytime glare and nighttime lighting levels in the area. However, the County has standards to provide for efficient, safe, and attractive outdoor lighting while minimizing nighttime light pollution and energy waste, as well as design standards which require that projects avoid bare metal, highly reflective surfaces (glass, metallic paint, etc.), illuminated roofing, and high contrast or brightly colored glazed tile. These requirements assist in the reduction of daytime glare and nighttime lighting in the Penn Valley area.

#### 4.2.2 REGULATORY FRAMEWORK

##### Penn Valley Village Center Area Plan

Chapter III of the Penn Valley Village Center Area Plan includes design guidelines for commercial, industrial, multi-family, and public use development. The guidelines pertain to site planning, building design, signage, lighting design, landscape design, pedestrian and bicycle access, and multi-family residential development (Nevada County 2000).

#### 4.2.3 IMPACTS AND MITIGATION MEASURES

##### Adversely Affect a Scenic Vista and/or Substantially Degrade the Visual Character of the Site (Standards of Significance 1 and 3)

**Impact 4.2.1(PV)** Development of the Penn Valley project site as proposed would convert vacant land to commercial development. Such a conversion would fundamentally alter the visual character of a portion of the site. **(Less than Significant)**

There are no officially designated scenic vistas in the project area. However, the project is located in Penn Valley and as stated previously, views of valleys are considered an important factor in Nevada County's scenic quality.

The Penn Valley project would convert approximately 1.2 acres of the project site from undeveloped land to a commercial development. New uses would include a 9,100-square-foot, 18- to 27-foot-high commercial building; 24,511 square feet of surfaced area with 46 parking spaces; and 7,039 square feet of landscaped area. All of these components would affect the visual character of the site. Elevations of the proposed building are shown in **Figure 2.0-12**.

**Figure 4.0-7** shows the location of two key viewpoints of the project site from the surrounding area. Photographs of the site in its existing condition, along with a visual simulation of the proposed development at each of these viewpoints, are provided in **Figures 4.0-8** and **4.0-9**. As shown, the

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proposed development would be clearly visible to motorists and pedestrians traveling along Penn Valley Drive in both directions. However, given the commercially developed nature of the area, the proposed development would be visually compatible and would not represent a substantial negative change to views in the area.

Per Section L-II 5.3, Design Review, of the Nevada County Zoning Ordinance, the Penn Valley project would be reviewed for consistency with applicable, adopted design standards, including the Western Nevada County Design Guidelines and the design guidelines in the Penn Valley Village Center Area Plan, prior to issuance of development permits. Both the Western Nevada County Design Guidelines and the Penn Valley Village Center Area plan encourage environmentally sensitive site design that is consistent with the overall architectural character of the project and community. Consistent with the design guidelines, the Penn Valley project was designed using building materials and colors that would blend with the surrounding environment and landscape and help to screen the urban nature of the proposed building. As shown in **Figure 2.0-12**, the building's exterior walls would incorporate architectural features to increase visual interest. These features include varying rooflines, building materials and colors, awnings, and decorative building-mounted lighting fixtures and door hardware.

In addition, the project would include open space per County requirements and would include landscaping throughout the site that would serve as a buffer for adjacent uses.

The project would add to a change in the existing scenic quality of Penn Valley. However, this change would be consistent with existing adjacent uses and the existing aesthetic qualities of the area. The site is not considered visually sensitive given the surrounding context of development in the area. Further, compliance with the applicable design guidelines and incorporation of open space and landscaping would reduce the project's visual intrusion by blending the proposed improvements with the surrounding environment. Therefore, development of the Penn Valley site as proposed would result in a **less than significant** impact to scenic vistas and visual character.

### Mitigation Measures

None required.

### **Create New Sources of Light and Glare (Standard of Significance 4)**

**Impact 4.2.2(PV)** Development of the Penn Valley project site as proposed would introduce new sources of light and glare. **(Less than Significant with Mitigation Incorporated)**

Development of the Penn Valley project site as proposed would introduce a variety of building materials to the site that may create glare. However, the proposed project would be reviewed for consistency with the Western Nevada County Design Guidelines, as well as the design guidelines contained in the Penn Valley Village Center Area Plan, prior to issuance of development permits. Compliance with the design guidelines would substantially reduce the potential for glare from the proposed project. Impacts from glare would be **less than significant**.

The proposed project would introduce new sources of light that currently do not exist on the Penn Valley site. The nearest residential uses sensitive to light and glare in the project area are located on lots to the southwest. The closest homes are located approximately 150 feet from the subject property line to the southwest. The plans for the proposed project identify 15 downward-facing wall light fixtures mounted along the parapets of the building, as well as 5 pole-mounted parking lot lights. The Nevada County Zoning Ordinance's standards for exterior lighting require such lighting to be shielded and directed downward to prevent the light source or lens from being

visible from adjacent properties and roadways. The lighting plan for the Penn Valley site submitted by the project applicant is shown in **Figure 4.0-10**. Based on a review of this plan, the majority of the lighting from the project site will be kept within the property boundaries, but there are areas identified where light is shown to spill off-site. Therefore, this impact would be **potentially significant**.

The County's Land Use and Development Code Section L-II 4.2.8(D)(2) states that "all outdoor lighting fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways..." According to the site lighting plan prepared by the applicant, all light fixtures are designed to meet International Dark Sky requirements, including being fully shielded. With shielded lighting, the Penn Valley project would be consistent with the County Lighting Ordinance and would not be anticipated to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. However, implementation of mitigation measures **MM PV-4.2.2a** and **PV-4.2.2b** would be necessary to ensure that project lighting would not expose adjacent properties and roadways to of substantial light or glare, consistent with the Nevada County Land Use and Development Code. With mitigation, this impact would be **less than significant**.

#### Mitigation Measures

**MM PV-4.2.2a** Prior to building permit issuance, the developer shall submit a final Site Lighting Plan/Photometric Detail that demonstrates that all light spill will be retained on the project site. Potential methods for reducing light trespass onto neighboring roads and properties include replacing the 400-watt parking lot light fixtures located on the south and east with light fixtures of lesser wattage, and/or providing additional screening of those features, and/or moving light poles farther into the interior of the site. The developer shall install and maintain all lighting consistent with the approved Final Site Lighting Plan. Prior to issuance of final occupancy, the Planning Department shall perform a site visit, during the dark hours, to verify that the installed lighting does not trespass onto neighboring roads or properties.

*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

**MM PV-4.2.2b** All lighting for advertising must meet the County Lighting and Signage Ordinance requirements. Internally illuminated signage shall be prohibited. All lighting for exterior signage or advertising shall be top mounted light fixtures which shine light downward directly onto the sign. Said lighting shall be fully shielded consistent with International Dark Sky standards. Prior to building permit issuance, the applicant shall submit a final signage plan that eliminates any reference to internally lighted signage and provides details for establishing top mounted lighting for both the monument and wall signs. Additionally, any proposed sign lighting shall be shown and taken into account in the photometric detail in the revised project site lighting plan as required by mitigation measure MM PV-4.2.2a. Prior to issuance of final occupancy, the Planning Department shall perform a site inspection to ensure that the sign lighting is installed consistent with this mitigation measure and the County Zoning Code standards.

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*Timing/Implementation:* Prior to issuance of building permit and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department

### 4.3 ROUGH AND READY HIGHWAY SITE

#### 4.3.1 PROJECT-SPECIFIC SETTING

##### **Visual Character of Site**

The Rough and Ready Highway project site has an existing commercial building that would be demolished as a part of project development. The project site lies on the west slope of the Sierra Nevada foothills at an elevation of  $\pm 2,500$  feet and is a fairly level parcel. The site contains mostly non-native varieties of horticultural plants, with the exception of one ponderosa pine and three gray pines.

The site is located in an area developed with rural residential single-family homes, higher-density residential uses including a transitional housing facility and mobile home parks, and areas of vacant undeveloped land. The County does not identify the site as being within a scenic corridor or a scenic viewshed, nor is the site located along a state scenic highway.

Photographs of the Rough and Ready Highway project site from a series of key viewpoints in the vicinity, as well as a map showing the location of these viewpoints, are provided in **Figures 4.0-11** through **4.0-14**.

##### **Visual Character of Surrounding Uses**

The project site is located in a rural residential neighborhood; however, as noted above, there is an existing commercial building on the property. Adjacent land uses include two single-family residences and other rural residential uses to the west. Directly east of the site is West Drive and single-family residential uses, followed by a small mobile home park. South of the site are single-family residential uses. Across Rough and Ready Highway are single-family residential uses and transitional housing, followed by vacant undeveloped land farther to the north. In general, the project area and lands further east and southeast are largely built out with residential uses on relatively small parcels. Land further north and west of the project area is more rural with lower densities and large areas of undeveloped land.

##### **Light and Glare**

Given the rural character of the Rough and Ready Highway site and the surrounding area, it is expected that only minimal nighttime lighting is visible on or near the site associated with existing residences and vehicles traveling on area roadways. Similarly, there is daytime glare visible in the area associated with glass and other reflective building materials and vehicle windows.

#### 4.3.2 REGULATORY FRAMEWORK

There are no additional regulations, policies, or standards that pertain to the Rough and Ready Highway site other than those described in Subsection 4.0.2, above.

### 4.3.3 IMPACTS AND MITIGATION MEASURES

#### **Adversely Affect a Scenic Vista and/or Substantially Degrade the Visual Character of the Site (Standards of Significance 1 and 3)**

**Impact 4.3.1(RR)** Development of the Rough and Ready Highway project site as proposed would maintain the existing commercial use but at a greater scale. Given the rural residential character of the surrounding area, this conversion would be considered to substantially degrade the visual character of the project area. **(Significant and Unavoidable)**

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. While the General Plan does not establish specific scenic vistas in the county, it does identify visual resources that characterize Nevada County. These include the rolling vistas of foothills, valleys, mountains, meadows, forests, wetlands, and habitats unique to the Sierras. Additionally, scenic views within the county are identified as mountain peaks such as Castle Peak, vistas of Donner Lake, and the gorge of the South Fork of the Yuba River (Nevada County 1996a, p. 18-1).

There are no officially designated scenic vistas in the area of the Rough and Ready Highway site. However, the site is located in the foothills of the Sierra Nevada, views of which are considered an important factor in the county's scenic quality.

Currently, an existing single-story commercial building and associated parking lot are on the project site. The proposed Rough and Ready Highway project would maintain the existing type of use on the 1.02-acre project site as a commercial development. The proposed development includes construction of a 9,100-square-foot, 18- to 27-foot-high commercial building, along with 19,354 square feet of surfaced area, 29 parking spaces, and 8,451 square feet of landscaped area. The proposed project's building elevations are shown in **Figure 2.0-13**. The proposed development would be of substantially greater height, size, and scale compared to the existing single-story building and immediately adjacent development, which consists of one-story, single-family detached homes in a rural residential setting. It would also be substantially taller than development on the north side of Rough and Ready Highway, which consists of a combination of one-story, single-family homes and higher-density residential uses including a transitional housing facility and mobile home parks (see **Figure 2.0-7**). Surrounding the area are rural residential properties and large expanses of wooded vacant land as well as some vineyards directly to the south.

**Figure 4.0-11** shows the location of three key viewpoints of the project site from the surrounding area. Photographs of the site in its existing condition, along with a visual simulation of the proposed development at each of these viewpoints are provided in **Figures 4.0-11** through **4.0-14**. As shown, given the rural nature of the surrounding area, the proposed development would substantially change the visual character and quality of the site and would degrade views of the site from the immediately surrounding residential uses.

The proposed development would be reviewed for consistency with applicable, adopted design standards, including the Western Nevada County Design Guidelines, prior to issuance of development permits. The design guidelines encourage environmentally sensitive site design that is consistent with the overall architectural character of the project and community. The Rough and Ready Highway project includes building materials and colors that would blend with the surrounding environment and landscape and help to screen the urban nature of the proposed building. As shown in **Figure 2.0-13**, the building's exterior walls would incorporate architectural

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features to increase visual interest. These features include varying rooflines, building materials and colors, awnings, and decorative building-mounted lighting fixtures and door hardware. In addition, the project would preserve a portion of the site as open space per County requirements and would include landscaping throughout the site that would serve as a buffer for adjacent uses. However, the proposed reduction in parking standards allows a larger building design, and the proposed structure would be substantially larger than any other building in the immediate vicinity. Development of the Rough and Ready Highway site as proposed would result in a building that is out of scale with the development in the area and would substantially change views. Given the rural residential nature of the area, such a change would be considered to degrade the visual character and quality of the site and its surroundings.

The existing scenic quality of the project area is largely defined by small-scale rural residential development, which comprises the neighborhood. The level of viewer exposure from public roadways and concern about changes in the viewshed from Rough and Ready Highway and West Drive is high, resulting in visual sensitivity of the site to larger forms that are out of scale with the existing neighborhood. A reduced-size project would likely be able to reduce the severity of this impact. However, the design of such a change to the project would be subject to design and fiscal constraints that are beyond the scope of this Draft EIR. Therefore, a reduced building alternative is addressed in Chapter 16.0, Alternatives of this Draft EIR for consideration by the Planning Commission. Increasing the size of the property to result in less coverage is not possible due to adjacent land ownership. Blocking views of the building from the roadway would not meet with the commercial nature of the project and the need for visibility to the travelling public. The design of the structure meets County standards; however, the impact is substantially adverse in terms of the proportional size and scale of the structure relative to other smaller structures in the vicinity and the visual sensitivity of the site. Given that there are no feasible mitigation measures available to reduce this impact, this impact would be **significant and unavoidable**.

### Mitigation Measures

None available.

### **Create New Sources of Light and Glare (Standard of Significance 4)**

**Impact 4.3.2(RR)** Development of the Rough and Ready Highway project site as proposed would introduce new sources of light and glare. **(Less Than Significant with Mitigation Incorporated)**

Development of the Rough and Ready Highway site as proposed would introduce a variety of building materials to the site that may create glare. However, the proposed project would be reviewed for consistency with the Western Nevada County Design Guidelines prior to issuance of development permits. Compliance with the design guidelines would substantially reduce the potential for glare from the proposed project by discouraging the use of reflective materials and requiring materials to be painted using a neutral color palette. Impacts from glare would be **less than significant**.

As stated previously, there is an existing commercial building on the site. The existing use does not have parking lot pole-mounted lights. The only outdoor lighting appears to be spot lights mounted on the building exterior. All of this lighting would be removed with demolition of the existing building.

Implementation of the proposed project would introduce new sources of light that currently do not exist on the project site. The nearest residential uses sensitive to light and glare in the project area are single-family homes located immediately south and west of the site. The plans for the

proposed project identify 11 downward-facing wall light fixtures mounted along the parapets of the building, as well as 2 pole-mounted parking lot lights. The Nevada County Zoning Ordinance includes standards for exterior lighting that require such lighting to be shielded and directed downward to prevent the light source or lens from being visible from adjacent properties and roadways. The lighting plan for the Rough and Ready Highway site provided by the project applicant is shown in **Figure 4.0-15**. Based on a review of this plan, the majority of the lighting from the project site will be kept within the property boundaries, but there are areas identified where light is shown to spill off-site. Therefore, this impact would be **potentially significant**.

The County's Land Use and Development Code Section L-II 4.2.8(D)(2) states that "all outdoor lighting fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways..." According to the site lighting plan prepared by the applicant, all light fixtures are designed to meet International Dark Sky requirements, including being fully shielded. With shielded lighting, the Rough and Ready Highway project would be consistent with the County Lighting Ordinance and would not be anticipated to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. However, implementation of mitigation measures **MM RR-4.3.2a** and **RR-4.3.2b** would be necessary to ensure that project lighting would not expose adjacent properties and roadways to of substantial light or glare, consistent with the Nevada County Land Use and Development Code. With mitigation, this impact would be **less than significant**.

Mitigation Measures

**MM RR-4.3.2a** Prior to building permit issuance, the developer shall submit a final Site Lighting Plan/Photometric Detail that demonstrates that all light spill will be retained on the project site. Potential methods for reducing light trespass onto neighboring roads and properties include light fixtures of lesser wattage, and/or providing additional screening of those features, and/or moving light poles farther into the interior of the site. The developer shall install and maintain all lighting consistent with the approved Final Site Lighting Plan. Prior to issuance of final occupancy, the Planning Department shall perform a site visit, during the dark hours, to verify that the installed lighting does not trespass onto neighboring roads or properties.

*Timing/Implementation:* Prior to issuance of building permits and prior to issuance of final occupancy

*Enforcement/Monitoring:* Nevada County Planning Department and Building Department

**MM RR-4.3.2b** All lighting for advertising must meet the County Lighting and Signage Ordinance requirements. Internally illuminated signage shall be prohibited. All lighting for exterior signage or advertising shall be top mounted light fixtures which shine light downward directly onto the sign. Said lighting shall be fully shielded consistent with International Dark Sky standards. Prior to building permit issuance, the applicant shall submit a final signage plan that eliminates any reference to internally lighted signage and provides details for establishing top mounted lighting for both the monument and wall signs. Additionally, any proposed sign lighting shall be shown and taken into account in the photometric detail in the revised project site lighting plan as required by mitigation measure MM RR-4.3.2a. Prior to issuance of final occupancy, the Planning Department shall perform a site inspection to ensure that the sign

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lighting is installed consistent with this mitigation measure and the County Zoning Code standards.

*Timing/Implementation:*      *Prior to issuance of building permit and prior to issuance of final occupancy*

*Enforcement/Monitoring:*      *Nevada County Planning Department*

### 4.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

#### CUMULATIVE SETTING

The cumulative setting for visual resources consists of each of the project sites, as well as all existing, approved, proposed, and reasonably foreseeable development in the visible range of each project site.

**Alta Sierra Site:** The cumulative setting for the Alta Sierra site is characterized by rural commercial development, hillside residential development, and open space. To guide the future uses in the area, the Nevada County General Plan designates the immediate area as a Rural Center with commercially designated land uses (Highway Commercial [HC] and Neighborhood Commercial [NC]) to the immediate north, south, and west of the site. Surrounding the Rural Center are properties identified with the General Plan land use designation of Planned Residential Community (PRC) to the east, Estate (EST) to the south and west, and Urban Medium Density (UMD) to the north. As shown in **Table 17.0-1** in Section 17.0, Other CEQA Considerations, the closest approved project in the surrounding area is Forest Springs Mobile Home Park, which is located approximately 1,800 feet north of the Alta Sierra Rural Center and approximately 1.0 mile from the project site. Hundreds of trees were recently removed from this site as the project began construction, and the tree removal is highly visible from SR 49. However, the Dollar General site is not readily visible to travelers along SR 49 as the project site is approximately 0.10 of a mile from and approximately 50 feet lower in elevation than SR 49, which is the major public view corridor of the Forest Springs Mobile Home Park. Due to these factors and the intervening development on SR 49, these projects lack any substantive visual connection.

**Penn Valley Site:** The cumulative setting for the Penn Valley site is characterized by commercial development, medium-density residential development, and open space. The Nevada County General Plan identifies the immediate area as a part of the Penn Valley Village Center with Community Commercial (CC) land uses adjacent to the site. Surrounding General Plan land uses include Urban Medium Density to the southwest and northeast. There are three Penn Valley projects included in **Table 17.0-1** in Section 17.0, Other CEQA Considerations, which is a list of approved and proposed projects in the surrounding area. None of these three projects is on Penn Valley Drive or in the Penn Valley Village Center. Because none of these projects has visual connection to the proposed Penn Valley Dollar General project, they are not included in the cumulative visual setting and analysis.





**FIGURE 4.0-11**  
Rough and Ready Highway Site Key Viewpoints Location Map

**Michael Baker**  
INTERNATIONAL

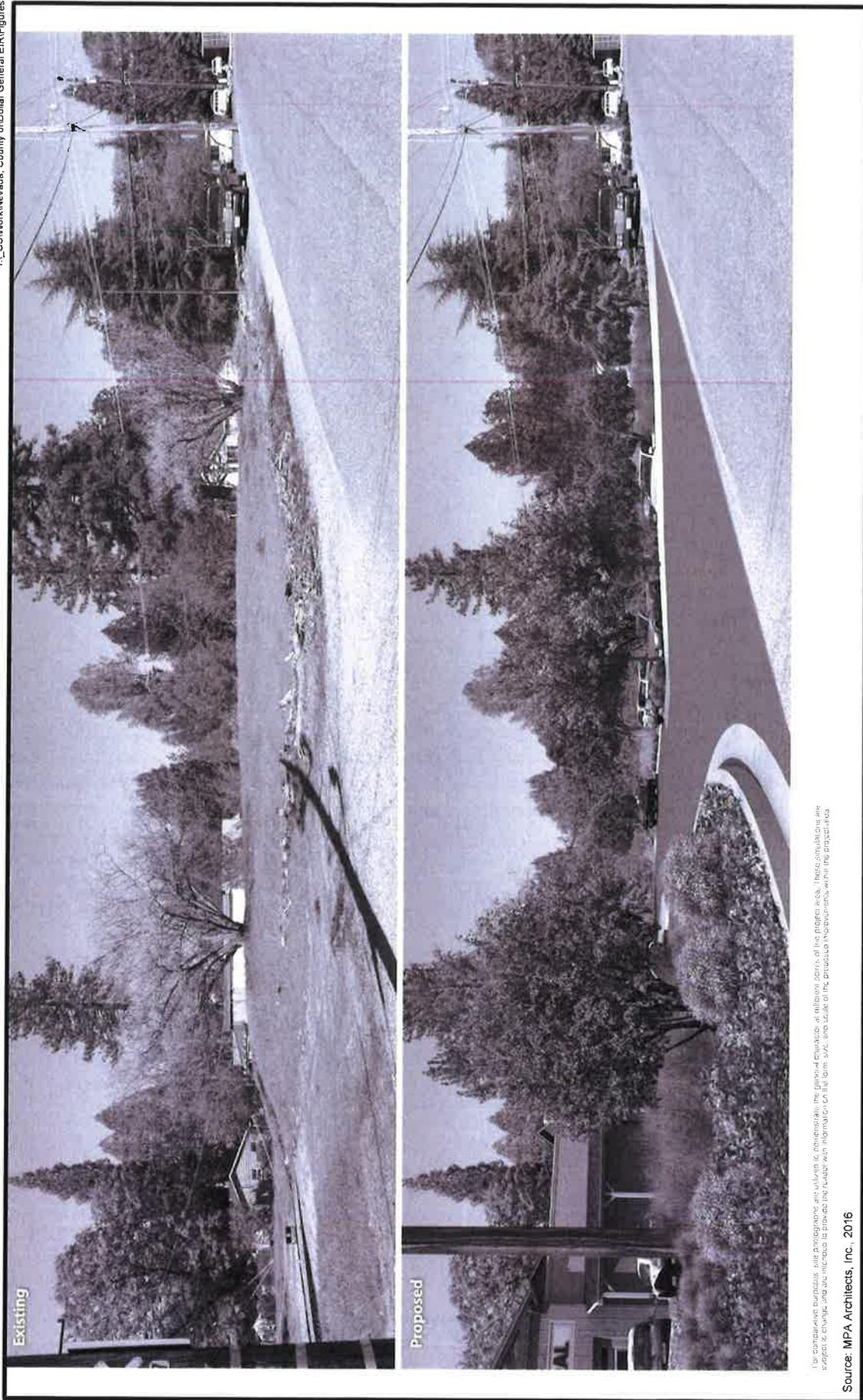


**FIGURE 4.0-12**

Rough and Ready Highway Site Viewpoint A



**FIGURE 4.0-13**  
Rough and Ready Highway Site Viewpoint B



**FIGURE 4.0-14**  
Rough and Ready Highway Site Viewpoint C

**Michael Baker**  
INTERNATIONAL



**Rough and Ready Highway Site:** The cumulative setting for the Rough and Ready Highway site is characterized by rural commercial development, single-family residential development, and open space. A large community church is also located approximately one-half mile east of the site, although it is not within the same Sunset neighborhood and cannot be seen from the site. The Nevada County General Plan designates the adjacent lands as Neighborhood Commercial land uses. Surrounding General Plan land uses include Urban High Density, Estate, and Residential. As shown in the list of approved and proposed projects in the surrounding area in **Table 17.0-1** in Section 17.0, Other CEQA Considerations, of the approved and proposed projects known at this time, Yuba River Charter School is the nearest approved project. It is located on the Rough and Ready Highway corridor nearly 1 mile east of the proposed Dollar General project. Between the two projects is a large tract of open space and the Sunset neighborhood. Although the Yuba River Charter School project is on the same public road corridor as the proposed Rough and Ready Highway Dollar General, the distance between the two projects precludes its inclusion in the cumulative visual setting of the proposed Dollar General store.

#### CUMULATIVE IMPACTS AND MITIGATION MEASURES

##### Cumulative Aesthetic and Lighting Impacts – Alta Sierra

**Impact 4.4.1(AS)** The Alta Sierra project site is located in a largely developed rural commercial center surrounded by rural residential development and a highway. Cumulative development in the area would substantially alter the existing visual character of the area and generate substantial new light or glare. **(Cumulatively Considerable and Significant and Unavoidable)**

Cumulative development in the vicinity of the Alta Sierra project site, as guided by the Nevada County General Plan, would result in the ongoing conversion of vacant and underutilized properties to more urbanized uses. This ongoing conversion will result in a gradual transition from a rural environment dominated by natural features and scattered development to a more urban environment dominated by development. Future development projects would be subject to the County's development standards and adopted design guidelines, which are intended to protect existing uses, minimize light spillage, and design new development to blend with the character of the surrounding area. Development consistent with these standards and guidelines would ensure cumulative lighting would not result in a significant impact. However, a general conversion from rural to urban uses would result in substantial changes to the visual character of the area that cannot be fully mitigated. Therefore, this would be a **significant** cumulative impact.

As described in Impact 4.1.1(AS) above, development of the Alta Sierra project site would have a significant and unavoidable impact on the visual character and quality of the site and surrounding area. There are no mitigation measures available that could reduce this impacts to a level of insignificance. Therefore, the proposed project's contribution to this cumulative impact would be **cumulatively considerable** and **significant and unavoidable**.

##### Mitigation Measures

None available.

##### Cumulative Aesthetic and Lighting Impacts – Penn Valley

**Impact 4.4.2(PV)** The Penn Valley project site is located in an area developed with similar commercial uses along a developed corridor. Cumulative development would contribute to the ongoing transition of the area to urban uses. Compliance with

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existing development standards and applicable design guidelines would reduce cumulative aesthetic and lighting impacts. **(Less than Cumulatively Considerable)**

Development in the vicinity of the Penn Valley project site includes commercial uses consistent with the Nevada County General Plan and the Penn Valley Center Area Plan. Future development in the area would represent a logical expansion of the existing commercial center that serves the surrounding community. Each development project would be subject to the County's development standards and adopted design guidelines, which are intended to protect existing uses, prevent light spillage, and ensure that new development blends with the character of the surrounding area. Therefore, the cumulative impact would be **less than cumulatively considerable** and development of the proposed project would not alter the significance of the overall change.

### Mitigation Measures

None required.

### **Cumulative Aesthetic and Lighting Impacts – Rough and Ready Highway**

**Impact 4.4.3(RR)** The Rough and Ready Highway project site is located in an area dominated by rural residential development and open space. Cumulative development in the area would substantially alter the existing visual character of the area and generate substantial new light or glare. **(Cumulatively Considerable and Significant and Unavoidable)**

Based on existing zoning and General Plan designations, cumulative development in the vicinity of the Rough and Ready Highway project site would result in the conversion of vacant and underutilized properties to residential and commercial uses in the Sunset neighborhood viewshed. A general conversion from the existing rural residential area to a more developed area would result in a change to the existing visual environment that would be subject to the County's development standards and adopted design guidelines, which are intended to protect existing uses, minimize light spillage, and ensure that new development blends with the character of the surrounding area.

As described in Impact 4.3.1 (RR) above, the proposed project is larger in scale and size than other commercial uses in the vicinity. The church which is located 0.5 mile to the east on Rough and Ready Highway is an institutional use, which differs in nature from a commercial use. Due to the size and scale of the Rough and Ready Highway project relative to the existing residential development in the immediate vicinity, and the sensitivity of the site which is based on the high level of viewer exposure from Rough and Ready Highway and West Drive, and concern of residential viewers, the project would have significant and unavoidable impacts on the visual character of the site and surrounding area. The larger scale of the proposed project would in turn contribute to the likelihood of the proposal of additional commercial development that, in order to relate aesthetically and economically to the Dollar General store, would also be out of scale with the existing neighborhood. There are no mitigation measures available that could reduce this impact to less than significant. Because of the project's prominence along Rough and Ready Highway and its scale relative to the surrounding uses, the proposed project's contribution to this cumulative impact would be **cumulatively considerable and significant and unavoidable**.

### Mitigation Measures

None available.

**REFERENCES**

- Caltrans (California Department of Transportation). 2015. California Scenic Highway Mapping System. [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm).
- Costella (Costella Environmental Consulting). 2015. *Management Plan for Oak Resources Dollar General - Alta Sierra and Addendum to the Biological Inventory*.
- Nevada County. 1996a. *Nevada County General Plan, Volume I: Goals, Objectives, Policies and Implementation Measures*. Updated 2008, 2010, and 2014.
- . 1996b. *Nevada County General Plan, Volume 2: Background Data and Analysis*.
- . 2000. *Penn Valley Village Center Area Plan Nevada County, California*.
- . 2002. *Western Nevada County Design Guidelines*.

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**Exhibit B**  
**("The Raney Memo")**

November 21, 2025

To: Steve Geiger, Senior Planner  
Nevada County Community Development Agency  
950 Maidu Avenue, Suite 170  
Nevada City, CA 95959

**Subject: Response to the Remy Moose Manley, LLP Air Quality and Greenhouse Gas (GHG) Related Comments on the Holiday Market (Penn Valley) Project**

Mr. Geiger:

Raney has prepared the following memorandum in response to the comments provided by Remy Moose Manley, LLP regarding the Air Quality and Greenhouse Gas (GHG) Impact Analysis (AQ/GHG Impact Analysis) conducted for the Holiday Market (Penn Valley) Project. The following provides a screenshot of each applicable comment made within the comment letter, and a response to each comment. Raney's responses to each comment are provided in red text.

**Comment 3-1:**

The air quality modeling includes a number of assumptions that are not explained or supported and there are numerous analytical gaps and inconsistencies. For example, the MND states that 2,306 sq. ft. of building materials and 21,945 cubic yards of soil would be exported from the site during construction. But the MND does not identify where these materials would go or how many truck trips would be required. Standard dump trucks carry 10-16 cubic yards, which means there would be at least 1,372 truck trips just to remove soil from the site. How far would those trips be? Would it go to a landfill or other type of facility? This information is necessary to analyze and understand the Project's air quality and GHG impacts. This information is also necessary to analyze other impacts related to the disposal of waste, including whether there is capacity in the local system. The Utilities and Services Systems section of the MND does not mention construction waste.

Response to Comment 3-1: The hauling trip assumptions are included within Section 5.3.1 of the CalEEMod results report prepared for the proposed project (see Appendix A to the AQ/GHG Impact Analysis). As shown therein, a total of 5.4 one-way hauling trips per day were anticipated to occur during demolition activities, and 68.6 one-way hauling trips per day were anticipated to occur during grading activities associated with the proposed project. CalEEMod assumes a haul truck capacity of 16 cubic yards (CY) per truck, with half of the one-way truck trips assumed to be hauling soil/demolition materials, and the other half of the truck trips assumed to be associated with empty trucks returning to the site. The demolition phase was anticipated to occur over one week (five working days), and the grading phase was anticipated to occur over two months (40 working days), based on project-specific information provided by King Engineering (see Section 5.1 of the CalEEMod results report). Accordingly, the modeling assumed a total of 5,542 hauling trips would occur during the demolition and grading phases associated with project construction.

This material would be exported off-site, but in terms of the actual receiving location, that information is not currently known, nor is it typical in IS/MNDs to have that level of specificity. The model assumes each one-way hauling trip would be 20 miles, which reasonably encompasses likely surrounding destination sources.

The response above is focused specifically on the commenter's concerns related to air quality and GHG emissions. We will defer to the County to provide responses to the non-air quality and GHG related concerns included in the comment (i.e., regarding solid waste capacity and construction waste associated with the Utilities and Service Systems section of the IS/MND).

**Comment 3-2**

The discussion of construction and operational emissions include almost no analysis or explanation whatsoever, making it virtually impossible for the public or decisionmakers to understand the Project's impacts. Presenting raw numbers and bare conclusions without sufficient explanation does not foster public participation or informed decision-making and does not meet the requirements of CEQA.

Response to Comment 3-2: The Air Quality/GHG Impact Analysis provides a detailed description of the methodology used to estimate construction and operational emissions associated with the proposed project, as well as a description of the air basin in which the project site is located (the Mountain Counties Air Basin [MCAB]), the air district that has jurisdiction over the proposed project (the Northern Sierra Air Quality Management District [NSAQMD]), and the thresholds of significance that have been adopted by the NSAQMD and the proposed project's consistency with such thresholds of significance.

As discussed on pages 7 and 8 of the Air Quality/GHG Impact Analysis, the proposed project's construction emissions would be within the Level A thresholds for ROG and PM<sub>10</sub> and the Level B thresholds for NO<sub>x</sub>. Pursuant to the NSAQMD guidelines, projects are determined to have a less-than-significant impact if all ROG, NO<sub>x</sub>, and PM<sub>10</sub> are within Level A or if emissions for only one pollutant are within Level B. Given that the proposed project would result in emissions of ROG and PM<sub>10</sub> within Level A, and emissions of NO<sub>x</sub> within Level B, and would be required to implement all applicable NSAQMD-recommended measures, the proposed project would result in a less-than-significant level during construction. While the NSAQMD-recommended measures are not required as CEQA mitigation, the Air District requires such measures.

Similarly, as discussed on page 8 of the Air Quality/GHG Impact Analysis, the proposed project's operational emissions would all be within threshold Level A. Given the project's Level A emissions and required compliance with the applicable NSAQMD-recommended measures, the proposed project would result in a less-than-significant impact during operations.

The analysis presented within the Air Quality/GHG Impact Analysis prepared for the proposed project is sufficient in explaining the proposed project's consistency with the NSAQMD-adopted thresholds of significance, and is included within the administrative record available for review by the public.

**Comment 3-3**

Although the MND notes that there is a State Implementation Plan (SIP) for western Nevada County, it does not explain whether the Project is consistent with the SIP. According to the NSAQMD Guidelines, an SIP takes precedence over the thresholds of significance identified in the Guidelines.

Response to Comment 3-3: An area is designated as “in attainment” when the area is in compliance with the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The NAAQS and CAAQS are set by the USEPA or CARB, respectively, for the maximum level of a given air pollutant that can exist in the outdoor air without unacceptable effects on human health or public welfare with a margin of safety.

As discussed on page 5 of the Air Quality/GHG Impact Analysis prepared for the proposed project, because portions of the MCAB have been designated as nonattainment, NSAQMD has prepared a federally enforceable State Implementation Plan (SIP) for western Nevada County in accordance with the Clean Air Act. The SIP is an air quality attainment plan designed to reduce emissions of ozone precursors sufficient to attain the federal ozone AAQS by the earliest practicable date.

As further discussed on page 6 of the Air Quality/GHG Impact Analysis, the NSAQMD has established significance thresholds associated with development projects for emissions of the ozone precursors ROG and NO<sub>x</sub>, as well as for PM<sub>10</sub>. Adopted NSAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment.

Generally, if a project's emissions would not exceed the NSAQMD thresholds of significance for ozone precursors (ROG and NO<sub>x</sub>) and PM<sub>10</sub>, that project would not be considered to conflict or obstruct implementation of the SIP. As discussed on pages 7 and 8 of the Air Quality/GHG Impact Analysis, as well as detailed in Response to Comment 3-2 above, the proposed project's construction and operational emissions would not exceed the NSAQMD thresholds of significance for ozone precursors (ROG and NO<sub>x</sub>) and PM<sub>10</sub>. Thus, the proposed project would not be considered to conflict with or obstruct implementation of the SIP.

**Comment 3-4**

The MND states that the air quality modeling included adjustments consistent with project-specific trip rate data provided by GHS for the proposed project but does not identify what those adjustments were (there is a footnote “1” indicated on page 31, but there is no footnote). Assuming the data is based on the Traffic Memo, the data is fundamentally flawed and severely undercounts trips and other relevant data points as explained below in the Transportation section. It is also unclear whether the air quality analysis includes the increased emissions caused by the degraded level of service that will occur at several intersections and roadways. This analysis must be redone with realistic trip counts and traffic assumptions to be able to assess the Project's air quality impacts.

Response to Comment 3-4: The commenter is correct that the vehicle trips were adjusted in the CalEEMod modeling prepared for the proposed project consistent with project-specific trip rate data provided by GHD. As discussed in the AQ/GHG Impact Analysis, the proposed project would replace the existing Holiday Market currently located north of the project site at the Wildwood Center. Because the existing Holiday Market at the Wildwood Center is currently generating vehicle trips, the net new increase in vehicle trips was calculated by GHD, and the trip rates applied within the model represent net trips associated with the proposed project. As presented in Table 15 of the Traffic Impact Analysis Memorandum prepared by GHD, the proposed project was estimated to generate a total of 1,044 net new daily trips. The daily trip assumptions applied to the project modeling are included within Section 5.9.1 of the CalEEMod results report (see Appendix A to the AQ/GHG Impact Analysis). As presented therein, 1,044 total daily trips were assumed in the CalEEMod report, consistent with the net increase in daily vehicle trips calculated by GHD.

Additionally, with regard to emissions associated with intersections, the AQ/GHG Impact Analysis prepared for the proposed project included an analysis of localized CO emissions. As discussed therein, although NSAQMD does not have an established threshold for CO, the nearby air district, Placer County Air Pollution Control District (PCAPCD), who has authority over a portion of the MCAB, has a screening level for localized CO impacts. According to the PCAPCD screening levels, a project could result in a significant impact if the project would result in CO emissions from vehicle operations in excess of 550 lbs/day. As shown in Table 5 of the AQ/GHG Impact Analysis, CO emissions associated with the proposed project would be well below the PCAPCD's 550 lbs/day screening level. Therefore, based on the nearby PCAPCD's screening levels for localized CO impacts, the proposed project would not be considered to expose sensitive receptors to substantial concentrations of localized CO.

#### **Comment 3-5**

The analysis also assumes that there would be no cumulative significant impacts because the Project-specific impacts would be less than significant. That is not how CEQA works. In fact, CEQA requires cumulative impacts analyses specifically for this purpose, so it can be determined whether a project in combination with other projects would result in a significant impact even though the impacts of the individual project may be less than significant.

Response to Comment 3-5: As discussed on page 9 of the Air Quality/GHG Impact Analysis prepared for the proposed project, due to the dispersive nature and regional sourcing of air pollutants, air pollution is already largely a cumulative impact. The nonattainment status of regional pollutants, including ozone and PM, is a result of past and present development, and, thus, cumulative impacts related to these pollutants could be considered cumulatively significant.

To improve air quality and attain the health-based standards, reductions in emissions are necessary within nonattainment areas. Adopted NSAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. As future attainment of AAQS is a function of successful implementation of NSAQMD's planning efforts, by exceeding NSAQMD's Level C thresholds or Level B thresholds for two or more pollutants for construction or operational emissions, a project could contribute to the region's nonattainment status for ozone and PM emissions and could be considered to conflict with or obstruct implementation of the NSAQMD's air quality planning efforts.

In other words, the NSAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable during development of their thresholds of significance for air pollutants. Thus, if a project exceeds the identified significance thresholds, the project's emissions would be considered cumulatively considerable, resulting in a significant adverse incremental contribution to the region's existing air quality conditions.

As discussed on pages 7 and 8 of the Air Quality/GHG Impact Analysis, as well as detailed in Response to Comment 3-2 above, the proposed project's construction and operational emissions would not exceed the NSAQMD thresholds of significance for ozone precursors (ROG and NO<sub>x</sub>) and PM<sub>10</sub>. Thus, the proposed project would not be considered to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment, and the project's incremental contribution to cumulative emissions would be considered less than significant.

### Comment 3-6

Finally, the analysis of GHG impacts is severely flawed. Although the MND expressly acknowledges that "the primary source of GHG emissions for the project would be mobile source emissions," the analysis does not quantify those emissions and excludes them entirely from the impact assessment. As explained below in the Transportation section, the assumption that the Project will result in a reduction in VMT is unsupported and erroneous. The analysis must also consider delivery trucks and other mobile source emissions in addition to passenger vehicles. According to the MND, the project would require seven medium and seven heavy trucks on Fridays alone, not including deliveries on other days of the week. Adding what the MND itself describes as the Project's "primary source" of GHG emissions to the other sources of emissions identified in the MND will very likely cause the Project to exceed the threshold of significance. The County should also explain why the identified threshold of significance is appropriate for this Project.

Response to Comment 3-6: As stated on page 15 of the AQ/GHG Impact Analysis, the proposed project is located within the jurisdictional boundaries of the NSAQMD, which does not currently have any established thresholds for GHG emissions. While NSAQMD prefers that GHG emissions are generally quantified for decision-makers and the public to consider, the NSAQMD typically excludes regulation of mobile source emissions, as such emissions are regulated by CARB on a State-wide basis.<sup>1</sup> In addition, a direct correlation exists between VMT and mobile source GHG emissions. Thus, according to the NSAQMD, a reasonable assumption can be made that if the proposed project is determined to meet the LCI's screening criteria for local-serving retail uses, the proposed project's mobile source GHG emissions can also be screened out of further analysis.<sup>2</sup>

<sup>1</sup> Julie Hunter, Air Pollution Control Officer/Executive Director, Northern Sierra Air Quality Management District. Personal Communication [email] with Rod Stinson, Vice President, Raney Planning and Management. February 6, 2025.

<sup>2</sup> *Ibid.*

The reasoning within the GHG analysis regarding the proposed project being a local-serving use is consistent with the VMT analysis prepared for the proposed project by GHD. Please see the responses to the commenter's concerns regarding the Traffic Impact Analysis Memorandum prepared by GHD for further detail related to the VMT analysis prepared for the proposed project.

Finally, with regard to the use of the PCAPCD's GHG thresholds, as discussed on page 16 of the AQ/GHG Impact Analysis, because the NSAQMD has not adopted GHG thresholds, the thresholds of PCAPCD were applied to the proposed project. The thresholds of significance were adopted by the PCAPCD to aid in compliance with the statewide goals established by AB 32 and SB 32, and the NSAQMD has determined that the thresholds are appropriate for the proposed project.<sup>3</sup>

If you have any questions regarding the contents of this document, please do not hesitate to contact me at (916) 372-6100, or via email at [rods@raneymanagement.com](mailto:rods@raneymanagement.com).

Best Regards,

Rod Stinson  
Vice President/Air Quality Specialist



1501 Sports Drive, Suite A  
Sacramento, CA 95834  
Office: (916) 372-6100  
[www.raneymanagement.com](http://www.raneymanagement.com)

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<sup>3</sup> Julie Hunter, Air Pollution Control Officer/Executive Director, Northern Sierra Air Quality Management District. Personal Communication [email] with Rod Stinson, Vice President, Raney Planning and Management. February 6, 2025.

**From:** [Guy Sotomayor](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market location  
**Date:** Tuesday, November 25, 2025 3:17:10 PM

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Hi,

I've heard that there is some concern about the proposed new location for Holiday Market in Penn Valley.

Frankly, moving to the new location would be a boon to the area as the new location would allow for a much larger (and better stocked store). Currently my wife and I go to Holiday Market for "quick trips" (e.g. a step up from a convenience store) as the current store isn't large enough to satisfy the majority of our grocery shopping needs. This requires us to drive into Grass Valley. This easily triples our mileage. A larger store would make Holiday Market our primary store for groceries. I believe many others are in the same position. This should reduce traffic on CA20 into Grass Valley.

Thank you for your consideration on this topic.

Guy Sotomayor

**From:** [Diane L. Myers](#)  
**To:** [Steve Geiger](#)  
**Subject:** Penn valley Holiday Market  
**Date:** Tuesday, November 25, 2025 4:01:43 PM

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Please allow Holiday Market to relocate. I don't know why the BOD are against it. I live on Wildflower and use the second gate, but it only makes sense congestion will be less at the front gate. I can understand the golf cart population's regrets, and it is too bad that can't be resolved by a cart path to the new location.

Diane L Myers  
18204 Wildflower Dr  
Penn Valley

5307018204  
[Get Outlook for iOS](#)

**From:** [Lisa McGrath](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market  
**Date:** Tuesday, November 25, 2025 4:26:16 PM

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Dear Steve,

I am in favor of the new holiday market. I think it will be a great asset to our community.

Lisa McGrath  
Sent from my iPhone

**From:** [Cathy Fagan](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market  
**Date:** Tuesday, November 25, 2025 4:31:55 PM

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As a long-time resident of Lake Wildwood, I fully support the plan for a new, larger market to be built as outlined in the plans. I do not see any problems with ingress and egress and I am sure all of that has been considered in proposing this new site.

Cathy Fagan

Lake Wildwood Resident since 1997.

**From:** [JAMES HOOK](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Tuesday, November 25, 2025 5:00:19 PM

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Steve... Thanks for the Email. I sincerely hope the new market comes to pass. I don't live in LWW, but do live in Wildwood Ridge, which is just north of LWW. I have friends that live in LWW, and I can tell you the prime reason for those LWW residences to try to stop the new market. It is Soley due to their wanting to continue using their golf carts to get to the store, and will dredge anything up that would stop them from doing so. I love the store and am in full accord in building the new Holiday on the proposed site.

Jim and Susan Hook  
(530) 432-5593

**From:** [Nancy Estill](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market at Penn Valley: Overwhelming YES for the project!  
**Date:** Tuesday, November 25, 2025 5:43:42 PM

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Please add my vote to the YES side of the new development! Having lived in Lake Wildwood for 15 years, I love the market, but it is limited, so you end up driving up to Raley's for fill in. What a waste of gas, time and money! I want to support Penn Valley as much as possible!

So excited for the prospect!

Nancy Estill  
18961 Jayhawk Drive  
Penn Valley

**From:** [Melissa Hindt](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market in PV  
**Date:** Tuesday, November 25, 2025 5:45:55 PM

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I just wanted to say I support the new proposed Holiday Market. It will definitely save me some miles and I look forward to having a full service market close to home. The current Holiday is good. I look forward to the "LOP" version! Let's make PV a great place to live.

Melissa P. Hindt  
35 year Smartsville/Big Oak Valley Resident.

**From:** [miloschmidt](#)  
**To:** [Steve Geiger](#)  
**Subject:** Support for New Holiday Market Penn Valley  
**Date:** Tuesday, November 25, 2025 5:50:42 PM

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Dear sir.

I am a resident of Lake Wildwood and wish to voice my complete backing for a new Holiday Market in Penn Valley. Any delays in building would not be a service to residents of Penn Valley and Nevada County. Note also Board of Lake Wildwood has not surveyed residents on this to see how we feel.

Milo Schmidt  
18769 Chaparral Dr.  
Penn Valley

Sent from my Galaxy

**From:** Mary Clark  
**To:** Steve Geiger  
**Subject:** New Holiday  
**Date:** Tuesday, November 25, 2025 7:00:13 PM

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I am a community member on Mooney Flat Road. I have been shopping at Holiday Market since it moved to Pleasant Valley Road!! I love this Market and all its employees. I support the move and expanded store! Please approve this!!

Thanks, Mary Clark

11967 Mooney Flat Road  
Smartsville, Ca 95977

Yes I am a resident of Nevada County!! 50+ years

**From:** [Molly Hale](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Tuesday, November 25, 2025 9:12:07 PM

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Dear Mr. Geiger,

I am writing in support for the new location for Holiday Market. Having a full service market available locally would be an asset to our community. Holiday Market does a great job in their present location but the building is too small for full service requiring traveling out of town for groceries. Please move forward with approving Holiday Market's new location in Penn Valley.

Sincerely,  
Molly Hale

Sent from my  
iPhone

**From:** Ron Brogdon  
**To:** Steve Geiger  
**Subject:** We want a new Holiday Market!  
**Date:** Tuesday, November 25, 2025 10:14:11 PM

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Resident Lake Wildwood  
RonB  
Sent from my iPhone

**From:** [Margaret Aarons](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market  
**Date:** Wednesday, November 26, 2025 8:01:34 AM

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I am in support of the new market and hoping it will be approved. Penn Valley is in need of a quality market and it will only enhance our community. Additionally, it will save us from traveling up highway 20 for groceries, which is especially appreciated when in need of only a few items.

Please support this new project.

Margaret Aarons  
Sent from my iPad

**From:** [PETER FRACZEK](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market  
**Date:** Wednesday, November 26, 2025 8:16:45 AM

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I support the new Holiday Market. It is needed. It will also increase the tax revenue for the county.  
Getting a little tired of the minority squeaky wheels opposing what the majority wants and needs.  
Thank You.  
Peter Fraczek- Lake Wildwood resident  
Have a good day and a Happy Thanksgiving.

**From:** [Lawrence L. Kiser](#)  
**To:** [Steve Geiger](#)  
**Subject:** Moving our Holiday Market  
**Date:** Wednesday, November 26, 2025 9:32:28 AM

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I am writing in support of building a new Holiday market store. I have shopped at the current one for nearly 27 years and while it provides many good basics, it no where near offers what other markets, like SPD or Brier Patch offer , in variety or baking or meat market. Other Holiday Markets already offer much more than our current store.

It makes no sense to me that we would have a massive increase in traffic, a store only serves those who conveniently live nearby or offer something unique. This new store would be a great addition to our community and save us having to drive to NC or Grass Valley for other items not offered.

It is time to upgrade! Besides Starbucks or some other chain might put in a decent coffee shop.

Sincerely,

Lawrence L Kiser  
13413 Buttermilk Bend  
North San Juan , Ca 95960

**From:** Barbara Tandy  
**To:** Steve Geiger  
**Subject:** Holiday/ Lake Wildwood  
**Date:** Wednesday, November 26, 2025 10:28:26 AM

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Hello, I live in Lake Wildwood and am completely in favor of the new Holiday Market especially since it will reduce my trips to Grass Valley.

However the traffic issue is a real problem and you must acknowledge this. There need to be lights at both the Holiday driveway and Commercial Street. Otherwise traffic coming from Lake Wildwood will be extremely backed up waiting for a chance to turn into the two driveways against oncoming traffic coming off 20, much of it headed for Lake Wildwood. I don't see why this is a question, it is a problem for you to solve. My additional comment is that the new store will of course be drawing many people from outside Lake Wildwood and increasing traffic that we do not currently have going to the current smaller store.

--Barbara Tandy, Lake Wildwood

**From:** [Tralee Dobson](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Wednesday, November 26, 2025 11:28:26 AM

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Please throw your support behind the new Holiday Market planned for Penn Valley.

The current location is old, decrepit, and a constant repair problem with roof leaks and water leaks inside store on floor. The 50 year old building has been patched and expanded but seems now to be too small to waste any more repair \$\$ on.

The new store location will be able to become a store the size of the one at Higgins Corner. That would add things like bakery, deli, expanded meat dept., and coffee service, even a few tables to sit at and enjoy one's coffee and sandwich.

It would be such a joy for the area's aging population, to enjoy without driving up to GV or NC. Something local for us instead of having meals and groceries delivered.

Your traffic studies seem to support the new store, so not sure why the delay. If in fact after it is built the traffic is too much for Pleasant Valley Road and/or Hwy 20, some changes can be made-like re-timing traffic lights or lengthening turn lanes.

Let's get the project off the ground, the sooner the better.

I've owned my place here in PV for 35 years. My husband is in the PV cemetery. I'm staying.

Thank you

Sincerely,

Tralee W. Dobson

Sent from my iPhone

**From:** [Greg Marshall](#)  
**To:** [Steve Geiger](#)  
**Subject:** Penn Valley Holiday Market  
**Date:** Wednesday, November 26, 2025 12:46:02 PM

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Steve -

My name is Greg Marshall and my wife and I are 20+ year residents of Lake Wildwood in Penn Valley. I wanted to put in my 2 cents in favor of the new Holiday Market. We seem to have a vocal group of whiners here in Wildwood who are upset they will no longer be able to drive their golf carts to the market or who are worried about a potential traffic problem. I attended the presentation at the clubhouse where, I believe, you addressed traffic mitigation. The new larger market will be a great addition to the area, not just Wildwood and, I think, should be fast tracked not delayed for more traffic studies.

Thanks

Greg Marshall

**From:** [Karen Festersen](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Holiday Market in Penn Valley  
**Date:** Wednesday, November 26, 2025 3:46:43 PM

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Dear Steve,

I would like to express my husbands and my support for the new Holiday Market. But we still have some concerns about the traffic turning to and from Pleasant Valley Road via Commercial Ave. or Pine Shadows. It has been mentioned that traffic studies were done, but unless a turn lane onto Pine Shadows is developed, I only see problems. Turning right onto Pleasant Valley after visiting the Holiday should be fairly easy, but turning left may be a nightmare.

I am not sure if we will be able to attend the meeting December 2 at 1:30, but hope you will take our concerns into consideration.

Thank you.

Karen and Joe Festersen  
Lake Wildwood residents

**From:** [Vicster](#)  
**To:** [Steve Geiger](#)  
**Subject:** New Bigger Holiday mkt for Penn valley  
**Date:** Wednesday, November 26, 2025 5:52:26 PM

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Mr Geiger

I live in LWW and support the new proposed market site. This store has supported this community for many years and with the growth in the community ( which btw, I don't hear complaints about) the store is to small to offer what the community is asking for.

There will always be a small majority that doesn't like change that is human nature. However I believe these FEW just feel in titled and want to be heard. We hear them and acknowledge them, but I think they are only thinking of themselves. If there are those few who can only get to the market via a golf cart, I'm sure the market will look at perhaps offering a limited delivery service or look at other ways to assist these folks.

Please do not stop this project.

Thank you

Vicki Graham

LWW resident

[Sent from Yahoo Mail for iPhone](#)

**From:** [Jenna Beauchamp](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market in PV  
**Date:** Wednesday, November 26, 2025 8:11:39 PM

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Dear Steve,

I am in support of a larger Holiday Market! I'm a current resident in PV and think it's a great addition to have more options and have it be not so far down Pleasant Valley Rd .

Thanks for taking everyone's thoughts into consideration.

Regards,  
Jenna Beauchamp  
Sent from my iPhone

**From:** [Mijares, Lucas](#)  
**To:** [Steve Geiger](#)  
**Subject:** Yes for Holiday!  
**Date:** Wednesday, November 26, 2025 9:30:04 PM

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Hi Steve,

I live in the Penn Valley area. I am a huge supporter for Holiday to move to the commercial Avenue location. It would be a huge blessing to my family and I believe that will be a success for our community.

Thank you for reading this and taking it into consideration!

Lucas J. Mijares CFP®CKA®CRPC®AAMS®  
Founder | Wealth Advisor  
Zion Capital

For all administrative and scheduling needs, please contact Janessa Paladini at 530-955-5402 or [janessa@zioncapital.io](mailto:janessa@zioncapital.io)

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**From:** [cynthia chapman](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market  
**Date:** Thursday, November 27, 2025 4:56:17 PM

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Hi

I live in lake wildwood and I strongly support the new store. I will not be happy if you vote against it. Please support the new store

Cynthia chapman

**From:** [Yancy Satlin](#)  
**To:** [Steve Geiger](#); Planning  
**Subject:** Yes on Penn Valley Holiday Market  
**Date:** Friday, November 28, 2025 10:51:48 AM

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Hi Steve and Planning staff,

I strongly encourage you to expedite the construction of the new Holiday Market closer to Highway 20. People in our area of Nevada County frequently have to make long trips to get basic and essential goods, and in many cases take our business into Marysville and Yuba City for lack of access to services locally. Even simple goods like fresh bread and meat can be hard to come by, not to mention the sundry goods available at larger grocery stores. Our local Holiday employees work hard to serve our needs, but they simply do not have the space required to provide all the essentials. The expanded store would also provide economic opportunities for local residents and encourage development of our modest commercial quarter. The employee-owners of Holiday should be supported in their investment to improve our community. Thank you for your time.

Yancy Satlin  
Nevada County resident  
Big Oak Valley

**From:** [Terri Harmon](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Friday, November 28, 2025 1:25:40 PM

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Hello Steve,

I am a homeowner living in Penn Valley just off Pleasant Valley Road about a mile north of Holiday Market's current location.

I shop at Holiday Market regularly, and support their efforts to move to the new location they have been pursuing with Nev Co Planning Dept.

The current location is fairly small - a larger store would be beneficial to Penn Valley in multiple ways.

I would enjoy having a larger selection of products, and have no concerns about possible traffic congestion impact on Pleasant Valley Road if the new location is approved.

Respectfully,  
Terri S. Harmon  
homeowner  
13002 Country Heights Dr.  
Penn Valley

**From:** [John Michael \(Mike\) Connor](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday market  
**Date:** Friday, November 28, 2025 3:24:50 PM

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I support the plans for the new Holiday Market in Penn Valley. It will be a welcome addition to the community to have an expanded, modern market and deli. Increased traffic into the area is a concern, but I think it can be resolved suitably with the additional access street.

John Michael Connor  
15061 Pleasant Valley Road  
Penn Valley CA 95946  
[jmconnor@ucdavis.edu](mailto:jmconnor@ucdavis.edu)  
530-277-1507

**From:** [Don Stevens](#)  
**To:** [Planning](#)  
**Subject:** Holiday market Penn Valley  
**Date:** Friday, November 28, 2025 4:42:01 PM

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I live on Waxwing Ct in Lake Wildwood. I have no issue with new development

Don Stevens

**From:** [weldontravis@gmail.com](mailto:weldontravis@gmail.com)  
**To:** Planning  
**Cc:** [letters@theUnion.com](mailto:letters@theUnion.com)  
**Subject:** Penn Valley Holiday Market relocation  
**Date:** Friday, November 28, 2025 8:32:12 PM

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There are several negative issues to the proposed relocation of the Penn Valley Holiday Market.

- Its proximity to Hwy 20 and high cross-traffic flow, and therefor:
- Its dangerous conditions for ingress and egress.
- It eliminates the ease of golf-cart crossing at Lake Wildwood's main gate.
- Starbuck's Coffee has had corporate policy of tastily refusing service to Peace Officers (of which I am one).  
Therefore Peet's Coffee should be strongly encouraged.

Weldon C. Travis  
Rough And Ready, CA  
(530) 432-8866  
Retired Peace Officer (Sergeant), Marin County Sheriff's Office

**From:** [Leslye leslyerobbins.com](mailto:leslye@leslyerobbins.com)  
**To:** Steve Geiger  
**Subject:** Support for the new Holiday Market location  
**Date:** Friday, November 28, 2025 9:36:43 PM

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Hi Steve,

I live in Wildwood Ridge and I am thrilled about the possibility of a new location for Holiday Market. I am writing to let you know that I wholeheartedly support the move to the new location so Holiday Market can become a larger and higher quality market for Penn Valley residents.

It's the only grocery in town and I believe an upgrade will fully benefit our community.

Kind regards,

Leslye  
Robbins

Leslye Robbins, LCSW  
Licensed Clinical Social Worker  
[leslye@leslyerobbins.com](mailto:leslye@leslyerobbins.com)

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Leslye Robbins, LCSW  
Work VM: 415-675-5772  
Mobile/ Text 415-307-6994  
[leslye@leslyerobbins.com](mailto:leslye@leslyerobbins.com)

**From:** MATTHEW HEILMANN  
**To:** [Planning](#)  
**Cc:** [Sue Hoek](#)  
**Subject:** New Holiday Market  
**Date:** Saturday, November 29, 2025 10:28:01 AM

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Hello Susan and Steve,

I grew up in Nevada County and returned in 2000 after a 15 year period in Santa Cruz county. I highly support the site and concept for the Holiday Market proposal. To be clear, I have no vested interest in that business, but I think very highly of it from my experience thus far. It's obvious they have outgrown the current location for some years now and from what I can tell as a long time customer, they are a responsible business. I think it is an attractive proposal to have a full service supermarket in our area as it continues to grow while providing employee owned benefits to their workers/stakeholders.. That they have planned two means of egress speaks to both safety and convenience concerns. Please give this proposal your careful consideration.

Matt Heilmann  
Penn Valley resident  
530-798-8051

**From:** [marc.gifford](#)  
**To:** [Planning](#)  
**Subject:** New Holiday Market Penn Valley  
**Date:** Saturday, November 29, 2025 8:26:35 AM

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Planning Department:

I live here in Penn Valley and support the building of a new Holiday Market. There are a handful of Lake Lockup residents with golf carts that have contested the new Holiday because they will no longer be able to drive their carts to the store. This is selfishly foolish.

Regards,

Marc Gifford

**From:** [Doug and Shirley](#)  
**To:** [Planning](#)  
**Subject:** Penn Valley Holiday Market Project  
**Date:** Saturday, November 29, 2025 1:29:37 PM

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**Nevada County Planning Commission:**

We are homeowners in Lake Wildwood of 16 years, and would like to voice our adamant support for the approval of the plans for the new construction of Holiday Market on Pine Shadows Lane in Penn Valley as presented to the Planning Commission. Holiday Market has met all of the criteria for the approval of this project. County staff have been very thorough in their review of the plans and requirements for this project. Please vote to approve this project. Thank you very much.

Sincerely,

Douglas and Shirley Moon  
11889 Kingbird Court  
Penn Valley, Ca 95946  
925-989-6743

**From:** [Georgia Martinson](#)  
**To:** [Steve Geiger](#)  
**Subject:** Support for the Penn Valley Holiday Market Project  
**Date:** Saturday, November 29, 2025 7:30:27 PM

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I am wholeheartedly supporting the Holiday Market Project! As a Holiday Market customer and resident of Rough and Ready, a new updated market with more space, more parking and more amenities will be greatly welcomed. And the mitigation of the traffic congestion on Pleasant Valley Road is absolutely essential. Thank you for your consideration.

Georgia Martinson  
17937 Gray Oak Drive  
Rough and Ready, Ca 95975

Sent from my iPhone

**From:** Maria Perdue  
**To:** Steve Geiger  
**Subject:** Holiday Market Support  
**Date:** Sunday, November 30, 2025 9:07:42 AM

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Dear Steve

I would like to thank you for your service in our Nevada County Planning Department, I know sometimes it is not an easy job. May you grow in wisdom as you make decisions for the well being our our County.

I am writing in support of a new Holiday market in Penn Valley, as you know the plans to rebuild just up the street from the store located at the main gate of Lake Wildwood. I live in Wildwood Ridge development I love that store. I understand it will be a little bit further down the road but I am looking forward to it being a bit more modern and a bit larger. It is a fabulous store and great people and would love to see the employee run market thrive here in Penn Valley.

With that said, **I am in support of the development.** I pray that the money the store has provided into the research for proper planning to successfully mitigate the impacts, will not be wasted.

Again, thank you Steve as you consider the my support. I pray this stores value to our community will out weigh the protests from Lake Wildwood association.

Sincerely

Maria Perdue

Cell 919-641-5247

13792 Mica Ct  
Penn Valley, Ca  
95946

**From:** [Melinda Hershon](#)  
**To:** [Steve Geiger](#)  
**Cc:** [Gary Hershon](#); [Melinda Hershon](#)  
**Subject:** Support for NEW Holiday Market - Penn Valley  
**Date:** Sunday, November 30, 2025 12:30:48 PM

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Nevada County Planning Department  
950 Maidu Avenue, Suite 70  
Nevada City, CA 95959  
[Steve.geiger@nevadacountyca.gov](mailto:Steve.geiger@nevadacountyca.gov)

Dear Mr. Geiger,

We are writing to support the new Holiday Market location.

A new Holiday Market will improve circulation patterns by providing two ways to access the store and Commercial Avenue (via either Pine Shadows or Commercial Avenue), reducing truck traffic and congestion on Pleasant Valley Road. In addition, if the project is approved, we may receive ~\$300,000 towards the future road improvements the county has planned on Pleasant Valley Road and Highway 20. If the project is not approved, we fear that Holiday market will discontinue servicing Penn Valley and Lake Wildwood residents.

Please support this move.

Kind regards,  
Melinda & Gary Hershon  
19507 Explorer Dr.  
Penn Valley, CA 95946  
925-464-8734  
925-200-3609

**From:** [Scott Frederickson](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market in PV  
**Date:** Sunday, November 30, 2025 2:06:05 PM

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Hi Steve,

I just recently noticed a post on the NextDoor app about the proposed Holiday market in Penn Valley.

I definitely believe it would be a great benefit to the PV area to have a newer, and bigger store (and I have been in the LOP store in Auburn a few times and noted the differences between the two stores). In fact, I think about two decades ago Holiday (PV) should have moved into a bigger location, even back then!

*I do have some concerns however...* I live on Branding Iron Rd (directly across from the gas station on the other side of Pleasant Valley Rd. As it is now, it has been a real safety concern going straight or making a left hand turn from my road onto Pleasant Valley Rd. I would be very curious what the plans will be for dealing with traffic?

How many stoplights are needed? How would that affect traffic from the LWW direction coming to the intersection of Hwy 20? Would that back up traffic all the way down to the storage facility? If an intersection is added where my road is, how will that blend in with the existing intersection at Hwy 20?

Can Pleasant Valley Rd accommodate all the traffic? It sounds like the public needs more information and specifics on how this flow of constant traffic will be dealt with.

Again, I will say PV needs a bigger and better Holiday grocery store; but we need allot more insight on what options (if any) would work on Pleasant Valley Rd.

Sincerely,

Scott Frederickson  
Penn Valley

**From:** [Lain](#)  
**To:** [Steve Geiger](#)  
**Subject:** Regarding the new Wildwood development  
**Date:** Sunday, November 30, 2025 2:31:37 PM

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Dear sir,

I am contacting you regarding the new Holiday Market development in Penn Valley by Highway 20.

My partner and I were born and raised in Nevada county and have watched its growth and development through forty years. Since we were able to work, we have worked in Nevada county, and lived principally in Penn Valley.

What we have noticed over the years, like an elephant in the room, is the congestion at one of the most vital stores in Penn Valley. I speak of the intersection between Lake Wildwood's first gate and the current Holiday Market storefront on Pleasant Valley Drive. At times, traversing this four-way stop sign intersection can be harrowing and unpredictable. There are not only out-of-towners en route to the river, but also long-time residents complacent and reckless with regards to basic traffic laws. It is due to this congestion that there is a general danger just outside of Lake Wildwood. This is in addition to Holiday Market's current confusing parking lot layout, which never seems to be free of aggressive drivers.

In summary, the local population has vastly outgrown the current Penn Valley Holiday Market's abilities to serve its community. The infrastructure cannot bear the demands now placed upon it. It is bursting at the seams and hemorrhaging potential revenue.

The new development initiated by Holiday Market to place the storefront more close to Highway 20, and to the greater Penn Valley area, is the perfect answer to address the people's concerns. The new location would provide much-needed breathing room and an increase in amenities and services. The store and its employees serve a very important need for this region by providing fresh produce, affordable supplements, and quality, healthy foods. I said that Holiday supplies for this region and not just this county, because a huge portion of Yuba county travels to Holiday market for such needs. No options for fresh foods are available until either Grass Valley or Yuba City, and there are simply no other options in Penn Valley.

There is a counter-movement to protest Holiday Market's new development proposed officially by the Lake Wildwood Association. This is an obvious play by people of wealth to punish those without means. I won't speak of what I personally believe to be the root causes, but I will say that it speaks to the principles of the Lake Wildwood Association (or lack thereof) that they would be more than happy to sacrifice their community for comfort. Even if the association were to have their way, they would ultimately end up with neither. After all, Holiday is not some aggressive multinational chain eager to exploit our community, but it is employee owned and operated with strong roots in the northern California region.

It is our duty as members of the community to work together and consider everyone's needs. From someone who lives on the outskirts of Nevada county, a good deal of strategy is required just for a basic grocery run. Having a thoroughly improved Holiday market location would bring not only a greater source of revenue for the county, it would also beautify the local area and provide much-needed goods,

services, and employment opportunities for its citizens.

The store in its current form is already a grocery staple of Penn Valley. For it to continue, critical improvements need to be made. The new development that Holiday proposes can only be a net gain for everyone involved.

I implore you to consider the needs of the average person in Nevada county by approving of this new development project. The needs of the many outweigh the needs of the few.

We of the common people may not have net worths in the millions or mansions in gated communities. Don't we still have the right to affordable, quality foods?

With sincerely warm regards,

A concerned citizen of Nevada county.

**From:** Pam Wolfe  
**To:** Steve Geiger  
**Subject:** Holiday Market  
**Date:** Monday, December 1, 2025 8:18:34 AM

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Dear Mr. Geiger,

We want to express our support for the Holiday Market move and expansion. An expanded market with the new location will be a boon for the people like us who live in Rough and Ready, Penn Valley and areas further west down Hiway 20.

Please approve the project so that everyone (not just Lake Wildwood residents who drive golf carts) can get easy access to an expanded supermarket and avoid the need to drive into Grass Valley or Brunswick to visit a supermarket.

Thanks  
Tom and Pam Wolfe  
Rough and Ready

**From:** [Sue Scardina](#)  
**To:** [Steve Geiger](#)  
**Subject:** PENN VALLEY HOLIDAY MARKET PLAN  
**Date:** Monday, December 1, 2025 8:30:02 AM

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Please know that the LWW Board does not speak for most of LWW residents. Those complaining are those who do not want their ability to drive their golf carts to the present Holiday Market taken away. Ignore them. They want everything to always stay the same and not progress. The proposed entrances to the new store are far enough away from the LWW entrance so as not to cause congestion at the LWW gate.

**From:** [Rob Tribble](#)  
**To:** [Steve Geiger](#)  
**Subject:** New store  
**Date:** Monday, December 1, 2025 8:30:21 AM

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I am a local customer, I approve of a new Holiday market, I find NO rational reason to NOT approve. Seems like a lot of fear, and no rational facts

**From:** [Marie Nelson](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market  
**Date:** Monday, December 1, 2025 8:47:05 AM

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Good morning Steve,

We live in Wildwood Heights and shop regularly at Holiday Market. My husband and I strongly support Holiday Market's expansion plans for their new location. The store and its owner-employees are a real asset to our community and we should endeavor to keep them here.

Thank you.

Sincerely,

Marie and Jon Nelson



**From:** Mary Long  
**To:** Steve Geiger  
**Subject:** Holiday Market  
**Date:** Monday, December 1, 2025 1:13:13 PM

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Hello Mr. Geiger,

I am not a resident of Lake Wildwood, I live on Broken Oak Court in Penn Valley.

My veterinarian is in the strip mall on Commercial Way and it can be difficult at times to make a left hand turn out of there because of the traffic on Pleasant Valley Road. The two maps provided by Holiday Market on the back of their plea for support were impossible to decipher so I can not tell where the shoppers will be exiting the parking lot. I am asking you to please not allow the exit be on Commercial Way. There is already a steady flow of cars entering and exiting that street, and with the existing traffic on Pleasant Valley Road, a left hand turn will be huge test of patience. The intersection of Pleasant Valley Road and Highway 20 is congested anyway!

Why does Holiday Market need a bigger store anyway? I have never been unable to find parking there or have I found the store jam packed with customers. I believe there has been several businesses in the building they share that have closed. Why didn't Holiday expand there and then? Just reading their letter to customers regarding support for this project they have lost my confidence anyway. I don't care how much they have already spent nor do I believe for one minute this project could ever "improve truck traffic and congestion on Pleasant Valley Road." The letter ended with so much junk trying to make us believe we were practically taking food from the mouths of their employee's children if we did not support their employee owned business in their endeavor. The entire letter was disingenuous and desperate.

Thank you,  
Mary Long

**From:** [Christie Brockett](#)  
**To:** [Steve Geiger](#)  
**Subject:** Holiday Market in Penn Valley  
**Date:** Tuesday, December 2, 2025 12:48:44 AM

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Hello,

I'm a resident in Penn Valley living in Lake Wildwood for the past 6 1/2 years.

I'd just like to voice my support for the new store that Holiday Market wants to build here. I shop at the current store fairly often and have to say it is much too small for it being the only grocery store in Penn Valley.

I read an article today about how some residents in Lake Wildwood are unhappy because they won't be able to drive their golf carts to the new store. I can assure you that anyone living in this community that owns a golf cart, also owns at least one automobile and most likely two.

Having a larger grocery store is, in my opinion, needed more than those people being a little inconvenienced.

Please build this new store!

Thank you,  
Christie Brockett  
[Sent from Yahoo Mail for iPhone](#)